

**RECOMMENDATION FOR LAW FIRM SELECTION**

**Date:** April 12, 2023

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

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

**CC:** Derek Riker  
Deputy Chief of Staff  
Governor's Office of General Counsel

**RE:** Evaluation of Proposals Submitted in Response to  
RFP OGC-2022-25 Criminal Law Counsel  
Issued November 2, 2022

**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:

Greenberg Traurig, LLP  
Schnader Harrison Segal & Lewis, LLP  
Troutman Pepper Hamilton Sanders, 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 \*\***

**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 2, 2022.**

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B. EVALUATION COMMITTEE: An evaluation committee was established consisting of agency representatives from the **Department of General Services, Department of Corrections, Department of Environmental Protection, Pennsylvania State Police, 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 100%** and **100 law firm diversity bonus points.**

B. PROPOSALS: A total of **nine (9)** proposals were received on or before the due date of **November 29, 2022.** 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. 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.

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5. INITIAL SCORING: The overall scoring for this procurement concluded as follows:

<i>Offeror</i>	<i>Technical Score</i>	<i>Law Firm Diversity</i>	<i>Overall Score</i>
Ballard Spahr LLP	961.28	50.00	1,011.28
Buchanan Ingersoll & Rooney, PC	932.57	10.00	942.57
Clark Hill PLC	887.18	5.00	892.18
Greenberg Traurig, LLP	988.65	45.00	1,033.65
Myers, Brier & Kelly, LLP	907.22	5.00	912.22
Saul Ewing, LLP	877.83	10.00	887.83
Schnader Harrison Segal & Lewis LLP	1000.00	25.00	1,025.00
Troutman Pepper Hamilton Sanders LLP	982.63	35.00	1,017.63

6. SMALL DIVERSE BUSINESS/VETERAN BUSINESS ENTERPRISE COMMITMENTS:

For purposes of this RFP, Small Diverse Business (SDB) and Veteran Business Enterprise (VBE) participation goals were established as **18%** for SDB and **3%** for VBE. All of the firms either agreed to meet or exceed the SDB and VBE participation goals established for this RFP.

7. CONTRACTOR RESPONSIBILITY: Greenberg Traurig, LLP, Schnader Harison Segal & Lewis LLP, Troutman Pepper Hamilton Sanders 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 Greenberg Traurig, LLP, Schnader Harison Segal & Lewis LLP and Troutman Pepper Hamilton Sanders 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 contracts will be one year with two (2) additional one (1) year renewals.** The Governor’s 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 Governor’s Office of General**

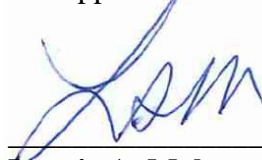
**Counsel is seeking Greenberg Traurig, LLP, Schnader Harison Segal & Lewis LLP and Troutman Pepper Hamilton Sanders LLP to begin work immediately.**

**PART V.**

**CONTRACTING OFFICER DETERMINATION & AUTHORIZATION:**

Based upon the results of the evaluation and the above recommendation, I have determined that Greenberg Traurig, LLP, Schnader Harison Segal & Lewis LLP and Troutman Pepper Hamilton Sanders LLP 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**

4/12/2023

Date