



ADDENDUM # 2

Date: July 09, 2020

Title: Professional Legal Advisory Services in the United Kingdom with a Specialization in U.K. Pensions, Benefits and Employment Law

Solicitation Number: 20-172633-HLDP-AB

The Department of Foreign Affairs, Trade and Development hereby amends, in accordance with this addendum the Request for Proposals (RFP) for the provision of legal advisory services, bearing number 20-172633-HLDP-AB, and dated June 2, 2020. This addendum hereby forms part of the RFP and the purpose is to:

1. Answer questions received related to the RFP
2. Make clarifications to the RFP
3. Extend the "Closing Date"

This addendum is issued prior to receipt of bids to provide for certain revisions to and clarification of the solicitation documents.

QUESTIONS AND ANSWERS

Q1. Page 1 required a signature, please advise if electronic signatures are acceptable.

A1. Yes, an electronic signature is acceptable.

Q2. With reference to 3.2 Section I on page 10 (3.2.1) Please clarify exactly what evidence you require in terms of verification of our experience e.g. advising clients on particular projects – we cannot supply confidential legal advice, so presumably our own description of the work done with timelines will be sufficient? Or do you need client confirmation?

A2. The Bidder is not required to submit client-solicitor confidential information to demonstrate their compliance with the evaluation criteria, however it is up to the Bidder to demonstrate compliance with the evaluation criteria. To assist Bidders in understanding how to meet the mandatory technical requirements for M1, the response for M1 should include a description and timeline of the work done. If helpful, PR 1's requirements can be used as an example of how to demonstrate the minimum years of experience needed. Please note that to be compliant with M1, the response must clearly demonstrate minimum 15 years of experience in each of the law categories listed.

Please note sub-section 3.2.1 has been changed to provide more clarity for the Bidders. Please see below the Amendment to the RFP for complete details.

Q3. On page 10, 3.3 Section II :

- Please confirm Canada's spend under this contract for the last 3 years, including regular annual spend and any one-off projects.
- Please confirm the current hourly rates for the existing legal adviser.
- Please confirm the current annual rate increases under the contract.

A3. There is no previous contract for this requirement. Unfortunately, no information can be provided.



Q4. Part 4: 4.2.9 comments for table on page 13 declared bidder 1 as successful, it seems that Bidder 2 not Bidder 1 should be appointed?

A4. Yes, that is correct. Please see below the Amendment to the RFP that corrects this error.

Q5. M3 (a) we have lawyers in the proposed team who are both pensions and employment lawyers with the relevant experience – do we also have to name an employment lawyer in addition?

A5. The senior lawyer must be a separate person from the supporting team members– meaning the Bidder must provide at minimum 3 resources. Only those 3 will be evaluated against M2 and M3.

Q6. Can the Closing Date be extended to receive sufficient time to review the questions and answers?

A6. Yes, the Closing Date of the RFP has been extended. Please see the Amendment to the RFP below for complete details.

Q7. For M1, the language states “15 years’ experience in pension and benefits law, including labour, employment law and trust law, in the United Kingdom.” Did you mean “15 years of experience (as of the Closing Date) in each category which would include British pension and benefits law, including labour and employment law and trust law”?

A7. Yes, that is correct. Please see the Amendment to the RFP below for complete details.

AMENDMENT TO THE RFP

1. On the first Page on the RFP, in the section Proposal Delivery

DELETE:

In order for the Proposal to be valid and accepted, it must be received no later than **14:00 Eastern Daylight Time (EDT) on July 13, 2020** referred to as the “Closing Date”.

INSERT:

In order for the Proposal to be valid and accepted, it must be received no later than **14:00 Eastern Daylight Time (EDT) on July 20, 2020** referred to as the “Closing Date”.

2. In Part 3 – Bid Preparation Instructions, Section 3.2 Technical Proposal Instructions

DELETE:

3.2.1 The Bidder must provide the necessary documentation to support compliance with the requirement.

- a. The Bidder is advised that only listing experience without providing any supporting data to describe where and how such experience was obtained will not constitute “demonstrated” for the purpose of the evaluation;
- b. The Bidder should provide complete details as to where, when and how (through which activities/responsibilities) the stated qualifications/experience were obtained. In order to



demonstrate when experience was obtained, the Bidder should indicate the duration of such experience, specifying the start and end dates (month and year at a minimum).

INSERT:

3.2.1 In their technical bid, Bidders should demonstrate their understanding of the requirements contained in the bid solicitation and explain how they will meet these requirements. Bidders should demonstrate their capability in a thorough, concise and clear manner for carrying out the work.

The technical bid should address clearly and in sufficient depth the points that are subject to the evaluation criteria against which the bid will be evaluated. Simply repeating the statement contained in the bid solicitation is not sufficient. In order to facilitate the evaluation of the bid, Canada requests that Bidders address and present topics in the order of the evaluation criteria under the same headings. To avoid duplication, Bidders may refer to different sections of their bids by identifying the specific paragraph and page number where the subject topic has already been addressed.

3. In Part 4 – Evaluation Procedures and Basis of Selection, Section 4.2 subsection 4.2.9

DELETE:

THE FOLLOWING TABLE IS FOR ILLUSTRATIVE PURPOSES ONLY

		Bidder 1	Bidder 2	Bidder 3
Overall Technical Score		70/100	75/100	45/100
Bid Evaluated Price		£55,000	£50,000	£45,000
Calculations	Technical Score	$70/100 \times 60 = 42$	$75/100 \times 60 = 45$	$60/100 \times 60 = 36$
	Pricing Score	$(45/55) \times 40 = 32.73$	$(45/50) \times 40 = 36$	$45/45 \times 40 = 40$
Combined Rating		74.73	81	76
Overall Rating		3 rd	1 st	2 nd

In the above scenario, Bidder 1 would be declared the successful Bidder.

INSERT:

THE FOLLOWING TABLE IS FOR ILLUSTRATIVE PURPOSES ONLY

		Bidder 1	Bidder 2	Bidder 3
Overall Technical Score		70/100	75/100	45/100
Bid Evaluated Price		£55,000	£50,000	£45,000
Calculations	Technical Score	$70/100 \times 60 = 42$	$75/100 \times 60 = 45$	$60/100 \times 60 = 36$
	Pricing Score	$(45/55) \times 40 = 32.73$	$(45/50) \times 40 = 36$	$45/45 \times 40 = 40$
Combined Rating		74.73	81	76
Overall Rating		3 rd	1 st	2 nd

In the above scenario, Bidder 2 would be declared the successful Bidder.

4. In Part 4 – Evaluation Procedures and Basis of Selection, Section 4.3.1 Mandatory Technical Criteria

DELETE:

M1 EXPERIENCE OF THE LAW FIRM



The Bidder (the Law Firm) must demonstrate at least 15 years of experience (as of the Closing Date) in pension and benefits law, including labour, employment law and trust law, in the United Kingdom.

To facilitate evaluation, the response may consist of:

- a) existing materials;
- b) brochures;
- c) corporate profiles; and
- d) reference letters.

The Bidder has not demonstrated the Bidder firm has a minimum of 15 years of experience in British pension and benefits law, including labour, employment law and trust law, as of the Closing Date.	FAIL
The Bidder has demonstrated the Bidder firm has a minimum of 15 years of experience in British pension and benefits law, including labour, employment law and trust, as of the Closing Date.	PASS

INSERT:

M1 EXPERIENCE OF THE LAW FIRM

The Bidder (the Law Firm) must demonstrate at least 15 years of experience (as of the Closing Date) in each category which would include British pension and benefits law, including labour and employment law and trust law.

To facilitate evaluation, the response may consist of:

- a) existing materials;
- b) brochures;
- c) corporate profiles; and
- d) reference letters.

The Bidder has not demonstrated the Bidder firm has a minimum of 15 years' experience in each category, which would include British pension and benefits law, including labour and employment law, and trust law, as of the Closing Date.	FAIL
The Bidder has demonstrated the Bidder firm has a minimum of 15 years' experience in each category, which would include British pension and benefits law, including labour and employment law, and trust law, as of the Closing Date.	PASS

5. In Part 4 – Evaluation Procedures and Basis of Selection, Section 4.3.1 Mandatory Technical Criteria

DELETE:

M2 EXPERIENCE OF SENIOR LAWYER

The Bidder (the Law Firm) must propose at minimum 1 Senior Lawyer* to be assigned to the contract. The Bidder must demonstrate that this senior lawyer has a minimum of 15 years of experience (as of the Closing Date) in British pension and benefits law, including labour, employment law and trust law.

The Bidder must submit the resume of the senior lawyer. To facilitate the evaluation, the Bidder's resume should include:



- a) a description of work carried out in relation to pension and benefits law, including labour, employment law, and trust law, in the United Kingdom

*A Senior Lawyer is defined as either a senior partner, a partner, or an expert lawyer who is not a partner in the law firm.

Note: The senior lawyer named in the technical Proposal must be assigned to the resulting Contract. If the senior lawyer must be replaced, the replacement senior lawyer must be compliant with clause 5.2.8 Assigned Individuals of the Draft Contract.

The Bidder has not demonstrated that at least one Bidder’s senior lawyer has a minimum of 15 years of experience in British pension and benefits law, including labour, employment law and trust law, as of the Closing Date	FAIL
The Bidder has demonstrated that at least one Bidder’s senior lawyer has a minimum of 15 years of experience in British pension and benefits law, including labour, employment law and trust law, as of the Closing Date.	PASS

INSERT:

M2 EXPERIENCE OF SENIOR LAWYER

The Bidder (the Law Firm) must propose at minimum 1 Senior Lawyer* to be assigned to the contract. The Bidder must demonstrate that this senior lawyer has a minimum of 15 years of experience (as of the Closing Date) in British pension and benefits law, including labour and employment law, and trust law.

The Bidder must submit the resume of the senior lawyer. To facilitate the evaluation, the Bidder’s resume should include:

- a) a description of work carried out in relation to British pension and benefits law, including labour and employment law, and trust law.

*A Senior Lawyer is defined as either a senior partner, a partner, or an expert lawyer who is not a partner in the law firm.

Note: The senior lawyer named in the technical Proposal must be assigned to the resulting Contract. If the senior lawyer must be replaced, the replacement senior lawyer must be compliant with clause 5.2.8 Assigned Individuals of the Draft Contract.

The Bidder has not demonstrated that the Bidder’s senior lawyer has a minimum of 15 years’ experience in British pension and benefits law, including labour and employment law, and trust law, as of the Closing Date.	FAIL
The Bidder has demonstrated that the Bidder’s senior lawyer has a minimum of 15 years’ experience in British pension and benefits law, including labour and employment law, and trust law, as of the Closing Date.	PASS

ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED