

RECOMMENDATION FOR LAW FIRM SELECTION

Date: July 8, 2024

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-2024-07 Tax Counsel RFP
Issued April 24, 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 firm is being recommended for award of a legal services contract:

Dilworth Paxson LLP

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 PA eMarketplace website and the Office of General Counsel's website on **April 24, 2024**.

B. EVALUATION COMMITTEE: An evaluation committee was established consisting of agency representatives from the **Pennsylvania Municipal Retirement System, Office of the Budget and the Governor's Office of General Counsel**.

Recommendation for Law Firm Selection
RFP OGC-2024-07 Issued April 24, 2024
July 8, 2024
Page 2 of 4

C. ADDENDA TO THE RFP: Potential offerors were given the opportunity in accordance with Section I-8 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-9 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%** and **cost 25%**.

B. PROPOSALS: A total of **nine (9)** proposals were received on or before the due date of **May 14, 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, **one (1)** of the offeror's technical submittals did not receive **75%** of the available technical points required in order to be eligible to be considered for award.
3. The Issuing Office reviewed the cost submittals and combined the technical scores and cost 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>Overall Score</i>
Dilworth Paxson LLP	633.26	250.00	883.26
Duane Morris LLP	683.49	0.00	683.49
Ice Miller LLP	750.00	0.00	750.00
Kutak Rock LLP	709.57	148.56	858.13
Morgan Lewis & Bockius LLP	598.70	0.00	598.70
Nossaman LLP	731.74	0.00	731.74

Recommendation for Law Firm Selection
RFP OGC-2024-07 Issued April 24, 2024
July 8, 2024
Page 3 of 4

Reinhart Boerner Van Deuren s.c.	706.96	86.54	793.50
Seward & Kissel LLP	591.53	0.00	591.53
<i>Law Firms NOT Meeting the 75% Technical Threshold</i>			
Tarcza & Associates, LLC	N/Q	N/Q	N/Q

5. **CONTRACTOR RESPONSIBILITY:** Dilworth Paxson LLP required to be disclosed or approved by the Commonwealth have been verified as a responsible contractor in accordance with management directives, the Procurement Handbook and the Procurement Code, as applicable.

PART IV.

RECOMMENDATION: As the Issuing Officer, I recommend Dilworth Paxson LLP 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 Pennsylvania Municipal Retirement System 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 Pennsylvania Municipal Retirement System is seeking Dilworth Paxson LLP 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 Dilworth Paxson LLP 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

7/8/2024

Date

PART VI.

AUTHORIZATION:

Based upon the Contracting Officer's determination, I authorize the Issuing Office to make a contract award to Dilworth Paxson LLP.

PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM:



7/8/2024

Brian D. Zwejacher
Chief Counsel

Date