

**RECOMMENDATION FOR LAW FIRM SELECTION**

**Date:** October 26, 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  
RFP OGC-2023-07 Out of State Lien Enforcement  
Issued August 3, 2023

**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 firm is being recommended for award of a legal services contract:

Wong Fleming, P.C.

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 FIRM TO BEGIN WORK IMMEDIATELY \*\***

**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 **August 3, 2023**.

B. EVALUATION COMMITTEE: An evaluation committee was established consisting of agency representatives from the **Pennsylvania Department of Revenue and the Governor's Office of General Counsel**.

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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 80%**, **cost 20%** and **100 law firm diversity bonus points**.

B. PROPOSALS: A total of **one (1)** proposal was received on or before the due date of **August 31, 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, the offeror's technical submittal received at least **80%** 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 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>
Wong Fleming, P.C.	745.80	200.00	10.00	955.80

5. SMALL DIVERSE BUSINESS/VETERAN BUSINESS ENTERPRISE COMMITMENTS:

Wong Fleming, P.C. is verified as a DGS SDB prime law firm. Wong Fleming, P.C. is committed to subcontracting with one (1) veteran business enterprise, the Law Office of Nathaniel M. Holmes LLC, for legal services over the entire engagement timeframe. Wong Fleming, P.C. is committing 3% of the total value of its offering to the Law Office of Nathaniel M. Holmes LLC.

6. **CONTRACTOR RESPONSIBILITY:** Wong Fleming, P.C. and their respective subcontractor 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.

**PART IV.**

**RECOMMENDATION:** As the Issuing Officer, I recommend Wong Fleming, P.C. be awarded a contract 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 contract will be three years with two (2) additional one (1) year renewals.** The Department of Revenue will allocate the legal services set forth in the resulting contract among the selected law firm. **Due to the urgent need for legal services, the Department of Revenue is seeking Wong Fleming, P.C. 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 Wong Fleming, P.C. is the best qualified law firm based on the evaluation factors set forth in the RFP.



I disapprove the recommendation.



**Laurie A. Malone**  
**Chief of Staff to the General Counsel**

10/26/2023

Date

**PART VI.**

**AUTHORIZATION:**

Based upon the Contracting Officer's determination, I authorize the Issuing Office to make a contract award to Wong Fleming, P.C.

**PENNSYLVANIA DEPARTMENT OF REVENUE:**



**Thomas Gohsler**  
**Chief Counsel**

11/03/2023

Date