

AMENDMENT OF SOLICITATION / MODIFICATION OF CONTRACT			1. Solicitation Number OAG-FY17-R-0001		Page of Pages 1 1		
2. Amendment A0005		3. Effective Date See Block 16C		4. Requisition N/A		5. Solicitation Caption Outside Legal Counsel	
6. Issued by: Office of the Attorney General 441 - 4 th Street, N.W., Suite 1100 South Washington, D.C. 20001			7. Administered by (If other than line 6) Office of the Attorney General 441 - 4 th Street, N.W., Suite 1100 South Washington, D.C. 20001				
8. Name and Address of Contractor (No. street, city, county, state and zip code) To All Prospective Offerors			9A. Amendment of Solicitation No. OAG-FY17-R-0001				
			X 9B. Dated 07/21/17				
			10A. Modification of Contract/Order No. N/A				
			10B. Dated (See Item 13)				
Code Facility							
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of RFP <input type="checkbox"/> is extended. <input checked="" type="checkbox"/> is not extended. must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) completing Items 8 and 15, and returning <u>1</u> copies of the amendment; (b) acknowledging receipt of this amendment on each copy of the offer submitted; or (c) separate letter or fax which includes a reference to the solicitation and amendment number. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR ISP. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by letter, telegram or fax, provided each letter or telegram makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. Accounting and Appropriation Data: (If required)							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14							
A. This change order is issued pursuant to (Specify Authority): The changes set forth in Item 14 are made in the contract/order no. in item 10A.							
B. The above numbered contract/order is modified to reflect the administrative changes (such as changes in paying office, appropriation data etc.) set forth in item 14, pursuant to the authority of 27 DCMR, Chapter 15, Section 1517							
C. This supplemental agreement is entered into pursuant to authority of: The Changes Clause							
D. Other (Specify type of modification and authority) 27DCMR section: 1623 AMENDMENT OF SOLICITATION							
E. IMPORTANT: Contractor is required to sign this amendment and return <u>1</u> copy to the issuing office							
14. Description of amendment/modification (Organized by Section headings, including solicitation/contract subject matter where feasible.) The purpose of this amendment is to: Delete- Attachment A, under Amendment A0004, dated August 23, 2017. Insert – Revised Attachment A, titled -Amendment A0005 -Revised RFP Changes							
Except as provided herein, all terms and conditions of the document is referenced in Item 9A or 10A remain unchanged and in full force and effect.							
15A. Name and Title of Signer (Type or print)			16A. Name of Contracting Officer Sanaz Etminan				
15B. Name of Contractor (Signature of person authorized to sign)		15C. Date Signed		16B. District of Columbia (Signature of Contracting Officer)		16C. Date Signed 8/20/17	

ATTACHMENT A – AMENDMENT A0005 -Revised RFP CHANGES

OAG-FY17-R-0001

Delete - Section B. 4 in its entirety

Revise -Section C.5, Requirements to add the below sub-sections

C.5.6 Sub-Contracting Plan Requirements:

C.5.6.1 The Offeror shall provide a sub-contracting plan for services specifically utilizing SBE and/or CBE businesses. Such services could include legal services, as well as document review, copying, litigation support, graphic production, document hosting, etc.

C.5.6.2 The Sub-contracting plan shall:

- a) Demonstrate a maximum level of effort of engagement of SBE/CBE businesses.
- b) Identify the specific SBE/CBE business and/or businesses and a detailed outline of services to be provided by each SBE/CBE business identifying the stage of investigation/litigation when the services will be provided (where possible).
- c) An estimated value of the sub-contract(s) including fix rates.

Delete - Section H.9 in its entirety

Revise Section H.12, Contractor Responsibilities to add the below sub-sections

H.12.4 Subcontracting Plan Reporting

H.12.4.1 the Contractor shall submit a quarterly report to the CO, CA, District of Columbia Auditor and the Director of DSLBD. The quarterly report shall include the following information for each subcontract identified in the subcontracting plan:

- a) The price that the prime contractor will pay each subcontractor under the subcontract;
- b) A description of the goods procured or the services subcontracted for;
- c) The amount paid by the prime contractor under the subcontract; and
- d) A copy of the fully executed subcontract, if it was not provided with an earlier quarterly report.

Revise Section L.2.4, General Instructions, sub-section Technical Proposal guidelines as follows: as follows:

2) TECHNICAL PROPOSAL GUIDELINES: Proposals shall clearly be labeled in the format described below:

Section I – Technical Approach (no more than 10 pages)

1. The proposal shall contain a detailed technical approach which is clear, concise, comprehensive, and explains the offeror's understanding of the requirements outlined in the scope. The approach should include a project management plan for each requirement outlined in the scope, which lays out the most critical potential issues and risks involved in the proposed litigation against distributors of prescription opioid pharmaceuticals. As part of this, the offeror in detail shall describe the technical, institutional, and legal elements necessary to achieve the successful completion of the contract. Responses should draw upon past experience, industry standards, and best practices in the project approach.
2. The proposal shall provide a detailed approach of how the offeror will evaluate and report any actual, potential or perceived conflict of interest that exists or may exist as a result of any (1) work performed or (2) conclusion reached for any former or current client which would cause the contractor to be disqualified or provide a basis to question the contractor's impartiality or objectivity throughout the lifetime of the contract.

Section II – Offeror's Experience (no more than 10 pages, charts not included)

1. The proposal shall contain relevant case studies demonstrating the offeror's previous experience in advising clients in connection with consumer protection litigation. As part of each case study offerors should address the extent, nature, and success of both (a) the cooperative processes, and (b) activities involving litigation.
2. The proposal shall contain a staffing plan detailing the resource allocation to fulfill the requirements described in the scope which identifies all key personnel, per Section L.21 of this solicitation; a draft project milestone chart reflecting the proposed teams' activities in addressing the requirements outlined in the scope and any potential, data to be collected and analyzed, phases, activities, and tasks necessary to achieve the milestones.
3. Offerors shall further provide a description of each team member's capabilities and experience in providing similar services to other organizations or government entities in the applicable solicitation labor category the offeror's team member falls under.
4. Offerors shall provide resumes, including certifications, and credentials for all team members (prime and subcontractors), which will not count against the page limit.

Section III – Offeror's Past Performance

1. The Offeror shall provide a list of three (3) previous contracts that demonstrate satisfactory performance for which the Offeror provided identical or similar work within the last five (5) years. For each contract please provide the following information: Name of Company/Organization; Title of Project; Contract Number; Dollar Amount; Period of Performance, Contact Person's Name, Title, Telephone Number and Email Address. For each project listed the Offeror shall provide detailed information that describes the projects and highlight similarities between it and the scope of this solicitation.

2. The offeror shall also provide a minimum of three (3) references, including at least one from a state or local government body that can comment on the Contractor's ability to successfully achieve the objectives stated in the statement of work. The three projects submitted as past performance and as references may be the same and do not have to be separate and distinct.

Revise – Section M.1, Evaluation for Award to add the below sub-section

- M.1.2 Failure of an offeror to submit with its proposal a sub-contacting plan that meets the requirements of section C.5.6 shall be rejected and not considered for an award. The District will not deem an Offeror responsible whose proposal fails to meet requirement C.5.6, Sub-Contracting Plan.

Delete - Section M.3.1, Technical Criteria in its entirety

Insert – below revised Section M.3.1

M.3.1 TECHNICAL CRITERIA (70 Points Maximum)

The District shall evaluate proposals on the basis of the factors and sub-factors below, based on the extent to which the proposal contains a detailed response to each factor and sub-factor that is clear, concise, comprehensive and complete.

Sections I - Technical Approach (30 points):

- 1) The Offeror's proposed technical approach setting forth your process for carrying out the objectives in the scope of work successfully.
- 2) The Offeror's project management plan.

Section II – Offeror's Experience (15 points):

- 1) The Offeror's staffing plan and project milestone plan addressing requirements of the scope.
- 2) The Offeror's team member's expertise and previous experience providing similar services to other organizations or government entities or organizations.

Section III - Offeror's Past Performance (15 points)

- 1) The Offeror's firm references
- 2) Three (3) previous contracts that demonstrate satisfactory performance for which the Offeror provided identical or similar work within the last five

(5) years.

Section III – Offeror’s SBE and/or CBE Sub-Contracting Plan (10 Points)

- 1) The Offeror’s detailed sub-contracting plan that identifies the SBE/CBE business and/or businesses, services to be provided, and an estimated dollar value.

Delete - Section M.3.2, Price Criterion

Insert – below revised Section M.3.2

M.3.2 PRICE CRITERION (30 Points Maximum)

The District shall evaluate the price proposals on the basis of the following criteria. The District of Columbia will apply the contingency fee rate from the Offeror’s price proposal to the District’s estimated recovery; taking into account the District’s view of the likely course of the litigation to the extent it is relevant to the price proposal. This evaluation will result in a projected dollar amount for the contingency fee. Proposals will be assigned points based on a rank ordering of projected dollar amounts from lowest to highest, with the lowest priced proposal receiving the highest number of points.