

## **Opioid Litigation, Request for Proposals**

### *Process & Key Evaluation Criteria*

A Request for Proposals (RFP) seeking law firms to represent the State of Michigan in relation to the Opioids Crisis was issued by the Attorney General's Office on May 9, 2019.

Seven proposals were submitted in response to the RFP. A review team of senior attorneys reviewed each of the written proposals and evaluated, among other things, the firms' experience representing government agencies, capacity, experience of the staff proposed to handle the matter, past success, proposed strategy, proposed fee arrangements, willingness to accept the Department's contract terms, and each proposal's completeness and professionalism. The review team met to discuss the initial review of responses and identified the following differentiating characteristics:

1. Proposal for Attorneys' Fees & Costs
2. Experience with major cases and governmental clients
3. Experience with Opioid Litigation and the Multi-District Litigation
4. Leadership positions associated with the Multi-District Litigation
5. Potential Conflicts
6. Insight regarding Michigan specific legal challenges
7. Ties to Michigan
8. Misc. Other

The Attorney General requested establishment of a process that would keep the identities of the firms submitting proposals anonymized for her review in order to establish a "blind" evaluation based on the attributes of the applicants, and not their identities. To ensure that the identities of the firms were not disclosed, several steps were taken, including but not limited to: information submitted to the Attorney General regarding this process did not identify any firms by name; all communications regarding the RFP were directed to a special email account that was accessible only by the solicitation manager and his staff; and oral presentations by firms to the review team were held at an offsite location.