

The Philadelphia Parking Authority

701 Market Street, Suite 5400
Philadelphia, PA 19106

RFP No. 23-15

Legal Services – Real Estate

Addendum One

To: See Email Distribution List
From: Shannon Stewart
Manager of Contract Administration
Date: July 12, 2023
No Pages: 2

This addendum is issued on July 12, 2023, prior to the proposal due date to add, delete, modify, clarify and/or to respond to questions submitted by prospective offerors regarding the work included in the above referenced solicitation.

QUESTIONS

- 1. **Question:** As noted in the RFP, we would like to request an electronic version of the Proposal Form to complete for submission inclusion.

Response: The word document of the Proposal Form has been uploaded to our website and can be accessed using the link below.

<https://philapark.org/2023/06/rfp-no-23-15-legal-services-real-estate/>

- 2. **Question:** Must we include a copy of the Offeror Registration Form completed to register for this solicitation?

Response: No, you do not need to include a copy of the Offeror Registration Form.

- 3. **Question:** Regarding the 1-10 Insurance Requirements listed on p.5 of the RFP, as far as providing a certificate from a recent project, is that more of a construction requirement? Would our COI suffice as we do not have such a project certificate?

Response: A sample certificate of insurance meeting our insurance requirements from a recent contract would be sufficient. If you do not currently carry the level of insurances required, you must submit a letter from your insurance company indicating that they will provide the required insurances as outlined in the RFP if awarded a contract.

- 4. **Question:** Do you require the three client references (Tab C) to be from local or state government agencies in Pennsylvania, or can they be from any local or state government agency?

Response: References may be from any local or state government agency.

- 5. **Question:** Regarding Company's insurance coverage as outlined in the General Insurance Requirements section, a waiver of subrogation is not available on Company's Professional Liability Insurance policy since such coverage is for legal malpractice.

A waiver of subrogation is permitted under Company's General Liability, Automobile, and Workers' Compensation/Employers' Liability policies. Primary status and additional insured status are only available under Company's General Liability and Automobile policies. Company's primary Professional Liability insurer is not currently rated by A.M. Best but has a Fitch rating of "A" (Strong, stable outlook). Company does not own any automobiles; therefore Automobile Liability is for hired and non-owned vehicles only. Can this requirement be waived for professional liability?

Response: Yes.

6. **Question:** Regarding broad form contractual liability, Company's General Liability policy affirms it will respond to a covered loss caused by Company's negligence; Company meets all other General Liability requirements. Company's insurers will only provide notice as stated in the policy, but Company agrees to provide 30 days' advance notice of any material change or reduction in coverage.

Regarding the Indemnity provision, and in order to avoid any issues with our Professional Liability carrier, indemnification obligations shall only arise from third party claims relating to the Firm's negligence, errors, or omissions, subject to the PPA providing prompt written notice. Will our proposal be deemed non-responsive if we include our response to the Indemnity provision above?

Response: Any requested changes to the sample contract must be included in your proposal. In regard to the indemnity language in section 16 of the insurance requirements, this language would only be revised during contract negotiations as the indemnity language in the insurance requirements is an extension of the language in the sample contract.

END OF ADDENDUM ONE