

Responses to Questions Submitted in Relation to

**REQUESTS FOR PROPOSALS FOR GENERAL LEGAL COUNSEL FOR
THE DEFERRED COMPENSATION PLAN FOR EMPLOYEES OF THE
STATE OF NEW YORK AND OTHER PARTICIPATING PUBLIC
JURISDICTIONS**

The following are responses to all submitted questions, however, the wording may not be exactly as provided by the potential respondent to the RFP.

1. Can the current firm acting as General Counsel submit a response to the RFP, or has it decided not to participate this time?

The RFP does not prohibit the firm currently providing General Counsel services from responding to the RFP.

2. Item 8 requires a responding firm to provide “A complete list of hourly rates for work performed by partners, associates and assistants for a 5 year period beginning with the contract term of December 1, 2012.” It is unclear how much detail should be included when partner and associate rates are not uniform and normally change over a 5-year period.

Would it be acceptable to provide rates for the 5-year period (beginning December 1, 2012), using three tiers for partners (junior, mid-level and senior) and three tiers for associates (junior, mid-level and senior), one level for counsel, and one level for legal assistants, and identifying where each of the proposed team members would initially be located on the grid, and how they and anyone who joins the team later or who does work related to the engagement in a specialty area will be slotted into the grid in a given year within the contract term?

It is not necessary to be this specific. Item 2 requires the responding firm to “provide resumes for all partners, attorneys and staff proposed to be involved, and specifically, those directly assigned as counsels, including their function in the company, title, office address, and number of years with the firm.” The listing of hourly rates should correspond to partners, attorneys and staff that are proposed to be part of the team that will be providing services to the Plan.