

GATEWAY PROGRAM DEVELOPMENT CORPORATION

Questions Received and Answers Provided – RFP No. 2017-01

Question #1.

In Attachment C of the RFP, Section (a) of the "Pending Legal Matters" section states "Identify any pending legal proceedings to which your Firm is a party and any such proceedings known to be contemplated by government authorities or private parties involving the Firm."

Please explain the amount of detail you require a Firm to provide with respect to any such proceedings.

Answer #1.

With respect to any such pending legal proceedings, please provide (1) the caption of the action that identifies the parties and the court, (2) the names of the lawyers and law firms representing each party, (3) a description of the matter, (4) the relief requested, and (5) the status of the proceeding. With respect to any such contemplated legal proceedings, to the extent known and disclosable, please provide (a) a description of the dispute, including the names of the parties involved in the dispute and their counsel, (b) the relief to be requested, A, B, E and F, and (c) when and where the action is expected to be brought.

Question #2.

The proposal format requirements state that the proposal be no more than 20 pages excluding cover page, table of contents, page dividers and resumes. The proposal content requirements in Attachment C note that signed copies of Attachments A, B, E and F (total of 6 pages) are to be included in the proposal. Are these 6 attachment pages counted toward the 20 page limit or can they be excluded as well to provide room for substantive experience?

Answer #2.

The signed copies of Attachments A, B, E and F do not count toward the 20 page limit.

Question #3.

The proposed engagement language as stated in Attachment D (Draft Form of Retainer Agreement) is overly broad in view of the unknown and large number of current and future clients who 'may' have interests related to this major project. In view of the scope of the project and many interested parties, we request that the language of the proposed engagement letter be revised as follows....

Answer #3.

Any changes between the Draft Form of Retainer Agreement set forth in Attachment D and the Retainer Agreement finally entered into will be discussed and/or considered with the selected firm.

Question #4.

The form of retainer letter indicates that firms cannot represent clients with interests that may be adverse to GDC, and is silent on the subject of waivers. Does GDC agree to consider waiver requests on an as-needed basis and confirm that it will not unreasonably withhold consent to requests so long as a firm is not requesting to represent another party in a litigation or in a matter substantially related to the firm's representation of GDC?

Answer #4.

See Answer to Question #3 above.