

## **Questions Received for As-Needed Legal Services RFP:**

**Q:** There are multiple addresses for our proposal response. Do all responses have to be received by 1PM EST on 2/12/10, or is postmarked by that date acceptable for the copy not going to Timothy Hoeffner?

**A:** All copies of the proposal must be received by 1:00 PM EST on Friday, February 12, 2010. Any proposals received after this time will be disqualified. TEN copies must be sent to Timothy Hoeffner and ONE copy sent to the Contract Services Division at the addresses provided on the cover sheet of the RFP.

**Q:** Is it acceptable to jointly respond to this RFP in partnership with another law firm, so that the evaluation will reflect the combined strengths and capabilities of the team?

**A:** Yes

**Q:** In the Law Firm Payment section the RFP requests a loaded hourly rate for each proposed individual on our anticipated staff. Would other fee proposals be considered?

**A:** No, the rate must be proposed as requested. Please provide a proposal for a loaded hourly rate.

**Q:** For short-listed firms, after notification and instructions are provided concerning the oral presentation, interview and pricing requirements, will there be an opportunity to ask questions? If not, are you able to provide some additional background on anticipated format, structure and time limit of the presentation/interview and the price submittal requirements?

**A:** Yes, short-listed firms may ask questions related to the presentation and interview process at that time. Details of the presentation and interview format, structure, time limits, and price submittal requirements will be provided to the short-listed firms.

**Q:** Please clarify the requirement to provide references from "any other Department Of Transportation(s)" (2nd bullet of page 3 of the RFP) and three references from "other sources" (3rd bullet on page 3 of the RFP). If we were to provide one reference from at least 3 Departments of Transportation, does that satisfy each requirement? If not, may additional Departments of Transportation and/or regional transportation agencies be utilized?

**A:** Yes, one reference from at least three Departments of Transportation would satisfy the requirement.

**Q:** We note that you state in the RFP that experience and understanding of Michigan law is desirable. We do not practice Michigan law and in previous engagements for similar P3 services for other state departments of transportation, we have typically "teamed" with local counsel of the department's choice, or have worked closely with the AG's office as applicable. Could you please confirm whether you would like us to "team" with Michigan counsel for this purpose, or whether we would be permitted to submit our own credentials at this time and then work with Michigan counsel of your choosing and/or the AG's office with respect to Michigan law matters as necessary, at the relevant time?

**A:** It will be the selected Law Firm's responsibility to ensure that any legal advice provided complies with Michigan law. The decision to "team" with Michigan counsel at this time, or propose to do so later if the need arises, is a decision left to each Law Firm responding to the RFP. Please note that the selected Law Firm must work closely with the AG's office, whether or not it "teams" with Michigan counsel now, or in the future.

**Q:** The RFP states that individual attorneys within the chosen law firm must have "appropriate credentials to become a Special Assistant Attorney General for the State of Michigan." We have searched your website, but have not been able to ascertain the credentials that this would require. We would be grateful if you could detail the necessary qualifications and again note that while we have many experienced attorneys who would likely meet applicable seniority and years of practice type requirements, we do not practice Michigan law.

**A:** It is not anticipated that individual attorneys will become Special Assistant Attorneys General for the State of Michigan since it is extremely unlikely that any individual attorney from the selected Law Firm will appear in a legal proceeding on behalf of MDOT. As such, holding a Michigan law license is not a requirement of the RFP. Proposed individual attorneys must nevertheless hold a valid license to practice in any state. In addition, the proposed individual attorneys will be subject to a background check, including a review of any criminal history.