

RECOMMENDATION FOR LAW FIRM SELECTION

Date: October 6, 2015

To: Denise J. Smyler
General Counsel

From: Jordan M. Wagner
Issuing Officer

CC: Shawn E. Smith
Deputy General Counsel

RE: Evaluation of Proposals Submitted in Response to
RFP OGC-2015-36
Issued August 25, 2015

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 recommended for award of a legal services contract:

Love and Long, 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 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 **August 25, 2015**.

Recommendation for Law Firm Selection

OGC-2015-36 Issued August 25, 2015

October 6, 2015

Page 2 of 5

B. EVALUATION COMMITTEE: An evaluation committee was established consisting of agency representatives from the **Pa Department of Community & Economic Development and the Office of General Counsel.**

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 60%, cost 20% and small diverse business (SDB) participation 20%.**

B. PROPOSALS: A total of **six (6)** proposals were received on or before the due date of **September 9, 2015.** 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. All law firms' technical submittals met the **70%** threshold for available technical points required, and therefore were all eligible to be considered for award.
3. The Issuing Office evaluated and scored the cost proposals and combined the technical scores, cost scores, and the SDB scores received from the DGS Bureau of Small Business Opportunities.

Recommendation for Law Firm Selection
OGC-2015-36 Issued August 25, 2015
October 6, 2015
Page 3 of 5

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

<i>Offeror</i>	<i>Technical Score</i>	<i>SDB Score</i>	<i>Price Score</i>	<i>Overall Score</i>
Dilworth Paxson, LLP	44.40	0.00	5.32	49.72
Gross McGinley, LLP	42.35	0.00	20.00	62.35
Love and Long, LLP	47.44	15.00	9.09	71.53
McNees Wallace & Nurick, LLP	49.95	0.00	18.61	68.56
Obermayer Rebmann Maxwell & Hippel, LLP	44.85	10.00	5.32	60.17
Schnader Harrison Segal & Lewis, LLP	46.12	8.00	16.72	70.84

5. RANKING AFTER NEGOTIATIONS: In keeping with Section 518 of the Procurement Code, the Commonwealth undertook negotiations with the top ranked law firm based on the evaluation factors set forth in the RFP to negotiate fair and reasonable compensation for a potential contract.

During negotiations, Love and Long, LLP agreed to a significant reduction in hourly rate.

6. SMALL/DIVERSE BUSINESS COMMITMENTS:

Love and Long, LLP is a certified small minority and woman-owned business.

7. 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 prior to award being made

8. CONTRACTOR RESPONSIBILITY: Love and Long, LLP 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.

Recommendation for Law Firm Selection

OGC-2015-36 Issued August 25, 2015

October 6, 2015

Page 4 of 5

PART IV.

RECOMMENDATION: As the Issuing Officer, I recommend that Love and Long, LLP be awarded a legal services contract. 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 one year with two (2) additional one (1) year renewals.** The Department of Community and Economic Development, in consultation with the Office of General Counsel, will allocate the legal services set forth in the resulting contract among the selected law firm.

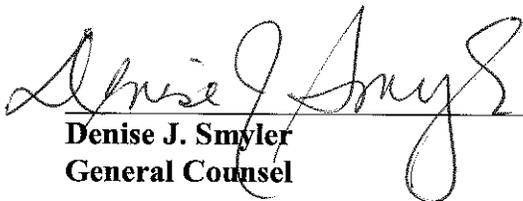
Due to the urgent need for legal services, the Pa Department of Community and Economic Development is seeking Love and Long, LLP to begin work immediately.

PART V.

CONTRACTING OFFICER DETERMINATION:

Based upon the results of the evaluation and the above recommendation, I have determined that Love and Long, LLP is the best qualified law firm based on the evaluation factors set forth in the RFP.

I disapprove the recommendation.


Denise J. Smyler
General Counsel

10/8/15

Date

Recommendation for Law Firm Selection
OGC-2015-36 Issued August 25, 2015
October 6, 2015
Page 5 of 5

PART VI.

AUTHORIZATION:

Based upon the Contracting Officer's determination, I authorize the Issuing Office to make a contract award to Love and Long, LLP.

Pa Department of Community and Economic Development:



Arthur F. McNulty 10/13/15
Chief Counsel Date