

SBA ITN: Securities Litigation Counsel Pool Response to Request for Clarification

Question# 1

Good afternoon, we are requesting clarification regarding the technology questionnaire Exhibit 5. The first two sections and some questions in other sections are directed toward a vendor that is supplying software services or developing software. Can we respond not applicable to those questions while still answering the relevant questions?

[Answer: If a question is not applicable to your firm, please respond N/A to the question.](#)

Question# 2

Service Organization Control (SOC) report - response contents: Where can we find the required Service Organization Control (SOC) report mentioned in the submission checklist?

[Answer: If you have a SOC report that you are willing to share at this time, it can be sent in a separate file attachment. If you do not have a SOC, indicate Not Applicable.](#)

Question# 3

Service Organization Control (SOC) report - response placement: Should the SOC Report be inserted after the response to the Technology Questionnaire (Exhibit 5) or in some alternate place?

[Answer: See above response for question# 2.](#)

Question# 4

Will Respondents be notified by email if any addenda to this ITN are issued?

[Answer: The SBA does not anticipate any changes to the ITN documents. Any changes or additions will be published on the SBA website.](#)

Question# 5

What is the maximum attachment file size (in MB - megabytes) that can be received by the email address. procurement@sbafla.com?

[Answer: 30MB](#)

Question# 6

Required Audited Financial Statements: The submission checklist states, 'Respondent has provided the required audited financial statements '. Will Florida SBA provide confidential treatment to audited financial statements? Alternatively, would an audit letter suffice?

Answer: The SBA is subject to Florida's Public Records Law, and all documents received in response to this ITN will be subject to public disclosure pursuant to such laws. Audited financial statements are required and will be kept confidential only to the extent permitted by Florida law.

Question# 7

Appendix A Scope of Services: Should the response to Appendix A (Scope of Services) be an executive summary, since many of the details outlined in Appendix A are later requested in the Services Questionnaire? We want to ensure we're not including duplicate information.

Answer: Respondents should provide full and complete responses to each portion of the ITN.

Question# 8

Services Questionnaire (Exhibit 2) Question 6: Should cases be included where the firm has represented an institution that moved for lead plaintiff but (a) did not get appointed lead plaintiff and (b) there was no further active participation beyond the lead plaintiff motion stage?

Answer: Yes

Question# 9

Page Limits: Does Florida SBA have any page limits to any portion of the response to this ITN?

Answer: Please refer to the ITN documents for SBA requirements regarding responses to this ITN. The expectation is to receive a succinct response to each question. Marketing materials of any kind are not encouraged.

Question# 10

Can you please provide copies of SBA Policy #20-404 Remote Access; SBA Policy #20-411 Anti-Virus; and SBA Policy #10-409 Confidential/Sensitive Electronic Data Handling, as referenced in Appendix B (Standard Contract Terms, Sections 2.1, 3.10) and Appendix C (Master Agreement for Legal Services, Article 10)?

Answer: Please see attached policies. Appendix C is an attachment to the ITN.

Question# 11

Can you please provide clarification as to what “SBA approved encryption technology” means, or what qualifies as “SBA approved encryption technology”, as used in Appendix B (Standard Contract Terms, Section 2.6) and Appendix C (Master Agreement for Legal Services, Article 10 (6))?

Answer: The cited language refers to encryption technology that is deemed acceptable by the SBA following discussions between the SBA and selected Respondents prior to entering into a contract pursuant to this ITN.

Question# 12

With respect to Exhibit 2, Question 7 – the question asks for historical data. Is there a time frame for the historical period? The last sentence of this question also asks for specific experience of attorneys that would be assigned to this project and include resumes. Can you clarify what this relates to.

Answer: There is no specific time period contemplated. Respondents should use their discretion in providing responsive information relating to past cases in which Respondents have served as lead plaintiff in such cases, and provided the requested information for attorneys who handled such matters, including their resumes.