Addendum No. 1
October 21, 2010

The City University of Construction Fund
Request for Proposals
Legal Services Requirements Contracts
Project No. CITYW-CUCF-06-10

This Addendum is issued for the purpose of conveying the attached Amendment to this RFP and the Questions and Answers which include responses to the questions raised in the Questions & Answers session of the October 7, 2010 Pre-Proposal Conference, as well as responses to the questions that were e-mailed to the CUNY Contracts Department. Consistent with Section VI. E. (General Information for Proposers - Reserved Rights) of the RFP, all information provided in the Question and Answers herein is made in good faith for information purposes only and does not in and of itself change the RFP. Changes to the RFP may only be made by formal amendment, if and when required.

Contact: Michael Feeney, DDCM.ContractsDept@mail.cuny.edu

By signing in the space provided below, the Proposer acknowledges receipt of this Addendum. This Addendum must be signed by an authorized representative of the Proposer and submitted with the Response.

Name of Proposer

Name of Authorized Proposer Representative       Title       Signature       Date
Addendum No. 1
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Request for Proposals
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Amendment to the RFP

Section IV.C.1.C is amended as follows:

A Statement that the firm is willing to perform all services required by this RFP unless as otherwise disclosed by the firm in the statement.

Q1. Will firms be required to provide all of the services listed in the RFP, or can they submit a response which includes only those services they are qualified to do?

See Amendment to this RFP, above.

Q2. What if a firm cannot provide all the services, are joint ventures acceptable?

Yes, Joint Ventures are allowed.

Q3. Regarding the Fees, will the rates submitted in the proposal remain the same for all three years?

Yes, fees proposed are the maximum rate for the firm, and are subject to competition and negotiation.

Q4. Can a firm propose rates for each year? Can we submit rates by category instead of by team member?

Firms can propose either and CUCF will negotiate the fees. Fee alternates are acceptable as per RFP Section IV.5.

Q5. What does the three years signify?

It is the estimated term of the contract.

Q6. Would you encourage a firm to team up with another firm to provide all of the services?

Joint Ventures are neither encouraged nor discouraged.

Q7. What was the thought behind selecting 4 firms, are you looking for four firms that provide all services, or four firms that each provides services that they are proficient in?

Four firms is the number of contracts we anticipate awarding for this solicitation.
Q8. The RFP talks about a Presentation and Interview process, what is it?

As part of the selection process a cohort of the highest ranked firms will be invited to make a presentation and to be interviewed by the selection committee at which time they will be given a limited amount of time to further describe their experience and qualifications and to answer questions posed by the committee.

Q9. Who should attend the Presentation and Interview?

Guidance on the Presentation and Interview process will be provided in the letter of invitation.

Q10. Will firms be able to request an increase to fees proposed.

See answer to question 3.

Q11. Regarding the MWBE requirements, are they to be met internally by the firm or by subcontracting?

The goals refer to subcontracting opportunities.

Q12. In regard to meeting MWBE requirements, what types of services would be considered for subcontracting?

Any services that would be required to complete the scope of work defined, and may include both direct and indirect costs.

Q13. Can a firm subcontract to another law firm for the MWBE goals?

Yes.

Q14. In regard to meeting MWBE requirements, what types of services would be indirect?

Any services that would be required to complete the scope of work including services such as printing, courier, and bookkeeping. Firms are encouraged to visit the State’s website www.nylovesmwbe.ny.gov and search the directory for any and all services that they may choose to subcontract.

Q15. Are we required to identify the subcontractors as part of our submission?

No. For the purposes of the RFP submission, firms should sign and submit Attachment 4, Affirmative Statement Acknowledging and Agreeing to Comply with CUCF’s Anti-Discrimination and MWBE Policies. Firms that receive a contract award will be required to identify the specific subcontractors they plan to use to meet the goals for each project specific assignment issued as part of the task order submission.

Q16. When is the engagement letter signed? When would you consider a firm engaged? What happens in the time in between the contract and issuance of a task order?
There is a two stage process. First there will be a contract award, then issuance and assignment of a task orders on an as needed basis.

Q17. Are any assignments done without competition?

Yes, a task order may be assigned without competition or through other selection methods appropriate to specific assignments.

Q18. How many resumes are required to be submitted?

Resumes should be provided for not less than 3 and not more than 10 staff members who would be assigned to the work.

Q19. Are we limited to the people we designate in the proposal for the services?

It is acceptable to submit substitutes subject to CUCF’s prior approval.

Q20. When will work assignments begin, are there any assignment in the pipeline?

Not known at this time.

Q21. Section IV.C.1.c of the RFP states that we should include “a statement that the firm is willing to perform all services required by this RFP”. As a law firm that only specializes in real estate law, should we assume that our statement should only state the services listed that we are able to provide as a specialized law firm?

See Amendment to this RFP, above.

Q22. Is this a new opportunity? If not who is the incumbent?

Yes.

Q23. If there is an incumbent, what were their potential bill rates?

Not applicable.

Q24. What is the estimated value of this contract?

There is no set amount at this time.

Q25. Is the prohibition against conflicts of interest in effect during the entire period of the contract and how shall they be disclosed?

See RFP Section II.A. and IV.C.2.d.
Good morning, I am Jeffrey Weinstein, Director of Procurement Services for CUNY’s Office of Facilities Planning, Construction and Management.

The goal of the Legal Services Requirements Contracts RFP is to engage a group of law firms to provide legal services as the need arises in areas such as construction litigation, public-private joint development issues, land use zoning review and appeals, and real estate acquisition, disposition, development and financing, including bond financing. It is anticipated that contracts will be awarded to four (4) firms.

The purpose of this morning’s Pre-Proposal Conference is to provide you with the opportunity learn about the RFP, to ask questions about it, and to receive answers now or by Addendum to the RFP. It is, therefore, important that you understand the following.

Consistent with RFP Section VI. E. “General Information for Proposers/Reserved Rights”, all information provided or available in connection with this Pre-Proposal Conference is made in good faith for information purposes only and does not in and of itself change the RFP. Therefore, anything said during the course of this Pre-Proposal Conference is not binding and does not change the RFP. Changes to the RFP may only be made by formal Amendment if, and when required.

All Addenda to the RFP, including Amendments and any other information related to the RFP issued by the City University Construction Fund, will be available for downloading at [www.cuny.edu/constructionssolicitations](http://www.cuny.edu/constructionssolicitations) and are also available for in-person pick-up during regular business hours at CUNY’s Office of Facilities Planning, Construction and Management, Procurement Services, 555 West 57th Street, 11th floor, Room 1140, in Manhattan.

We will make our best effort to address your questions during the Question and Answer session today. In those cases where additional follow-up may be needed to provide an answer, we will so advise you. In all cases, however, to ensure an accurate response, your questions should also be sent to us by 5:00 PM tomorrow, October 8th, by email or postal mail as detailed in the RFP. You may also submit additional questions to us in the same manner and timeframe.

Questions addressing the same or similar subject may be treated as a single question and responded to once. Responses of general applicability will be issued in the form of an Addendum to the RFP for information purposes only. Questions and/or other issues that
may materially affect the RFP will be addressed as an Amendment and issued as an Addendum to the RFP. In either case, they will be available as I previously described.

- You are reminded that the ONLY Authorized Agency Contact Person for all matters concerning this RFP is Michael Feeney, CUNY’s Chief of Consultant Contracts, whose contact information is in the RFP. Attempts to contact other individuals are prohibited and are required to be recorded in accordance with the New York State Procurement Lobbying Act of 2006. For more information, please refer to the New York State website listed in Attachment 3 of the RFP regarding the Procurement Lobbying Act.

- Our overview and the sign-in sheets will be formally issued as an Addendum to the RFP.

- If you have not already done so, please sign in.

- I would now like to introduce Linda Myles, Associate General Counsel of CUNY’s Office of General Counsel, and then we will take your questions. Thank you for your participation and cooperation.

- Please state your name and organization when asking a question.