Procurement and Contracting Services

RFP L061817 Tri-University Request for Proposal for Legal Services for the Arizona Board of Regents and Arizona Public Universities

ADDENDUM #2

Questions and answers for RFP L061817.

1) The RFP seeks alternative pricing options. In what types of alternative billing arrangements has the Tri-University system participated in the past and in what areas?

For example, does the Tri-University system use fixed fee structures for IP work? If so, what are the fixed fee structures the Tri-University system uses?

Answer: The universities will consider any proposed billing arrangements, including set hourly rates, percentage reductions of hourly rates, flat fee proposals or other alternative fee structures. The fixed fee structures currently in use, if any, are not relevant to this RFP.

2) What is the annual average outside counsel legal spend for the Tri-University system over the past three years? Of the total, what percentage is spent under alternative fee structures?

Answer: That information is not relevant to this RFP.

3) For immigration, would the scope of work encompass:

Employment-based immigration (including H-1B, TN, E3, O-1) and immigrant/green card visas (PERM, Special Handling, EB2 and EB1) for faculty and staff;
Counsel on student related immigration issues; and/or
Counsel on I-9 and E-Verify.

**Answer:** Definitions of each area of legal representation will not be provided. Respond with respect to the areas of representation in which you believe you are qualified and in which you seek to provide services to the Universities.

4) To the extent that the broadly written indemnity provisions of Exhibit A - the ABOR Agreement for Legal Services - could potentially void aspects of our firm’s legal malpractice coverage, would those provisions be open to discussion prior to engagement?

**Answer:** As noted in the RFP, changes to the Agreement for Legal Services are discouraged; however, we are willing to discuss changes that may be necessary to address issues relating to insurance coverage for both the firm and the universities.

5) Is there a definition for “General Civil Litigation”? Is this any kind of litigation that’s not already listed as an Area of Legal Representation? And does it include class actions/complex litigation?

**Answer:** Please see the response to Question 3 above and Question 10 on Addendum #1.

6) Question regarding one of the listed forms: 10.3 Compliance with ARS 35-393.01 is missing from the RFP documents. The way the forms are numbered, it would appear the form is no longer needed since 10.3 is now what is listed under 10.4, which is the Certification Regarding Debarment Suspension, Proposed Debarment and other Responsibility Matters. Can you please confirm this?

**Answer:** There is no need to provide the “Compliance with ARS 35-393.01” form for the submittal of the response. The language concerning that form was in error. The other four forms that are referenced should be completed and returned. Please refer to the Forms by name rather than by listed number because of the error in the reference.

7) Should the proposed hourly rates reflect a blended rate (one rate applied to all attorneys in a particular level) or a maximum rate (varying rates for attorneys up to a maximum)?

**Answer:** You should propose rates that you believe best reflect what your firm can offer competitively in response to this RFP in a manner and format that is clear and easily understood.

8) Are there specific timekeeper ranks that we should use or are we free to define our timekeepers the way we see fit?

**Answer:** You are free to define your timekeepers as you see fit and in a way that you believe is responsive to this RFP.

End of Addendum