



**SEDGWICK COUNTY, KANSAS  
DIVISION OF FINANCE  
PURCHASING DEPARTMENT**

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<http://sedgwickcounty.org/finance/purchasing.asp>

**REQUEST FOR PROPOSAL  
Legal Services for Self-Insured Workers' Compensation  
#14-0106  
Addendum #1**

November 12, 2014

The following is to ensure that vendors have complete information prior to submitting a proposal. Here are some clarifications regarding the Legal Services for Self-Insured Workers' Compensation.

Questions and/or statements of clarification are in bold font, answers to specific questions are italicized.

**1) Under Section 2 – Background Information and Scope of Services paragraph 4, is the County seeking to know whether the attorney or firm will cap the amount it charges to the County in a contract year? For example, Firm XYZ agrees to cap fees and expenses charged to the County at \$150,000.00 for the contract year 2015. Conversely, is the County asking if the firm agrees to accept all the work assigned to it by the County during a contract year?**

*Answer: Yes, the contract will be exclusive to one law firm. All County workers' compensation work will be assigned to the one exclusive firm. We cannot predict the number of cases that will be assigned. We have provided information on current open claims and the billed hours for the past two years. Yes, the proposal asks each proposer to provide a cap, the maximum fees and expenses that will be charged to the County during each calendar year.*

**2) In Section 15, number 15, you mention a certificate of good standing. Do we need to submit a certificate with the submission of the RFP or is that something that the firm awarded the contract will be required to do?**

*Answer: The certificate will be required by the awarded firm before issuance of any contract.*

**3) In Section 4 Minimum Qualifications, you request a copy of licenses. Will providing an attorney's bar number suffice?**

*Answer: We require a copy of the license since we are not sure as to how to determine the validity using a bar number.*

**4) Should our pricing proposal be in a separately marked envelope?**

*Answer: It is not necessary to send in a separately marked envelope.*

**5) Will the pricing proposals stay confidential if we are not selected for the RFP?**

*Answer: Section 3 – Selection Criteria paragraph 2 states: “Information provided by respondents to this Request for Proposal will be considered confidential by the County throughout the selection process, to the extent permitted by law.”*

**6) Are you wanting contact information for references/recommendations or letters of recommendation? How many references would you like?**

*Answer: We prefer contact information for references. Section 16 Proposal Content point 10 requests four (4) references.*

**7) Would you prefer the original copy clipped together with a binder clip, bound, stapled, or no preference?**

*Answer: No preference.*

**8) Where can we find more information on the qualifications/requirements for the emergency vendor list?**

*Answer: This is merely a standard request on our bid/proposal response page asking potential vendors if they would like to be considered as a contact in case of emergencies involving their products and/or services. We realize this is not applicable to all requests, this being one of them.*

**9) What do you consider a “litigated case”? Does it mean tried to a result with an ALJ and beyond?**

*Answer: A “litigated case” is identified when a claimant retains an attorney. Currently a claim file is transmitted to our contract attorney when a representation letter is received.*

**10) Do you count cases that go to preliminary hearing as a “litigated case”?**

*Answer: Yes.*

**11) Do you only seek counsel on “litigated cases” as addressed by the question above?**

*Answer: Yes.*

**12) Do you refer files out as soon as an attorney enters appearance for the injured party on the matter?**

*Answer: Yes.*

**13) In Section 2 of the RFP, you mention that there is an average of 300 on-the-job injuries per year. On average, on how many of these cases do you use an attorney?**

*Answer: Refer to Appendix A. This report shows claims currently open and litigated. It does not show closed claims. In calendar year 2012 Appendix A shows 10 claims. There is one 2012 litigated claim that is closed. The information for calendar year 2013 and 2014 is correct. This makes the average number of claims referred to the contract attorney seven (7).*

**14) How many workers' compensation defense files do you refer to an attorney per year?**

*Answer: On average seven (7) claims are referred. Additionally, we refer non-litigated claims that have settled to the contract attorney for purposes of conducting a friendly hearing.*

**15) How many of these files are settlement only/friendly settlement cases?**

*Answer: A settlement only/friendly hearing is not recorded as a litigated claim.*

**16) How many cases require the attorney representing Sedgwick County to resolve in negotiations or trial?**

*Answer: The contract attorney will be involved in settlement negotiations or at trial for all of the litigated claims.*

**17) In 2012 and in 2013, how many of your workers' compensation claims were friendly settlement cases? Do you use an attorney on these claims?**

*Answer: 2012 – 4. 2013 – 4. 2014 – 7. The contract attorney does attend all friendly hearings.*

**18) Who are the other local governments whom Sedgwick County regularly enters into agreements that our pricing information will be provided, as referred to in Section 15, number 1?**

*Answer: We generally work with the City of Wichita and at times other intra-State jurisdictions to provide opportunities to piggyback on our contract agreements. However, the final approval is made by the awarded vendor and we encourage all requesting jurisdictions to seek their prior approval.*

**19) How much has Sedgwick County spent for workers' compensation legal defense services in the months provided for 2014?**

*Answer: 2014 January – August: \$47,417.60*

**20) What was the workers' compensation defense legal spend for 2013 in dollars?**

*Answer: 2013 January – December: \$60,832.10*

**21) What is the budgeted legal spend amount for 2015 workers' compensation defense?**

*Answer: The County currently does not do a line item budget for Workers' Compensation legal services. Legal fees, as well as other expenses, are included within the Workers' Compensation fund. The 2014 budget for the Workers' Compensation fund is \$2,052,283.00.*

Firms interested in submitting a proposal must respond with complete information and all supplementary materials and **deliver on or before 1:45 p.m. (CST), Tuesday, November 18, 2014**. Late proposals will not be accepted and will not receive consideration for final award.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS ADDENDUM ON THE PROPOSAL RESPONSE PAGE.**

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Joe Thomas, C.P.M.  
Purchasing Director