

**Request For Proposals For
Special Real Estate Counsel for
The Delaware Department of Transportation**

**Bid Number: 09152010DDRE
Bid Closing: September 15, 2010; 3:00 p.m. EST**

Eight Questions and Answers Posted September 9, 2010

Question No. 1: What is the due date for the RFP.

Answer No. 1: The response date for the RFP is September 15, 2010, proposals to be received no later than 3 PM in the Attorney General's Office attention:

Cynthia L. Collins
Director of Outside Counsel
Deputy Attorney General
Carvel State Building
820 N. French Street
6th Floor
Wilmington, Delaware 19801

Question No. 2: What is the current estimate of the volume of the transactions or matters that would be referred to the successful bidder under RFP Section 1.01 (1 through 9)? What is the expected number of transactions or matters 1 for each county?

Answer No. 2: The number will be based on the amount of new developments that would require the acquisition of a private right of way. Those acquisitions are partial takings for intersection improvements and generally only involve one or two owners. These types of actions are currently more predominant in Sussex County, but DelDOT does not generally handle more than 5 to 10 a year.

Question No. 3: What is the current estimate of the number of eminent domain actions that would be referred to the successful bidder under RFP Section 1.01, (10 and 11)?

Answer No. 3: Every year DelDOT's workload changes, but in a typical year the agency may file 10-15 eminent domain actions. Based on actions filed, DelDOT generally proceeds on 5 of those to an order of possession hearing. DelDOT's record for settling prior to a condemnation trial is about 99%.

Question No. 4: Under RFP Section 1.01 (6) in the event that the successful bidder recommended the purchase of title insurance would that insurance be purchased from an insurer independent of the successful bidder?

Answer No. 4: No.

Question No. 5: Is this a new opportunity?

Answer No. 5: No.

Question No. 6: If not a new opportunity who are the incumbents?

Answer No. 6: Fox Rothschild LLP and Parkowski, Guerke & Swayze, P.A.

Question No. 7: If there is an incumbent what are their bill rates?

Answer No. 7: The legal fees vary by the nature of the transaction and complexity of the issues involved.

Question No. 8: What is the estimated value of this opportunity?

Answer No. 8: Unknown.
