

# Fiduciary Counsel Services

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## Request for Proposal – Questions & Answers

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*March 2025*



***Orange County Employees Retirement System (OCERS)***

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Question	Response
<p>1. There is a discrepancy in the insurance requirements in the RFP (Scope of Services, 3.2, page 3) and those in the LSA (General Terms, 4.3, page 7). In addition to the difference in the types and minimum amounts of insurance, there is also a discrepancy in the requirement to name OCERS as an additional insured. The RFP says “OCERS must be listed as an additional insured on the above policies,” whereas Section 4.3 of the LSA says we have to name OCERS as additional insured “in the case of Commercial General and Automotive Liability.” Please advise which terms will control.</p>	<p>The LSA terms will control.</p>
<p>2. In section 7, question 10, the RFP requests “a description of all legal proceedings” brought against the respondent. “Legal proceedings” is broadly defined to include jury proceedings, administrative proceedings, and investigations by governmental entities. There are no stated limitations as to timeframe or subject matter, but the final phrase is “included as part of the proposal.” Will you please confirm that the requiring disclosure applies only to those “legal proceedings” involving the individuals who will be part of our proposed RFP team (but unrestricted as to time or subject matter, as to those individuals), rather than all proceedings brought, ever, against the firm or any of its attorneys or related entities as described in that question?</p>	<p>Those individuals part of the proposed RFP team.</p>
<p>3. Our insurance policy does not allow us to add OCERS as an additional insured for workers compensation or lawyers professional liability because OCERS, its Board and staff are not Reed Smith employees or lawyers. Does this prohibit us from bidding on the agreement because we do not meet the minimum insurance coverage requirements as written in the RFP?</p>	<p>It does not.</p>
<p>4. Exhibit D to the RFP is missing. Will we be able to get a copy of the legal services agreement before March 19<sup>th</sup> so that we can timely submit questions regarding the legal services agreement’s terms, to the extent we have any?</p>	<p>The legal services agreement has been posted to the OCERS website here: <a href="https://www.ocers.org/request-proposal">https://www.ocers.org/request-proposal</a> and on Planetbids here: <a href="#">Planetbids Link</a></p>