

RECOMMENDATION FOR LAW FIRM SELECTION

Date: March 22, 2017

To: Rodney R. Akers
Deputy General Counsel, as designee for
The Honorable Denise J. Smyler, General Counsel

From: Jordan M. Kiessling
Issuing Officer

CC: Shawn E. Smith
Deputy Chief Counsel

RE: Evaluation of Proposals Submitted in Response to
RFP OGC-2016-23 Issued November 15, 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 law firm is being recommended for award of a legal services contract:

Raffaele & Puppio, 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 November 15, 2016.

B. EVALUATION COMMITTEE: An evaluation committee was established consisting of agency representatives from the **Department of Human Services, Department of General Services 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%, small diverse business (SDB) participation 20%, and 10 law firm diversity bonus points.**

B. PROPOSALS: A total of **seven (7)** proposals were received on or before the due date of **December 15, 2016.** 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. As indicated in the Initial Scoring, all of the law firm'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 cost proposals and law firm diversity submittals and combined the technical scores, cost scores, law firm diversity 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>SDB Score</i>	<i>Price Score</i>	<i>Law Firm Diversity</i>	<i>Overall Score</i>
Clark Hill, PLC	57.55	7.50	0.00	2.00	67.05
Lowey Dannenberg Cohen & Hart, P.C.	51.05	0.00	0.00	3.00	54.05

The Lynch Law Group	54.99	0.00	2.89	0.00	57.88
O'Brien, Rulis & Bochicchio, LLC	55.10	0.00	20.00	0.00	75.10
Other Party Liability Inc./Laffey & Associates, P.C.	58.12	0.00	19.86	0.00	77.98
Raffaele & Puppio, LLP	60.00	20.00	8.58	2.00	90.58
Swartz Campbell, LLP	53.56	0.00	3.37	1.00	57.93

5. FAIR AND REASONABLE COMPENSATION:

Pursuant to Section 518 of the Procurement Code, the cost proposal submitted by Raffaele & Puppio, LLP determined to be the best qualified for this engagement has been determined to be fair and reasonable.

6. SMALL/DIVERSE BUSINESS COMMITMENTS:

Raffaele & Puppio, LLP is a certified Small Business prime law firm. Raffaele & Puppio, LLP is committed to subcontracting with one (1) small diverse business, Tucker Law Group, for legal services over the entire engagement timeframe. Raffaele & Puppio, LLP is committing 20% of the total value of its offering to **Tucker Law Group**.

7. CONTRACTOR RESPONSIBILITY: Raffaele & Puppio, LLP and their respective subcontractors required to be disclosed or approved by the Commonwealth has been verified as a responsible contractor in accordance with management directives, the Procurement Handbook and the Procurement Code, as applicable.

PART IV.

RECOMMENDATION: As the Issuing Officer, I recommend Raffaele & Puppio, LLP 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 one year with two (2) additional one (1) year renewals.** The Department of Human Services, 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 Department of Human Services is seeking Raffaele & Puppio, LLP to begin work immediately.**

