

RECOMMENDATION FOR LAW FIRM SELECTION

Date: June 13, 2023

To: Laurie A. Malone
Chief of Staff to the General Counsel

From: Jordan M. Kiessling
Issuing Officer

CC: Derek Riker
OGC Deputy Chief of Staff

RE: Evaluation of Proposals Submitted in Response to
OGC-2022-27/30 General Litigation & Emergency Counsel RFP
Issued November 15, 2022 and December 28, 2022

PART I.

This RFP was issued pursuant to Executive Order 2015-2 dated January 20, 2015, and in accordance with Section 518 of the Commonwealth Procurement Code, 62 Pa.C.S. § 518, and Part III Chapter 8 of the Department of General Services (DGS) Procurement Handbook.

The Issuing Office designated to conduct this procurement has completed its evaluation. As further described below, the following law firms are being recommended for award of legal services contracts:

Ahmad Zaffarese LLC
Campbell Durrant, P.C.
Elliott Greenleaf, P.C.
Houston Harbaugh, P.C.
Matis Baum O'Connor, P.C.
Pietragallo Gordon Alfano Bosick & Raspanti, LLP
Stradley Ronon Stevens & Young, LLP
Yerger Law

This memorandum also documents that all necessary steps were taken in conducting the procurement in accordance with the provisions of the Commonwealth Procurement Code. To the extent that written determinations are required under the Code for any of the following steps and no attached record exists, this memorandum shall serve as written confirmation that such step occurred.

**** DUE TO THE URGENT NEED FOR LEGAL SERVICES, APPROVAL IS BEING SOUGHT FOR THE SELECTED LAW FIRMS TO BEGIN WORK IMMEDIATELY ****

Recommendation for Law Firm Selection

RFP OGC-2022-27/30 Issued November 15, 2022 and December 28, 2022

June 13, 2023

Page 2 of 4

PART II.

A. PUBLIC NOTICE: Public notice of the RFP was posted on both the DGS website and the Office of General Counsel’s website on **November 15, 2022 and December 28, 2022.**

B. EVALUATION COMMITTEE: An evaluation committee was established consisting of agency representatives from the **Department of General Services, Department of Transportation, Department of State, Department of Environmental Protection and the Governor’s Office of General Counsel.**

C. ADDENDA TO THE RFP: Potential offerors were given the opportunity in accordance with Section I-9 of the RFP to submit questions concerning the procurement to the Issuing Office. The official responses to the questions were incorporated into the RFP by addenda per Section I-10 of the RFP.

PART III.

A. CRITERIA: The relative importance of the major evaluation criteria established prior to opening the proposals consisted of **technical 75%, cost 25% and 100 law firm diversity bonus points.**

B. PROPOSALS: A total of **fifteen (15)** proposals were received on or before the due date of **December 21, 2022, and January 20, 2023.** No proposals were received late.

C. RESULTS:

1. The evaluation committee reported the following results of its evaluation to the Issuing Office:
2. As indicated in the Initial Scoring, **one (1)** of the offeror’s technical submittals failed to receive at least **75%** of the available technical points required in order to be eligible to be considered for award.
3. Representatives from the Department of General Services and Governor’s Office of General Counsel evaluated and scored the law firm diversity submittals and combined the technical scores, cost scores and law firm diversity scores.
4. INITIAL SCORING: The overall scoring for this procurement concluded as follows:

<i>Offeror</i>	<i>Technical Score</i>	<i>Cost Score</i>	<i>Law Firm Diversity</i>	<i>Overall Score</i>
Ahmad Zaffarese LLC	703.58	19.23	80.00	802.81
Blank Rome LLP	738.76	0.00	20.00	758.76

Recommendation for Law Firm Selection
RFP OGC-2022-27/30 Issued November 15, 2022 and December 28, 2022
June 13, 2023
Page 3 of 4

Campbell Durrant, P.C.	701.62	190.88	10.00	902.50
Elliott Greenleaf, P.C.	750.00	98.86	10.00	858.86
Greenberg Traurig, LLP	727.09	0.00	30.00	757.09
Houston Harbaugh, P.C.	704.37	173.97	10.00	888.34
Lowey Dannenberg, P.C.	715.07	0.00	5.00	720.07
Matis Baum O'Connor	619.52	250.00	3.00	872.52
Myers, Brier & Kelly, LLP	743.38	0.00	5.00	748.38
Pietragallo Gordon Alfano Bosick & Raspanti, LLP	719.36	96.87	5.00	821.23
Schnader Harrison Segal & Lewis, LLP	732.78	21.19	15.00	768.97
Stradley Ronon Stevens & Young, LLP	748.97	0.00	30.00	778.97
Troutman Pepper Hamilton Sanders LLP	724.62	0.00	35.00	759.62
Yerger Law	626.11	179.49	5.00	810.60
<i>Firms Found NOT Technically Qualified</i>				
Cantilo & Bennett, L.L.P.	N/Q	N/Q	N/Q	N/Q

5. SMALL DIVERSE BUSINESS/VETERAN BUSINESS ENTERPRISE COMMITMENTS:

For purposes of this RFP, Small Diverse Business (SDB) and Veteran Business Enterprise (VBE) participation goals were established as **18%** for SDB and **3%** for VBE. All of the firms either agreed to meet or exceed the SDB and VBE participation goals established for this RFP. Ahmad Zaffarese LLC and Yerger Law are self-performing the SDB portion of this RFP as DGS-verified SDBs.

6. CONTRACTOR RESPONSIBILITY: Ahmad Zaffarese LLC, Campbell Durrant, P.C., Elliott Greenleaf, P.C., Houston Harbaugh, P.C., Matis Baum O'Connor, Pietragallo Gordon Alfano Bosick & Raspanti, LLP, Stradley Ronon Stevens & Young, LLP, Yerger Law and their respective subcontractors required to be disclosed or approved by the Commonwealth have been verified as responsible contractors in accordance with management directives, the Procurement Handbook and the Procurement Code, as applicable.

Recommendation for Law Firm Selection

RFP OGC-2022-27/30 Issued November 15, 2022 and December 28, 2022

June 13, 2023

Page 4 of 4

PART IV.

RECOMMENDATION: As the Issuing Officer, I recommend Ahmad Zaffarese LLC, Campbell Durrant, P.C., Elliott Greenleaf, P.C., Houston Harbaugh, P.C., Matis Baum O'Connor, Pietragallo Gordon Alfano Bosick & Raspanti, LLP, Stradley Ronon Stevens & Young, LLP and Yerger Law be awarded contracts for legal services. This recommendation selection is based upon the results of the evaluation and review of the proposals as summarized above. **The term of the contracts will be one year with two (2) additional one (1) year renewals.** The Governor's Office of General Counsel, will allocate the legal services set forth in the resulting contracts among the selected law firms. **Due to the urgent need for legal services, the Governor's Office of General Counsel is seeking Ahmad Zaffarese LLC, Campbell Durrant, P.C., Elliott Greenleaf, P.C., Houston Harbaugh, P.C., Matis Baum O'Connor, Pietragallo Gordon Alfano Bosick & Raspanti, LLP, Stradley Ronon Stevens & Young, LLP and Yerger Law to begin work immediately.**

PART V.

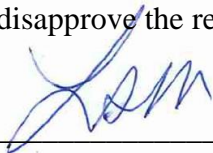
CONTRACTING OFFICER DETERMINATION & AUTHORIZATION:



Based upon the results of the evaluation and the above recommendation, I have determined that Ahmad Zaffarese LLC, Campbell Durrant, P.C., Elliott Greenleaf, P.C., Houston Harbaugh, P.C., Matis Baum O'Connor, Pietragallo Gordon Alfano Bosick & Raspanti, LLP, Stradley Ronon Stevens & Young, LLP and Yerger Law are the best qualified law firms based on the evaluation factors set forth in the RFP.



I disapprove the recommendation.



Laurie A. Malone
Chief of Staff to the General Counsel

6/13/2023

Date