

Civil Legal Services

RFP# 26-341-8050-00001

Response to Written Questions

RFP Structure /Administrative Clarifications

1.

Vendor, Apr 21, 2026 12:21 PM MDT

The Acknowledgment Form requests verification that all portions of the RFP are received up to Appendix F, but there does not appear to be an Appendix F in the list of available documents.

Please provide or clarify Appendix F.

ANSWER: Appendix A – Acknowledgement of Receipt Form has been revised via amendment. The reference to 'Appendix F' has been removed. Offerors should use the amended Appendix A included in the amendment

2. Definitions

Vendor, May 05, 2026 4:50 PM MDT

What is the definition of "Systemic Advocacy?" Is it limited to litigation?

ANSWER: The RFP does not define 'systemic advocacy.' It is identified as one of several allowable legal services delivery methods and is not limited to litigation.

3. Closed Loop Referral Network

Vendor, May 05, 2026 4:52 PM MDT

If an organization is already a "legal advice spoke" of a successful, standing closed loop referral network via a local government contract, is that Category II if the organization does not control that platform? In other words, do you have to create the technology to fall under Category II?

ANSWER: No. The RFP does not require an Offeror to create, own, or control the technology platform in order to submit a proposal under Category II. Proposals will be evaluated in accordance with the requirements and evaluation criteria set forth in the RFP.

4. Question re: Current Priorities

Vendor, May 05, 2026 10:12 AM MDT, Not Public - Pending

In the RFP Section IV. Specifications, B. Desirable Specifications, Section 4. Fundings/4.1 for “Current Priorities” (appearing on page 27): Should the Offeror’s response about “Current Priorities” describe all current organizational priorities, or only CLS-eligible work the Offeror intends to fund through the CLS contract, including CLS-eligible projects that may also be partially funded by other funding sources?

ANSWER: Section 4.1 should describe the Offeror’s overall organizational priorities and is not limited to CLS-funded work. The Priorities evaluation factor is based on the organization’s full allocation of resources and service priorities.

5. 1.2 Board of Directors

Vendor, Apr 29, 2026 4:57 PM MDT

Could the committee please specify in B. Desirable Specifications, 1.2 Board of Directors the difference between "Board Authority" and "What decisions does the board make? Is Board Authority about the power of the Board or does it pertain to Board Officers (President, Secretary, Treasurer, etc). Thank you.

ANSWER: The intent of the ‘Board Authority’ prompt is to describe the general governance authority of the Board of Directors within the organization. The separate question, ‘What decisions does the board make?’ is intended to elicit examples of specific types of decisions the Board actually makes in practice (e.g., budget approval, hiring/oversight of executive leadership, strategic direction). ‘Board Authority’ is not intended to refer to individual board officers.

6. Compliance with New Mexico Employees Health Coverage Requirement

Vendor, May 04, 2026 10:39 AM MDT

In Section II. “Conditions Governing the Procurement” Part C “C. GENERAL REQUIREMENTS” Item #26 (appearing on page 16) there is a list of requirements regarding “New Mexico Health Coverage.” Do Offerors need to provide anything in the proposal submission to document compliance with the NM Health Coverage Requirements? If so, where would it go in the “Proposal Format” outlined in Section III “Response Format and Organization” Part C “Proposal Format” listed on page 21?

ANSWER: No. Section 26 establishes contractual requirements that apply after award. Offerors are not required to submit documentation of compliance as part of their proposal. By submitting a proposal, Offerors acknowledge and agree to comply with these requirements if awarded a contract.

7. Campaign Contribution Disclosure Form

Vendor, May 04, 2026 10:53 AM MDT

For the Campaign Contribution Disclosure Form Appendix C (beginning on page 34 of the proposal) does a contribution by a representative of the Offeror to a PAC that may have then contributed to an applicable public official qualify as a Campaign Contribution that must be disclosed?

ANSWER: Appendix C requires disclosure of campaign contributions made by the prospective contractor, its family members, or its representatives to an applicable public official or to a person authorized to raise, collect, or expend contributions on that official's behalf, as defined in the form. Contributions made to a political action committee (PAC) are not automatically treated as contributions to an applicable public official under the definition, but may be reportable depending on whether they meet the definition of a contribution made to or received by an applicable public official or their authorized committee. Offerors are responsible for completing the disclosure in accordance with Appendix C and applicable law.

8. Client-serving Staff

Vendor, May 04, 2026 11:04 AM MDT

Our project has historically included a dedicated staff attorney; however, as the program has continued to grow since its launch in FY23, the attorney does not currently spend 75% of their time serving eligible clients. Could you please clarify whether this would exclude our project from eligibility under this RFP, or if there is any flexibility or alternative way to demonstrate compliance with this requirement?

ANSWER: Section 2.2 Client-Serving Staff is a desirable specification under Section IV and is evaluated and scored under the Managers and Staff factor in Section V (Evaluation). It is not a mandatory specification. Points are awarded based on staffing experience levels, salary ranges, and use of volunteers as set forth in Section V.

9. Costs in Technical Proposal

Vendor, Apr 27, 2026 1:25 PM MDT

The RFP clearly states that no cost information should be included in the technical proposal. However, many of the questions in section B. Desirable Specifications request salary information (2.2 Client-Serving Staff, 2.3 Other Staff, 2.4 Anticipated Salary Increases). Is this information expected to be in the Technical Proposal under the Desirable Specifications section, or are we to include this information in the cost proposal?

ANSWER: The information requested in Sections 2.2–2.4 is part of the Technical Proposal and is used for evaluation under Section V. It is not part of the Cost Proposal, which is limited to pricing information as defined in the RFP

10. Official Action

Vendor, May 05, 2026 4:57 PM MDT

Does "official action" under NMSA 1978, Sec. 2-11-1 et. seq. encompass court decisions in litigation or court rulemaking?

ANSWER: NMSA 1978, § 2-11-2(G) defines 'official action' as the action or nonaction of a state official or state agency, board or commission acting in a rulemaking proceeding. Section 2-11-2(K) provides that a 'rulemaking proceeding' does not include adjudicatory proceedings.

11. Local Gov't Volunteers

Vendor, May 05, 2026 4:59 PM MDT

Are persons serving a local government in a voluntary capacity on a board, etc. exempted like employees are under NMSA 1978, Sec. 2-11-2 or other parts of the Act?

ANSWER: NMSA 1978, Sections 34-14-1(F)(1) and (F)(2) prohibit compensation as a result of this contract from being used to support lobbying. Whether a Contractor is engaging in activities that qualify as "lobbying" under the Lobbyist Regulation Act depends upon the Contractor's specific conduct. NMSA 1978, § 2-11-2(E) identifies express statutory exclusions.

12. Accounting Report

Vendor, May 05, 2026 4:53 PM MDT

Will you please provide an example of what the Accounting Report looks like, contains, etc.?

ANSWER: The “Accounting Report” referred to in the RFP is the written report your auditor prepares at the conclusion of an audit.

Proposal Forms / Evaluation Tools (Appendix E)

13. Appendix E - Client Hours

Vendor, Apr 29, 2026 4:44 PM MDT

ON the Appendix E - Client Hours Excel Sheet, Line 18 that should compute the percent of Client Hours, seems to have an incorrect formula. The formula reads =1-E1785%. Is this correct?

ANSWER: No. Check the instructions on the form in the Appendices. Once you determine the theoretical hours, you then estimate the percent of theoretical hours spent on non-client services (for such things as meetings, lunch, training, etc.). Line 18 (percent client hours) is then theoretical hours (100%) less non-client hours (say, 15%) so the Percent Client hours are 85%. Finally, you determine Client Hours (final line) by multiplying Percent Client hours (85%) times theoretical hours (say, 1800) to get the actual client hours: 1530

14. Appendix E Rate Calculator

Vendor, May 04, 2026 2:27 PM MDT

The Appendix E Rate Calculator does not include an hourly rate for the Executive Director. Is there another place where we should include this information?

ANSWER: Add another sentence to the bottom of the Rate Calculator form (below “Requested rate for non-attorneys) and add a row labeled “Requested rate for Executive Director” and show the requested rate. Be sure that the Director’s salary and percent of time on CLS funds is shown on the budget form.

15. Cost Response Form Budget Question

Vendor, May 05, 2026 10:00 AM MDT

In Section IV. Specifications, Part A: Mandatory Specifications, Item 6: Cost Response Form (pg 23-24): Should the budget reflect only the expenses for the services requested under this RFP, or the Offeror's entire organizational budget (including non-CLS funded work)? Additionally, are the "Total Costs of Services" and the final total on the budget form intended to be the same figure, and if not, where should the "Total Costs of Services" be reflected within the Cost Response Form?

ANSWER: Budget only expenses for services requested under this RFP. 2) The "Cost Response Form" (7, under "Mandatory Specifications, p 30) and the form titled "Budget Form" are the same thing. You meet the mandatory specification by adding the Personnel Cost sub-total to the "All Other Costs" subtotal on the last line of Appendix E, "Budget Form"

16. Cost Response Form Question re: Staff

Vendor, May 05, 2026 10:01 AM MDT

In Appendix E Cost Response Form for "Budget" (Advocates 75%+): In the section for "Advocates: Staff Spending 75% or more of their working hours serving eligible clients," may the "percent time" column reflect less than 75% where an advocate meets the 75% threshold, but the Offeror is allocating a portion of that position's time to other funding sources and not requesting the full amount under CLS?

ANSWER: Yes. The 75% threshold is independent of funding source. If an advocate spends 75% of his or her time serving clients (regardless of what funding source pays for those hours), they count as an advocate spending 75% of their time on client services.

17. Cost Response Form Question re: Managers

Vendor, May 05, 2026 10:03 AM MDT

In Appendix E Cost Response form for "Budget": If managers (e.g., Legal Directors) spend less than 75% of their time serving eligible clients but do provide direct legal services to CLS-eligible clients, may their time be billed?

ANSWER: The Commission's intent is to be able to state that it funds advocates working directly with clients. The cost of managers who do not spend at least 75% of their time serving clients should be categorized as an "All Other Cost." These managers may still work on CLS priorities and be compensated as an "All Other Cost." Please ensure these attorneys are listed in the top box labeled "Managers" on the Budget Form.

18. Cost Response Form Question re: Managers (correction from prior post)

Vendor, May 05, 2026 10:04 AM MDT

In Appendix E Cost Response form for “Budget”: If managers (e.g., Legal Directors) spend less than 75% of their time serving eligible clients but do provide direct legal services to CLS-eligible clients, may their time be billed to CLS at the applicable attorney or non-attorney rate based on years of experience?

ANSWER: See question 8 above

19. Cost Response Budget Question re: payroll tax and other fringe costs

Vendor, May 05, 2026 10:05 AM MDT

In Appendix E Cost Response Form for “Budget” (All Other Costs): Should payroll taxes and other fringe costs associated with payroll be included in the “All Other Benefits” line, or should they be reported under the “Etc.” line?

ANSWER: Payroll taxes and other fringe costs should be shown in the “All Other Costs” box on the second page of the budget.

20. Client Hours Form Question

Vendor, May 05, 2026 10:06 AM MDT

In Appendix E “Client Hours” Form: May the “percent client hours” be less than 75% when accounting for non-client time (e.g., lunch, meetings, administrative work), if the position spends more than 75% of its available client service time serving eligible clients?

ANSWER: Non-client time is subtracted from theoretical time when calculating client hours. So the 75% standard is after the non-client hours referred to in your question have been estimated and accounted for when calculating client hours.

21. Question re: Appendix E Rate Calculator Form

Vendor, May 05, 2026 10:07 AM MDT

In Appendix E “Rate Calculator” Form, what is the purpose of the “Percent Advocate Salaries” and “Share of ‘All Other Costs’” columns, given that they do not appear to be used in the calculation of

hourly rates (including in the Excel formulas, which do not reference cells D19, D20, E19, or E20)?

ANSWER: The rate must include the 1) advocates costs; 2) all other costs, including all other personnel who will work on CLS projects and all overhead (called in the Budget “All Other Costs”). In the box at the bottom of the first page of the Budget form, you will allocate “All Other Costs” to attorney and non-attorney advocates. On the next box you will add the information this box to salaries to determine the rates for attorneys and non-attorneys who spend 75% of their time serving clients.

22. Q re: Appendix E Rate Calculator Form salaries

Vendor, May 05, 2026 10:11 AM MDT

In Appendix E “Rate Calculator” Form: In the phrase “Percent Advocate Salaries,” does “advocate” refer to both attorneys and non-attorneys included in the budget, and should the combined percentages for those two relevant categories total 100%?

ANSWER: In the RFP “advocates” is the term for a category that included attorneys and non-attorneys

23. Q re: Rate Calculator - Manager and Support Staff Salaries

Vendor, May 05, 2026 10:13 AM MDT

In Appendix E, “Rate Calculator”: How are manager and manager support staff salaries reflected in the calculation of attorneys’ hourly rates, given that the Rate Calculator does not include explicit fields for these positions and instead allocates only “all other costs,” which the Budget Form defines as benefits and other non-salary expenses (e.g., health insurance, retirement, and other benefits), with no apparent inclusion of manager or manager support salary costs?

ANSWER: For determining the rates, there are only two costs: 1) costs for advocates (attorneys and non-attorneys spending 75% of their time serving clients) and all (meaning ALL) other costs. The boxes showing salaries and percent of time working on CLS projects are intended to give the evaluation committee information about who will be working on CLS projects, whether they have a rate or not

24. Excel spreadsheets for Appendix E: Rate Calculator

Vendor, May 05, 2026 10:14 AM MDT

In the Excel spreadsheets used for Appendix E, “Rate Calculator”: Is there an error in the spreadsheet calculation for cells G19 and G20, given that they appear to allocate the entire amount of “All Other Costs” (cell F10) by the number of attorney or non-attorney FTEs, rather than using the “Share of All Other Costs” values in cells E19 and E20 (for attorneys and non-attorneys, respectively)?

ANSWER: See attached file “Rate Calculator Revision 2”, It shows how the rates are calculated and requested for a fictitious program. The formulas are correct. Simply substitute amounts from your program and the spreadsheet will calculate the rates. Note that the rate requested need not be the average rate but should close to some amount in the tables.

25. Excel spreadsheets for Appendix E: Rate Calculator

Vendor, May 05, 2026 10:15 AM MDT, Not Public - Pending

In the Excel spreadsheets used for Appendix E “Rate Calculator”: Is there an error in the spreadsheet calculations for cells F25–F30, which currently appear to reference cells without values, and should instead reference F13 (Client hours per year)?

ANSWER: See question 25, above

26. Cost Response Form Budget Question

Vendor, May 05, 2026 1:37 PM MDT

In Appendix E Cost Response Form for “Budget”: If an individual’s time is not included in the budget (e.g., due to subsequent staffing changes or reassignment of work within the organization), may their time still be billed to CLS later at the applicable attorney or non-attorney rate based on years of experience?

ANSWER: Yes.