



Request for Proposals #2023-32-A Legal Services

Addendum No. 1

Issued on: **14/03/2024**

NOTICE TO ALL POTENTIAL RESPONDENTS

The Request for Proposals 2023-32-A: Legal Services (the "RFP") is modified as set forth in this Addendum.

The original RFP documents and any previously issued addenda remain in full force and effect, except as modified by this Addendum, which is hereby made part of the RFP.

This Addendum addresses all questions received for RFP 2023-32-A: Legal Services. Respondent shall take this Addendum into consideration when preparing and submitting its Proposal.

ITEM 1:

It appears that there are already selected Plan Takers for this bid. Is there room for additional plan takers or is this RFP at capacity?

RESPONSE

Bids are still being accepted as we have not reached capacity.

ITEM 2:

What was your annual legal spend for the last three years in the areas outlined in 2.2 of the RFP?

RESPONSE

Over the past three years, DNSSAB has spent between \$100,000 and \$190,000 annually in legal fees.

ITEM 3:

Appendix F states, "Provide a staff breakdown of all costs associated with your Proposal. All costs must be fully itemized and complete (no estimates). All costs must be in Canadian dollars with H.S.T. excluded." Is it the expectation that disbursements are also excluded from the costs? If not, should they be added into the hourly rates or outlined in a separate table?

RESPONSE

Disbursements are excluded from any evaluation of cost, however firms are encouraged to submit any additional information of which they feel is relevant.

ITEM 4:

Regarding the "Daily Rate" in Appendix F, should proponents assume an 8-hour day?

RESPONSE

Please assume an 8-hour day.

ITEM 5:

Is there a current roster of qualified legal counsel? If yes, can you advise on the previous experience on the nature and volume of work?

RESPONSE

We currently do not have a roster of qualified legal counsel.

ITEM 6:

Specifically, with respect to Appendix F: Stage III (Submission Form), could you please clarify whether we are required to provide a single hourly rate and daily rate for each staff category (i.e., all partners must have the same hourly and daily rate), or if we can/should break down each category further (i.e., we can include different rates for different partners).

RESPONSE

Categories can be broken down further, at the proponent's discretion. DNSSAB will accept different rates under similar/same categories.

ITEM 7:

Regarding the submission form for Appendix F: Stage III (Pricing), we kindly request clarification regarding how many partners, senior associates and associates can be included for each practice area included in our proposal. Currently the rate table does not allow for multiple staff member of the same title to be added, for example, we cannot include two partners at different rates. Is it permissible to include multiple team members with the same title/job function? If so, how would you like us to display this in the chart provided?

RESPONSE

See response to Item 6 regarding multiple individuals inclusion in the same category. Yes, it is permissible to include multiple team members with the same title/job function. Appendix F can be converted to an editable document where multiple rows can be added, and rows expended to provide more detailed information. Please send an e-mail to dnssab.contracts@dnssab.ca if you would like to receive a copy of Appendix F: Stage III (Pricing) in an editable format (MS Word).

ITEM 8:

Regarding the submission form for Appendix F: Stage III (Pricing), we would like to include a rate for our Articling Students and Law Clerks. We could use the Trainee and Paralegal line to do so if permitted, otherwise it may be helpful to have a few editable rows for us to add a description of “other” functions that are not currently reflected on the table. Please advise how best to include a rate for Articling Students and Law Clerks.

RESPONSE

Proponents may add rows to the table included in Appendix F: Stage III (Pricing) to identify any positions or rates that are not reflected in the table. Please use Trainee for Articling Students and Paralegal for Law Clerks.

ITEM 9:

Our firm will submit a response for three practice areas, (edited) A, B, C. We are seeking clarification on how the procurement and evaluation team would like to receive our submission forms. Should we complete Appendix B, D, F and J for each respective practice area, or is it permissible to provide one Appendix B and D submission for all practices given many of the responses will be the same across all practice areas and have separate Appendix F and J submissions for each practice since the teams, rates and references may differ?

RESPONSE

It is permissible to provide one Appendix B and D reflective of all practice areas. If rates for each practice area differ, please submit separate Appendix F and Appendix J files.

ITEM 10:

Please clarify that our submission will consist of the following:

1. Stage I submission form
2. Stage II submission form
3. Stage III submission form
4. Stage V submission form
5. A copy of a current Business License or Letters of Incorporation
6. Verification of good standing with the Law Society of Ontario for each proposed member of the legal team
7. Brief Biographies of each proposed legal team member
8. A copy of our standard retainer form or engagement letter
9. Relevant supporting documentation, as noted in the Stage II submission form

RESPONSE

The above submission is acceptable. Please ensure that all required Appendices are completed.

ITEM 11:

Given the number of attachment documents required, the attachment size may cause emailing issues. If this is the case, should the files be condensed (zipped) in any way, or may we provide multiple emails (1 of 2, 2 of 2)?

RESPONSE

Files can be sent in condensed (zipped) format. Multiple e-mails are also acceptable. It is the proponent’s responsibility to ensure all information is submitted. Proponents can contact dnssab.contracts@dnssab.ca to ensure all documents are received.

ITEM 12:

Given the large number of areas proposed, are we permitted to be brief in the submission document regarding expertise, etc. in the Stage II submission form and provide a supplementary document in

our submission email going into more detail, which might also include the verification of good standing required, the brief team profiles, and the relevant supporting documentation noted above?

RESPONSE

Supplementary or supporting documentation will be accepted and reviewed. Please submit in document format, either .pdf or MS Word and ensure there is sufficient communication as to what section or appendix it is associated with. It is the proponent's responsibility to ensure all information required in the RFP is submitted.

ITEM 13:

As we may not make changes to the forms, other than to add response content, may we be provided with the Word files for the Stage I and Stage III submission forms (as we have been with the Stage II and Stage V submission forms), to ensure the area for response increases with the response content added?

RESPONSE

Proponents may edit the tables provided in Stage I and Stage III in order to add information to them. Proponents can e-mail dnssab.contracts@dnssab.ca to request Word files for Stage I, Stage II and Stage III.

ITEM 14:

The Stage III submission form staff breakdown chart only outlines team levels – please clarify whether we should be including individual names and rates in this chart (and if we may add rows to accommodate this), or if we are to use blended rates for each level of seniority/role in this chart.

RESPONSE

Proponents may break down rates by individual (and yes add space to the table to accommodate this), or proponents may submit a blended rate. Please note costs submitted, and cost increases shall be considered firm for the life of the contract.

ITEM 15:

The Stage III submission form asks for both hourly rates and daily rates. Is it required that we enter both? We traditionally bill on an hourly basis.

RESPONSE

If your firm only bills on an hourly rate, please assume that the daily rate is your hourly rate * 8hrs per day. Firms are encouraged to submit competitive daily rates as applicable.

ITEM 16:

Section 2.4.1 (Use of the VOR List) says that a Vendor would be selected from the VOR List if the specific Assignment does not exceed a prescribed threshold of \$99,999.99. Does this mean a capping at \$99,999.99 for the Vendors in the VOR List and any engagement on any assignment beyond the threshold requires any RFP process, or may Vendors in the VOR List qualify with or without the RFP process?

RESPONSE

Generally projects will be below \$99,999.99. However, if a project exceeds this threshold, DNSSAB will decide depending on the project to either use an approved (& qualified) firm from the VOR list, or issue a separate RFP in accordance with the DNSSAB / NDHC Purchasing Policy.