

**RECOMMENDATION FOR LAW FIRM SELECTION**

**Date:** April 14, 2021

**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-2021-06 Issued February 19, 2021

**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:

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 DGS website and the Office of General Counsel's website on **February 19, 2021**.

B. EVALUATION COMMITTEE: An evaluation committee was established consisting of agency representatives from the **PA State System of Higher Education, Governor's Office of General Counsel and the Department of General Services**.

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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%, cost 25% and 100 law firm diversity bonus points.**

B. PROPOSALS: A total of **five (5)** proposals were received on or before the due date of **March 5, 2021**. No law firms responded by stating that they would not be submitting proposals. 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. **One (1) offeror** failed to meet the SDB/VBE participation goals set forth in this RFP and was therefore rejected as non-responsive.
4. The Issuing Office evaluated and scored the cost proposals and law firm diversity submittals and combined the technical scores, cost scores and law firm diversity scores.
5. INITIAL SCORING: The overall scoring for this procurement concluded as follows:

<i><b>Offeror</b></i>	<i><b>Technical Score</b></i>	<i><b>Price Score</b></i>	<i><b>Law Firm Diversity</b></i>	<i><b>Overall Score</b></i>
Ahmad Zaffarese LLC	657.19	250.00	75.00	982.19
McNees Wallace & Nurick LLC	680.89	45.45	35.00	761.34
Stradley Ronon Stevens & Young, LLP	628.72	0.00	45.00	673.72
Turner Law, PC	750.00	45.45	40.00	835.45

6. 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 an award being made.

7. SMALL DIVERSE BUSINESS/SMALL BUSINESS COMMITMENTS:

Ahmad Zaffarese LLC is a DGS verified small diverse business enterprise.

8. 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 commence on the Effective Date and will extend until the completion of the debt issuance.** The PA State System of Higher Education 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 PA 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.



4/14/2021

**Gregory G. Schwab**  
**General Counsel**

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.

**PA STATE SYSTEM OF HIGHER EDUCATION:**

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**Andrew C. Lehman**  
**Chief Counsel**

Date