

RFP for RE Counsel 2019 Questions

1. From the RFP's description of LACERA's debt investment program, it seems likely that LACERA's debt investment program is limited to commercial loans only, but for purposes of clarity does LACERA also make (or buy or participate in, etc., or intend to make) consumer loans?

LACERA'S DEBT PROGRAM IS LIMITED TO COMMERCIAL LOANS.

2. On page 9 of the RFP we are directed to answer each "question" from the "Questionnaire" on a separate page, however on page 7 of the RFP we are instructed that the maximum permitted submission size (excluding samples and templates, and using 12-point font) is 50 pages. Additionally, page 8 of the RFP also notes that "Proposals" not following the instructions presented in the RFP may result in a lower evaluation score. With the goal of satisfying all of the foregoing (and of course fully answering all questions in the "Questionnaire"), we wanted clarification on what LACERA considers a separate "question". For example, look at Item 19 under the "Firm Organization and Qualifications" section of the Questionnaire (page 16 of the RFP). Does LACERA view each of Items 19.a through 19.g as a separate "question" to be addressed on its own page, or does all of Item 19 constitute one "question"?

EACH SECTION (1. FIRM ORGANIZATION AND QUALIFICATIONS, 2. TEAM AND EXPERIENCE, 3. PANEL SPECIFIC QUESTIONS, 4. CLAIMS, 5. CONFLICTS OF INTEREST, 6. INSURANCE, 7. CLIENTS AND REFERENCES, 8. OTHER INFORMATION) SHOULD START ON A SEPARATE PAGE, RATHER THAN HAVING EACH QUESTION WITHIN EACH SECTION START ON A SEPARATE PAGE.

3. Does LACERA consider a firm's representation of a client adverse to the County of Los Angeles in non-litigation matters not involving employee benefits or employment to be a conflict?

NO.

4. On page 7 of the RFP under A.) Submission Requirements, it states that there is a 50 page limit (excluding samples and templates), but does that limit also exclude the Cover Page, Table of Contents and any Appendices we would like to include (i.e. attorney biographies)? Also, the instructions require that we include our answers directly under the questions being asked, and copying in those questions take up significant space (approximately 7 pages of text). We plan to respond to all panels, but is the page limit the same for a firm that is only choosing to respond to one panel, for example?

THE 50 PAGE LIMIT EXCLUDES THE COVER PAGE, TABLE OF CONTENTS AND APPENDICES (THOSE CAN BE LABELED WITH ROMAN NUMBERS SUCH AS i, ii, iii, iv, etc.). THE PAGE LIMIT IS THE SAME WHETHER OR NOT THE RESPONDER IS SUBMITTING A BID FOR ALL THREE OR JUST ONE OF THE PANELS. HOWEVER, RESPONDERS CAN EXCLUDE THE ACTUAL QUESTIONS FROM THE PAGE LIMIT WHICH WOULD PERMIT AN ADDITIONAL SEVEN PAGES TO BE ADDED TO THE RESPONSE (MAKING THE ACTUAL LIMIT 57 PAGES).

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5. Section IV of the RFP states that “the selected law firms will be prohibited from engaging in the litigation of cases against LACERA or the County of Los Angeles...” However, the Conflicts of Interest section in the form of retainer agreement attached as Exhibit A to the RFP only addresses actual and potential conflicts of interest with LACERA, and does not include any limitation on representation of clients in litigation (or other matters) adverse to the County of Los Angeles. Please confirm whether the selected law firms will be permitted to represent clients in litigation and other unrelated matters adverse to the County of Los Angeles during the course of the firms’ representation of LACERA.

LACERA WILL ADDRESS COUNTY CONFLICTS ON A CASE BY CASE BASIS.