RFQ Response Worksheet

Only one response should be submitted per law firm or attorney. The single response should include each area of law for which the law firm or attorney has expertise and for which it wishes to be placed on the Referral List described in the RFQ.

Instructions for the RFQ Response site are at the end of this worksheet.

**Firm Details**

Complete the following information for the law firm:

Firm Name

Firm Contact

Address

City, State and Zip

Tax ID Number

Contact Phone Number

Contact E-mail Address

Firm Website Address

Is the law firm HUB certified? Yes or No

Percentage of Attorneys that are Minority Attorneys %

Percentage of Attorneys that are Women Attorneys %

Malpractice Insurance Coverage

Maintained In An Amount

During the Term of the

RFQ (9/1/2012 – 8/31/2015)

of Not Less Than \*\*\*:

\*\*\*Malpractice insurance is required for Outside Counsel to be approved for referral list.

**General Questions**

*Each response is limited to 7,950 characters (including spaces). Any characters exceeding the 7,950-character limitation will be lost and not submitted as part of the RFI Response. Please utilize word processing word count tools to ensure that the law firm’s response to each question does not exceed the 7,950-character limit.*

**Overview of the firm.**

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**Describe efforts made by the firm to encourage and develop the participation of minorities and women in the provision both of the firm’s legal services generally and the areas of law to which the firm is responding in particular.**

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**Disclose any conflicts of interest identifying each and every matter in which the firm has, within the past calendar year, represented any entity or individual with an interest adverse to U. T. System, U. T. System institutions, or to the State of Texas, or any of its boards, agencies, commissions, universities, or elected or appointed officials.**

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**Areas of Law**

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**Communications, Media, and Information Technology**

Representation and advice regarding communications, media and information technology matters regulated by the Federal Communications Commission and other federal and state government agencies in matters related to regulatory compliance, transactions, corporate, and litigation in the telecommunications, media, Internet, information services and technology industries, including but not limited to commercial and noncommercial broadcast issues; First Amendment and broadcast journalism legal issues; digital rights, privacy and security issues; and preparing, filing, prosecuting, maintaining, and renewing various permits, licenses, and license applications.

**Hourly Rates – list the hourly rate range per hour (not to exceed $525 for attorneys, $225 for paralegals) for each group of billing personnel listed below:**

Partners \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Of Counsel \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Associates \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Paralegal \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Other (describe) \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_\_\_

Other Description:

**The firm’s U.S. office locations handling this area of law:**

A box will be provided for each City / State.

**UT System is open to considering billing arrangements other than hourly rates. If the firm wishes to propose a flat fee, retainer or other arrangement, please describe the details of the proposed fee arrangement.**

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**Describe the firm’s or attorney’s qualifications for performing the legal services described above, including the firm’s prior experience in providing the legal services.**

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**List the names, experience, and scientific or technical expertise of the attorneys that would be assigned to perform the legal services described above should your firm be contracted.**

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**Corporate Law**

Representation and advice regarding corporate and securities transactions and regulations, including but not limited to entity formation, such as corporations, joint ventures, limited partnerships, limited liability companies, 501(c)(3) corporations, and public-private partnerships; drafting and filing entity documents; filing for certificates of authority to transact business in other states; private equity investing; and the range of corporate legal services related to technology transfer.

**Hourly Rates – list the hourly rate range per hour (not to exceed $525 for attorneys, $225 for paralegals) for each group of billing personnel listed below:**

Partners \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Of Counsel \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Associates \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Paralegal \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

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**Employment Law**

Representation and advice regarding complex employment and employee benefits law issues.

**Hourly Rates – list the hourly rate range per hour (not to exceed $525 for attorneys, $225 for paralegals) for each group of billing personnel listed below:**

Partners \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Of Counsel \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Associates \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Paralegal \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

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**Ethics, Regulatory Compliance, and Investigations**

Representation and advice regarding compliance with federal and state laws and regulations related to revenue, expense, and contributions transparency and other related matters, including institutional or federal or state government investigations.

**Hourly Rates – list the hourly rate range per hour (not to exceed $525 for attorneys, $225 for paralegals) for each group of billing personnel listed below:**

Partners \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Of Counsel \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Associates \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Paralegal \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

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**Export Controls**

Representation and advice regarding U.S. export controls and related technology transfer controls, including but not limited to review, revision, implementation or updating of compliance policies and procedures; compliance training; review of deemed export or technical data export aspects of educational activities, laboratory research, sponsored research contracts, and other activities; export control classification, jurisdiction, and licensing advice; U.S. economic sanctions, embargoes, denied parties, and related matters; import/export counseling; compliance reviews. In addition, legal services may be provided concerning government contracting issues and application of relevant U.S. laws and regulations relating to same.

**Hourly Rates – list the hourly rate range per hour (not to exceed $525 for attorneys, $225 for paralegals) for each group of billing personnel listed below:**

Partners \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Of Counsel \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Associates \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

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**Health Law**

Representation and advice regarding (1) compliance with federal and state laws and regulations on privacy and security of protected health information, including the Health Insurance Portability and Accountability Act (HIPAA), other individually identifiable information maintained by the University, and health information technology matters; (2) Medicare/Medicaid/Tricare and private third party certification, payment, managed care, and related matters; (3) health regulatory and research compliance, investigations, and related matters; (4) contractual and business transactions; and other general health law matters.

**Hourly Rates – list the hourly rate range per hour (not to exceed $525 for attorneys, $225 for paralegals) for each group of billing personnel listed below:**

Partners \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Of Counsel \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Associates \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Paralegal \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

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**Immigration Law**

Representation and advice regarding immigration law matters, including but not limited to petitioning for nonimmigrant visas (including H-1Bs); petitioning for employer sponsored permanent residence; representation before the Department of Labor, including labor condition applications, labor certifications, Program Electronic Review Management (PERM) complying with the Student and Exchange Visitor Information System (SEVIS) requirements; impact of homeland security issues on immigration law; and interaction with and representation before applicable U.S. governmental agencies, including the Department of Homeland Security and the Department of Labor, as well as the U. T. System Office of General Counsel, U. T. System institutions’ international offices, and human resources offices. Family members will not be covered under any outside counsel contract for legal services.

**Hourly Rates – list the hourly rate range per hour (not to exceed $525 for attorneys, $225 for paralegals) for each group of billing personnel listed below:**

Partners \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Of Counsel \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Associates \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Paralegal \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

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**Intellectual Property Matters**

Representation and advice regarding intellectual property matters, including but not limited to preparing, filing, prosecuting, and maintaining patent applications in the United States and other countries; securing copyright protection for computer software; preparing, filing, and prosecuting applications to register trademarks and service marks in the United States and other countries; complex licensing transactions; and all other related matters.

**Hourly Rates – list the hourly rate range per hour (not to exceed $525 for attorneys, $225 for paralegals) for each group of billing personnel listed below:**

Partners \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Of Counsel \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Associates \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Paralegal \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Patent Agent \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Other (describe) \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_\_\_

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**International Law**

Representation and advice regarding international law obligations and requirements in the following areas: doing business in foreign jurisdictions and related registration and tax obligations, employment issues regarding university employees and foreign nationals, affiliation and collaborative research agreements with foreign universities and other entities, study abroad programs, and contracting and procurement issues in foreign jurisdictions.

**Hourly Rates – list the hourly rate range per hour (not to exceed $525 for attorneys, $225 for paralegals) for each group of billing personnel listed below:**

Partners \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Of Counsel \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Associates \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Paralegal \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

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**Litigation - General**

Representation and advice regarding complex litigation matters, including but not limited to employment litigation, real estate litigation, wills and estate litigation, Texas Public Information Act litigation, commercial litigation, creditors’ rights litigation, and third party issues such as subpoenas and discovery matters.

**Hourly Rates – list the hourly rate range per hour (not to exceed $525 for attorneys, $225 for paralegals) for each group of billing personnel listed below:**

Partners \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Of Counsel \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Associates \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Paralegal \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Other (describe) \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_\_\_

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**List the names, experience, and scientific or technical expertise of the attorneys that would be assigned to perform the legal services described above should your firm be contracted.**

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**Litigation - IP**

Representation and advice regarding all intellectual property matters, including but not limited to pursuit of litigation against infringers of U. T. System intellectual property rights and defense of any intellectual property related claims.

**Hourly Rates – list the hourly rate range per hour (not to exceed $525 for attorneys, $225 for paralegals) for each group of billing personnel listed below:**

Partners \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Of Counsel \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Associates \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Paralegal \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Other (describe) \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_\_\_

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**Public School Law**

Representation and advice regarding public school law issues regarding U. T. System institution charter schools and other interactions with K-12 education.

**Hourly Rates – list the hourly rate range per hour (not to exceed $525 for attorneys, $225 for paralegals) for each group of billing personnel listed below:**

Partners \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Of Counsel \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Associates \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Paralegal \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

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**Real Estate and Finance Transactions**

Representation and advice regarding acquisitions, dispositions, financings, title issues, entity formation (joint ventures, limited partnerships, limited liability companies, real estate investment trusts, business trusts), securitization, leasing, construction contracting, and workouts and restructurings.

**Hourly Rates – list the hourly rate range per hour (not to exceed $525 for attorneys, $225 for paralegals) for each group of billing personnel listed below:**

Partners \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Of Counsel \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Associates \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

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**Real Estate and Oil & Gas Transactions Outside the State of Texas**

Representation and advice regarding real estate and oil and gas transactions, including but not limited to litigation or hearings related to oil, gas, or other mineral interests that are located outside the State of Texas and that are either owned by or proposed to be given to U. T. System or a U. T. institution; and litigation or hearings related to real estate interests and trust, estate, and probate matters that are located outside the State of Texas and that are either owned by or proposed to be given to U. T. System or a U. T. System institutions.

**Hourly Rates – list the hourly rate range per hour (not to exceed $525 for attorneys, $225 for paralegals) for each group of billing personnel listed below:**

Partners \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Of Counsel \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Associates \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

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**Tax-Exempt Bond Matters**

Public, tax-exempt bond issuance is conducted under two major programs and is rated by three major rating agencies. Under authority granted in Article VII, Section 18 of the Texas Constitution, Chapters 55 and 65, Texas Education Code and Chapters 1207 and 1371, Texas Government Code, and other applicable laws, the U. T. System issues revenue bonds for capital improvements in support of the U. T. System’s $6.3 billion Capital Improvement Program. Commercial paper programs are generally used for interim financing with long-term bonds sold to provide more permanent financing. These long-term bonds, which may be either fixed rate or variable rate, may be combined with interest rate swap agreements pursuant to International Swaps and Derivatives Association, Inc. (ISDA) master swap agreements. Advance refunding transactions may be undertaken based on market conditions. Federal tax related matters regarding bonds issued by the U. T. System, including strategies and management practices in the conduct of an exempt debt program requires a close working relationship with tax counsel. In addition, the U. T. System works with counsel regarding the preparation of the annual Securities and Exchange Commission filings. Contact with debt management staff is frequent due to the volume of debt issuance.

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Partners \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Of Counsel \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Associates \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

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**Tax Matters**

Representation and advice regarding state taxes of any kind, state pension issues and plans available only to universities, and regarding federal taxation of any kind, including but not limited to matters regarding: income, estate, gift, employment, and excise taxes; tax liens, tax garnishments, tax levies, tax assessments, tax valuations, summonses, subpoenas, and discovery; tax audits; administrative appeals of tax issues; tax hearings before administrative law judges and magistrates; appeals to Internal Revenue Service (IRS) appeals officers, district court, U.S. Tax Court, U.S. District Court, U.S. Court of Claims, and other venues; employee benefits such as Internal Revenue Code (I.R.C.) Section 125 cafeteria plans, the Texas Optional Retirement Program, I.R.C. Section 403(b), Section 415(m), and Section 457(a), Section 457(b), and Section 457(f) plans; unrelated business income tax; compensation issues for highly compensated employees and physicians; interaction with and representation before the IRS and other taxing authorities in any tax controversy; and charitable contributions and fundraising. Although outside counsel will not be required to prepare any tax return, it may be required to give legal advice on issues relating to the filing of such tax returns and the appropriate treatment of tax matters on such returns. Outside counsel should be admitted to practice before the Texas district courts, the U.S. Tax Court, the U.S. District Court, and the U.S. Court of Claims.

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Partners \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Of Counsel \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Associates \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Paralegal \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Other (describe) \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_\_\_

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**Utility Matters**

Representation and advice in utility matters, including but not limited to natural gas, electric, and telecommunications matters, including reviewing contracts, conducting research, rendering legal opinions, appearing in contested rate hearings, pursuing litigation, and handling other utility-related legal matters.

**Hourly Rates – list the hourly rate range per hour (not to exceed $525 for attorneys, $225 for paralegals) for each group of billing personnel listed below:**

Partners \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Of Counsel \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Associates \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Paralegal \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_

Other (describe) \_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_\_\_

Other Description:

**The firm’s U.S. office locations handling this area of law:**

A box will be provided for each City / State.

**UT System is open to considering billing arrangements other than hourly rates. If the firm wishes to propose a flat fee, retainer or other arrangement, please describe the details of the proposed fee arrangement.**

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**Describe the firm’s or attorney’s qualifications for performing the legal services described above, including the firm’s prior experience in providing the legal services.**

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**List the names, experience, and scientific or technical expertise of the attorneys that would be assigned to perform the legal services described above should your firm be contracted.**

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**Acknowledgment**

The law firm or attorney must acknowledge and agree to the following:

By checking this box, the law firm or attorney:

(1) represents that it has obtained and reviewed the Office of Attorney General’s April 2, 2012 letter concerning new outside counsel rules (available at <https://www.oag.state.tx.us/forms/contracts/agency_packet.pdf>) and agrees that it will comply with the terms of that letter in its response to this RFQ and in the negotiation, processing, and performance of any contract(s) resulting from this RFQ to which it is a party;

(2) agrees that its response to this RFQ will remain valid for selection by the UT System Office of General Counsel for one or more outside counsel services contracts between the respondent and either U. T. System or a U. T. System institution, with such contracts having a starting date during the period September 1, 2012 through August 31, 2015;

(3) agrees that the terms and conditions of the that the terms and conditions of the Outside Counsel Contract template approved by the Office of Attorney General (available at <http://www.utsystem.edu/ogc/docs/occfy13-fy15.pdf>) will be used for all contracts resulting from this RFQ (instead of the standard Outside Counsel Contract template set forth in the Office of Attorney General’s April 2, 2012 letter referenced above); and

(4) agrees to comply with the policies, directives, and guidelines of the U. T. System, the U. T. System institutions, and the Attorney General of the State of Texas.

**After you submit your acknowledgement, you will no longer be able to view or update your response to this RFI.**

The Outside Counsel Contract template and a link to the Office of Attorney General’s Rules concerning Outside Counsel are available on the U. T. System Office of General Counsel website as follows:

RFQ Response page (through the RFQ process) - <http://www.utsystem.edu/ogc/RFQResponse.htm>

Outside Counsel page (at all times) - <http://www.utsystem.edu/ogc/outsidecounsel.htm>

**RFQ Response Instructions**

Each law firm or attorney should submit only ONE response to the RFQ regardless of the office that will be performing services. This site is password protected so one person should be designated to enter all information.

The person completing the RFQ Response will be able to return to the application as many times as needed to view and update the response until it is submitted and acknowledged.

**BROWSER: Javascript must be enabled in your web browser to complete the RFQ Response.**

To begin the RFQ Response process, go to <https://apps.utsystem.edu/rfqresponse/Homepage.aspx> and in the dropdown box, choose “U.T. System Guests via ProtectNetwork”, and then click “Select.” If you do not have a ProtectNetwork ID, click “Register Your UserID....” at the bottom of the screen. Fill out the ProtectNetwork form and register. If you have previously registered, you may click “Forgot Your UserID?” or “Forgot Your Password?” to retrieve your login information. Once registered (or retrieved your UserID and/or Password), you will be able to logon to the RFQ Response application using ProtectNetwork to authenticate you.

Please follow these directions to complete the response:

* After logging on to the RFQ Response system, you will be asked if you would like to create an RFQ Response. Click “Yes, I would like to begin the RFQ Response process.”
* Once a response is created, click the Next Page link to go to the Firm Information page.
* Throughout the application, you can use the Next Page links at the bottom of the pages, or use the left navigation bar to navigate section-to-section.
* Fill out the Firm Information page and click “Submit Firm Information.” You will be taken to the General Questions page.
* Respond to the questions on the General Questions page. (NOTE: Responses that are more than 7950 characters, including spaces, will not be saved by the application.) Most word processing programs have a tool that will allow you to count the characters including spaces of selected text. After you have responded to these questions, click “Submit Responses.” Your responses will be saved and you will be taken to the Areas of Law section.
* The Areas of Law section contains all of the Areas of Law with their descriptions. Use the left navigation bar to select an Area of Law to include in your response.
* Click “Add This Area of Law to My Response.” Fill out the rates section and click “Submit Rates.” (NOTE: The maximum hourly rate is $525 per hour for attorneys and $225 per hour for paralegals.) If you use the “Other” category, please fill in the “Other Description” field.
* Complete the city and state of offices of the respondent that handle the Area of Law. Click “Submit Locations.”
* Respond to the questions on each Area of Law added to the response. (NOTE: Responses that are more than 7950 characters, including spaces, will not be saved by the application.) Click “Submit Responses” to save your responses.
* Complete and submit responses for all of the Areas of Law for which the firm wishes to be placed on the Referral List described in the RFQ.
* After responses to Areas of Law are completed, click the Acknowledgment link in the left navigation bar. Please review the acknowledgment carefully. The acknowledgment must be completed in order to submit your completed response. Check box and click “Submit Acknowledgment.”
* After the Acknowledgment is submitted, the **RFQ Response will be locked and cannot be viewed or updated**.
* Print the Acknowledgment page and keep for your records.

If there are questions regarding your response, we will contact the person listed in the response by email or telephone.

Please contact Bev Hurst at (512) 499-4563 with any questions regarding the RFQ Response.