

**RECOMMENDATION FOR LAW FIRM SELECTION**

**Date:** July 29, 2024

**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-2024-12 General Obligation (“GO”) Bond Counsel  
Issued June 13, 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:

Eckert Seamans Cherin & Mellott, 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 website and the Office of General Counsel’s website on **June 13, 2024**.

B. EVALUATION COMMITTEE: An evaluation committee was established consisting of agency representatives from the **Department of the Auditor General, Department of Treasury, Office of the Budget and the Governor’s Office of General Counsel**.

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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 **five (5)** proposals were received on or before the due date of **June 26, 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 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>
Ahmad Zaffarese LLC	99.80	42.08	141.88
Clark Hill PLC	109.60	31.92	141.52
Eckert Seamans Cherin & Mellott, LLC	102.40	80.00	182.40
McNees Wallace & Nurick, LLC	105.40	40.80	146.20
Saul Ewing LLP	64.40	39.92	104.32

5. SMALL DIVERSE BUSINESS/VETERAN BUSINESS ENTERPRISE COMMITMENTS:

Eckert Seamans Cherin & Mellott, LLC is committed to subcontracting with one (1) small diverse firm, Gosfield Law LLC, for legal services over the entire engagement timeframe. Eckert Seamans Cherin & Mellott, LLC is committing **30%** of the total value of its offering to **Gosfield Law LLC**. Eckert Seamans Cherin & Mellott, LLC is committed to subcontracting with one (1) veteran business enterprise, Cox, Stokes & Lantz, P.C., for legal services over the entire engagement timeframe. Eckert Seamans Cherin & Mellott, LLC is committing **5%** of the total value of its offering to **Cox, Stokes & Lantz, P.C.**

6. CONTRACTOR RESPONSIBILITY: Eckert Seamans Cherin & Mellot, LLC 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 Eckert Seamans Cherin & Mellott, 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 through the duration of the bond issuance.** The Department of the Auditor General 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 Department of the Auditor General is seeking Eckert Seamans Cherin & Mellott, LLC 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 Eckert Seamans Cherin & Mellot, 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**


7/29/2024  
Date

**PART VI.**

**AUTHORIZATION:**

Based upon the Contracting Officer's determination, I authorize the Issuing Office to make a contract award to Eckert Seamans Cherin & Mellott, LLC.

**DEPARTMENT OF THE AUDITOR GENERAL:**



7/29/2024

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**F. Stephenson Matthes**  
**Chief Counsel**

Date