

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	Legal Services - The Law Firm shall serve as PSERS' cyber breach coach and ransomware negotiator to advise, counsel, and represent PSERS and PSERS' related parties which are insureds under any cyber liability insurance policy in which PSERS is insured or are wholly owned by PSERS (collectively referred to as "PSERS Parties") in matters relating to suspected and actual cyber security breach, cyber-extortion threat, or data breach (collectively referred to herein as a "Cyber Event") and collateral matters, including but not limited to advising PSERS Parties on proactive measures, which can minimize the risk and/or damages arising from a Cyber Event such as drafting vendor contract provisions relating to actual or potential Cyber Events.		
☐ Material ☒ Services			
Delivery/service location	5 North 5 th Street Harrisburg, PA 17101		
SAP Vendor #	167344	Est Total Value \$	\$85,000.00
Vendor	Hunton, Andrews and Kurth LLP		
Vendor Address	2200 Pennsylvania Avenue NW, Washington, DC 20037		
Start Date	12/29/2026	End Date	No longer than 12/28/2031

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.	
☐	1. Sole Source. Only known source – Not available from another supplier. Title 62. § 515. (a) (1)
☐	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)
☒	3. Feasibility. Clearly not feasible to award the contract on a competitive basis. Title 62. § 515. (a) (4)
☐	4. Best Interest. Clearly in the best interest of the Commonwealth. Title 62. § 515. (a) (10)
☐	5. Professional Expert/ Expert Witness. Title 62. § 515. (a) (6)
☐	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)
☐	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		(Answer for reasons 1-4 from Section B)
1. Describe the unique features of this procurement that prohibit a competitive environment. If applicable, attach a Statement of Work.		
Hunton Andrews & Kurth has represented PSERS in cyber liability issues and served as our retainer cyber breach coach and ransomware negotiator since 2022. As one of only a few firms specializing in this field and providing cyber event coach and negotiation services to organizations of our monetary size, they are uniquely qualified to ensure PSERS is prepared in the event of a cybersecurity event, especially a ransomware attack. They have closely worked with PSERS's cyberinsurance brokers and insurance providers to review policy coverage and terms and are approved for these services under cyber liability and crimes insurance policies. The firm also presents on public fund cyber security best practices to the PSER Board and continues to work with PSERS legal and Information Security Office staff to develop and review a comprehensive cybersecurity plan to protect PSERS Members.		
2. Document and attach the research that has been conducted to date to verify the supplier is the only known source?		
Since Hunton Andrews & Kurth has represented PSERS for the past five years and one of few firms in this legal sector, it is impractical to change firms due to their knowledge of and expertise with PSERS.		
3. How has the material or service been procured in the past? Provide previous source justifications, contracts and POs.		
Previously services were procured through a legal services agreement and paid via funds commitment 4000025438.		
4. If this is an upgrade, addition, alteration, etc., to an earlier procurement, please describe in detail.		
This Sole Source will extend the services and current agreement/contract currently being provided through funds commitment 4000025438.		
5. What are the consequences of not approving this procurement?		
Due to the timing of PSERS's cyberinsurance policy reviews and renewal, not approving this procurement would cause a lapse in services, and thus, jeopardize PSERS's ability to negotiate and review cyberinsurance policies and inhibit ISO staff's ability to develop a comprehensive cybersecurity plan. Additionally, a lapse in service leaves PSERS unprepared in the event of a ransomware attack, as the firm serves as our Incident Response Plan breach coach and ransomware negotiator.		
6. If timing is a factor, what is the time factor and why?		
Yes. The current agreement will end on 12/29/2026 and these services are needed to ensure proper preparation and handling if a cyber security incident or data breach occurs. There is insufficient time to develop a solicitation, award and contract with a vendor causing an unacceptable lapse in services.		
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?		
☐ Yes	☒ N/A	

SECTION D

Form Submitter

Name	Shawn Danner	Title	Procurement Specialist 3
Telephone #	717-720-6327	Email	shdanner@pa.gov
Signature		Date	8/21/2026

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		Title	
Signature		Date	

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.