



Sole Source Justification Approval Form

The objective of this form is to capture all relevant documentation to assist in the source justification review process. This form must be completed electronically and submitted with all relevant documentation for review and approval. Sole Source Justification Approval Forms will be posted to PSERS public website in accordance with Title 62 §106.1 and §515.

| SECTION A | | | |
|---|--|---------------------------|----------|
| Requesting Office | Public School Employees' Retirement System | | |
| Description | Ongoing legal services assigned to the vendor related to current employment matters on behalf of the Public School Employees Retirement Board. | | |
| <input type="checkbox"/> Material | | | |
| <input checked="" type="checkbox"/> Services | | | |
| Delivery/service location | 5 North 5 th Street Harrisburg, PA 17101 | | |
| SAP Vendor # | | Est Total Value \$ | \$10,000 |
| Vendor | McNees Wallace & Nurick LLC | | |
| Vendor Address | 100 Pine St, Harrisburg, PA 17101 | | |
| Start Date | November 28, 2023 | End Date | Unknown |

Requests over \$100,000 must include a Cost or Pricing Data Certification form signed by the supplier.

| SECTION B | |
|---|---|
| Check the appropriate reason(s) for this source justification. | |
| <input type="checkbox"/> | 1. Sole Source. Only known source – Not available from another supplier. Title 62. § 515. (a) (1) |
| <input type="checkbox"/> | 2. Exempt (Law). A federal or state statute or regulation exempts the procurement from the competitive procedure. Any applicable information precluding the procurement from competitive procedures must be attached. Title 62. § 515. (a) (2) |
| <input checked="" type="checkbox"/> | 3. Feasibility. Clearly not feasible to award the contract on a competitive basis. Title 62. § 515. (a) (4) |
| <input type="checkbox"/> | 4. Best Interest. Clearly in the best interest of the Commonwealth. Title 62. § 515. (a) (10) |
| <input type="checkbox"/> | 5. Professional Expert/ Expert Witness. Title 62. § 515. (a) (6) |
| <input type="checkbox"/> | 6. Single Source (Material/Repair/Maintenance). Material or service MUST be compatible with existing equipment. Documentation must be provided by the manufacturer. Title 62. § 515. (a) (7) |
| <input type="checkbox"/> | 7. Investment Managers/ Advisors. Title 62. § 515. (a) (8) |

Sole source procurements that use above justifications 1 - 4 are required to be posted to PSERS public website for seven (7) days prior to approval. Within seven (7) days of approval, the form must be posted for at least thirty (30) days. Justifications 5-7 are exempt under the Procurement Code and do not require posting.



| SECTION C | | <i>(Answer for reasons 1-4 from Section B)</i> |
|--|---|--|
| 1. Describe the unique features of this procurement that prohibit a competitive environment. If applicable, attach a Statement of Work. | | |
| McNees Wallace & Nurick LLC (“McNees”) is continuing to represent PSERS in ongoing matters as counsel. The prior contract inadvertently expired. | | |
| 2. Document and attach the research that has been conducted to date to verify the supplier is the only known source? | | |
| As current representative counsel, McNees will continue to work on legal matters assigned to them. | | |
| 3. How has the material or service been procured in the past? Provide previous source justifications, contracts and POs. | | |
| McNees has represented us since 2023. | | |
| 4. If this is an upgrade, addition, alteration, etc., to an earlier procurement, please describe in detail. | | |
| McNees has updated its rates. | | |
| 5. What are the consequences of not approving this procurement? | | |
| We fail to have their representation in the current ongoing legal matters. | | |
| 6. If timing is a factor, what is the time factor and why? | | |
| We require their representation. | | |
| 7. List any other information relevant to the acquisition of this procurement here or as an attachment. | | |
| | | |
| 8. Has the selection of this vendor been approved or directed by the Public School Employees’ Retirement System Board? | | |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A | |

| SECTION D | | | |
|---|--|--------------|--|
| Form Submitter | | | |
| Name | Frederick Alcaro | Title | Deputy Chief Counsel |
| Telephone # | 717-720-6387 | Email | ra-ps-procurement@pa.gov |
| Signature | <small>DocuSigned by:</small> <small>938C5499DF7841B...</small> | Date | 2/13/2026 |
| This form must be signed by the PSERS Executive Director, their Designee or other individual authorized by the Board of the Public School Employees’ Retirement System. Approving Authority signature connotes approval of the source justification and the cost or pricing data certification. | | | |
| Approving Authority | | | |
| Name | Uri Z. Monson | Title | Executive Director |
| Signature | <small>Signed by:</small> <small>C42966E13E994E8...</small> | Date | 2/13/2026 |

The printed names or electronic representations of signatures appearing on this form shall constitute signatures of those individuals. No handwritten signatures shall be required for this form to be considered “signed” by those individuals whose names appear in the signature section.