



## **REQUEST FOR SUPPLIER QUALIFICATION ADDENDUM #1**

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### **RFSQ #DC-2018-CD-02Legal Services**

#### **Close Date/Time:**

June 13, 2018  
14:00 hours  
Pacific Time

**Issue Date:** May 30, 2018

**From:** CTC Procurement

**To:** All Vendors

**E-mail:** procurement@destinationcanada.com

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**Below are answers to question(s) submitted in regards to the above noted RFSQ DC-2018-CD-02 as of May 17, 2018.**

Q1. Please confirm whether the word limitations, as specified in Section E.2 of the RFSQ, is per Scope of Work. In other words, if a proponent wishes to apply for multiple Scopes of Work, they are limited to 1,000 words per question per Scope of Work.

**Answer:** That is correct. Proponents may submit up to 1,000 words for questions E.2.3 and E.2.4 for each Scope of Work they are responding to and up to 500 words for E.2.1 and E.3.1.

Q2. Section E.2.4 of the RFSQ requests that proponents provide a list of clients with contact information for each Scope of Work and states that DC may contact references directly and without notice. Appendix 1)b) References requests that proponent provide three (3) references. Please confirm whether any client listed in proponent proposals, either in the Scope of Work response or specifically outlined in the references section, may be contacted by DC Procurement? Proponents would need to obtain the consent of any client listed to act as a reference, if that is the case.

**Answer:** Only the clients identified in the reference section will be contacted.

Q3. With regards to Section E.2.2 of the RFSQ, please confirm whether each curriculum vitae is to be limited to a specific number of words or pages?

**Answer:** There is no limit to the number of words or pages for each curriculum vitae submitted as a response to Section E.2.2.

Q4. Sections E Desirable Criteria Questionnaire and Section F Pricing make references to proponent proposed resources. Should paralegals be included as part of proponent's proposed resources?

**Answer:** Paralegals may be included but it is not mandatory.

Q5. Section E.2.3 of the RFSQ requests that proponents submit sample briefs. To what extent does DC expect proponents to disclose sample solicitor briefs, taking into consideration solicitor-client privilege? If proponents are required to submit a heavily redacted sample of work, will this suffice as a sample solicitor brief?

Answer: If it is not practical to submit a brief an article is sufficient.

Q6. Section E.2.3, does it refer to capabilities and credentials of relevant to the Canadian market only since Section E.3.1 is asking for capabilities in DC's Markets in addition to Canada? Or does Section E.2.3 refer to all office locations in which DC operates?

Answer: The markets in which your firm operates.

Q7. Regarding Section E.3.1 of the RFSQ, do proponents need to provide rates, biographies and descriptions of the subcontractors on their proposal submission or will information provided under Appendix 4: Declaration of Sub-Contractors suffice?

Answer: Appendix 4 will suffice.

Q8. Regarding Section E.2.3 of the RFSQ, are proponents required to provide samples of newsletter articles published by each practice group within the Scope of Work or should they provide a case study within the submission for each Scope of Work that demonstrates their capabilities in these areas? Please clarify specifically what DC wants from proponents to submit for this question.

Answer: Samples of articles are sufficient.

Q9. Regarding Section E.2.4 of the RFSQ, what is the minimum/maximum number of current and former clients that proponents should include per Scope of Work?

Answer: Between two and four clients is sufficient per Scope of Work.

Q10. As indicated in Section A2. Roster Term, the contract for the proponent inclusion may be for a period of up to five (5) years, with the option to extend. How should proponents account for standard increases to blended hourly rates that would occur during this Roster Term in the table at Section F.1 Proposed Pricing Detail? Typical increases may be as a result of changing market conditions, the assigned lawyers gaining experience, or for other reasons.

Answer: You may include additional columns with your forecasted changes for each year but this is not mandatory. For the initial term of the agreement we would not expect the rates to fluctuate but we would take these matters into consideration for renewal years if the market conditions changed.

Q11. Section C.4.2 Personnel, Communications and Reporting indicates that a designated project manager should be provided for each specific project. Please confirm whether the project manager may be the same person as the dedicated single point of contact (the "Account Manager"), depending upon the circumstances.

Answer: A project manager may also be the account manager. However, it is helpful for us to know who is assigned to our file for each scope of work in the event we need to reach them quickly.

Q12. How many Solicitor briefs/articles per Scope of Work are proponents required to submit?

Answer: You may submit one per scope of work.

Q13. Will legal consulting services be required in all provinces and territories?

Answer: No.

Q14. Will proponents be negatively impacted by the number of Scopes or Work they wish to apply for?

Answer: Proponents will not be impacted in a negative way should they wish to apply for only one, many, or all Scopes of Work.

Q15. With regard to the Scopes of Work listed in Section C of the RFSQ, to what extent will a lack of international capabilities be held against a proposal?

Answer: Proponents are not positively or negatively impacted by their international capabilities or lack thereof. This question is evaluated in and of itself, meaning that proponents who have international capabilities will not achieve a higher score for this reason alone, and proponents without international capabilities will not achieve a lower score for this reason alone.

Q16. Should the Account Manager be the partner in charge of the contract or a person in that law firm with more of a communicator role directly to DC?

Answer: A partner responsible for the contact.

Q17. Please provide an estimate as a percentage or anticipated number of hours for the distribution of work among the practice areas listed in Section C.3 Scope of Work.

Answer: It is difficult to estimate as the needs of the business fluctuate each year.

Q18. What was DC's total legal spend per year over the past two years? Please provide a percentage breakdown of spend between matters under the Scope of Work?

Answer: We do not disclose this information as it differs from year to year.

Q19. Please provide an estimate as a percentage or anticipated number of hours for the amount of work DC anticipates to arise outside of Canada and if possible, in each of the key geographic markets as indicated in Section A and C.1 of the RFSQ.

Answer: At this time, 65% of DC's legal requirements are in Canada and 35% for the other DC markets.

Q20. Please provide an estimate of the total anticipated, or historical, needs for external legal services as a number of hours or as a legal spend.

Answer: It is difficult to estimate as the needs of the business fluctuate each year. We continue to require the assistance of outside counsel on a weekly basis for matters that cannot be addressed internally.

Q21. Regarding Section C.4.3 Invoicing, can European-located colleagues, as well as, subcontractors of the Contractor send their invoices directly to DC or should the Contractor manage all invoices for all jurisdictions and send only one to DC?

Answer: Contractor should manage all invoices and send only one invoice to DC.

Q22. Section F Pricing includes a table outlining blended hourly rates for each Scope of Work. Is a blended rate proposal required as part of proponent submissions?

Answer: Yes. Proponents may submit an alternate pricing strategy as part of their response to Section F.3 Pricing Strategies, should they wish to do so.

Q23. Section G.13 Material Circumstances specifies that DC may consider any Material Circumstance as disclosed in a proposal. To what extent must proponents disclose being associated or related to a DC employee and what details are required for such disclosure?

Answer: Please advise if a DC employee is a member of your immediate or extended family. Also, please advise if you are personally involved in any business or financial matters with a DC employee. You will not be penalized for this disclosure.

Q24. Regarding Appendix 4 Declaration of Sub-Contractors, should there be a third option to indicate that services in the proposal will mainly be provided by the company named in Appendix 1 with support of Sub-Contractors for specific jurisdictions?

Answer: You may include this additional information but it is not mandatory.

Q25. Regarding Appendix 4 Declaration of Sub-Contractors, does DC need to know what services these Sub-Contractors have previously provided to the proponent or what specific services the Sub-Contractor is capable of providing to DC?

Answer: The services the sub-contractor is capable of providing.

Q26. How many firms will be appointed on DC's Roster and how does DC intend to divide the work?

Answer: Section B.2.2 - DC may select a limited number of top ranked proponents to be included on the Legal Services Roster. DC reserves the right to select the top ranked proponents for the Legal Services Roster to ensure those selected for the Roster can best meet all of DC's requirements.

Q27. Who are the incumbent law firms?

Answer: We do not disclose the names of our suppliers.

Q28. To satisfy the Ontario office requirement, would a partnership or sub-contract with a Toronto, Ontario law firm meet the Ontario office requirement?

Answer: Yes that would satisfy this requirement.