



STATE OF NEW JERSEY
SCHOOLS DEVELOPMENT AUTHORITY

Addendum # 1

New Jersey Schools Development Authority
Office of Procurement
1 West State Street
Trenton, NJ 08625
Phone: 609-341-5980
Fax: 609-656-4608

Date: June 27, 2013

PROJECT #: GP-0200-R01
Legal Services

DESCRIPTION: Addendum # 1

This addendum shall be considered part of the Request for Proposals ("RFP") issued in connection with the referenced project. Should information conflict with the RFP, this Addendum shall supersede the relevant information in the RFP.

A. FIRMS THAT INTEND TO PROPOSE

Please see Attachment A.

B. BIDDER QUESTIONS AND NJSDA RESPONSES:

1. **Question:** Just so that I am clear on our submission requirements, do I read correctly that we do not have to submit with the proposal the following forms until or unless we are selected: 1. Political Contributions Disclosure; 2. Anti-Discrimination document; 3. Professional Liability Coverage; 4. Corporate resolutions in the event of merger, acquisition or dissolution.

Answer: Correct. The listed documents are not required as part of your initial written proposal.

2. **Question:** In Section 2.5 do you mean a total of 5 case studies per practice area submitted or; up to 5 case studies for each member of a practice area team?

Answer: Firms are asked to limit their presentation to five (5) case studies per specialty area.



3. **Question:** Could you describe the nature of the bankruptcy/insolvency work to be provided under the contract?

Answer: The assignments may range from litigation of adversary proceedings to motions for relief from the automatic stay to permit litigation in State Court. There may also be assignments that involve providing advice regarding matters that have not yet resulted in formal bankruptcy proceedings.

4. **Question:** Is the bankruptcy/insolvency work to be provided under the contract state wide, or will it be one or more particular areas?

Answer: The assignments will be statewide.

5. **Question:** Would the NJSDA be willing to negotiate a higher rate than the \$200 per hour set forth in the RFP?

Answer: No, the rate for all specialties will be \$200 per hour for attorneys, as set forth in the RFP.

6. **Question:** Can you provided the name of the firm currently performing bankruptcy/insolvency work for the [NJSDA]?

Answer: There are currently 3 firms chosen for bankruptcy assignments by NJSDA as a result of a prior procurement. Those firms are: Hill Wallack, LLP; McElroy, Deutsch, Mulvaney & Carpenter, LLP; and Wolff & Samson, P.C.

7. **Question:** Does the NJSDA need bankruptcy/insolvency counsel for "state court" work, such as receiverships, as opposed to work in federal bankruptcy court?

Answer: NJSDA may require counsel for State Court proceedings related to bankruptcy, including receiverships, in addition to matters in Federal Bankruptcy Court. See also, Answer to Question #3.

8. **Question:** Will the bankruptcy/insolvency work include document review with an eye towards future insolvency issues?

Answer: It is difficult to forecast what types of assignments will be made. It is possible that this kind of work will be required in regards to a particular matter.

9. **Question:** Can you provide actual examples of how the NJSDA utilized bankruptcy/insolvency counsel in the past?

Answer: The NJSDA has utilized Bankruptcy counsel to assist in the preparation of proofs of claim and to seek relief from the automatic stay to permit commencement of



cost recovery litigation against a debtor design professional with professional liability insurance coverage.

10. Question: At the bottom of page 1 on the Moral Integrity Questionnaire, a Certificate of Authority issued by the Department of the Treasury is required. As an LLC formed law firm, we do not collect sales tax and hence do not have a Certificate of Authority. May I just ignore this requirement?

Answer: Yes, this requirement does not apply to your firm. However, your firm is required to provide proof of New Jersey business registration.

Any bidder attempting to contact government officials (elected or appointed), including NJSDA Board members, NJSDA Staff, and Selection Committee members in an effort to influence the selection process may be immediately disqualified.

End of Addendum No. 1



NJSDA Director

6/27/13

Date

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Acknowledgement of Receipt of Addendum

Contractor hereby acknowledges the receipt of this Addendum by signing in the space provided below and returning via fax to (609-656-4608) or E-mail (jmcelhenny@njsda.gov). Signed acknowledgements must be received prior to the Due Date for Technical Proposals.

Signature

Print Name

Company Name

Date

**ATTACHMENT A
FIRMS SUBMITTING NOTICES OF INTENT
2013 LEGAL SERVICES
GP-0200-R01**

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