RFP NO: 23-069

Legal Services Questions and Answers

Addendum No: 01

1. Question: Do you wish to have the hourly fees frozen for first two years or a fee schedule for all five years?
   Answer: GoTriangle prefers to lock in the rate for the first 2 years of the contract and requests rates for each option year.

2. Question: Do you have an interest in caps or flat fees for certain types of work, i.e., flat fee for all charge responses?

   Answer: Each proposer is free to submit its own rate structure for evaluation in accordance with the RFP.

3. Question: Do you want the fee proposal to follow the fiscal year or the calendar year?

   Answer: Fiscal year. The fee should reflect the year beginning with the effective date of the contract as the contract may not align with the fiscal or calendar year.

4. Question: What has been the historical (1) legal spend and/or (2) hours for advice and counsel for each of the past three years?
   ○ If unable to provide historical data, how many hours of advice and counsel work do you anticipate needing per month?
   ○ What % of advice and counsel hours are spent on investigations?

   Answer: There is not a guarantee of work under this contract.

5. Question: What has been the historical (1) legal spend and/or (2) hours for employment litigation for each of the past three years?
   Answer: There is not a guarantee of work under this contract.

6. Question: Can you break down the number of cases/matters by type and jurisdiction for each of the past three years?
   ○ Demand letters
   ○ Charges

- ○ Single Plaintiff lawsuits
- ○ Multi-Plaintiff lawsuits (i.e., class and collective actions)
- ○ Arbitration demands

Answer: No

7. Question: Do you have an arbitration agreement in place?

   Answer: There is not an arbitration agreement in place.

8. Question: Do you have EPLI?

   Answer: GoTriangle maintains all required and applicable insurance coverages.

9. Question: What has been the historical (1) legal spend and/or (2) hours for benefits advice and counsel for each of the past three years?
   - ○ If unable to provide historical data, how many hours of benefits advice and counsel work do you anticipate needing per month?

   Answer: There is not a guarantee of work under this contract.

10. Question: Will external benefits counsel serve as counsel to any pension/retirement plan board?

    Answer: The purpose of this RFP is to create bench counsel for potential work in each of the legal areas cited. There is no guarantee of work or any minimum level of work.

11. Question: How many ERISA lawsuits have you had in each of the past three years?

    Answer: GoTriangle plans are not subject to ERISA.

12. Question: What were the key benefits issues that typically arise?

    Answer: Same answer as to Question 10.

13. Question: Is client planning to change any plan service providers in the next 1-3 years?

    Answer: Unknown.

14. Question: How many pensions and/or how many 401a, etc., plans do you sponsor within the controlled group? Who are the third-party record keepers for the plans?

    Answer: Same answer as to Question 10.

15. Question: Have any of your plans been subject to an audit or investigation by a government agency in the past 3 years? If so, have those been resolved?

    Answer: Same answer as to Question 10.

16. Question: We understand that GoTriangle is planning some large and complexed projects, including the Greater Triangle Commuter Rail Project. One of the categories of services in the RFP is "*Construction law including Design-Build, Design-Build-Bridge, and Public Private*". Does GoTriangle want law firms responding to this category of the RFP that have capability and experience delivering large ($1b+) rail and transit projects, including an understanding of the benefits and disadvantages of different approaches to packaging and structuring large complex rail projects?

Answer: Yes, but our scope of services does not limit our inquiry into only firms with this level of experience.

17. Question: The RFP states that "*Only firms that employ one or more attorney(s) licensed to practice law in North Carolina and in good standing with the North Carolina State Bar may respond to this RFP. The attorney licensed in North Carolina shall be the lead attorney*." Can a responding law firm that is licensed in North Carolina subcontract with another law firm that does not have NC licensed attorneys in order to bring specialist advice/capabilities to the team that it proposes to GoTriangle?

    Answer: Yes, however, all legal services are subject to 27 N.C.A.C. 1E, § .0200 and 27 N.C.A.C. 1E, § .0205. Per the NC Rules and Statutes, the North Carolina attorney must be the one ultimately deciding what legal services will be provided to clients in this state, among other requirements.

18. Question: Does GoTriangle have an existing bench of law firms that it works with? If yes then please can you identify who firms these are. If not then please identify which firms you have worked with in the last 1-2 years.

    Answer: GoTriangle has contracts with the following firms for outside counsel services: Parker Poe Adams and Bernstein; Kaplan Kirsch & Rockwell; McGuire Woods LLP.

19. Question: We understand that GoTriangle is transitioning part of its bus fleet to zero-emissions busses. If we have experience advising other US transit agencies in connection with the legal structuring options, risks and challenges involved in the acquisition of zero-emission busses then should we include this in our proposal (ie. would it be evaluated positively)?

    Answer: Each proposal will be evaluated in accordance with the evaluation criteria specified in the RFP.

20. Question: Please confirm that a joint venture of law firms, each with attorneys licensed in North Carolina but not all lawyers proposed being so licensed, will be responsive.

    Answer: Yes, however, all legal services are subject to 27 N.C.A.C. 1E, § .0200 and 27 N.C.A.C. 1E, § .0205. Per the NC Rules and Statutes, the North Carolina attorney must be the one ultimately deciding what legal services will be provided to clients in this state, among other requirements.

NOTE: ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED