




WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY
600 Fifth Street, NW, Washington, DC 20001-2651

AMENDMENT OF SOLICITATION / MODIFICATION OF CONTRACT

1. AMENDMENT/MODIFICATION Amendment No. 002		2. EFFECTIVE DATE (Same as block 17)	
3. ISSUED BY PURCHASING SECTION Richard Owens 600 5 th Street, NW, Washington, DC 20001 Office of Procurement and Materials		4. ADMINISTERED BY (If other than block 3)	
5. CONTRACTOR NAME AND ADDRESS <small>(Street, city, county, state, and Zip Code)</small>		6. FORM TYPE (Check only one) <input checked="" type="checkbox"/> Amendment Of Solicitation No.17-COUN-017 Date _____ (See block 17) <input type="checkbox"/> MODIFICATION OF CONTRACT NO. Date _____ (See block 9)	
7. <input checked="" type="checkbox"/> THIS BLOCK APPLIES ONLY TO AMENDMENTS OF SOLICITATIONS The above numbered solicitation is amended as set forth in block 10. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> is not extended. Offerors 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) By signing and returning <u>1</u> copies of this amendment; (b) by acknowledging receipt of this amendment on each copy of the offer submitted; or (c) by separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE ISSUING OFFICE PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If, by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided such telegram makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.			
8. ACCOUNTING AND APPROPRIATION DATA (If required)			
9. THIS BLOCK APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS <input type="checkbox"/> This Change Order is issued pursuant to _____ The Changes set forth in block 10 are made to the above numbered contract/order. <input type="checkbox"/> The above numbered contract/order is modified to reflect the administrative changes (such as changes in paying office, appropriation data, etc.) set forth in block 10. <input type="checkbox"/> Supplemental Agreement is entered into pursuant to authority of It modifies the above numbered contract as set forth in block 10.			
10. DESCRIPTION OF AMENDMENT/MODIFICATION <p style="text-align: center; color: red;">1) This Amendment transmits additional responses to 17-COUN-017 Question & Answers as noted below.</p> <p style="text-align: center; font-size: small;">Except as provided herein, all terms and conditions of the document referenced in block 6, as heretofore changed, remain unchanged and in full force and effect.</p>			
11. <input checked="" type="checkbox"/> CONTRACTOR/OFFEROR IS REQUIRED TO SIGN THIS MODIFICATION AND RETURN <u>one (1)</u> COPIES TO ISSUING OFFICE.		<input type="checkbox"/> CONTRACTOR/OFFEROR IS NOT REQUIRED TO SIGN THIS DOCUMENT	
12. NAME OF CONTRACTOR/OFFICE BY _____ <small>(Signature of person authorized to sign)</small>		15. WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY BY  <small>(Signature of person authorized to sign)</small>	
13. NAME AND TITLE OF SIGNER (Type or print)	14. DATE SIGNED	16. NAME OF CONTRACTING OFFICER (Type or print) Richard Owens	17. DATE SIGNED 4/27/17

Per the instructions in the WMATA RFP 17-COUN-017, Complex Litigation, Appeals and Government Investigations, Multiple Award Task Order. The following additional questions and comments (items) were submitted by potential Offeror(s). WMATA responses to each of these items is shown in **Bold Font**.

Questions and Answers

1. For scope area A (1), Civil Rights, what types of actions would this involve, can you please describe sample potential or recent cases?

Answer: Civil rights cases include cases such as Title VII cases, § 1983 actions, and, potentially, whistleblower cases, etc. For example, WMATA recently entered into a consent decree with the Department of Justice over allegations relating to the ADA interactive process during recruitment.

2. In regards to the above-referenced RFP, is there any information on the budget or anticipated spending on the legal services sought? We realize this is structured as a multiple-award RFP and services will be on an as-needed basis, but we are trying to get a sense of the dollar value involved generally.

Answer: Over the last five years, the budget for outside counsel has risen and fallen from a high of approximately \$2.2 million to a low of approximately \$750,000. WMATA makes no guarantees of any work or payments under this solicitation.

3. Can you please advise whether it is acceptable for an interested firm to submit a separate proposed blended rate scale for each subject area on which it wishes to submit a proposal?

Answer: Yes, it is acceptable. WMATA will review the proposals received and make a best value award.

4. The RFP asks for a "blended hourly rate" at Page 8 but does not offer any other specifics. Does WMATA want a single blended rate applicable to all attorneys on the team? Is it acceptable to provide tiers of blended rates for broad categories of attorney based on experience and market rate, or based on practice areas? For example, blending associates with 5 years of experience with senior partners who have 30 years of experience, and trying to apply a single rate to all attorneys, could yield an inequitable result.

Answer: Rates may be proposed in any combination desired by the vendor. WMATA does not have a firm requirement in this regard. WMATA will review the proposals received and make a best value award.

5. We are preparing our response to the litigation RFP and wanted to inquire whether any waiver is possible on the four-years-of-experience requirement.

Answer: Waivers are possible on a case-by-case basis and will be evaluated based on WMATA's needs at the time of a particular task being assigned.