



STATE OF NEW MEXICO
Educational Retirement Board

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October 9, 2013

Attn: Potential RFP14-03 Offerors

Re: NMERB Request for Proposals 14-03 - Securities Litigation

To Whom It May Concern:

With regard to the above-referenced Request for Proposals, the ERB has received two questions:

Question #1: RFP #ERB 14-03 neither invites nor prohibits joint responses. We ask that you confirm that two law firms may submit a joint response, provided that they otherwise meet the requirements specified in the RFP.

Answer: Two law firms may submit a joint response, provided that they both otherwise meet the requirements as specified in the RFP.

Question #2: RFP # ERB 14-03 asks respondents to specify "the fee structure you propose for this engagement," and the sample attached contract refers to hourly fee structures. If permitted, we intend to propose both contingency and hourly fee structures, consistent with the expanded procurement authority referenced in NMSA 1978, Section 22-11-6(B)(2), effective as of June 17, 2011. Please confirm that this is acceptable, provided that we file with the Board the disclosures required by NMSA 1978, Section 13-1-191.1.

Answer: An offeror firm may submit a contingency fee in addition to a proposed hourly fee or a fee structure that incorporates hourly as well as contingency fees, or a combination thereof.

Sincerely,

A handwritten signature in cursive script, appearing to read "Amanda Olsen".

Amanda Olsen
Procurement Manager

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