



MEMORANDUM

Date: February 10, 2022

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: Jan Lesher 
Acting County Administrator

Re: **RFP-PO-2200013 – Merit System Commission Legal Representation**

On February 2, 2022 the Board of Supervisors received a letter from the Chair of the Pima County Merit Commission delineating his concerns about the recent procurement of legal counsel for the Merit Commission.

The following briefly summarizes the process:

Competitive, sealed bids were solicited and received by the Pima County Procurement Department.

The proposals were reviewed by the three-member Evaluation Committee, which was comprised of:

- Andrew Flagg, Deputy Director, Community and Workforce Development Department;
- Mike Hellon, Chair, Employee Merit System Commission; and
- Jason Parrish, Deputy Director, Human Resources Department.

Following an initial training meeting, the Committee members read and scored the three proposals received. The Proposals were evaluated and scored in accordance with defined criteria which were: Firm/Lead Attorney Experience (0 – 30 points); References (0-30 points); Sustainability (0-10 points); and Cost (0 – 30 points).

The Procurement Officer tabulated scores and comments for the Experience, References and Sustainability criteria and weighted them as prescribed, then applied the appropriate scores for cost.

On December 16, 2021, a consensus meeting was held. The purpose of the meeting was to promote discussion amongst the panelists. Following the meeting, panelists had the option to revise their scores based on the comments and concerns expressed by other panelists. There was an attempt to convene a second consensus meeting, which proved to be impossible to do prior to the expiration of the current contract. Instead, the Procurement Officer worked with the panelists individually to affirm their scores.

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Following the review of materials provided by the other panelists, all three members of the panel revised their scores.

Discussions with the panelists regarding the comments and concerns expressed by the other members of panel made it clear to the Procurement Officer that differences of opinion regarding the proposals were unresolvable.

On January 11, 2022, the Procurement Officer notified the panelists of the final determination. The Notice for Recommendation for Award was issued on February 2, 2022. No formal protest was received from respondents during the official protest period.

While it is clear that members of the Evaluation Committee had different opinions regarding the qualifications and competence of the proposing organizations, it does not appear that the process was either structurally or procedurally flawed.

JKL/mp

c: Terri Spencer, Director, Procurement Department