



R5027 - Request for Proposals for Pre-Qualification for Legal Services

RFP Questions and Answers
updated December 3, 2018

Questions are presented below in bold, with answers from the Trust in italics.

- 1. Please advise if the services contemplated by this contract include Workers' Compensation Defense.**

No, the services contemplated by this contract would not include workers' compensation defense.

- 2. Are the responders required to submit an SDVOB Utilization Plan with the proposal, considering there is no SDVOB requirement for the contract?**

No, respondents to the RFP are not required to submit an SDVOB Utilization Plan with the proposal.

- 3. I would like some clarification on the instructions for Exhibit 1, the Supplemental Questionnaire. The instructions state that our response to the questions must be submitted on "one one-sided 8 ½ by 11-inch pages." Does the Trust want a single page with summarized responses to the questions, in addition to a detailed response, or was this a typographical error and the "one" one-side page limit should be disregarded?**

There is a typographical error on Exhibit 1 (Supplemental Questionnaire) of the RFP. The first sentence of the Supplemental Questionnaire should read as follows:

Submit responses to the following questions, using 12 point font, with standard margins printed on one-sided 8 ½ x 11 inch pages.

- 4. Is the goal of this RFP to pre-qualify law firms solely for work involving real estate and construction matters – as the original email summary describes – or is it to pre-qualify law firms for any of the broader scope of matters listed in Section 3.3.2: (1) real estate (including commercial leasing, real estate acquisitions, dispositions, transfer of development rights and landlord/tenant); (2) construction; (3) environmental and land use; (4) labor/employment; and (5) regulatory compliance and litigation?**

The goal of the RFP is to pre-qualify law firms for all categories listed in Part I, Section 3.3.2 of the RFP.

5. What specialized work is the HRPT expecting the prime/subcontractors to do?

The goal of the RFP is to pre-qualify law firms for all categories listed in Part I, Section 3.3.2 of the RFP.

6. How much percentage of work is the prime or subcontractor supposed to do?

Respondents to the RFP should submit a proposal for the percentage of the work that will be provided by the prime firm and any subcontractors that would reflect the respondents' ability to meet the Trust's goals for MWBE participation.

7. Can an MWBE hire a prime and control the contract? If so, how would that work?

MWBE firms can submit an RFP as a prime firm and list proposed subcontractors to provide the work. MWBE firms can also be a subcontractor to another prime. MWBEs can also submit an RFP stating that the preference is to be included as a sub with other law firms.

8. Can there be multiple primes to this contract?

Yes. The Trust plans to pre-qualify multiple firms and enter into several contracts to provide services for the categories listed in Part I, Section 3.3.2 of the RFP.

9. What is the contract amount?

The contract amount will vary based on the legal services being provided on a particular matter and the length of time of the contract. Each year, the Trust's approved annual budget is made available online on the Trust's website, and includes the amount allocated by the Trust for legal fees.

10. How often do consultants get reimbursed? Is it a hard 30 days or does it take more time?

Reimbursements by the Trust to respondents will be made according to the Fee Schedule (Appendix C of the Draft Contract). The Trust cannot guarantee thirty (30) day reimbursements, but generally reimbursements are made within that time period.

11. Can we work as a prime/subcontractor for this project and work for other primes/other contracts?

MWBE firms can submit an RFP as a prime firm and list proposed subcontractors to provide the work. MWBE firms can also be a subcontractor to another prime or multiple primes. MWBEs can also submit an RFP stating that the preference is to be included as a sub with other law firms.

12. Is there a list of firms that HRPT will put out after the deadline for questions is over?

The Trust is not maintaining a list of MWBE firms and prime firms that are interested in partnering. We are collecting optional RFP inquiry forms, so we will have an idea of the firms that are interested in submitting a proposal, which we can share, however, the list won't accurately reflect all firms that plan on submitting a proposal because the form is optional.

13. If a responder hires a subcontractor, is there a percentage of work we are supposed to do as a prime? If so, what would be the percentage?

Respondents to the RFP should submit a proposal for the percentage of the work that will be provided by the prime firm and any subcontractors that would reflect the respondents' ability to meet the Trust's goals for MWBE participation. The respondent is not required to contract with a subcontractor at this time. However, after selection and assignment of a project, the prime should be prepared to subcontract work to a MWBE when appropriate for the matter.

14. Since we are qualified to handle the transactions of the Hudson River Park Trust, we would like to submit as a prime. However, we would also like to submit as a subcontractor. Are we able to submit both as a prime and as a sub?

The Trust will accept responses from MWBE firms to either pre-qualify separately or in partnership with a prime/majority firm for pre-qualification, or both. If you submit a response with a prime/majority firm, you should provide some information about your MWBE firm, including the attorney or attorneys that would be staffed and their resumes. MWBEs therefore can submit as a prime and also be a sub on another prime's proposal.

15. I own a WBE-certified law firm. If HRPT is keeping a list of MWBE firms interested in partnering with a prime firm, please add us to the list. If HRPT is keeping a list of interested prime firms, will you please send to me so that I may reach out to them?

No, we are not maintaining a list of MWBE firms and prime firms that are interested in partnering. We are collecting optional RFP inquiry forms, so we will have an idea of the firms that are interested in submitting a proposal, which we can share, however, the list won't accurately reflect all firms that plan on submitting a proposal because the form is optional.

16. How frequent would work be and would the subcontractors be needed to handle the work?

Work is on call as issues are raised. Some years, there may be no work for a particular subject matter and other years there may be considerable work, depending on the types of issues that come up. The prime would determine which work should be handled by the subcontractor based on the particular legal assignment.

17. Can a MWBE bring in subcontractors to assist with work?

Yes. MWBE firms can submit an RFP as a prime firm and list proposed subcontractors to provide the work. MWBE firms can also be a subcontractor to another prime. MWBEs can also submit an RFP stating that the preference is to be included as a sub with other law firms.

18. Can a MWBE be a sub on more than one prime RFP?

Yes.

19. RFP on p. 32 states that Overnight Delivery/Messenger costs are not reimbursable. Does this also include process servers that serve documents? What about court fee costs?

Court fees and service of pleadings is a reimbursable expense. Invoices that show the actual costs would need to be provided to the Trust for reimbursement.