



COORDINATING COMMITTEE

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**PUR-1363
ADDENDUM NO. 1
REQUEST FOR PROPOSALS
REGARDING QUALIFICATIONS AND EXPERIENCE/
TECHNICAL PROPOSALS AND PRICE PROPOSALS FOR
BOND COUNSEL**

DATE: Monday, September 11, 2017

PROPOSALS DUE: Friday, September 15, 2017
(Revised via Addendum No. 1) 4:00 P.M.

To Proposers:

This Addendum is hereby made a part of the Contract Documents on which all bids will be based and is issued to correct and/or clarify the original Request for Proposal (RFP) documents.

Please acknowledge receipt of this Addendum at the appropriate space on the Proposal Form. This Addendum consists of three (3) pages.

NOTE: All Bidders must enter the Washington County Administration Complex through either the front door at the 100 West Washington Street entrance or through the rear entrance (w/blue canopy roof) which is handicap accessible, and must use the elevator to access the Purchasing Department to submit their proposal and/or to attend the Pre-Proposal Conference. Alternate routes are controlled by a door access system. Washington County Government has announced new security protocols being implemented at the Washington County Administration Complex at 100 West Washington Street, Hagerstown. The new measures took effect Tuesday, February 14, 2017. The general public will be subject to wand search and will be required to remove any unauthorized items from the building prior to entry. Prohibited items include, but are not limited to: Weapons of any type; Firearms, ammunition and explosive devices; Cutting instruments of any type - including knives, scissors, box cutters, work tools, knitting needles, or anything with a cutting edge, etc.; Pepper spray, mace or any other chemical defense sprays; and Illegal substances.

ITEM NO. 1: *Inquiry:* With respect to Question 9 in Section 2 (Firm Qualifications) of the RFP, is that question designed to elicit descriptions of any litigation or administrative proceeding that arose in the 5 years prior to the date of the RFP and that is **STILL** pending, or **ANY** litigation or administrative proceeding that the Firm was a party to in such 5 year period, whether or not ongoing or resolved?

Response: *This question relates to ANY litigation or administrative proceeding regardless of whether it has been resolved or is still pending.*

ITEM NO. 2: *Inquiry:* Is it correct that the bond counsel fees to be quoted for each of FY 2018-2022 in the price proposal form should be based on an assumed new money general obligation issue only, with fees for a general obligation refunding issue to be calculated separately pursuant to the schedule of professional fees for supplemental services?

(NOTE: The wording of all "Inquiries" submitted are displayed exactly as received.)

ADDENDUM NO. 1

Bond Counsel

PUR-1363

Page 2

Response: The annual fee is for the new money GOB issue. Any work performed in connection with a refunding would be subject to the schedule of professional fees.

ITEM NO. 3: *Inquiry:* With respect to attorney rates for supplemental services, may respondents propose different hourly rates for classifications of attorneys (e.g., partners, of counsel, associates) or does the County want one flat fee for all classifications of attorneys under the supplemental services schedule? If the County allows different rates for classifications of attorneys, may respondents indicate an assumed number of hours for each classification that together total 100 hours in completing item F. on the price proposal form?

Response: The County requests a flat fee for all classifications of attorneys.

ITEM NO. 4: *Inquiry:* With respect to attorney rates for supplemental services, may respondents propose different hourly rates based on whether the County will be paying bond counsel's fees/expenses or whether another party is responsible for payment of the same (whether or not through bond proceeds)—e.g., a conduit revenue bond issue, a tax increment financing issue or a special taxing district issue?

Response: The County allows bond counsel to draft contracts with outside parties where rates differ from County contract.

ITEM NO. 5: *Inquiry:* Who currently provides bond counsel ("Bond Counsel") services to the County?

Response: Funk & Bolton, P.A.

ITEM NO. 6: *Inquiry:* What are the rates paid to the current Bond Counsel for attorneys and paralegals?

Response: The annual fee is \$18,000.00.

ITEM NO. 7: *Inquiry:* What fees were paid to Bond Counsel for the term of the last contract?

Response: The total fees paid to bond counsel over the five year term were 142,514.35, which includes the annual fee of \$18,000.00 per year.

ITEM NO. 8: *Inquiry:* Does the current Bond Counsel contract allow for annual adjustments in rates charged by the Bond Counsel for attorneys and paralegals?

Response: No.

ITEM NO. 9: *Inquiry:* How many bond transactions does the County anticipate closing during the term of the new contract?

Response: The County anticipates one bond issue per year.

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ADDENDUM NO. 1

Bond Counsel

PUR-1363

Page 3

ITEM NO. 10: Inquiry: When does the County anticipate issuing its bonds under the new contract?

Response: *The County issues bonds in May.*

ITEM NO. 11: Inquiry: Was the current Bond Counsel contract amended at any time to provide for additional services not originally requested in the Request for Proposals?

Response: *No.*

ITEM NO. 12: Inquiry: What firm or firms currently serve as Bond Counsel?

Response: *Funk & Bolton, P.A.*

ITEM NO. 13: Inquiry: What are the present hourly rate or rates charged by Bond Counsel for attorneys and for para-professionals?

Response: *Attorney – \$175.00
Paraprofessional – \$70.00*

ITEM NO. 14: Inquiry: For the current contract term, what were the total fees charged by Bond Counsel under the present contract, the fee for each bond issue, and the annual fees for work not related to a particular bond issue?

Response: *The total fees paid to bond counsel over the five year term were \$142,514.35, which includes the annual fee of \$18,000 per year.*

ITEM NO. 15: Inquiry: Does the current contract allow for annual adjustments to rates charged by attorneys and para-professionals?

Response: *No.*

ITEM NO. 16: Inquiry: What is the anticipated number of issuances for the anticipated contract term?

Response: *The County issues bonds once a year.*

ITEM NO. 17: *All references to the deadline for submittal of proposals in the RFP document have been changed to no later than 4:00 p.m. (EDST), Friday, September 15, 2017.*

By Authority of:



Rick Curry, CPPO
Director of Purchasing

(NOTE: The wording of all "Inquiries" submitted are displayed exactly as received.)