

AWARD RECOMMENDATION

Notice of Intent to Award Number: 240000000441

The Department of Technology, Management, & Budget’s Procurement office has completed the evaluation of Request for Proposal No. 220000002763 and has recommended an award to Epiq eDiscovery Solutions Inc and KLDDiscovery Ontrack, in the amount of \$3,600,000.00 each, pending State Administrative Board approval, if applicable. More information on the State Administrative Board can be found at: [State Administrative Board](#).

Bidders who were not recommended for the award are encouraged to schedule a debriefing session with the Solicitation Manager. The debriefing session will provide the bidder with the State’s rationale on why the bidder was not recommended for the award. The Solicitation Manager may be contacted as follows:

Marisha Curtis Solicitation Manager.

Curtism16@michigan.gov

(517)-328-9462

Background Information:

This Request for Proposal (RFP) was to solicit responses for selection of Contractors to provide an end-to-end eDiscovery solution for the State of Michigan. The term of this contract is 3 years with up to 5 renewal options.

Bidders:

The RFP was posted on SIGMA VSS on Tuesday, July 19, 2022 until Thursday, August 25, 2022. The following bidders submitted proposals by the published due date of 3:00pm EST, August 25th, 2022.

Bidder	Address, City, State, Zip Code	SDVOB*	GDBE**
Cube Inc	1462 Erie Boulevard, Suite C101 Schenectady, New York 12035		
Capsicum Group LLC	50 S. 16th Street, Suite 2525, Philadelphia, PA 19102		
Casepoint LLC	7900 Tysons One Place, Suite 680 Tysons, VA 22102		
Consilio LLC	1828 L Street NW, Suite 1070 Washington, D.C. 20036		
Epiq eDiscovery Solutions Inc	777 Third Avenue, 12th Floor New York, NY 10017		
Everlaw Inc	2101 Webster St Suite 1500, Oakland, CA 94612		

Innovative Driven	1700 North Moore Street, Suite 1500, Arlington, VA 22209		
The IQ Business Group, Inc.	1751 Pinnacle Drive, Suite 600, McLean VA 22102		
KLDiscovery Ontrack LLC	8201 Greensboro Drive Suite 300 McLean, VA 22102		
Lighthouse Document Technologies	51 University Street, Suite 400 Seattle, WA 98101		
Mimecast North America Inc	191 Spring Street Lexington, MA 02421		
Vertical Discovery Corporation	3800 Lamar Blvd. Suite 200 Austin, TX 78756		

*SDVOB: Service-Disabled Veteran Owned Business
 **GDBE: Geographically Disadvantaged Business Enterprise

EVALUATION SYNOPSIS

I. Evaluation Process

A Responsible Vendor is a vendor that demonstrates it has the ability to successfully perform the duties identified by the solicitation. A Responsive proposal is one that is submitted in accordance with the solicitation instructions and meets all mandatory requirements identified in the solicitation.

Proposal Instructions: Mandatory Minimum Requirements

1. System must ingest for Microsoft Office 365 and email attachments.
2. System must support average processing speeds of at least 20 GB per hour.
3. System must be a vendor (or cloud) hosted SaaS solution.

Proposal Instructions: Evaluation Process

Schedule A - Statement of Work	40
Schedule A – Table 1 - Business Requirements	50
Vendor Questions Worksheet	10

The full evaluation process is stated in the RFP Proposal Instructions.

II. Evaluation Method

Responses to this solicitation were reviewed by the Solicitation Manager and a Joint Evaluation Committee, which consisted of the following individuals:

Voting	Advisory
Chris Martin, Buyer DTMB – Central Procurement Services	Vanessa McDonald, Project Manager DTMB
Alex Root, Business Owner Attorney General’s Office	Jennifer Jackson, AG Business Owner Attorney General’s Office
Dustin Senneker, Business Owner Attorney Generals Office	Douglas Kloepfer, Cyber Security Liaison Cybersecurity
Denys De Castilhos, IT Manager Attorney General’s Office	Mark Zehner, Cyber Security Liaison Cyber Security
Michael Weiszbrod, State Administrative Manager DTMB – Agency Services	Mike Bartkowiak, Cyber Security Liaison Cyber Security
	Carmen Redwine, Business Relationship Manager DTMB – Agency Services
	Suganya Umachandran, Agency Services Manager DTMB – Agency Services

III. Evaluation Results

A. Cube Inc

The Evaluation Team determined that Cube Inc based on a score of 87.8, did meet the requirements of this RFP. This determination was accomplished by evaluating their responses to the Technical Evaluation Criteria.

The responses were largely satisfactory, but the following deficiencies in the following sections were noted.

1. Schedule A
 - a. Section 2
 - a. Did not provide PAT or VPAT (-2)
 - b. Section 7
 - a. Did not address how integration into MiLogin would function.(-1)
 - c. Section 97
 - a. RDC of a vendor site is not permitted by the State of Michigan security plan. (-2)
 - d. Schedule A
 - a. Answers did not include enough of “how” they would meet requirements (-5.2)
 - e. Business Volume
 - a. SOM would be more than 25% of the business volume (-1)
 - f. Contractor Security Office
 - a. Proposed officer does not have any security trainings or certifications (-1)

Total Score:87.8/100

B. Capsicum Group LLC

The Evaluation Team determined that Capsicum Group LLC based on a score of 94.5, did meet the requirements of this RFP. This determination was accomplished by evaluating their responses to the Technical Evaluation Criteria.

The responses were largely satisfactory, but the following deficiencies in the following sections were noted.

1. Schedule A - Statement of Work
 - a. Section 13. Training Services
 - a. Lack of detail on the training (-2)
 - b. Schedule A
 - a. Supported language list was bad/incorrect (-1)

- b. Answers lacked substance in some questions (-1.1)
- 2. Business Requirements
 - a. Section 4
 - a. No box checked, and response doesn't answer requirement (-.5)
 - b. Section 26
 - a. Response doesn't answer the question/requirement (-.5)
 - c. Section 27
 - a. SSL has been replaced with TLS(this would not meet SOM security standards), would like to have seen more information about FTP. (-.5)
 - d. Section 30
 - a. The requirement was for importing, not exporting. (-.5)
 - e. Section 33
 - a. This would be a third party tool, and not named. Should be listed and explained (-.5)
 - f. Section 79
 - a. Does not mention predictive coding (-.5)
 - g. Schedule A
 - a. Supported Language List was incorrect (-1)
 - h. Section 96
 - a. Does not answer the requirement/question (-.5)
 - i. Section 103
 - a. Response doesn't answer about bulk exporting (-.5)

The following deficiencies were noted, but not included in the technical evaluation score.

- a. Section 103
 - a. Response doesn't answer about bulk exporting
- b. Section 111
 - a. Does not answer the requirement/question
- c. Section 114
 - a. Does not answer the requirement
- d. Section 122
 - a. No response provided

- e. Section 148
 - a. Response does not answer the question/requirement
- f. Section 149
 - a. Response does not answer the question/requirement

Total Score: 94.5/100

C. Casepoint LLC

The Evaluation Team determined that Casepoint LLC based on a score of 97.5, did meet the requirements of this RFP. This determination was accomplished by evaluating their responses to the Technical Evaluation Criteria.

The responses were largely satisfactory, but the following deficiencies in the following sections were noted

- 1. . Schedule A
 - a. Some of the bidders responses did not include “how” (-2.5)

Total Score:97.5/100

D. Consilio LLC

The Evaluation Team determined that Consilio LLC based on a score of 84.3, did meet the requirements of this RFP. This determination was accomplished by evaluating their responses to the Technical Evaluation Criteria.

The responses were largely satisfactory, but the following deficiencies were noted in the following sections.

- 1. Schedule A - Statement of Work
 - a. Section 5
 - a. Bidder is not ADA compliant (-3)
 - b. Schedule A
 - a. Responses do not address both Sightline and Relativity (-3)
 - b. Some of the bidders responses did not include how (-3.2)
 - c. Schedule E
 - a. RPO/RTO submission included too many pages (-1)
 - d. Disaster Recovery Plan
 - a. Bidder only provided Table of Contents (-1)
- 2. Schedule A, Table 1 – Business Requirements
 - a. Section 32
 - a. Cannot provide report pre-processing and there is an additional fee for the report (-.5)
 - b. Section 33

- a. Cannot provide report pre-processing and there is an additional fee for the report (-.5)
- c. Section 34
 - a. Cannot provide report pre-processing and there is an additional fee for the report (-.5)
- 3. Vendor Questions Worksheet
 - a. Experience 2
 - a. Response is unsatisfactory and non-responsive (-1)
- 4. Attachment 1 – Resume Templates
 - a. Contractor Project Manager
 - a. Bidder does not provide a proposed Project Manager (-1)
 - b. Contractor Security Officer
 - i. Bidder did not provide a letter of commitment for the proposed Contractor Security Officer (-1)

Total Score:84.3/100

E. Epiq eDiscovery Solutions Inc

The Evaluation Team determined that Epiq eDiscovery Solutions Inc based on a score of 99.5, did meet the requirements of this RFP. This determination was accomplished by evaluating their responses to the Technical Evaluation Criteria.

The responses were largely satisfactory, but the following deficiencies were noted in the following sections.

- 1. Schedule A
 - a. Some of the bidders responses did not include “how” (-.5)

Total Score:99.5/100

F. Everlaw Inc

The Evaluation Team determined that Everlaw Inc based on a score of 85.45, did meet the requirements of this RFP. This determination was accomplished by evaluating their responses to the Technical Evaluation Criteria

The responses were largely satisfactory, but the following deficiencies were noted in the following sections.

- 1. Schedule A – Statement of Work
 - a. Section 1
 - a. Did not fill out component matrix (-1)
 - b. Section 23
 - a. No acknowledgement in bidder boxes (-1)
 - c. Schedule A
 - i. Many of the bidders responses did not answer the question (-6.4)
- 2. Schedule A, Table 1 – Business Requirements

- a. Section 61 – Section 79
 - a. Lack of “how” in the provided responses (-.9)
- 3. Vendor Questions Worksheet
 - a. Standard Contract Terms and Conditions
 - a. Bidder did not affirm the terms (-1)
 - b. 5 years of gross annual sales
 - a. Bidder did not provide a response to this question (-1)
- 4. Attachment 1 – Resume Templates
 - a. Contractor Security Officer
 - a. Bidder did not provide a proposed CSO (-2)
 - b. Account Manager/Account Rep
 - a. Bidder did not respond to all of the sections asks (-1)
 - c. List client references for work performed to meet the requirements stated
 - b. Bidder does not provide references for these sections (-1)

Total Score: 85.45/100

G. Innovative Driven

The Evaluation Team determined that Innovative Driven based on a score of 96.5, did meet the requirements of this RFP. This determination was accomplished by evaluating their responses to the Technical Evaluation Criteria. The responses were largely satisfactory, but the following deficiencies were noted in the following sections.

- 1. Vendor Questions Worksheet
 - a. Contractor Security Officer
 - a. Bidder did not provide a resume for their proposed Contractor Security Officer (-2)
 - a. Schedule A
 - a. Some of the Bidder responses did not answer the question (-1.5)

Total Score :96.5/100

H. IQBG Inc

The Evaluation Team determined that IQBG based on a score of 93.8, did meet the requirements of this RFP. This determination was accomplished by evaluating their responses to the Technical Evaluation Criteria. The responses were largely satisfactory, but the following deficiencies were noted in the following sections.

- 1. Schedule A, Table 1 – Business Requirements
 - a. Section 4
 - a. Bidder did not answer the question (-.5)
 - b. Section 5
 - a. Bidder did not answer the question (-.5)
 - c. Schedule A
 - a. Some of the bidders responses did not answer the question (-2.7)

2. Vendor Questions Worksheet
 - a. Experience 2
 - a. Bidder provided experience that is not fully relevant to eDiscovery (-2)
3. Attachment 1 – Resume Templates
 - a. Contractor Security Officer
 - a. Proposed Contractor Security Officer does not meet requirements (-.5)

Total Score: 93.8/100

I. KLDISCOVERY Ontrack LLC

The Evaluation Team determined that A.KLDISCOVERY Ontrack LLC based on a score of 97.6, did meet the requirements of this RFP. This determination was accomplished by evaluating their responses to the Technical Evaluation Criteria. The responses were largely satisfactory, but the following deficiencies were noted in the following sections.

1. Schedule A – Statement of Work
 - a. Schedule A
 - a. Some of the bidders responses did not answer the question (-.4)
 - b. Section 9
 - a. Proposed solution is not Edge compatible, and the bidder did not answer about communicating changes or collaboration (-2)

Total Score: 97.6/100

J. Lighthouse Document Technologies

The Evaluation Team determined that A.Lighthouse Document Technologies based on a score of 99.1, did meet the requirements of this RFP. This determination was accomplished by evaluating their responses to the Technical Evaluation Criteria.

The responses were largely satisfactory, but the following deficiencies were noted in the following sections.

1. Schedule A
 - a. Some of the bidders responses did not answer the question (-.9)

Total Score: 99.1/100

K. Mimecast North America Inc

Mimecast North America Inc has not met the requirements of being responsive and responsible due to failure to submit a complete response to the RFP, and the proposed solution is not a full eDiscovery solution.

L. Ligl Data Sciences Corp

Ligl Data Science Corp has not met the requirements of being responsive and responsible due to the inability to support average processing speeds of at least 20 GB per hour, a mandatory minimum of the RFP.

IV. Technical Evaluation Summary

Selection Criteria		Cube Inc	Capsicum Group LLC	Casepoint LLC
1	Schedule A- Statement of Work	37	38	40
2	Schedule A, Table 1 – Business Requirements	42.8	46.5	47.5
3	Vendor Questions Worksheet	8	10	10
	Total	87.8	94.5	97.5

Selection Criteria		Consilio LLC	Epiq eDiscovery Solutions Inc	Everlaw Inc
1	Schedule A- Statement of Work	40	40	38
2	Schedule A, Table 1 – Business Requirements	45.3	49.5	43.45
3	Vendor Questions Worksheet	7	10	4
	Total	84.3	99.5	85.45

Selection Criteria		Innovative Driven	IQBG Inc	KLDiscovery Ontrack LLC
1	Schedule A- Statement of Work	40	40	38
2	Schedule A, Table 1 – Business Requirements	48.5	46.3	49.6
3	Vendor Questions Worksheet	8	7.5	10
	Total	96.5	93.8	97.6

Selection Criteria		Lighthouse Document Technologies	Mimecast North America Inc	LIGL Data Sciences Corp
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1	Schedule A- Statement of Work	40	N/A	N/A
2	Schedule A, Table 1 – Business Requirements	50	N/A	N/A
3	Vendor Questions Worksheet	10	N/A	N/A
	Total	99.1	N/A	N/A

V. Pricing Summary

Pricing was evaluated for the bidders who passed technical. The following is a summary of their price proposals:

	Deliverable	[s]Cube	Capsicum Group LLC	Casepoint LLC
1	Users	N/A	\$95 per month per users greater than 10	N/A
2	Subscription License	\$10,000-\$50,000	N/A	N/A
3	Data hosting	\$30 per GB per month	\$4-\$6 per GB per month	\$144-\$960,000
4	Load file processing	N/A	\$150 per GB	N/A
5	Page costs	N/A	\$.01 - \$.02 per page	N/A
	*Total prices will vary significantly depending on demand, data volume, and pricing structure	\$70,000+	\$0+	\$0+
		Consilio	Epiq	Everlaw
1	Users	\$80 per month per user	N/A	N/A
2	Subscription License	\$222,000-\$834,000	N/A	\$9000 per year
3	Data hosting	\$10-\$13 per gb per month	\$15 - \$30 per month	\$15 per GB
4	Load file processing	N/A	\$55 per GB	N/A
5	Page costs	\$.03 - \$.05 per page	N/A	N/A

	*Total prices will vary significantly depending on demand, data volume, and pricing structure	\$0+	\$0+	\$9000+
		Innovative Driven	IQBG	KLDiscovery
1	Users	\$85 per user per month	N/A	N/A
2	Subscription License	N/A	\$211,750	\$23,040 - \$89,088 per month
3	Data hosting	\$4.25 -\$5 per month per GB	N/A	N/A
4	Load file processing	\$40-\$50 per GB	N/A	N/A
5	Page costs	\$.01 per page	N/A	N/A
	*Total prices will vary significantly depending on demand, data volume, and pricing structure	\$0+	\$211,750+	\$0+
		Lighthouse Document Technologies		
1	Users	N/A		
2	Subscription License	\$360,000 per year		
3	Data hosting	N/A		
4	Load file processing	N/A		
5	Page costs	N/A		
	*Total prices will vary significantly depending on demand, data volume, and pricing structure	\$360,000+		

VI. Negotiations

The State entered negotiations with KLDISCOVERY, Epiq eDiscovery Solutions, Innovative Driven, and Everlaw Inc based on factors which included their ability to provide a consumption pricing model, a Relativity/non-Relativity solution, technical score, demos, and/or cost. The State conducted several rounds of negotiations with these bidders and was able to come to mutual agreement with KLDISCOVERY and Epiq eDiscovery Solutions. No additional cost savings were achieved.

VII. Award Recommendation

Award recommendation is made to the responsive and responsible Bidders who offer the best value to the State of Michigan. Best value is based on the proposal meeting the minimum point threshold and offering the best combination of the factors stated in the *Proposal Instructions Evaluation Process* section, and price.

1. Epiq eDiscovery Solutions provided the best value to the State. Best value factors for Award Recommendation include global redaction abilities, ability to provide spend history reports, allowance of client ability to self manage the software, and their prior experience with the State of Michigan.

As part of the best value determination, overall economic impact to the State of Michigan was considered and is not a determinative factor in making this award.

2. KLDISCOVERY Ontrack LLC provided the best value to the State. Best value factors for Award Recommendation include on site support, Michigan based staff, providing free analytics, global redaction abilities, A/V file capabilities, and having the Nebula Certification Program.

As part of the best value determination, overall economic impact to the State of Michigan was considered and is not a determinative factor in making this award.

Award Recommendation is made to KLDISCOVERY Ontrack LLC and Epiq eDiscovery Solutions in the amount of \$3,600,000.00 each.