

ADDENDUM NO. 2

LOG OF RESPONSES TO PROPOSER QUESTIONS

**REQUEST FOR QUALIFICATIONS (“RFQ”) FOR
LEGAL SERVICES, PORT ATTORNEY’S OFFICE
PORT OF OAKLAND (“PORT”)
530 WATER STREET, 4TH FLOOR, OAKLAND, CA, 94607**

This Log of Responses to Proposer Questions is provided solely for the Proposers’ convenience; any interpretations or clarifications contained herein are without legal effect. Only responses incorporated into formal written Addenda are binding. If a Proposer believes that any response included herein does not constitute a complete and clear answer to the question posed, it is Proposer’s sole responsibility to seek further clarification from the Port before submitting a Proposal.

In some instances, the original Proposer question may be paraphrased for brevity or clarity.

Proposers are cautioned that subsequent responses or contract Addenda may affect or modify a response previously given.

The Port is not obligated to respond to any inquiries submitted after the deadline listed in the Request for Qualifications.

The following questions were submitted and are answered in this Addendum:

Question 1: I read the second sentence of your email below to say that [my firm] does not need to respond to the RFP since we are currently retained by the Port. Out of an abundance of caution, I ask you to confirm my reading of the subject sentence is correct.

Response 1: Correct, because your firm is currently retained by the Port, your firm does not need to submit a response to our Request for Qualifications (“RFQ”). However, if your firm is interested in representing the Port in an additional Scope of Service(s) listed in Section II, and it is not currently retained in such Scope of Service(s) or has been within the last five years, then we suggest your firm submits a response to this RFQ for such Scope of Service(s).

Question 2: We are in receipt of the Port of Oakland’s RFP for legal litigation services. It has been our pleasure to provide litigation services to the Port on various issues over the last several years. However, we understand that we may respond to the RFP for those areas of law as to which we have not previously provided representation. Does the Port have a preference for how we identify the specific topics on which we could provide litigation support? For example, we are currently providing environmental litigation services to the Port. We were uncertain if

environmental litigation would embrace multiple topic-specific issues as listed in the RFP (i.e., energy, etc.).

Response 2: Currently providing general environmental litigation services to the Port, would not necessarily satisfy information the Port seeks regarding the Energy practice area listed in Section II, Scope of Services, of our RFQ, or the other practice areas in Section II. If you do not currently provide services to the Port in the specific areas listed in Section II, then do list out the specific types of litigation services your firm seeks to provide legal services. Please be as specific as possible.

Question 3: [Our Firm] is excited about the opportunity to submit a proposal in response to the Port of Oakland's Request for Qualifications for Legal Services. Prior to doing so, we would like to confirm whether two of our existing representations would present an obstacle to the Port considering us for this work.

Response 3: Please note the potential conflicts in your response, if any, when you submit your responses to our RFQ. The Port evaluates potential conflicts and considers conflict waivers on a case-by-case basis and cannot make a determination at this time.

Question 4: [Our Firm] is representing the Port of Oakland in several matters. Would you please confirm: 1.) that we don't need to submit for our environmental and land use work? 2.) that we can choose to submit for other types of work that we are not currently handling.

Response 4: If your firm is currently retained by the Port for a specific practice area (e.g. environmental and land use work), your firm does not need to submit a response to our Request for Qualifications ("RFQ") for such practice area. Correct, your firm can choose to submit for other types of work that your firm is currently not handling from the list in Section II of our RFQ.

Question 5: My firm last worked on a legal matter for the Port of Oakland in June/July 2018, which is still within the five-year time period referenced in the RFQ. Even so, would you recommend that we submit a response to the current RFQ?

Response 5: There is no penalty for submitting a response to the RFQ. If you have represented the Port in the last five years for any of the Scope of Services listed in Section II below, you do not have to submit a response to the RFQ. If you worked in a specific practice area for the Port within the past five years for one of the Scope of Services listed in Section II, but are not currently working for the Port, and have additional information to provide to the Port, then you can submit a response. Moreover, if your firm is interested in

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representing the Port in an additional Scope of Service(s) listed in Section II, and it is not currently retained (or has not been retained within the last five years) in such Scope of Service(s), then we suggest your firm submits a response to this RFQ for such said Scope of Service(s).