

RECOMMENDATION FOR LAW FIRM SELECTION

Date: January 29, 2025

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-2024-20 Bond Counsel
Issued November 4, 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 recommended for award of a legal services contract:

Ahmad Zaffarese, LLC

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 and the Office of General Counsel's website on **November 4, 2024**.

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B. EVALUATION COMMITTEE: An evaluation committee was established consisting of agency representatives from the **Pennsylvania State System of Higher Education 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% and cost 25%**.

B. PROPOSALS: A total of **ten (10)** proposals were received on or before the due date of **November 22, 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. The Issuing Office evaluated and scored the cost proposals 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>
Ahmad Zaffarese, LLC	750.00	250.00	1,000.00
Ballard Spahr, LLP	740.36	3.85	744.21
Clark Hill, PLC	739.86	78.54	818.40
Hardwick Law Firm, LLC	712.48	79.51	791.99
Kutak Rock, LLP	734.79	90.05	824.84

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McGuireWoods LLP	730.74	0.00	730.74
McNees Wallace & Nurick, LLC	719.58	165.85	885.43
Obermayer Rebmann Maxwell & Hoppel LLP	717.04	197.56	914.60
Saul Ewing, LLP	729.71	0.00	729.71
Steptoe & Johnson PLLC	687.14	57.32	744.46

5. FAIR AND REASONABLE COMPENSATION:

As provided in the RFP, and pursuant to Section 518 of the Procurement Code, fair and reasonable compensation was negotiated with the best qualified law firm, as needed, prior to award being made.

6. SMALL DIVERSE BUSINESS/VETERAN BUSINESS ENTERPRISE COMMITMENTS:

Ahmad Zaffarese, LLC is a DGS-verified small diverse business and is self-performing the SDB participation goal.

7. CONTRACTOR RESPONSIBILITY: Ahmad Zaffarese, LLC required to be disclosed or approved by the Commonwealth has been verified as a responsible contractor in accordance with management directives, the Procurement Handbook and the Procurement Code, as applicable.

PART IV.

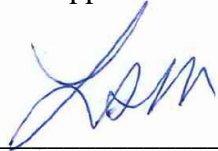
RECOMMENDATION: As the Issuing Officer, I recommend Ahmad Zaffarese, LLC be awarded a contract for legal services. This recommendation selection is based upon the results of the evaluation and review of the proposals as summarized above. **The term of the contract will be one year with two (2) additional one (1) year renewals.** The State System of Higher Education, in consultation with the Office of General Counsel, 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 State System of Higher Education is seeking Ahmad Zaffarese, LLC 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 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

1/29/2025

Date

PART VI.

AUTHORIZATION:

Based upon the Contracting Officer's determination, I authorize the Issuing Office to make a contract award to Ahmad Zaffarese, LLC.

PENNSYLVANIA STATE SYSTEM OF HIGHER EDUCATION:

Karen M. Romano

1/30/2025

Karen Romano
Chief Counsel

Date