

Vendor Evaluation Score Sheet
RFP 920, 210000002217

Litigation Counsel

Bidder Name: BakerHostetler – Did Not Request Confidentiality

Vendor Evaluation Score Sheet

RFP 920, 21000002217

Litigation Counsel

Bidder Name: BakerHostetler – Did Not Request Confidentiality

	Technical Evaluation Criteria	Weight	Vendor Score
1.	<p>Key Deliverable One Schedule A: Sec. 1.1 Expertise</p> <p>(a) Litigation Expertise.</p> <p>1. Michigan Supreme Court or the highest court of a State.</p> <p>Demonstrated experience in State Court by highlighting cases representing members of legislative and executive branches as well as a legislative agency and Ohio apportionment board from 2002-2018 in litigation regarding implicit criteria, compactness challenge, scope of legislative privilege, and defense of maps/political neutrality.</p> <p>2. Federal court.</p> <p>Demonstrated experience in Federal Court by highlighting cases involving racial and partisan gerrymander claims for clients that include both state legislative and congressional members. Pending case before the 4th Circuit Court of Appeals representing City of VA Beach whether coalition claims cognizable & standard of cohesion that needs to be demonstrated.</p> <p>3. U.S. Supreme Court.</p> <p>Demonstrated SCOTUS experience in partisan gerrymander, Equal Protection Clause/safe harbor claims, VRA and racial gerrymander claims.</p> <p>4. Legal work performed on behalf of public agencies and state boards or commissions.</p> <p>VA Beach City Council GA - Sumpter Cty Bd Election & Registration VA - Division of Legislative Services</p> <p>5. Describe the attorney or firm’s experience with electronic discovery.</p>	40	37

Vendor Evaluation Score Sheet

RFP 920, 21000002217

Litigation Counsel

Bidder Name: BakerHostetler – Did Not Request Confidentiality

	<p>Extensive. Complex redistricting cases with voluminous discovery including depositions and e-discovery tools/vendors.</p> <p>(b) Redistricting Experience.</p> <ol style="list-style-type: none">1. Redistricting representations. See above2. Legal and advisory services provided specific to redistricting. Highlights Mr. Braden’s national experience with example from OH state legislative plans in 2010 cycle. <p>(c) Election Law Expertise.</p> <ol style="list-style-type: none">1. Election law representations. OH NAACP v Husted – Successful defense of reduction of early in person voting days via statute. Sate ex rel v Husted – 2018 – successful recount challenge for 12th district republican primary. Libertarian Party of OH v OH Elections Commission – Successfully repr OH Debate Comm in challenge where libertarian candidate excluded from gubernatorial debate. Lecky v VA Bd Election – Repr candidate in unsuccessful challenge to admin of election.2. Legal and advisory services provided specific to Michigan Election Law. None listed. <p>(d) Cumulative Experience. Over 20 years litigating redistricting/election law cases.</p>		
2.	Key Deliverable Two Schedule A: Sec. 1.2 Operational Requirements:		

Vendor Evaluation Score Sheet

RFP 920, 21000002217

Litigation Counsel

Bidder Name: BakerHostetler – Did Not Request Confidentiality

	<p>(a) Motivations. Political Law team involved in numerous trials over past 6 years. Expertise is in assisting clients navigate this “complex and sometime murky” area of law. No reference to independent commission or differences in approach.</p> <p>(b) Key Personnel.</p> <ol style="list-style-type: none"> 1. E. Mark Braden 2. Patrick Lewis 3. Katherine McKnight 4. Richard Raile 5. Erika Prouty <p>(c) Firm/Entity General Description. 1,000+ attorneys. Global clients. 17 Offices throughout US.</p>	20	17
3.	<p>Key Deliverable Three Schedule A: Sec. 1.3:</p> <p>(a) Conflicts None to disclose in MI.</p> <p>(b) Disclosures. Historically represent Republican interests in partisan cases.</p> <p>Notes 3 attys (not in key personnel) not political/partisan that assist. Note: request to Bidder to supplement info on: Steve Dettelback Ivory Bishop, Jr. Andrea Wilttrout</p> <p>Note: Non-responsive as to contributions/donations outside of MI. Request forwarded to Bidder to supplement non-responsive answers. Commission in past RFPs has analyzed this data extensively.</p> <p>(c) Approach. Cites both ethical duties and general business practices in representing all clients in a manner that reflects the integrity of the firm and its partners. Highlights bipartisan team. Considers clients partners. Does not highlight independent commission or transparent process.</p>	10	5

Vendor Evaluation Score Sheet

RFP 920, 210000002217

Litigation Counsel

Bidder Name: BakerHostetler – Did Not Request Confidentiality

4.	<p>Key Personnel Schedule, Organizational Chart and Disclosure of Subcontractors, Schedule A: Sec 4.12, 4.13, 4.14 and 5.0:</p> <ul style="list-style-type: none"> • Sec 4.12 – Key Personnel <ol style="list-style-type: none"> 1. E. Mark Braden, 45 yr experience, 12%-time, DC 2. Patrick Lewis, 17 yr, 22% time, Cleveland OH 3. Katherine McKnight, 13 yr, 22%, DC 4. Richard Raile, 9 yr, 22%, DC 5. Erika Prouty, 5 yr, 22%, Columbus OH • Sec 4.13 – Organizational Chart Included. • Sec 4.14 – Disclosures of Subcontractors Not applicable/None. • Sec 5.0 - Project Management Agreement to meetings, weekly status reports. No additional reports identified. 	10	7
5.	<p>Vendor Questions Worksheet:</p> <ul style="list-style-type: none"> • Contact person based in DC. • 105 years in business; approx. 1,000 attorneys • No recent changes in organizational structure. • Organic growth and 2014 merger with IP Firm. • Non-responsive as to annual revenues for past 5 yrs. • Partnerships and strategic relationships mentioned working with best data and map drawing experts and those relationships can be leveraged. (Experts unnamed however, Mr. Braden was a reference for EDS in mapping RFP re: Center for Austin’s Future project in 2019). • Exception/cannot agree to Standard Contract Terms re: liquidated damages and Disclosure of Litigation or Other Proceeding. • No MI presence. 17 offices in US. 	20	17
Total		100	83