

RESPONSE PACKET
SP-20-0012

RESPONSE SIGNATURE PAGE

Type or Print the following information.

PROSPECTIVE CONTRACTOR'S INFORMATION			
Company:			
Address:			
City:		State:	
			Zip Code:
Business Designation:	<input type="checkbox"/> Individual <input type="checkbox"/> Partnership	<input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Corporation	<input type="checkbox"/> Public Service Corp <input type="checkbox"/> Nonprofit
Minority and Women-Owned Designation*:	<input type="checkbox"/> Not Applicable <input type="checkbox"/> African American	<input type="checkbox"/> American Indian <input type="checkbox"/> Hispanic American	<input type="checkbox"/> Asian American <input type="checkbox"/> Pacific Islander American
	<input type="checkbox"/> Service-Disabled Veteran <input type="checkbox"/> Women-Owned		
AR Certification #: _____ * See <i>Minority and Women-Owned Business Policy</i>			

PROSPECTIVE CONTRACTOR CONTACT INFORMATION			
Provide contact information to be used for bid solicitation related matters.			
Contact Person:		Title:	
Phone:		Alternate Phone:	
Email:			

CONFIRMATION OF REDACTED COPY
<input type="checkbox"/> YES, a redacted copy of submission documents is enclosed. <input type="checkbox"/> NO, a redacted copy of submission documents is <u>not</u> enclosed. I understand a full copy of non-redacted submission documents will be released if requested.
<i>Note: If a redacted copy of the submission documents is not provided with Prospective Contractor's response packet, and neither box is checked, a copy of the non-redacted documents, with the exception of financial data (other than pricing), will be released in response to any request made under the Arkansas Freedom of Information Act (FOIA). See Bid Solicitation for additional information.</i>

ILLEGAL IMMIGRANT CONFIRMATION
By signing and submitting a response to this <i>Bid Solicitation</i> , a Prospective Contractor agrees and certifies that they do not employ or contract with illegal immigrants. If selected, the Prospective Contractor certifies that they will not employ or contract with illegal immigrants during the aggregate term of a contract.

ISRAEL BOYCOTT RESTRICTION CONFIRMATION
By checking the box below, a Prospective Contractor agrees and certifies that they do not boycott Israel, and if selected, will not boycott Israel during the aggregate term of the contract.
<input type="checkbox"/> Prospective Contractor does not and will not boycott Israel.

An official authorized to bind the Prospective Contractor to a resultant contract shall sign below.

The signature below signifies agreement that any exception that conflicts with a Requirement of this *Bid Solicitation* **will cause the Prospective Contractor's response to be rejected.**

Authorized Signature: _____ **Title:** _____

Printed/Typed Name: _____ **Date:** _____

SUBMISSION REQUIREMENTS

- Per the RFQ, the following items **must** be submitted with the Prospective Contractor's response submission:
 - *Response Signature Page.*
 - Responses to the *Disclosure Information, Firm's Salary Structure, and Information for Evaluation* sections of the *Response Packet*.
- It is strongly recommended that Prospective Contractors adhere to the following format and suggestions when preparing their responses:
 - The original *Response Packet* and all copies should be printed on standard white or buff 8-1/2" x 11" paper in at least ten (10) point type and should be arranged in the following order.
 - *Response Signature Page.*
 - Signed Addenda, if applicable.
 - E.O. 98-04 – *Contract and Grant Disclosure Form.*
 - *Equal Opportunity Policy.*
 - A cover page with the Prospective Contractor's contact data.
 - A cover letter on the Prospective Contractor's letterhead.
 - Responses to the *Disclosure Information, Firm's Salary Structure, and Information for Evaluation* sections of the *Response Packet*.
 - The original *Response Packet* and all copies should be sequentially numbered (after the cover letter) with the Prospective Contractor's name printed on each page and three-hole punched for a standard three-hole binder.

DISCLOSURE INFORMATION

- These items will not be scored as part of the response evaluation; however, failure to provide the required items will result in rejection of a Prospective Contractor's response.
- Prospective Contractor may expand the space under each item/question to provide a complete response.

Describe all actual, potential, or appearances of conflicts of interest involving principal or lead attorneys in your law firm that may affect your law firm's representation of ATRS. Provide an explanation.

Identify any known relationships, either business or personal, which your law firm or a member of your law firm has with any ATRS Board of Trustee member, investment consultant, investment manager, or key employee of ATRS. If aware of none, state "None." (A list of ATRS Board members, investment consultants, investment managers, and key employees can be provided upon request. A formal conflicts check will be required prior to contracting.)

Identify any relationships, either business or personal, which your law firm or a member of your law firm has with a person known to you to have substantial business dealings with ATRS or its affiliates. If aware of none, state "None."

Identify any other known conflicts of interest your law firm or a member of your law firm has with any ATRS Board of Trustee member, investment consultant, investment manager, or key employee of ATRS. If aware of none, state "None."

FIRM'S SALARY STRUCTURE

- This information will not be scored as part of the response evaluation; however, failure to provide the required items will result in rejection of a Prospective Contractor's response.
- Prospective Contractor may expand the space under each item/question to provide a complete response.

Position	Rate of Pay	Frequency of Pay (i.e. hourly, annually)
Receptionist		
Legal Secretaries		
Legal Assistants		
Paralegals		
Contract Lawyers		
Associates		
Partners		

INFORMATION FOR EVALUATION

- Provide a response to each item/question in this section. Prospective Contractor may expand the space under each item/question to provide a complete response.
- **Do not** include additional information if not pertinent to the itemized request.

	Maximum RAW Score Available
E.1 QUALIFICATIONS AND EXPERIENCE	
A. Describe your firm’s law firm and law practice, including historical background, number and location of firm offices, number of attorneys, major areas of practice, and national and international jurisdictional experience.	5 points
B. Describe your law firm’s experience successfully prosecuting securities litigation claims for public pension funds as lead plaintiff. Provide an overview of your law firm’s top five (5) recovery awards for a public pension plan, including the year each claim was filed, a summary of the claim, and the outcome of the claim.	5 points
C. Describe your law firm’s experience prosecuting securities litigation cases in the last five (5) years. Provide an overview of the claims that includes the year each claim was filed, a summary of the claim, and the outcome of the claim.	5 points
D. Describe your law firm’s experience providing successful securities monitoring and litigation services for public pension funds in Arkansas, including ATRS. Provide an overview of each claim, including the year each claim was filed, a summary of the claim, and the outcome of the claim.	5 points
E. Briefly summarize the scope and size of the largest settlement or award obtained in your law firm's capacity as sole lead counsel for a public pension plan.	5 points
F. Provide a resume, biographical sketch, and curriculum vitae for at least ten (10) attorneys employed by your law firm whose focus is in securities litigation and experience. Include each partner, junior partner, and/or associate anticipated to interact with ATRS and represent ATRS through litigation, mediation, and public appearances. Include each attorney’s education, experience, and other relevant activities as applicable to the Qualifications under this RFQ.	5 points
G. Subject to the consent of clients as required by applicable ethics rules, provide the names and phone numbers of representative clients. Identify specifically any pension plans or other major institutional investors, either private or public, to which your law firm renders or has rendered significant legal services concerning the relevant subject area(s) during the past year. If no clients consent, or if your law firm elects not to request such consent, please so state and describe the representative clients in general terms to support your law firm’s qualification and experience to represent ATRS.	5 points
H. Describe your law firm's proven in-house U.S. and international bankruptcy knowledge and expertise in ERISA, Internal Revenue Code, fiduciary responsibilities relating to qualified governmental plans.	5 points

E.2 RESOURCES AND RELEVANT PRACTICE	
A. Briefly summarize resources available to your law firm that give your law firm an advantage in processing securities litigation cases, such as multilingual staff, information technology, office locations, or any other resources.	5 points
B. Describe your law firm's in-house resources for both legal and non-legal monitoring and/or evaluation responsibilities. Include which services are outsourced to third parties including data storage and other relevant activities for both domestically and internationally traded securities.	5 points
C. Describe diversity within your law firm and examples of your law firm's efforts to recruit, promote, and retain a diverse workplace.	5 points
D. Describe your law firm's particular knowledge of Arkansas law pertaining to contract requirements, public pension plans, securities law, prudent invest rule, other areas of law that may affect your law firm's representation of ATRS.	5 points
E. Describe the resources your law firm expects ATRS to provide throughout a resultant contract, including staff levels, expected commitment hours, etc.	5 points
F. Discuss any significant changes in the ownership or restructuring of your law firm or lead attorneys in the past three (3) years or if your law firm anticipates significant changes in the future. Provide an explanation of these changes and how these changes will or may affect its representation of ATRS. If no significant changes have occurred or are anticipated, discuss your firm's current organizational retention policy and succession plan	5 points
E.3 MONITORING AND REPORTING	
A. Describe how your law firm will conduct ongoing client portfolio monitoring (tracking portfolio trading and cross-referencing the trading against potential securities claims) by reviewing the ATRS' portfolio losses on a regular basis, investigating potential claims, preparing detailed reports of findings, and presenting the findings to ATRS.	5 points
B. Describe how your law firm will report on the status of claims and recovery efforts for ATRS, including expected results and timing of payments to ATRS.	5 points
C. Describe how and how often your law firm will provide periodic reporting to ATRS of its claims and potential claims. Include how your law firm will determine and recommend ATRS' participation as class member, lead plaintiff, or any recommended individual action.	5 points
D. Describe how your law firm will provide filing of proofs of claim for domestic and international cases for ATRS.	5 points

E.4 ETHICS, FIDUCIARY, AND PROFESSIONALISM	
<p>A. Provide details (and excerpts/samples if available) of articles written by your law firm’s in-house attorneys that have been published in legal journals covering at least one (1) of the following subjects:</p> <ul style="list-style-type: none"> • Class action securities litigation; • Securities law; • Public pension plan litigation, ethics, and/or institutional investors. <p>Note: Do not include full articles from law firm periodicals and brochures. Excerpts/samples must be included in the response to be considered. Do not refer to outside sources such as websites or other printed or digital media. Items may be submitted on a flash drive and should be clearly labeled and referenced to this evaluation criteria (i.e. “E.4.A. Response”).</p>	5 points
<p>B. Provide details (and excerpts/samples if available) of speaking engagements given by your law firm’s in-house attorneys covering at least one (1) of the following subjects:</p> <ul style="list-style-type: none"> • Class action securities litigation; • Securities law; • Public pension plan litigation, ethics, and/or institutional investors. <p>Note: Excerpts/samples must be included in the response to be considered. Do not refer to outside sources such as websites or other printed or digital media. Items may be submitted on a flash drive and should be clearly labeled and referenced to this evaluation criteria (i.e. “E.4.B. Response”).</p>	5 points
<p>C. Provide details (and excerpts/samples if available) of education provided by your law firm’s in-house attorneys to other attorneys covering at least one (1) of the following subjects:</p> <ul style="list-style-type: none"> • Class action securities litigation; • Securities law; • Public pension plan litigation, ethics, and/or institutional investors. <p>Note: Excerpts/samples must be included in the response to be considered. Do not refer to outside sources such as websites or other printed or digital media. Items may be submitted on a flash drive and should be clearly labeled and referenced to this evaluation criteria (i.e. “E.4.C. Response”).</p>	5 points
<p>D. Discuss whether your law firm, a partner to your law firm, or any lead attorneys proposed to provide services for ATRS have ever had a formal grievance and/or complaint lodged against them pursuant to the applicable disciplinary rules. Provide outcomes of the grievances and/or complaints, explanations, and tell what actions the applicable party has taken to remedy the matter(s).</p> <p>If no formal grievances or complaints have been lodged against your law firm, a partner to your law firm, or any lead attorneys proposed to provide services for ATRS, discuss practices and/or policies your law firm has in place to avoid such grievance and complaints.</p>	5 points
<p>E. Discuss whether your law firm, a partner to your law firm, or any lead attorneys proposed to provide services for ATRS have ever been sued for malpractice or any civil or criminal regulatory enforcement action in connection with any type of legal representation, and whether any such attorneys have been sued individually with respect to any type of personal investment or other personal or business involvement concerning an underwriter or issuer of securities, investment adviser, investment company, securities broker-dealer, insurer, real estate transaction, or a lending institution. Provide outcomes of the suits, explanations, and tell what actions the applicable party has taken to remedy the matter(s).</p> <p>If no malpractice suits have been filed and/or no civil or criminal regulatory enforcement actions have been taken against your law firm, a partner to your law firm, or any lead attorneys proposed to provide services for ATRS, discuss practices and/or policies your law firm has in place to avoid such actions.</p>	5 points

F. List any court sanctions for securities litigation representation and any court sanctions or State Bar actions for ethical violations and/or irregular billing practices filed against your law firm. Provide explanations and tell what actions the applicable party has taken to remedy the matter(s).

5 points

If no sanctions have been filed against your law firm, discuss practices and/or policies your law firm has in place to avoid such sanctions.