

**RECOMMENDATION FOR LAW FIRM SELECTION**

**Date:** December 5, 2019

**To:** Gregory G. Schwab  
General Counsel

**From:** Jordan M. Kiessling  
Issuing Officer

**CC:** Shawn E. Smith  
Deputy Chief Counsel  
Department of General Services

**RE:** Evaluation of Proposals Submitted in Response to  
RFP OGC-2019-19 Issued November 19, 2019

**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:

Blank Rome, LLP  
Dethlefs-Pykosh Law Group, LLC  
Greenberg Traurig, LLP  
Klehr Harrison Harvey Branzburg LLP  
Morgan Lewis & Bockius, LLP  
Myers, Brier & Kelly, LLP  
Pietragallo Gordon Alfano Bosick & Raspanti, LLP  
Saul Ewing Arnstein & Lehr, 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 FIRMS TO BEGIN WORK IMMEDIATELY \*\***

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**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 19, 2019**.

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

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 80%, small diverse and small business (SDB/SB) participation 20%, and 10% law firm diversity bonus points**.

B. PROPOSALS: A total of **eight (8)** proposals were received on or before the due date of **November 27, 2019**. No law firms responded by stating that they would not be submitting a proposal. 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 law firm's technical submissions 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 law firm diversity submittals and combined the technical scores, law firm diversity scores and the SDB/SB scores received from the DGS Bureau of Diversity, Inclusion and Small Business Opportunities.
4. INITIAL SCORING: The overall scoring for this procurement concluded as follows:

<i>Offeror</i>	<i>Technical Score</i>	<i>SDB/SB Score</i>	<i>Law Firm Diversity</i>	<i>Overall Score</i>
Blank Rome, LLP	715.72	120.00	40.00	875.72
Dethlefs Pykosh Law Group, LLC	718.39	0.00	30.00	748.39
Greenberg Traurig, LLP	783.95	120.00	35.00	938.95
Klehr Harrison Harvey Branzburg LLP	722.41	0.00	15.00	737.41
Morgan Lewis & Bockius, LLP	722.41	0.00	45.00	767.41
Myers, Brier & Kelly, LLP	800.00	200.00	10.00	1,010.00
Pietragallo Gordon Alfano Bosick & Raspanti, LLP	765.22	150.00	10.00	925.22
Saul Ewing Arnstein & Lehr, LLP	751.84	120.00	30.00	901.84

5. SMALL DIVERSE BUSINESS/SMALL BUSINESS COMMITMENTS:

Blank Rome, LLP is committed to subcontracting with one (1) small diverse firm, Brotman Law, for legal services over the entire engagement timeframe. Blank Rome, LLP is committing **20%** of the total value of its offering to **Brotman Law**.

Greenberg Traurig, LLP is committed to subcontracting with one (1) small diverse firm, Mincey Fitzpatrick Ross, LLC, for legal services over the entire engagement timeframe. Greenberg Traurig, LLP is committing **20%** of the total value of its offering to **Mincey Fitzpatrick Ross, LLC**.

Myers, Brier & Kelly, LLP is a verified small business law firm.

Pietragallo Gordon Alfano Bosick & Raspanti, LLP is committed to subcontracting with one (1) small diverse firm, Griesing Law, LLC, for legal services over the entire engagement timeframe. Pietragallo Gordon Alfano Bosick & Raspanti, LLP is committing **25%** of the total value of its offering to **Griesing Law, LLC**.

Saul Ewing Arnstein & Lehr, LLP is committed to subcontracting with one (1) small diverse firm, Mincey Fitzpatrick Ross, LLC, for legal services over the entire engagement timeframe. Saul Ewing Arnstein & Lehr, LLP is committing **20%** of the total value of its offering to **Mincey Fitzpatrick Ross, LLC**.

6. **CONTRACTOR RESPONSIBILITY:** Blank Rome, LLP, Dethlefs Pykosh Law Group, LLC, Greenberg, Traurig, LLP, Klehr Harrison Harvey Branzburg LLC, Morgan Lewis & Bockius, LLP, Myers, Brier & Kelly, LLP, Pietragallo Gordon Alfano Bosick & Raspanti, LLP, Saul Ewing Arnstein & Lehr, LLP 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 Blank Rome, LLP, Dethlefs Pykosh Law Group, LLC, Greenberg, Traurig, LLP, Klehr Harrison Harvey Branzburg LLC, Morgan Lewis & Bockius, LLP, Myers, Brier & Kelly, LLP, Pietragallo Gordon Alfano Bosick & Raspanti, LLP and Saul Ewing Arnstein & Lehr, LLP 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 contract will be one (1) year with two (2) additional one (1) year renewals.** The 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 Office of General Counsel is seeking Blank Rome, LLP, Dethlefs Pykosh Law Group, LLC, Greenberg, Traurig, LLP, Klehr Harrison Harvey Branzburg LLC, Morgan Lewis & Bockius, LLP, Myers, Brier & Kelly, LLP, Pietragallo Gordon Alfano Bosick & Raspanti, LLP and Saul Ewing Arnstein & Lehr, LLP to begin work immediately.**

**PART V.**

**CONTRACTING OFFICER DETERMINATION:**

Based upon the results of the evaluation and the above recommendation, I have determined that Blank Rome, LLP, Dethlefs Pykosh Law Group, LLC, Greenberg, Traurig, LLP, Klehr Harrison Harvey Branzburg LLC, Morgan Lewis & Bockius, LLP, Myers, Brier & Kelly, LLP, Pietragallo Gordon Alfano Bosick & Raspanti, LLP and Saul Ewing Arnstein & Lehr, LLP are the best qualified law firms based on the evaluation factors set forth in the RFP.

I disapprove the recommendation.

  
Gregory G. Schwab  
General Counsel

12/5/2019  
Date