

RECOMMENDATION FOR SELECTION MEMO

Date: December 28, 2016

To: Denise J. Smyler
General Counsel

From: Jordan M. Kiessler
Issuing Officer

CC: Shawn E. Smith
Deputy Chief Counsel

RE: Evaluation of Proposals Submitted in Response to
RFP OGC-2016-20 Issued August 25, 2016

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 offerors are recommended for award of contracts for legal services:

Janet Palese, Esquire
Mary Jo Geist-Owens, Esquire

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 OFFERORS TO BEGIN WORK IMMEDIATELY ****

PART II.

A. PUBLIC NOTICE: Public notice of the RFP was posted on both the DGS eMarketplace website and the Office of General Counsel's website on **August 25, 2016**.

B. EVALUATION COMMITTEE: An evaluation committee was established consisting of agency representatives from the **Pennsylvania Department of Labor and Industry, the**

Governor's Office of General Counsel and the Pennsylvania Department of General Services.

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%, small diverse business (SDB) participation 20%, and 10 law firm diversity bonus points.**

B. PROPOSALS: A total of **six (6)** proposals were received on or before the due date of **September 30, 2016**. No offerors 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. As indicated in the Initial Scoring, all of the offeror's technical submissions received at least **70%** of the available technical points required in order to be eligible to be considered for award.
3. The Issuing Office evaluated and scored the law firm diversity submittals and combined the technical scores, law firm diversity scores, cost scores and the SDB scores received from the DGS Bureau of Diversity, Inclusion and Small Business Opportunities.
4. INITIAL SCORING: The overall scoring for this procurement concluded as follows:

<i>Offeror</i>	<i>Technical Score</i>	<i>Cost Score</i>	<i>SDB Score</i>	<i>Law Firm Diversity</i>	<i>Final Score</i>
Federal Hearings & Appeals	53.52	0.00	15.00	6.00	74.52
Erin Fontana	53.69	17.78	0.00	7.00	78.47
Mary Jo Geist-Owens	60.00	17.78	0.00	7.00	84.78
Sharon Hamric-Weis	51.00	17.78	0.00	7.00	75.78

Janet Palese	58.23	20.00	0.00	7.00	85.23
Joy Waters Fleming	51.20	0.00	0.00	8.00	59.20

5. 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 offerors prior to award being made.

6. CONTRACTOR RESPONSIBILITY: Janet Palese and Mary Jo Geist-Owens 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.

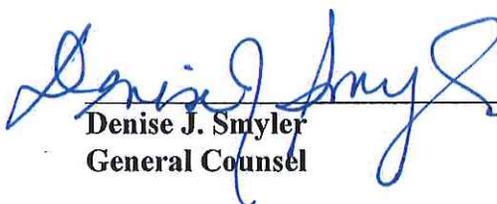
RECOMMENDATION: As the Issuing Officer, I recommend that Janet Palese and Mary Jo Geist-Owens be awarded contracts for legal services. This recommendation selection is based upon the results of the evaluation and review of the proposals as summarized above. **The term of the contract will be three years with two (2) additional one (1) year renewals.** The Department of Labor and Industry in conjunction with the Office of General Counsel will allocate the legal services set forth in the resulting contracts among the selected offerors. **Due to the urgent need for legal services, the Office of General Counsel and the Department of Labor and Industry are seeking Janet Palese and Mary Jo Geist-Owens, to begin work immediately.**

PART V.

CONTRACTING OFFICER DETERMINATION:

Based upon the results of the evaluation and the above recommendation, I have determined that Janet Palese and Mary Jo Geist-Owens are the best qualified offerors based on the evaluation factors set forth in the RFP.

I disapprove the recommendation.


Denise J. Smyler
General Counsel

12/28/16
Date

PART VI.

AUTHORIZATION:

Based upon the Contracting Officer's determination, I authorize the Issuing Office to make contract awards to Janet Palese and Mary Jo Geist-Owens.

Pennsylvania Department of Labor and Industry:



Marsha A. Sajer
Chief Counsel

3-JAN-2017

Date