

Railsplitter Tobacco Settlement Authority  
Bond Counsel RFP

Selected Questions and Answers

August 24, 2010

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1. *We noticed that the Political Contributions form was not included as in past State of Illinois RFPs. Can you please advise where we can obtain this form or how we should proceed in providing the required information related to political contributions?*

A copy of the form appears at the end of this document.

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2. *I have a question with regard to the OMB Railsplitter RFP, specifically the Section 5 Business and Directory Information Form. Item (o) states that the Vendor must have “a current Public Contract Number or have proof of having submitted a completed application for one prior to the Solicitation opening date.” My question is, what is considered the opening date of this solicitation, and more to the point, if my firm was to apply today for a public contract number, would we be disqualified from this RFP for not having done so prior to the opening date?*

GOMB intends to consider those respondents that apply for a public contract number prior to the due date for responses to this RFP, and that submit proof of that completed application along with their timely response.

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3. *Section 7.1 of the RFP requires respondents to include in the price proposal a blended hourly rate and a total maximum cost.*
- a) *Does the State intend that that the blended hourly rate and total maximum cost will apply whether or not the proposed financing(s) are consummated?*
  - b) *Is the State expecting that the fee paid to counsel will be a function, in whole or in part, of the aggregate principal amount of the financing?*
  - c) *Can respondents submit as an alternative a price proposal which does not include a blended hourly rate and a total maximum cost but instead proposes a fee that is solely a function of the aggregate principal amount of the financing?*

While GOMB reserves the right to negotiate a fair and reasonable price with the most qualified bidder(s) in accordance with the RFP, we anticipate that price will include a blended hourly rate. To that end, while GOMB welcomes proposed pricing structures that differ from that requested in the RFP, responses should include those structures in addition to the requested blended hourly rate. If we find a failure or deficiency to include this or any other required information in your response, we may have to reject the response or reflect that in the evaluation.

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## Political Contributions

Public Act 95-971 addresses political contributions by Vendors, including affiliated persons and entities. Accordingly, this solicitation contains new provisions that implement the Act. These provisions may be applicable to the contract resulting from this solicitation.

By submission of an Offer, you acknowledge and certify that you have read, understand and will comply with Public Act 95-971, including but not limited to, all provisions relating to reporting, soliciting and making contributions to state officeholders, declared candidates for state offices and covered political organizations that promote the candidacy of an officeholder or declared candidate for office. Vendor acknowledges that the State may declare any resultant contract void if this certification is false or if the Act is violated.

In compliance with Public Act 95-971, check the following certification that applies to you:

Vendor is not required to register as a business entity with the State Board of Elections.

or

Vendor has registered as a business entity with the State Board of Elections and acknowledges a continuing duty to update the registration as required by the Act. **Note: a copy of the certificate of registration must accompany the Offer.**