

RECOMMENDATION FOR LAW FIRM SELECTION

Date: July 29, 2024

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

From: Jordan M. Kiessling
Issuing Officer

CC: Derek Riker
Deputy Chief of Staff

RE: Evaluation of Proposals Submitted in Response to
RFP OGC-2024-06 Workers' Compensation Security Fund Outside Counsel
(Area 1)
Issued April 3, 2024

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
Elias Mickle Kennedy LLC
Law Office of Nathaniel M. Holmes, LLC
Sand & Sidel, PC

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 ****

PART II.

A. PUBLIC NOTICE: Public notice of the RFP was posted on both the PA eMarketplace website and the Office of General Counsel's website on **April 3, 2024**.

Recommendation for Law Firm Selection
RFP OGC-2024-06 Issued April 3, 2024
July 29, 2024
Page 2 of 4

B. EVALUATION COMMITTEE: An evaluation committee was established consisting of agency representatives from the **Pennsylvania Insurance Department 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 **five (5)** proposals were received for Area 1, on or before the due date of **April 24, 2024**. 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, all of the offeror’s technical submittals received at least **75%** of the available technical points required in order to be eligible to be considered for award.
3. In Area 1, all of the offeror’s met the SDB/VBE participation goals set forth in this RFP and were therefore considered for award.
4. 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.
5. 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	664.22	214.01	85.00	963.23
Elias Mickle Kennedy LLC	717.53	235.16	35.00	987.69

Recommendation for Law Firm Selection
RFP OGC-2024-06 Issued April 3, 2024
July 29, 2024
Page 3 of 4

Law Office of Nathaniel M. Holmes, LLC	747.99	250.00	60.00	1,057.99
Sand & Saidel, PC	744.78	239.56	1.00	985.34
Swartz Campbell, LLC	750.00	203.30	3.00	956.30

6. SMALL DIVERSE BUSINESS/VETERAN BUSINESS ENTERPRISE COMMITMENTS:

The Law Office of Nathaniel M. Holmes, LLC is self-performing as a DGS verified small diverse and veteran owned business enterprise.

Ahmad Zaffarese LLC is self-performing 95% of the contract value as a DGS verified small diverse business. Ahmad Zaffarese LLC is committed to subcontracting with one (1) small diverse firm and veteran business enterprise, the Law Office of Nathaniel M. Holmes, LLC, for legal services over the entire engagement timeframe. Ahmad Zaffarese LLC is committing **5%** of the total value of its offering to the **Law Office of Nathaniel M. Holmes LLC.**

Elias Mickle Kennedy LLC is self-performing 97% of the contract value as a DGS verified small diverse business. Elias Mickle Kennedy LLC is committed to subcontracting with one (1) small diverse firm and veteran business enterprise, the Law Office of Nathaniel M. Holmes, LLC, for legal services over the entire engagement timeframe. Elias Mickle Kennedy LLC is committing **3%** of the total value of its offering to the **Law Office of Nathaniel M. Holmes LLC.**

Sand & Saidel, PC is committed to subcontracting with one (1) small diverse firm and veteran business enterprise, the Law Office of Nathaniel M. Holmes, LLC, for legal services over the entire engagement timeframe. Sand & Saidel, PC is committing **20%** of the total value of its offering to the **Law Office of Nathaniel M. Holmes LLC.**

- 7. CONTRACTOR RESPONSIBILITY:** Ahmad Zaffarese LLC, Elias Mickle Kennedy LLC, the Law Office of Nathaniel M. Holmes, LLC, Sand & Saidel, PC 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.

PART IV.

RECOMMENDATION: As the Issuing Officer, I recommend Ahmad Zaffarese LLC, Elias Mickle Kennedy LLC, the Law Office of Nathaniel M. Holmes, LLC and Sand & Saidel, PC be awarded contracts for legal services. This recommendation selection is based upon the results of

Recommendation for Law Firm Selection
RFP OGC-2024-06 Issued April 3, 2024
July 29, 2024
Page 4 of 4

the evaluation and review of the proposals as summarized above. **The term of the contracts will be one (1) year with two (2) additional one (1) year renewals.** The Pennsylvania Insurance Department 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 Pennsylvania Insurance Department is seeking Ahmad Zaffarese LLC, Elias Mickle Kennedy LLC, the Law Office of Nathaniel M. Holmes, LLC and Sand & Saidel, PC to begin work immediately.**

PART V.

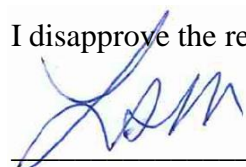
CONTRACTING OFFICER DETERMINATION:



Based upon the results of the evaluation and the above recommendation, I have determined that Ahmad Zaffarese LLC, Elias Mickle Kennedy LLC, the Law Office of Nathaniel M. Holmes, LLC and Sand & Saidel, PC 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

7/29/2024

Date

PART VI.

AUTHORIZATION:

Based upon the Contracting Officer's determination, I authorize the Issuing Office to make contract awards to Ahmad Zaffarese LLC, Elias Mickle Kennedy LLC, the Law Office of Nathaniel M. Holmes, LLC and Sand & Saidel, PC.

PENNSYLVANIA INSURANCE DEPARTMENT:



7/29/2024

Kathryn McDermott Speaks
Chief Counsel

Date

RECOMMENDATION FOR LAW FIRM SELECTION

Date: July 29, 2024

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

From: Jordan M. Kiessling
Issuing Officer

CC: Derek Riker
Deputy Chief of Staff

RE: Evaluation of Proposals Submitted in Response to
RFP OGC-2024-06 Workers' Compensation Security Fund Outside Counsel
(Area 2)
Issued April 3, 2024

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:

Elias Mickle Kennedy LLC
Law Office of Nathaniel M. Holmes, LLC
Sand & Sidel, PC

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 ****

PART II.

A. PUBLIC NOTICE: Public notice of the RFP was posted on both the PA eMarketplace website and the Office of General Counsel's website on **April 3, 2024**.

Recommendation for Law Firm Selection
RFP OGC-2024-06 Issued April 3, 2024
July 29, 2024
Page 2 of 4

B. EVALUATION COMMITTEE: An evaluation committee was established consisting of agency representatives from the **Pennsylvania Insurance Department 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 **four (4)** proposals were received for Area 2, on or before the due date of **April 24, 2024**. 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, all of the offeror’s technical submittals received at least **75%** of the available technical points required in order to be eligible to be considered for award.
3. In Area 2, all of the offeror’s met the SDB/VBE participation goals set forth in this RFP and were therefore considered for award.
4. 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.
5. 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>
Elias Mickle Kennedy LLC	717.53	235.16	35.00	987.69
Law Office of Nathaniel M. Holmes, LLC	747.99	250.00	60.00	1,057.99

Recommendation for Law Firm Selection
RFP OGC-2024-06 Issued April 3, 2024
July 29, 2024
Page 3 of 4

Sand & Sidel, PC	744.78	239.56	1.00	985.34
Swartz Campbell, LLC	750.00	203.30	3.00	956.30

6. SMALL DIVERSE BUSINESS/VETERAN BUSINESS ENTERPRISE COMMITMENTS:

The Law Office of Nathaniel M. Holmes, LLC is self-performing as a DGS verified small diverse and veteran owned business enterprise.

Elias Mickle Kennedy LLC is self-performing 97% of the contract value as a DGS verified small diverse business. Elias Mickle Kennedy LLC is committed to subcontracting with one (1) small diverse firm and veteran business enterprise, the Law Office of Nathaniel M. Holmes, LLC, for legal services over the entire engagement timeframe. Elias Mickle Kennedy LLC is committing **3%** of the total value of its offering to the **Law Office of Nathaniel M. Holmes LLC**.

Sand & Sidel, PC is committed to subcontracting with one (1) small diverse firm and veteran business enterprise, the Law Office of Nathaniel M. Holmes, LLC, for legal services over the entire engagement timeframe. Sand & Sidel, PC is committing **20%** of the total value of its offering to the **Law Office of Nathaniel M. Holmes LLC**.

7. CONTRACTOR RESPONSIBILITY: Elias Mickle Kennedy LLC, the Law Office of Nathaniel M. Holmes, LLC, Sand & Sidel, PC 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.

PART IV.

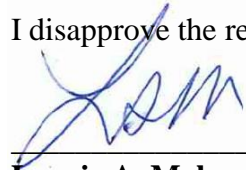
RECOMMENDATION: As the Issuing Officer, I recommend Elias Mickle Kennedy LLC, the Law Office of Nathaniel M. Holmes, LLC and Sand & Sidel, PC be awarded contracts for legal services. This recommendation selection is based upon the results of the evaluation and review of the proposals as summarized above. **The term of the contracts will be one (1) year with two (2) additional one (1) year renewals.** The Pennsylvania Insurance Department 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 Pennsylvania Insurance Department is seeking Elias Mickle Kennedy LLC, the Law Office of Nathaniel M. Holmes, LLC and Sand & Sidel, PC to begin work immediately.**

PART V.

CONTRACTING OFFICER DETERMINATION:

Based upon the results of the evaluation and the above recommendation, I have determined that Elias Mickle Kennedy LLC, the Law Office of Nathaniel M. Holmes, LLC and Sand & Saidel, PC 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

7/29/2024

Date

PART VI.

AUTHORIZATION:

Based upon the Contracting Officer's determination, I authorize the Issuing Office to make contract awards to Elias Mickle Kennedy LLC, the Law Office of Nathaniel M. Holmes, LLC and Sand & Saidel, PC.

PENNSYLVANIA INSURANCE DEPARTMENT:



7/29/2024

Kathryn McDermott Speaks
Chief Counsel

Date

RECOMMENDATION FOR LAW FIRM SELECTION

Date: July 29, 2024

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

From: Jordan M. Kiessling
Issuing Officer

CC: Derek Riker
Deputy Chief of Staff

RE: Evaluation of Proposals Submitted in Response to
RFP OGC-2024-06 Workers' Compensation Security Fund Outside Counsel
(Area 3)
Issued April 3, 2024

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:

Elias Mickle Kennedy LLC
Law Office of Nathaniel M. Holmes, LLC
Sand & Sidel, PC

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 ****

PART II.

A. PUBLIC NOTICE: Public notice of the RFP was posted on both the PA eMarketplace website and the Office of General Counsel's website on **April 3, 2024**.

Recommendation for Law Firm Selection
RFP OGC-2024-06 Issued April 3, 2024
July 29, 2024
Page 2 of 4

B. EVALUATION COMMITTEE: An evaluation committee was established consisting of agency representatives from the **Pennsylvania Insurance Department 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 **four (4)** proposals were received for Area 3, on or before the due date of **April 24, 2024**. 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, all of the offeror’s technical submittals received at least **75%** of the available technical points required in order to be eligible to be considered for award.
3. In Area 3, all of the offeror’s met the SDB/VBE participation goals set forth in this RFP and were therefore considered for award.
4. 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.
5. 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>
Elias Mickle Kennedy LLC	717.53	235.16	35.00	987.69
Law Office of Nathaniel M. Holmes, LLC	747.99	250.00	60.00	1,057.99

Recommendation for Law Firm Selection
RFP OGC-2024-06 Issued April 3, 2024
July 29, 2024
Page 3 of 4

Sand & Sidel, PC	744.78	239.56	1.00	985.34
Swartz Campbell, LLC	750.00	203.30	3.00	956.30

6. SMALL DIVERSE BUSINESS/VETERAN BUSINESS ENTERPRISE COMMITMENTS:

The Law Office of Nathaniel M. Holmes, LLC is self-performing as a DGS verified small diverse and veteran owned business enterprise.

Elias Mickle Kennedy LLC is self-performing 97% of the contract value as a DGS verified small diverse business. Elias Mickle Kennedy LLC is committed to subcontracting with one (1) small diverse firm and veteran business enterprise, the Law Office of Nathaniel M. Holmes, LLC, for legal services over the entire engagement timeframe. Elias Mickle Kennedy LLC is committing **3%** of the total value of its offering to the **Law Office of Nathaniel M. Holmes LLC.**

Sand & Sidel, PC is committed to subcontracting with one (1) small diverse firm and veteran business enterprise, the Law Office of Nathaniel M. Holmes, LLC, for legal services over the entire engagement timeframe. Sand & Sidel, PC is committing **20%** of the total value of its offering to the **Law Office of Nathaniel M. Holmes LLC.**

7. CONTRACTOR RESPONSIBILITY: Elias Mickle Kennedy LLC, the Law Office of Nathaniel M. Holmes, LLC, Sand & Sidel, PC 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.

PART IV.

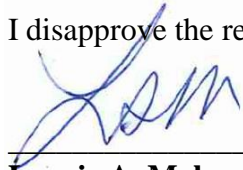
RECOMMENDATION: As the Issuing Officer, I recommend Elias Mickle Kennedy LLC, the Law Office of Nathaniel M. Holmes, LLC and Sand & Sidel, PC be awarded contracts for legal services. This recommendation selection is based upon the results of the evaluation and review of the proposals as summarized above. **The term of the contracts will be one (1) year with two (2) additional one (1) year renewals.** The Pennsylvania Insurance Department 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 Pennsylvania Insurance Department is seeking Elias Mickle Kennedy LLC, the Law Office of Nathaniel M. Holmes, LLC and Sand & Sidel, PC to begin work immediately.**

PART V.

CONTRACTING OFFICER DETERMINATION:

Based upon the results of the evaluation and the above recommendation, I have determined that Elias Mickle Kennedy LLC, the Law Office of Nathaniel M. Holmes, LLC and Sand & Saidel, PC 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

7/29/2024

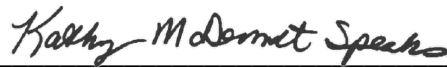
Date

PART VI.

AUTHORIZATION:

Based upon the Contracting Officer's determination, I authorize the Issuing Office to make contract awards to Elias Mickle Kennedy LLC, the Law Office of Nathaniel M. Holmes, LLC and Sand & Saidel, PC.

PENNSYLVANIA INSURANCE DEPARTMENT:



Kathryn McDermott Speaks
Chief Counsel

7/29/2024

Date

RECOMMENDATION FOR LAW FIRM SELECTION

Date: July 29, 2024

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

From: Jordan M. Kiessling
Issuing Officer

CC: Derek Riker
Deputy Chief of Staff

RE: Evaluation of Proposals Submitted in Response to
RFP OGC-2024-06 Workers' Compensation Security Fund Outside Counsel
(Area 4)
Issued April 3, 2024

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:

Law Office of Nathaniel M. Holmes, LLC
Thomson, Rhodes & Cowie, PC

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 ****

PART II.

A. PUBLIC NOTICE: Public notice of the RFP was posted on both the PA eMarketplace website and the Office of General Counsel's website on **April 3, 2024**.

Recommendation for Law Firm Selection
RFP OGC-2024-06 Issued April 3, 2024
July 29, 2024
Page 2 of 4

B. EVALUATION COMMITTEE: An evaluation committee was established consisting of agency representatives from the **Pennsylvania Insurance Department 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 **two (2)** proposals were received for Area 4, on or before the due date of **April 24, 2024**. 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, all of the offeror’s technical submittals received at least **75%** of the available technical points required in order to be eligible to be considered for award.
3. In Area 4, all of the offeror’s met the SDB/VBE participation goals set forth in this RFP and were therefore considered for award.
4. 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.
5. 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>
Law Office of Nathaniel M. Holmes, LLC	750.00	234.85	60.00	1,044.85
Thomson, Rhodes & Cowie, PC	735.53	250.00	5.00	990.53

6. SMALL DIVERSE BUSINESS/VETERAN BUSINESS ENTERPRISE
COMMITMENTS:

The Law Office of Nathaniel M. Holmes, LLC is self-performing as a DGS verified small diverse and veteran owned business enterprise.

Thomson, Rhodes & Cowie, PC is self-performing 94% of the contract value as a DGS verified small diverse business. Thomson, Rhodes & Cowie, PC is committed to subcontracting with one (1) small diverse firm, Berry & Associates, for legal services over the entire engagement timeframe. Thomson, Rhodes & Cowie, PC is committing **3%** of the total value of its offering to **Berry & Associates**. Thomson, Rhodes & Cowie, PC is committed to subcontracting with one (1) small diverse and veteran business enterprise, the Law Office of Nathaniel M. Holmes, LLC, over the entire engagement timeframe. Thomson, Rhodes & Cowie, PC is committing **3%** of the total value of its offering to the **Law Office of Nathaniel M. Holmes, LLC**.

7. CONTRACTOR RESPONSIBILITY: The Law Office of Nathaniel M. Holmes, LLC, Thomson, Rhodes & Cowie, PC 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.

PART IV.

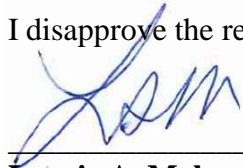
RECOMMENDATION: As the Issuing Officer, I recommend the Law Office of Nathaniel M. Holmes, LLC and Thomson, Rhodes & Cowie, PC be awarded contracts for legal services. This recommendation selection is based upon the results of the evaluation and review of the proposals as summarized above. **The term of the contracts will be one (1) year with two (2) additional one (1) year renewals.** The Pennsylvania Insurance Department 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 Pennsylvania Insurance Department is seeking the Law Office of Nathaniel M. Holmes, LLC and Thomson, Rhodes & Cowie, PC to begin work immediately.**

PART V.

CONTRACTING OFFICER DETERMINATION:

Based upon the results of the evaluation and the above recommendation, I have determined that the Law Office of Nathaniel M. Holmes, LLC and Thomson, Rhodes & Cowie, PC 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

7/29/2024

Date

PART VI.

AUTHORIZATION:

Based upon the Contracting Officer's determination, I authorize the Issuing Office to make contract awards to the Law Office of Nathaniel M. Holmes, LLC and Thomson, Rhodes & Cowie, PC.

PENNSYLVANIA INSURANCE DEPARTMENT:



7/29/2024

Kathryn McDermott Speaks
Chief Counsel

Date

RECOMMENDATION FOR LAW FIRM SELECTION

Date: July 29, 2024

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

From: Jordan M. Kiessling
Issuing Officer

CC: Derek Riker
Deputy Chief of Staff

RE: Evaluation of Proposals Submitted in Response to
RFP OGC-2024-06 Workers' Compensation Security Fund Outside Counsel
(Area 5)
Issued April 3, 2024

PART I.

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Law Office of Nathaniel M. Holmes, LLC
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**** DUE TO THE URGENT NEED FOR LEGAL SERVICES, APPROVAL IS BEING SOUGHT FOR THE SELECTED LAW FIRMS TO BEGIN WORK IMMEDIATELY ****

PART II.

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Recommendation for Law Firm Selection
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B. EVALUATION COMMITTEE: An evaluation committee was established consisting of agency representatives from the **Pennsylvania Insurance Department 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 **two (2)** proposals were received for Area 5, on or before the due date of **April 24, 2024**. 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, all of the offeror’s technical submittals received at least **75%** of the available technical points required in order to be eligible to be considered for award.
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4. 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.
5. 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>
Law Office of Nathaniel M. Holmes, LLC	750.00	234.85	60.00	1,044.85
Thomson, Rhodes & Cowie, PC	735.53	250.00	5.00	990.53

6. SMALL DIVERSE BUSINESS/VETERAN BUSINESS ENTERPRISE
COMMITMENTS:

The Law Office of Nathaniel M. Holmes, LLC is self-performing as a DGS verified small diverse and veteran owned business enterprise.

Thomson, Rhodes & Cowie, PC is self-performing 94% of the contract value as a DGS verified small diverse business. Thomson, Rhodes & Cowie, PC is committed to subcontracting with one (1) small diverse firm, Berry & Associates, for legal services over the entire engagement timeframe. Thomson, Rhodes & Cowie, PC is committing **3%** of the total value of its offering to **Berry & Associates**. Thomson, Rhodes & Cowie, PC is committed to subcontracting with one (1) small diverse and veteran business enterprise, the Law Office of Nathaniel M. Holmes, LLC, over the entire engagement timeframe. Thomson, Rhodes & Cowie, PC is committing **3%** of the total value of its offering to the **Law Office of Nathaniel M. Holmes, LLC**.

7. CONTRACTOR RESPONSIBILITY: The Law Office of Nathaniel M. Holmes, LLC, Thomson, Rhodes & Cowie, PC 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.

PART IV.

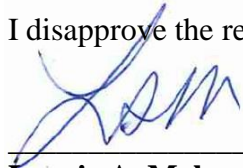
RECOMMENDATION: As the Issuing Officer, I recommend the Law Office of Nathaniel M. Holmes, LLC and Thomson, Rhodes & Cowie, PC be awarded contracts for legal services. This recommendation selection is based upon the results of the evaluation and review of the proposals as summarized above. **The term of the contracts will be one (1) year with two (2) additional one (1) year renewals.** The Pennsylvania Insurance Department 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 Pennsylvania Insurance Department is seeking the Law Office of Nathaniel M. Holmes, LLC and Thomson, Rhodes & Cowie, PC to begin work immediately.**

PART V.

CONTRACTING OFFICER DETERMINATION:

Based upon the results of the evaluation and the above recommendation, I have determined that the Law Office of Nathaniel M. Holmes, LLC and Thomson, Rhodes & Cowie, PC 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

7/29/2024

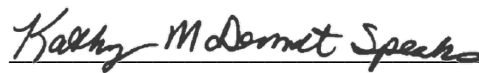
Date

PART VI.

AUTHORIZATION:

Based upon the Contracting Officer's determination, I authorize the Issuing Office to make contract awards to the Law Office of Nathaniel M. Holmes, LLC and Thomson, Rhodes & Cowie, PC.

PENNSYLVANIA INSURANCE DEPARTMENT:



Kathryn McDermott Speaks
Chief Counsel

7/29/2024

Date

RECOMMENDATION FOR LAW FIRM SELECTION

Date: July 29, 2024

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

From: Jordan M. Kiessling
Issuing Officer

CC: Derek Riker
Deputy Chief of Staff

RE: Evaluation of Proposals Submitted in Response to
RFP OGC-2024-06 Workers' Compensation Security Fund Outside Counsel
(Area 6)
Issued April 3, 2024

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:

Law Office of Nathaniel M. Holmes, LLC
Thomson, Rhodes & Cowie, PC

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 ****

PART II.

A. PUBLIC NOTICE: Public notice of the RFP was posted on both the PA eMarketplace website and the Office of General Counsel's website on **April 3, 2024**.

Recommendation for Law Firm Selection
RFP OGC-2024-06 Issued April 3, 2024
July 29, 2024
Page 2 of 4

B. EVALUATION COMMITTEE: An evaluation committee was established consisting of agency representatives from the **Pennsylvania Insurance Department 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 **three (3)** proposals were received for Area 6, on or before the due date of **April 24, 2024**. 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, all of the offeror’s technical submittals received at least **75%** of the available technical points required in order to be eligible to be considered for award.
3. In Area 6, all of the offeror’s met the SDB/VBE participation goals set forth in this RFP and were therefore considered for award.
4. 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.
5. 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>
Elias Mickle Kennedy LLC	719.45	219.11	35.00	973.56
Law Office of Nathaniel M. Holmes, LLC	750.00	234.85	60.00	1,044.85

Recommendation for Law Firm Selection
RFP OGC-2024-06 Issued April 3, 2024
July 29, 2024
Page 3 of 4

Thomson, Rhodes & Cowie, PC	735.53	250.00	5.00	990.53
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7. CONTRACTOR RESPONSIBILITY: The Law Office of Nathaniel M. Holmes, LLC, Thomson, Rhodes & Cowie, PC 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.

PART IV.

RECOMMENDATION: As the Issuing Officer, I recommend the Law Office of Nathaniel M. Holmes, LLC and Thomson, Rhodes & Cowie, PC 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 (1) year with two (2) additional one (1) year renewals.** The Pennsylvania Insurance Department 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 Pennsylvania Insurance Department is seeking the Law Office of Nathaniel M. Holmes, LLC and Thomson, Rhodes & Cowie, PC to begin work immediately.**

PART V.

CONTRACTING OFFICER DETERMINATION:

Based upon the results of the evaluation and the above recommendation, I have determined that the Law Office of Nathaniel M. Holmes, LLC and Thomson, Rhodes & Cowie, PC 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

7/29/2024

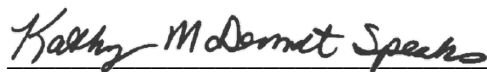
Date

PART VI.

AUTHORIZATION:

Based upon the Contracting Officer's determination, I authorize the Issuing Office to make contract awards to the Law Office of Nathaniel M. Holmes, LLC and Thomson, Rhodes & Cowie, PC.

PENNSYLVANIA INSURANCE DEPARTMENT:



Kathryn McDermott Speaks
Chief Counsel

7/29/2024

Date