Purchase College
STATE UNIVERSITY OF NEW YORK

Senior Learning Community

Response to Questions Regarding RFP SU-120312 – Legal Services for Senior Living Center
January 16, 2013

1. The first question is regarding Form A – New York State Consultant Services Contractor's Planned Employment. In Part I: General Standard Information and Instructions, Section R: Consultant Disclosure Legislation (page 5). Please clarify if Form A is required in the Proposal Submission, due on January 23, 2013, or if it needs to be completed after the contract is awarded.

   Answer: **Only the successful contractor will be required to execute the form.**

2. The second question is regarding the Contractor Certification form ST-220-CA and form ST-220-TD. In Part I: General Standard Information and Instructions, Section P: Sales and Compensating Use Tax Documentation. Do these forms need to be completed for the Proposal Submission or do they need to be completed after the contract is awarded?

   Answer: **Only the successful contractor will be required to execute the forms.**

3. Relative to page 7, number 16. Indemnification. The firm regularly responds to RFPs for legal services to state agencies and authorities that request indemnification. In these situations, although we do not provide traditional indemnity, we provide a response that has been deemed adequate and appropriate by state agencies and authorities. We intend to propose a similar response for PCAC, as follows. Please advise if this commitment suffices to allow our firm to be continued for consideration for this RFP. Thank you.

   "Rather than provide an indemnity (which may jeopardize coverage and is therefore neither in the interest of PCAC, SUNY or the firm), the firm maintains Lawyer's

Professional Liability Insurance with substantial per claim and aggregate coverage limits to provide protection in the event of any malpractice of the firm. In the event of a claim, the firm pledges to cooperate and assist fully as appropriate."

Answer: **Indemnification is a covenant that cannot be modified or waived.**

4. On page 10, part II, section E, number 6, you request a schedule of billing rates for each of the principals identified in 5 above as well as a schedule of hourly rates for all applicable staff (attachment 2).

   Do you want a different schedule for each individual or all billing information compiled into one schedule? If you want one schedule, can I list each attorney separately or do I need to provide one hourly rate for every attorney in a particular category?

   Answer: **Complete Attachment '2', Fee Schedule in accordance with the instructions in the RFP. The response to the RFP may contain additional information regarding billing rates, if necessary.**

5. Page 5, Section R gives links to Form A, AC 3271-S, and to the Consultant Disclosure Legislation requirements for completing it. Neither of these links, though, now appears to be working. A subsequent search of the Office of the State Comptroller's web site also failed to locate either the instructions, or this form. Would you please inform us as to how we may access these items, as well as whether or not Form A is a requirement for submitting? (Note: Page 5, Section R states "A properly completed Form A, AC 3271-S must be submitted by successful vendor." However, Attachment 1, item 1.d) lists this form as a required submittal item for bids.)

   Answer: **The link to access Form A, AC 3271-S appears to be working. Only the successful contractor will be required to execute the form.**

End of Questions

By: Wayne M. Rush

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