



Pre-proposal Conference Legal Consultant & Support Services RFP OGC-2018-15

Issuing Officers: Jordan M. Kiessling &
Cheryl Spackman

12/21/2018

10:30 a.m.



Agenda

- Introductions
- Supplier Support
- RFP Requirements
- Bureau of Diversity, Inclusion and Small Business Opportunities (BDISBO)
- Background
- Questions and Answers



Introductions

- Department of General Services
 - Shawn E. Smith, Deputy Chief Counsel
 - Jordan M. Kiessling, Issuing Officer
 - Cheryl Spackman, Issuing Officer
 - Audrey Smith, Bureau of Diversity, Inclusion & Small Business Opportunities
- Governor's Office of General Counsel
 - Thomas P. Howell, Deputy General Counsel

Supplier Support

www.eMarketplace.state.pa.us

Your Gateway to All Procurement Information

Links to:

- Supplier Service Center
- PA e-Marketplace
- PA Supplier Portal
- Procurement Handbook

The screenshot displays the Pennsylvania Department of General Services website. At the top, there is a navigation bar with the state logo and the text "PENNSYLVANIA DEPARTMENT OF GENERAL SERVICES". Below this, a banner for "PA e-Marketplace" is visible. The main content area features a table with three columns: "SUPPLIERS HOW DO I?", "AGENCIES HOW DO I?", and "COSTARS HOW DO I?". Each column contains a list of links and instructions. For example, under "SUPPLIERS", there are links for "Register to do business with the Commonwealth of Pennsylvania?", "Visit State Contract Opportunities", and "Apply for a Bid Source". To the right of the table, there is a section titled "ABOUT" which provides a brief overview of the Department's role in procurement. The website also includes a sidebar with contact information for Edward G. Bembel, Governor, and Jeffrey J. Mandel, Chief Procurement Officer.



Registering for e-Alerts

- To register for eAlerts for upcoming OGC RFPs for Legal Services, go to the Supplier Service Center:

<http://www.dgs.pa.gov/Businesses/Materials%20and%20Services%20Procurement/Supplier%20Service%20Center/Pages/default.aspx>

- Click the e-Alerts link under Bidding:

http://www.dgs.internet.state.pa.us/EAlerts_V2/Login.aspx

- After registering, you'll be directed to the page where you can select one or more categories of materials, services and construction bidding to be informed about.
- Select the Services dropdown under Bureau of Procurement, then select the following category:

80120000-Legal Services. This segment includes outside counsel legal services such as advising clients regarding the law; preparing documents and legal instruments of all kinds for clients which require a familiarity with legal principles; and appearing for, preparing pleadings and other documents, and managing actions and proceedings on behalf of, clients before public tribunals. The firm or individual providing legal services must be a licensed attorney admitted to practice in Pennsylvania and before any identified tribunals. Executive agencies must receive approval from the Office of General Counsel before engaging outside counsel.



Supplier Development & Support

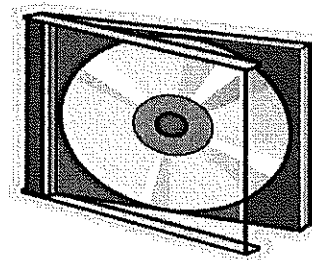
- Telephone - Toll Free: **877-435-7363**
 - Telephone - Harrisburg: **717-346-2676**
 - Web: **www.pasupplierportal.state.pa.us**
 - e-Mail: **RA-PSC Supplier [Requests@pa.gov](mailto:RA-PSC_Supplier_Requests@pa.gov)**
-
- **Vendor Registration Guide**
 - **Bidding Reference Guide**
 - **eAlerts**
 - **W-9 Form**

RFP Requirements

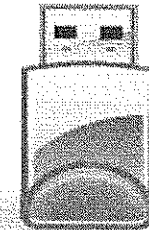
The proposal shall consist of **four** separately sealed submittals:

- **Technical Submittal**
(6 paper copies)
- **Cost Submittal** (1 paper copy)
- **Small Diverse Business/Small Business Submittal**
(2 paper copies); and
- **Offeror Diversity Submittal**
(2 paper copies)

Include CD/Flash drive of **complete and exact** copy of each entire proposal



CD



Flash Drive

O
R



RFP Requirements

Paper Submission Due by Friday, January 18,
2019 @ 4:00 pm EST (hand carried or mailed)

Department of General Services
Office of Chief Counsel
401 North Street
North Office Building, Room 603
Harrisburg, PA 17120
ATTN: Jordan M. Kiessling/
Cheryl Spackman

* *Late submittals will not be accepted*



Technical Submittal

Offeror's Technical Submittal

1. **Appendix A** - Proposal Cover Sheet
2. **Appendix C** – Trade Secret Notice
3. **Appendix D** – Statement of Qualifications
4. **Appendix E** – Personnel Experience
5. **Appendix F** – Project References

* Please **DO NOT** include any **cost** information in your technical submittal response.

* If you are subcontracting with an SDB or SB, you should include the business in which you are subcontracting with, but **NOT** the percentage in which you are subcontracting out.



Cost Submittal

Offeror's Cost Submittal

- **Appendix B – Cost Submittal Form**

*** The cost submittal is used for evaluative purposes only. Offerors should fill out the cost matrix distributing 1000 hours among the proposed staffing positions consistent with the Offeror's technical response.**

*** Offerors should be advised that based on the formula used, a cost submittal that is more than double the lowest responsible bidder, risks receiving zero (0) points for cost.**



SDB/SB Submittal

Offeror's SDB/SB Submittal

- **Appendix G** – Small Diverse Business & Small Business Participation Submittal



Offeror Diversity Submittal

Offeror's Diversity Submittal

- **Appendix H – Offeror Diversity Submittal**
- **Appendix I – Workforce Breakdown Chart**

- Any points received for the Offeror Diversity criterion are bonus points in addition to the total points for this RFP.
- The maximum amount of bonus points available for this criterion is **10%** of the total points for this RFP.
- Each proposal will be scored for the Offeror's commitment to diversity in both its internal and external practices.



Mandatory Requirements

- Proposal must be received by the proposal due date and time (Paper Submission).
- Proposal Cover Sheet (Appendix A) must be properly signed by an authorized official of the company.
- Must obtain 75% of total available technical points to advance.



Criteria for Selection

- **Technical** = 600 total points available
 - ✓ Understanding the Problem
 - ✓ Contractor Prior Experience
 - ✓ Personnel Qualifications
 - ✓ Soundness of Approach
- **Small Diverse Business/Small Business** = 200 total points available
- **Cost** = 200 total points available
- **Offeror Diversity** = 10% of total available points (up to 100 points)

Bureau of Diversity, Inclusion and Small Business Opportunities (BDISBO)



pennsylvania

BUREAU OF DIVERSITY, INCLUSION
AND SMALL BUSINESS OPPORTUNITIES

Audrey Smith
Procurement Liaison

Bureau of Diversity, Inclusion and Small Business Opportunities (BD/SBO)

What do I need to do ?

Consider subcontracting opportunities available for small diverse and small businesses

- Search the DGS database of SDBs and SBs and identify SDB/SB business partners for opportunities and inclusion
- Complete and submit with your proposal via JAGGAER:
 - SDB/SB Participation Submittal Form
 - Small Diverse Business Letter of Intent

Bureau of Diversity, Inclusion and Small Business Opportunities (BDISBO)

Small Business

- *For-Profit US based business
- *Independently Owned
- *Not dominant in its field
- *No more than 100 full-time equivalent employees
- *the business may not exceed three-year average gross revenues of \$38.5 Million, regardless of business type

Small Diverse Business

- *Minority-Owned
- *Woman-Owned
- *Veteran-Owned
- *Service Disabled Veteran- Owned
- *Disability-Owned
- *Lesbian, Gay, Bi-Sexual, Transgender-Owned

Bureau of Diversity, Inclusion and Small Business Opportunities (BDISBO)

Request for Proposal (RFP) : Format and Template

RFP Small Diverse (SDB) and Small Business (SB) Components:

Part I: General Information

- SDB/SB Eligibility and Program Information

Part II: Criteria For Selection

- SDB/SB Evaluation Criteria

Part V: Small Diverse and Small Business Participation Submittal

- Contractual obligations resulting from SDB/SB Submittal

Jaggaer RFP Format

- Supplier Attachments
- Questions
 - 1.2 SDB/SB Participation

Bureau of Diversity, Inclusion and Small Business Opportunities (BDISBO)

How do I find SDBs and SBs?

To search all DGS-verified SDBs and DGS-certified SBs, visit the DGS website at:

<http://www.dgs.internet.state.pa.us/suppliersearch>

The Forms

**SMALL DIVERSE BUSINESS (SDB) AND SMALL BUSINESS (SB)
PARTICIPATION SUBMITTAL**

Project Description: _____

RFP#: _____

Proposal Due Date: _____

Commodities/NAICS Code: _____

OFFEROR (Prime Contractor) INFORMATION

Offeror Company Name: _____

Offeror Contact Name: _____ **Check**

Title: _____ **Check**

Is your firm a DGS-Verified Small Diverse Business? **NO** **Yes/Exp.**

Is your firm a DGS-Self-Certified Small Business? **NO** **Yes/Exp.**

To confirm your company's SDB/SB status and expiration, please click or use the following link:
<http://www.dgs.pa.gov/Businesses/Small-Diverse-Business-Program/All-Diverse-Business-Verifications/Flags/Flags-for-Small-Diverse-Business.aspx#VWF-cpSD>

SUBCONTRACTING INFORMATION

Percentage Commitment for SDB and SB Subcontracting Participation
Commitment percentages will automatically calculate in the SDB/SB fields below after you have
completed the SDB and SB Subcontractor Listing on the "Listing" tab.

After examination of the contract documents, which are made a part hereof as if fully set forth herein, the
Offeror commits to the following percentages of the total contract cost for Small Diverse Business and Small
Business subcontracting participation.

Small Diverse Business Subcontracting percentage commitment:

Small Business Subcontracting percentage commitment:

Rev 01-10-2011

**SMALL DIVERSE BUSINESS (SDB) AND SMALL BUSINESS (SB)
PARTICIPATION SUBMITTAL**

Listing SDB and SB Subcontractors

The Offeror must list in the chart below the SDBs and SBs that will be used to meet the percentage commitments provided above, along with the
requested information about each SDB and SB Subcontractor. Include as many pages as necessary. Offerors must also include a Letter of Intent
(LOI) for each SDB/SB listed. To receive points for SDB or SB participation commitments, the SDB or SB must be listed in the
Department's directory of self-certified SBs and DGS/BDISBO-verified SDBs as of the proposal due date. The directory of self-certified
SBs and DGS/BDISBO-verified SDBs can be accessed at the following link:
<http://www.dgs.pa.gov/Businesses/Small-Diverse-Business-Program/All-Diverse-Business-Verifications/Flags/Flags-for-Small-Diverse-Business.aspx#VWF-cpSD>

SDB/SB name, percent commitment to SDB/SB, and estimated \$ value of commitment will automatically populate in the LOI tabs.

Offeror Company Name: _____

SDB/SB Subcontractor Name	SDB or SB	Primary Contact Name	Description of Services or Supplies to be Provided	% of Total Contract Commitment	Estimated \$ Value of Commitment for Initial Contract Term	Will SDB/SB be used for Options/ Renewals? (YES/NO)
Total SDB % Commitment:	0.000%					
Total SB % Commitment:	0.000%					

Rev 01-10-2011

MM/DD/YYYY _____

[SDB/SB Contact Name] _____ **Offeror:** _____

[Title] _____ **RFP#:** _____

[SDB/SB Company Name] _____

[Address] _____

[City, State, Zip] _____

[Email] _____

[Phone #] _____

Dear: [SDB/SB Contact Name]

This letter serves as confirmation of the intent of this offeror to u
on the above-referenced RFP issued by _____

If Offeror is the successful vendor, the referenced SDB/SB shall perform the following work, goods or
services during the initial term of the prime contract and during any extensions, options or renewal
periods of the prime contract exercised by the Commonwealth, as more specifically set forth below:
*[Identify the specific time periods during the initial contract term and any extensions, options and
renewals when the work, goods or services will be provided or performed]*

[Identify the specific work, goods or services the SDB/SB will perform below]
[Identify the specific work, goods or services the SDB/SB will perform]

These services represent _____ of the total cost in the Offeror's cost submittal for the initial term of the
contract. Dependent on final negotiated contract pricing and actual contract usage or volume, it is e
at above-referenced SDB/SB will receive an estimate _____ during the initial contract term.

The above-referenced SDB/SB represents that it meets the small or small diverse business requirements set
forth in the RFP and all required documentation has been provided to the Offeror for its SDB/SB submissio.

We look forward to the opportunity to
on this project. If you have any questions concerning our small business or small diverse business
commitment, please feel free to contact me at the number below.

Sincerely, _____ **Acknowledged,** _____

X _____ **X** _____

Offeror Contact Name: _____ **[SDB/SB Contact Name]** _____

Title: _____ **[Title]** _____

Offeror Company Name: _____ **[SDB/SB Company Name]** _____

Revised 01-10-2011



Getting Started SDB/SB Language

- ❖ This section provides an overview of The Department of General Services' Small Diverse and Small Business Program.
- ❖ It includes general information, a review of the eligibility requirements, the RFP SDB/SB evaluation and scoring process, submittal requirements and contract requirements.
- ❖ All reference internet links and explanations of terms can be found here.

SMALL DIVERSE BUSINESS AND SMALL BUSINESS PARTICIPATION SUBMITTAL

A. **General Information.** The Issuing Office encourages participation by Small Diverse Businesses (SDB) and Small Businesses (SB) as prime contractors and encourages all prime contractors to make significant commitments to use SDBs and SBs as subcontractors and suppliers.

A SB must meet each of the following requirements:

- Δ The business must be for-profit, United States business;
- Δ The business must be independently owned;
- Δ The business may not be dominant in its field of operation;
- Δ The business may not employ more than 100 full-time or full-time equivalent employees;
- Δ The business, by type, may not exceed the following three-year average gross sales:
 - Procurement Goods and Services: \$20 million
 - Construction: \$20 million
 - Building Design Services: \$7 million
 - Information Technology Goods and Services: \$25 million

For credit in the RFP scoring process, a SB must complete the Department of General Services (DGS) Bureau of Diversity, Inclusion and Small Business Opportunities (BDISB) self-certification process. Additional information on this process can be found here: [Small Business Self-Certification](#).

A SDB is a DGS-verified minority-owned small business, woman-owned small business, veteran-owned small business, service-disabled veteran-owned small business, LGBT-owned small business, Disability-owned small business, or other small businesses as approved by DGS, that are owned and controlled by a majority of persons, not limited to members of minority groups, who have been deprived of the opportunity to develop and maintain a competitive position in the economy because of social disadvantages.

For credit in the RFP scoring process, a SDB must complete the DGS verification process. Additional information on this process can be found here: [Small Diverse Business Verification](#).

An Offeror that qualifies as a SDB or SB and submits a proposal as a prime contractor is prohibited from being included as a subcontractor in separate proposals submitted by other Offerors. A SDB or SB may be included as a subcontractor with as many prime contracts as it chooses in separate proposals.

Participation Submittal Form

Section 1 – General Information

- ❖ Project Description –
This can be found in the title of the solicitation
- ❖ RFP # - Found on the solicitation cover page
- ❖ Proposal Due Date –
Found on the information page of the solicitation
- ❖ Commonwealth Agency Name – Found on the cover and information page of the solicitation

SMALL DIVERSE BUSINESS (SDB) AND SMALL BUSINESS (SB) PARTICIPATION SUBMITTAL	
Project Description:	
RFP #:	
Proposal Due Date:	
Commonwealth Agency Name:	

Participation Submittal Form

Section 2 – Offeror Information

- ❖ Offeror Company's Name – This should be the name of the Prime respondent to the solicitation.
- ❖ Offeror Contact Name – The name of the authorized representative who can, if and when necessary, provide clarification on the submitted forms. Their official job title and email and phone #.
- ❖ Is the Prime Offeror a DGS-verified SDB or DGS-self-certified SDB? If "Yes" provide expiration date of Verification/Cert.
- ❖ A link to the DGS SDB/SB database is provided for reference purposes.
[Find Small and Small Diverse Businesses.](#)

OFFEROR (Prime Contractor) INFORMATION	
Offeror Company's Name:	
Offeror Contact Name:	Email:
Title:	Phone:
Is your firm a DGS-Verified Small Diverse Business?	YES ▼ Verif Exp:
Is your firm a DGS-Self-Certified Small Business?	NO ▼ Cert Exp:
To confirm your company's SDB/SB status and expiration, please click or use the following link: http://www.dgs.pa.gov/Businesses/Small-Diverse-Business-Program/Small-Diverse-Business-Verification/Pages/Small-Diverse-Businesses.aspx#WV9vzp3D-	
<div style="border: 1px solid black; padding: 2px; width: fit-content; float: right;"> If "YES", the Verifi Expiration </div>	

Participation Submittal Form

Section 3 – Subcontracting Information

❖ Total percent prime contractor commitments made to SDB and/or SB on the Sub Listing form. **When completed electronically, these fields are automatically calculated from the Listing form (next tab).

❖ The SDB and SB point allocation is based entirely on the percentage of the contract cost committed to SDB or SB businesses.

❖ The Department's directory of self-certified SBs and DGS/BDISBO-verified SDBs can be accessed here:

SUBCONTRACTING INFORMATION

Percentage Commitment for SDB and SB Subcontracting Participation

Commitment percentages will automatically calculate in the SDB/SB fields below after you have completed the SDB and SB Subcontractor Listing on the "Listing" tab.

After examination of the contract documents, which are made a part hereof as if fully set forth herein, the Offeror commits to the following percentages of the total contract cost for Small Diverse Business and Small Business subcontracting participation.

Small Diverse Business Subcontracting percentage commitment:

0.000%

Small Business Subcontracting percentage commitment:

0.000%

Revised 01-16-2018

Participation Submittal Listing SDB and SB Subcontractors

- ❖ You may add up to 8 SDB/SB subcontractor. You may not list yourself if you are the prime contractor submitting the RFP/Q.
- ❖ For each Sub: provide company name; select from drop-down “SDB” or “SB”; contact name; short description; % of commitment based on total contract cost; estimated dollar of the % committed; select “Yes” or “No” if sub will be used for options/renewals/extensions.
- ❖ Total SDB and/or SB % commitment is tallied at bottom of form and carried over to Submittal form in the “Subcontracting Information” section. (Previously referenced in Section 3 – Subcontracting Information).

SMALL DIVERSE BUSINESS (SDB) AND SMALL BUSINESS (SB) PARTICIPATION SUBMITTAL						
Listing SDB and SB Subcontractors The Offeror must list in the chart below the SDBs and SBs that will be used to meet the percentage commitments provided above, along with the requested information about each SDB and SB Subcontractor. Include as many pages as necessary. Offerors must also include a Letter of Intent (LOI) for each SDB/SB listed. To receive points for SDB or SB participation commitments, the SDB or SB must be listed in the Department's directory of self-certified SBs and DGS/BDISBO-verified SDBs as of the proposal due date. The directory of self-certified SBs and DGS/BDISBO-verified SDBs can be accessed at the following link: http://www.dgs.ca.gov/Businesses/Small-Diverse-Business-Program/Small-Diverse-Business-Verification/Pages/Find-a-Small-Diverse-Business.aspx#WVPv3C						
SDB/SB name, percent commitment to SDB/SB, and estimated \$ value of commitment will automatically populate in the LOI tab.						
Offeror Company Name: 0						
SDB/SB Subcontractor Name	SDB or SB	Primary Contact Name	Description of Services or Supplies to be Provided	% of Total Contract Cost Commitment	Estimated \$ Value of Commitment for Initial Contract	Will SDB/SB be used for Options/Renewals? (YES/NO)
	▼					▼
	▼					▼
	▼					▼
	▼					▼
	▼					▼
	▼					▼
	▼					▼
	▼					▼
Total SDB % Commitment	0.000%					
Total SB % Commitment	0.000%					

Revised: Please See "YES" or

Letter of Intent (LOI)

- ❖ Note that there are 8 LOI templates, each corresponding to the specific subcontractors on the Listing form.
- ❖ Only complete areas highlighted in Yellow. Other pertinent information automatically populated from the Submittal and Listing forms.
- ❖ Unless electronically signed, upon completion, please print, sign, and send to the corresponding subcontractor for their signature as well.

MM/DD/YYYY	
[SDB/SB Contact Name] [Title] [SDB/SB Company Name] [Address] [City, State, Zip] [Email] [Phone #]	Offeror: RFP:
Enter the name of the contact personnel at SDB/SB	
Dear: [SDB/SB Contact Name]	
This letter serves as confirmation of the intent of this offeror to utilize on the above-referenced RFP issued by	
If Offeror is the successful vendor, the referenced SDB/SB shall perform the following work, goods or services during the initial term of the prime contract and during any extensions, options or renewal periods of the prime contract exercised by the Commonwealth, as more specifically set forth below: <i>[Identify the specific time periods during the initial contract term and any extensions, options and renewals when the work, goods or services will be provided or performed]</i>	
Identify the specific work, goods or services the SDB/SB will perform below: <i>[Identify the specific work, goods or services the SDB/SB will perform]</i>	
These services represent _____ of the total cost in the Offeror's cost submittal for the initial term of the contract. Dependent on final negotiated contract pricing and actual contract usage or volume, it is expected that above-referenced SDB/SB will receive an estimate of _____ during the initial contract term.	
The above-referenced SDB/SB represents that it meets the small or small diverse business requirements set forth in the RFP and all required documentation has been provided to the Offeror for its SDB/SB submission.	
We look forward to the opportunity to _____ on this project. If you have any questions concerning our small business or small diverse business commitment, please feel free to contact me at the number below.	
Sincerely, <input checked="" type="checkbox"/>	Acknowledged, <input checked="" type="checkbox"/>
Offeror Contact Name: Title: Offeror Company's Name:	[SDB/SB Contact Name] [Title] [SDB/SB Company Name]
	Revised 01-16-2018

Bureau of Diversity, Inclusion and Small Business Opportunities (BDISBO)

What do I need to know ?

Raw score will be calculated by crediting commitments to SDBs and SBs in accordance with percentages proposed.

- To receive points for SDB or SB participation commitments, the SDB or SB must be listed in the Department's directory of self-certified SBs and DGS/BDISBO-verified SDBs as of the proposal due date and time. **BDISBO reserves the right to adjust overall SDB or SB commitments to correctly align with the SDB or SB status of a prime contractor or subcontractor as of the solicitation due date and time, and also to reflect the correct sum of individual subcontracting commitments listed within the Letters of Intent.**

$$\text{SDB/SB Raw Score} = 200 (\text{SDB}\% + (\text{SB}\% \times 1/3))$$

- Proposer submitting the highest scoring SDB/SB Participation Submittal will receive all available points, with other Proposers' raw scores adjusted pro rata.

Bureau of Diversity, Inclusion and Small Business Opportunities (BDISBO)

What do I need to know?

- Solicitation commitments made to SDBs/SBs become contractual obligations upon contract execution.
- Selected Proposer must submit a final, executed subcontract for each SDB/SB named within 30 days of contract execution.
 - SDB/SB subcontractors must perform 50% of the work subcontracted to them.
 - If subcontract execution cannot be achieved, Selected Proposer must notify BDISBO.
- Individual percentage commitments cannot be altered without written approval from BDISBO.
- All SDB/SB commitments must be maintained if the contract is assigned to another prime contractor.
- Selected Proposer must complete and submit quarterly utilization reports which track progress of meeting commitments.
- Selected Proposer must contact BDISBO if circumstances arise that may affect the ability to comply with contract commitments.

Bureau of Diversity, Inclusion and Small Business Opportunities (BDISBO)

Bureau of Diversity, Inclusion and Small Business Opportunities (BDISBO)

Telephone: (717) 783-3119

Audrey Smith, Procurement Liaison

E-Mail: audresmith@pa.gov

717-346-8105

Curtis Burwell, Procurement Compliance

E-Mail: cburwell@pa.gov

717-787-4834



Legal Consultant & Support Services

Thomas P. Howell
Deputy General Counsel



Statement of Work

- NOT legal representation
- OGC seeks Legal Support Services including:
 - Investigative services;
 - Document review;
 - Expert location/retention;
 - Discovery assistance



Specialty Areas

- Litigation/investigation support;
- Auditing;
- Document Review;
- Expert location and management;
- E-discovery – data/document mining

Questions & Answers

- Review of Questions
- Additional Questions



ALL questions must be in written form...

Blank question sheets are available at the Sign-In Desk.

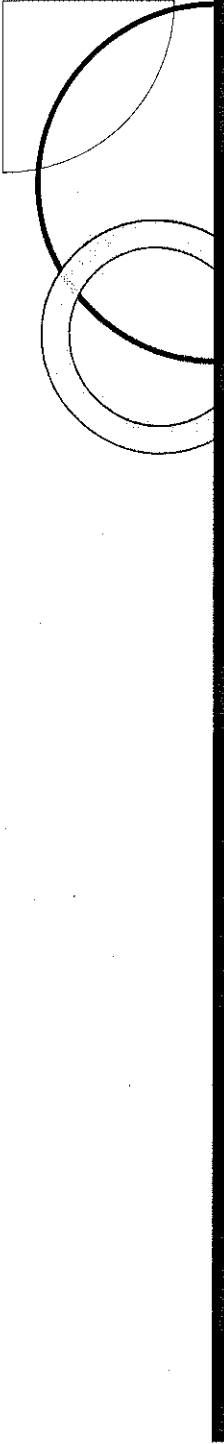


Questions & Answers

- Answers provided today are considered unofficial and not binding.
- All questions and responses will be posted as an Addendum to the solicitation and can be found at the link below:

<http://www.emarketplace.state.pa.us/Solicitations.aspx?SID=OGC-2018-15>

*** All Commonwealth responses are not official until they are confirmed in writing and posted to the eMarketplace website as an Addendum to the solicitation.**



thank
you!