



OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

682 Prospect Street, Berea, Ohio 44017

ANSWERS TO QUESTIONS FROM POTENTIAL RESPONDENTS

TO

REQUEST FOR QUALIFICATIONS

OUTSIDE COUNSEL

TO THE OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

RFQ Issue Date: August 24, 2015

Inquiry End Date: 5:00 P.M., (EDT) September 4, 2015

**Qualifications Statements to be received no later than
5:00 P.M., (EDT), October 2, 2015**

QUESTION 1:

In response to Part II, question 3, titled “Resources and accessibility”, which requests the respondent to include a statement regarding the legal/factual resources available to you and the level of accessibility the Commission will have to your services, the respondent asked for additional explanation on what the Commission is seeking.

ANSWER 1:

The Commission would like to understand the breadth of your firm’s resources, whatever your firm offers, including which attorneys are available to give advice to the Commission, as well as other legal or investigative resources, such as supporting staff, databases, subscriptions, expert witness assets, software systems or other programs that add value to the respondent’s services.

QUESTION 2:

Does the Commission offer a pension plan to its employees and if so, is the pension plan part of the state of Ohio pension system.

ANSWER 2:

The Commission offers its full and part time employees participation in the Ohio Public Employees Retirement System (OPERS) and in the Voluntary Deferred Compensation Plan.

QUESTION 3:

In order to understand and quantify the scope and type of legal services by area that are required by the Ohio Turnpike and Infrastructure Commission, and acknowledging that those needs change from year to year and therefore the answers below will likely be estimates, please complete (fill-in) the below table by indicating the percentages as a whole for legal services used by the Commission (based upon total hours of outside legal services paid for by filling-in the “total hours” at the bottom of the center column) for the prior 2 years and the average hourly rate paid for such services. If certain areas of legal services are paid as a flat fee (and therefore you do not have information concerning time records), please so indicate.

<u>Area of Legal Services</u>	<u>(Estimated) Percentage of Legal Services by Area for Prior 24 Months</u>	<u>Average Hourly Rate Paid for Legal Services By Area</u>
Collections		\$0
Construction law	X	\$210.00 – Attorneys (blended)
Contracts and public bidding	X	\$210.00 – Attorneys (blended)
Eminent domain, real estate and zoning	X	\$210.00 – Attorneys (blended) \$90.00 – Paralegals
Employment and labor issues	X	\$210.00 – Attorneys (blended)
Environmental issues		\$0
General litigation	X	\$210.00 - \$250.00 – Attorneys

		\$115.00 – Paralegals
Insurance Defense	X	\$250.00 – Partners \$220.00 – Associates \$115.00 – Paralegals
Insurance claims and coverage issues	X	\$170.00 to \$425.00 – Senior Partners \$110.00 - \$170.00 – Paralegals
Intellectual Property	X	\$210.00 – \$235.00 – Attorneys (blended)
Public sector and government matters	X	\$285.00 – Attorneys (blended)
Bond counsel, securities, investments and commercial transactions	X	\$285.00 – Attorneys (blended) Flat fee for bond counsel’s work related to a bond issuance. Flat fee determined based on par value of bonds sold using the same formula as the Ohio AG for bonds sold by the State of Ohio.
Tax issues	X	\$285.00 – Attorneys (blended)
Utilities		\$0
Workers Compensation	X	\$140.00 – Members \$125.00 – Associates \$95.00 – Paralegals
	_____ Total Hours /100%	

ANSWER 3:

The Commission does not maintain any records that are responsive to the question posed. However, an X in the chart above indicates that the Commission has hired outside counsel for advice on that subject matter in the last 2 years and the fees identified are the rates paid within the last 12 months.

QUESTION 4:

We consider our fees and rates to be trade secrets, but of course still want to be compliant with the Public Records Act and with how you've requested we submit information. Would it be acceptable to submit our fees in a separate document from the rest of our submission?

ANSWER 4:

Yes, any firm may submit fees in a separate document marked as confidential and a trade secret. However, Ohio law prohibits the Commission from maintaining legal fees actually paid as a trade secret. Accordingly, the Commission cannot legally protect the inquiring public from the Commission's expenditures and other financial information.

QUESTION 5:

Because some areas of law may call for a different experience and skill set than others, should the firm submit just one proposal with the understanding that a person other than the submitting lead attorney might be the person of contact for a particular area of law or should separate proposals be submitted for each area in which we envision a different principal attorney?

ANSWER 5:

The Commission appreciates having one contact person at your firm for all work assigned to your firm. However, your firm should submit one proposal and the Commission will work the person assigned to the matter, even if such attorney is not the lead attorney submitting the proposal.