



ARIZONA DEPARTMENT OF ADMINISTRATION
STATE PROCUREMENT OFFICE

DETERMINATION

TITLE

Contract Award and Award Basis

AUTHORITY

A.R.S. §41-2534 Competitive sealed proposals; and A.A.C. R2-7-C317 Contract Award

SOLICITATION

No. ADSP012-00001775

Description: Bond Counsel Services

DETERMINATION

In accordance with A.R.S. §41-2534 and A.A.C. R2-7-C317, it is hereby determined that entering into contract(s) with the following offeror(s) is most advantageous to the state based on the evaluation factors set for the in the aforementioned solicitation.

- Greenberg Traurig
- Squire Sanders & Dempsey
- Kutak Rock
- Sherman & Howard

BASIS FOR AWARD

Solicitation No ADSP012-00001775 was conducted pursuant to A.R.S. § 41-2534 and implementing rules. The Arizona State Procurement Office issued the solicitation on 05/24/2012 through ProcureAZ. A Pre-Offer Conference was conducted on June 29, 2012. A total of four individuals attended the Pre-Offer Conference representing two organizations. Responses were due by 07/18/2012 at 3:00 PM. The State Procurement Office received five proposals electronically via ProcureAZ on or before the due date and time. Offers were received from the following:

- Greenberg Traurig
- Squire Sanders & Dempsey
- Kutak Rock
- Sherman & Howard
- Wallin Harrison

An Evaluation Committee, who were determined to have the qualifications and expertise needed, participated in the evaluation. The Evaluation Committee members were:

- Clark Partridge, ADOA-GAO
- Lisa Danka, ADOT
- Philip Williams, SFB

The State Procurement Office presided as the Facilitator for the evaluations. The committee evaluations were concluded with a recommendation for award on 9/04/12.

The committee based their evaluation on a detailed evaluation scoring rubric which covered:

- Capacity of Offeror
- Method of Approach
- Cost
- Conformance to Terms and Conditions

The committee evaluated the proposals on a 1000 point scale. Cost scores were determined on a relative scale. In accordance with Uniform Instructions, Section 6.1, Number of Types of Awards, the Evaluation Committee determined it was most advantageous to the State to award by entire proposal. Below is the consensus scoring summary:

	Capacity of Offeror	Method of Approach	Cost	Conformance to Terms & Conditions	Total
Possible Points	600	100	200	100	1000
Greenberg Traurig	597.50	50	147.40	100	894.90
Squire Sanders & Dempsey	600.00	50	114.80	100	864.80
Kutak Rock	600.00	50	168.70	60	878.70
Sherman & Howard	462.50	50	198.50	100	811.00
Wallin Harrison	187.50	50	0	100	337.50

Based on the evaluation by the committee the following Offerors were determined not susceptible for award:

- Wallin Harrison

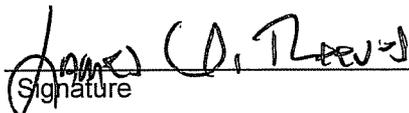
Details on the scores are provided in the pages that follow and as part of the procurement file available online at ProcureAZ.gov. Any questions regarding the outcome of this Solicitation or resultant contracts may be directed to the Procurement Officer of record for this solicitation.

DOCUMENTATION

This determination shall be placed in the procurement file.

EFFECTIVE

This Determination is effective and shall remain in effect unless otherwise modified or revoked.


Signature

5-6-2012
Date

James U. Reeves | Sr. Procurement Officer

Janice K. Brewer
Governor



Scott A. Smith
Director

ARIZONA DEPARTMENT OF ADMINISTRATION

STATE PROCUREMENT OFFICE
100 NORTH FIFTEENTH AVENUE • SUITE 201
PHOENIX, ARIZONA 85007
(602) 542-5511 (main) (602) 542-5508 (fax)
<http://spo.az.gov>

**Evaluation Committee Member
Consensus Statement**

**Solicitation No. ADSPO12-00001775
Bond Counsel Services**

The members of the evaluation committee have completed their review and reached consensus regarding the proposals received in response to Solicitation No. ADSPO12-00001775 for Bond Counsel Services. As a participating member of the Evaluation Committee, it is recommended, based on the detailed evaluation of the individual proposals, it would be in the best interest of the State to award the resulting contract to the proposal submitted by:

- **Greenburg Traurig LLP**
- **Sherman & Howard LLC**
- **Kutak Rock LLP**
- **Squire Sanders & Dempsey LLP**


Name / Committee Member

8/30/12
Date

Janice K. Brewer
Governor



Scott A. Smith
Director

ARIZONA DEPARTMENT OF ADMINISTRATION

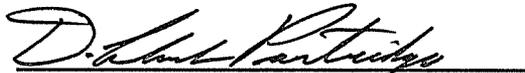
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- **Kutak Rock LLP**
- **Squire Sanders & Dempsey LLP**


Name / Committee Member

8-30-12
Date

Janice K. Brewer
Governor



Scott A. Smith
Director

ARIZONA DEPARTMENT OF ADMINISTRATION

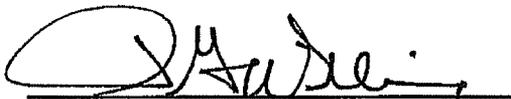
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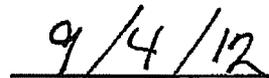
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- **Greenburg Traurig LLP**
- **Sherman & Howard LLC**
- **Kutak Rock LLP**
- **Squire Sanders & Dempsey LLP**


Name / Committee Member


Date

EVALUATION REPORT
Solicitation No. ADSP012-00001775
Description: Bond Counsel

		Offerors									
		Greenberg Traurig		Sherman & Howard LLC		Wallin Harrison PLC		Kutak Rock		Squire Sanders & Dempsey	
Weight	I- Capacity of Offeror:	#REF!		#REF!		#REF!		#REF!		#REF!	
10	Overall Capacity- Does offeror have the capability of issuing nationally recognized bonds, proven familiarity with federal and Arizona Law- Licensed attorney with a office in AZ.	Above expectations	7.5	bove expectation	7.5	Below Expectations	2.5	Exceeds expectations	10	Exceeds expectations	10
		International firm, extended reach, very good State and Local presence		National firm, healthy reach. State and local municipalities		Firm did not demonstrate personnel's qualifications in public finance related to state service. Overall capacity was neither well defined nor demonstrated in proposal.		International firm, extended reach, very good State and Local presence. Firm demonstrated an impressive depth of bench.		Very large firm that demonstrated vast reach on local, state, and a national level. Firm also demonstrated varied personnel with expertise in AZ state finance.	
540	Experiences and Qualifications- Does offeror have partners or attorneys continuously engaged for the last five years as bond counsel for municipal bond sales Exp. As bond counsel on the state-level surface transportation financing state revolving fund	Exceeds expectations	540	bove Expectation	405	Below Expectations	135	Exceeds expectations	540	Exceeds expectations	540
		Demonstrates good experience with public finance both state and local. State of Arizona experience, as well as experience with the Department of Transportation.		Broad experience in public finances both with state and local municipalities. Limited experience in Arizona		Firm demonstrated limited state or local public finance experience. Limited State of Arizona experience.		Demonstrated a varied knowledge of AZ business, city and state government and the state and federal court systems.		Solid working relationships with local, state, regional, national and international business...and multinational corporations, providing legal counsel both locally and globally.	
50	References	Yes	50	Yes	50	Yes	60	Yes	50	Yes	50
200	Cost - To be evaluated by Procurement Officer	147.4		198.5		0		168.7		114.8	
100	Method of Approach- Clearly state your companies understanding of the Scope of Work, and acceptance of all requirements, noting any exceptions	Meets Expectations	50	Meets Expectation	50	Meets Expectations	50	Meets Expectations	50	Meets Expectations	50
		Vendor indicated full understanding of scope of work and no exceptions were noted.		Vendor indicated full understanding of scope of work and no exceptions were noted.		Vendor indicated full understanding of scope of work and no exceptions were noted.		Vendor indicated full understanding of scope of work and no exceptions were noted.		Vendor indicated full understanding of scope of work and no exceptions were noted.	
60	Uniform Terms and Conditions	Meets Expectations	60	Meets Expectation	60	Meets Expectations	60	Meets Expectations	60	Meets Expectations	60
		No exceptions noted.		No exceptions noted.		No exceptions noted.		No exceptions noted.		No exceptions noted.	
40	Special Terms and Conditions	Meets Expectations	40	Meets Expectation	40	Meets Expectations	40	Does not comply	0	Meets Expectations	40
		No exceptions noted.		No exceptions noted.		No exceptions noted.		Vendor noted exception to Special Terms and Conditions.		No exceptions noted.	

Independent Evaluator Notes
ADSP012-00001775 Bond Counsel Services

DISCLAIMER: THIS DOCUMENT IS PROVIDED FOR YOUR CONVIENCE ONLY. This document is provided to assist evaluation committee members through the evaluation process. It is intended as a means to help an evaluator prepare for consensus meetings, determine individual ratings, track comments and organize thoughts during the independent evaluation of each proposal. If you choose to use this document, it will be considered a working document and will not be collected or retained as part of the procurement file. The official record retained in the procurement file will contain consensus evaluation scores and comments for each proposal.

GENERAL INSTRUCTIONS & REQUIREMENTS

The evaluation process consists of two phases. In the first phase, the **INDEPENDENT EVALUATION PHASE**, Evaluation Committee members prepare for the consensus evaluation meetings individually. At this point, evaluators determine initial ratings and make notes about each proposal to prepare for discussion with the committee as a whole. You will not be required to submit any documentation of your individual review to the procurement officer. Evaluators should use the following guidelines as they complete their assessment of each proposal:

1. Review the solicitation to ensure a clear understanding of the solicitation and its requirements.
2. Be familiar with each proposal and how they address the solicitation requirements.
3. Using independent judgment, evaluate each proposal individually against the evaluation criteria found in this document.
4. For each evaluation criterion,
 - a. Determine how well the proposal satisfies the stated requirements.
 - b. Enter notes about locations within the proposal that address the requirements.
 - c. Enter comments about strengths and weaknesses of the proposal in relation to the stated requirements.
 - d. Select the rating (see the "DEFINITIONS" section) that most accurately reflects the quality of the proposal. If ratings fall above or below "Meets Expectations", a detailed justification will be required as part of the procurement file record.
 - e. After all proposal evaluations are complete, review all ratings, notes, and comments for consistency in how proposals were rated. (i.e. the best proposal received the best score and the worst proposal received the worst score).
5. Remember, only the information found in the proposal and the evaluation criteria specifically identified in this document can be used in determining ratings.

In the second phase, the **EVALUATION CONSENSUS PHASE**, Evaluation Committee members meet as a group to confer, discuss and come to agreement on the scoring and comments for each proposal. This discussion will form the basis of the evaluation documentation contained within the official procurement file. The procurement officer will record information and provide documents to the committee for review. The committee will be responsible for ensuring the completeness and accuracy of these documents. Also, based on input from the committee, the procurement officer may ask vendors for clarification of their proposals or may solicit final proposal revisions. After the final evaluation, the committee members will sign a consensus scoring document that will be retained in the procurement file as justification for the resulting award decisions.

DEFINITIONS

The following definitions provide a basis for determining the score assigned to each criterion. The range of points allocated to each definition is to assist in determining the individual scores. During the consensus phase, the points assigned each proposal may change after discussion and agreement of the committee as a whole.

Exceeds Expectations | Proposal meets all requirement(s) outlined in the RFP but also provides innovative or exceptional responses. **(100% of Points)**

Above Expectations | Proposal meets all requirement(s) and goes beyond what is requested for requirement(s) outlined in the RFP **(75% of Points)**

Meets Expectations | Proposal meets the requirement(s) outlined in the RFP **(50% of Points)**

Doesn't Meet Expectations | Proposal doesn't fully meet or doesn't completely address the requirement(s) of the RFP. **(25% of Points)**

Doesn't Meet (Unacceptable) | Elements of the proposal that are unacceptable to the State. **(0 Points)**

Be reasonable, rational, consistent, and use independent judgment when evaluating each proposal.

Independent Evaluator Notes
ADSP012-00001775 Bond Counsel Services

PROPOSAL EVALUATION

for: _____
Name of Offeror

Instructions: For each of the following, determine how well the proposal satisfies the stated requirements. In the rating section, select the rating and score that most accurately reflects the quality of the Offeror's proposal. In the comments box, enter notes about specific locations within the proposal where relevant information was used in determining the assigned rating, as well as, comments on strengths and weaknesses of the proposal.

1. Capacity of Offer		(400 points Max)
<p>a. Overall Capacity</p>	<p style="text-align: right;">Rating</p> <p style="text-align: center;">_____ of 10 points</p> <p><input type="checkbox"/> Exceeds expectations (pts)</p> <p><input type="checkbox"/> Above expectations (pts)</p> <p><input type="checkbox"/> Meets expectations (pts)</p> <p><input type="checkbox"/> Below expectations (pts)</p> <p><input type="checkbox"/> Unacceptable (0 pts)</p>	<p style="text-align: center;">Comments</p>
<p>b. Experience and Qualifications</p>	<p style="text-align: right;">Rating</p> <p style="text-align: center;">_____ of 540 points</p> <p><input type="checkbox"/> Exceeds expectations (pts)</p> <p><input type="checkbox"/> Above expectations (pts)</p> <p><input type="checkbox"/> Meets expectations (pts)</p> <p><input type="checkbox"/> Below expectations (pts)</p> <p><input type="checkbox"/> Unacceptable (0 pts)</p>	<p style="text-align: center;">Comments</p>
<p>c. References</p>	<p style="text-align: right;">Rating</p> <p style="text-align: center;">_____ of 50 points</p> <p><input type="checkbox"/> Exceeds expectations (pts)</p> <p><input type="checkbox"/> Above expectations (pts)</p> <p><input type="checkbox"/> Meets expectations (pts)</p> <p><input type="checkbox"/> Below expectations (pts)</p> <p><input type="checkbox"/> Unacceptable (0 pts)</p>	<p style="text-align: center;">Comments</p>

Independent Evaluator Notes
ADSP012-00001775 Bond Counsel Services

2. Cost – to be evaluated by SPO		(200 points max)
3. Method of Approach		(100 points Max)
Comments	Rating	
	_____ of 100 points	
	<input type="checkbox"/> Exceeds expectations	(pts)
	<input type="checkbox"/> Above expectations	(pts)
	<input type="checkbox"/> Meets expectations	(pts)
	<input type="checkbox"/> Below expectations	(pts)
<input type="checkbox"/> Unacceptable	(0 pts)	
Conformance to Terms and Conditions – to be evaluated by SPO		(100 points Max)