



*New York State Insurance Fund*  
*Procurement Unit*

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August 19, 2019

The following (Q&A) will serve as Amendment #1 to NYSIF's Request for Proposals (RFP) for Insurance Defense Outside Counsel 1B, bid number 2019-31-IT. Material in this Amendment supersedes any contradictory material in the RFP.

Please note that the due date for the submission of bids **has changed**.

**All bids are due 9/4/19, by 2:00 p.m.(eastern).**

Sincerely,

A handwritten signature in black ink, appearing to read "V. Ginardi", is written over a faint horizontal line.

Vincent Ginardi  
Contract Management Specialist

**Insurance Defense Outside  
Counsel 1B  
RFP # 2019-31-LEG Amendment 1**

Question #	RFP Page #	RFP Section and Sub-Section Reference #/Heading	Question	NYSIF Response
1	11	1.8 Participation of NYS MWBE; app. M form 104	Is a certified M/WBE law firm (Bidder) required to subcontract with other M/WBE law firms to do the work under the contract, or may the bidder request a waiver. Bidder commits to subcontracting with M/WBE suppliers and vendors such as court reporters and process servers.	A certified M/WBE is not required to subcontract with an MWBE.
2	20	2.6 Subcontracting	Does this section require bidder responses after every subsection/item as in sections 2.1 & 2.2?	No.
3	20	2.6 Subcontracting	If bidder does not intend to use subcontractors, is Appendix Y required ?	No.
4	21	2.7 Location and Travel	Does this section require bidder responses after every subsection/item as in sections 2.1 & 2.2?	No.
5	12	SDVOB	Assuming that we retain an SDVOB from the directory referenced in the RFP and at some point it is determined that they are not able to provide adequate services, are we still required to use them?	Vendors are not required to use an SDVOB firm. Per Section 1.9 of the RFP, NYSIF conducted comprehensive search and determined that the Contract does not offer sufficient opportunities to set specific goals for participation by SDVOBs as subcontractors, service providers, and suppliers to Contractor.
6	29	4.2.7 Statement of Competing Commitments	Can you clarify what is meant by “competing commitments”? Are you seeking a list of all clients that the proposed personnel on the bid work on. Or, a list of all current contracts that the proposed personnel on the bid work?	Per the RFP, bidder must provide a list of any contractual obligations they have entered into which requires effort on the part of their key personnel during the period in which these personnel will be working on the contract resulting from this RFP.

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7	8	1.4 Purpose of this RFP	Section 1.4, "Purpose of this RFP," provides a general description of the contract and the legal disciplines involved. However, can NYSIF provide a more detailed description of the lines of business and/or the nature of the matters encompassed by this contract?	The RFP calls for outside counsel to represent NYSIF insureds in personal injury actions brought by workers' compensation claimants against third-parties responsible for their injuries. NYSIF insureds are generally impleaded into the action as third-party defendants by defendants seeking common law and/or contractual indemnity and contribution
8	93	Appendix M, Form 101	Can you provide clarification regarding how we are to complete Form 101 in Appendix M? Specifically, how is "Reporting Period" defined as it relates to calculating the hours worked/number of employees? Or, if we are supposed to provide an estimate of future work for NYSIF, can you provide details regarding volume and complexity of assignments, etc., on which we can base such an estimate?	For bid submission of Form 101, the number of hours can be listed as TBD, as it is unknown at this time. The Number of Employees section should still be completed. Quarterly reporting using Form 102 will be done during the contract term.
9	114	Appendix U, Vendor Profile	In Appendix U, "Vendor Profile", how should we measure data volume as mentioned in Questions 8 and 9?	Vendors are to include the number of records that are NYSIF related data and the size in bytes such as Megabytes, Gigabytes, etc. Additionally, vendors are to include the amount of NYSIF data which the vendor copies, downloads, views or otherwise accesses, on a monthly basis, in gigabytes.

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10	N/A	N/A	Your well detailed RFP seems limited to Law Firms/Outside Counsel. One of the purposes of your RFP is to get great legal services at competitive pricing. That said, have you thought about opening it up to Alternative Legal Service providers?	NYSIF does not have plans to open this up to "Alternative Legal Service providers".