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## Mattern Leads Marshall Dennehey Negotiations to Avoid 20% Price Escalation in Off-Site Records Storage Vendor Renewal Offer

**Objective:** Marshall Dennehey Warner Coleman & Goggin, P.C., is an Am Law 200 firm with 500 attorneys across 20 offices and headquarters in Philadelphia. In 2019, firm leadership approached Mattern to assist with its off-site records storage services.

The firm had been in a relationship with its service provider for some time; however, as the end of the current contract term neared, the service provider submitted a renewal offer which increased the firm's costs by 20% with the justification that the firm's current pricing was well below market and did not account for rising fuel costs.

Marshall Dennehey's leadership preferred to avoid such a significant increase in costs and, therefore, sought the assistance of Mattern who had negotiated the contract terms now in effect with the incumbent vendor. By engaging Mattern, leadership wanted to--at minimum--maintain or improve upon the already favorable terms and conditions of its current contract and improve upon the renewal offering pricing as submitted by the service provider.

**Process:** Mattern performed a comprehensive review of the firm's off-site records contract with the service provider, as well as a detailed review of costs.

Based upon its evaluation and utilizing its industry knowledge, benchmarks, and long history with off-site records providers, Mattern was able to make key recommendations to firm leadership to improve upon the current offer from the service provider while maintaining or improving upon the contractual situation. This included ensuring a primary contact point for the firm to ensure their destruction needs were tended to, and annual destruction allotments to fit the firm's disposition schedule.

Mattern and the firm's leadership then collaborated to tailor a unique Request for Proposal (RFP) which captured the key points from the evaluation process while meeting the firm's objectives. Mattern was subsequently able to guide the firm through a successful RFP process, award, and contract negotiations.

**Result:** Mattern worked with the firm's leadership and the service provider to improve upon the initial pricing offer and secure a much more reasonable renewal.

In addition, the service provider agreed to provide the firm with 7,500 c.f. of destruction in year one of the agreement, and 5,000 c.f. annually thereafter. The service provider also agreed to provide the firm with six months of free receiving and entry.

From a contractual perspective, Mattern was able to retain all the favorable terms and conditions from the previous contract. The service provider also re-structured their relationship with the firm to ensure a reliable point of contact.

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As part of the firm's new contract, the firm received the following terms:

- A single, firm-wide agreement.
- Avoidance of a 20% pricing increase for storage and services.
- Assistance with destruction via allotments.
- Reasonable retrieval and destruction rates.
- Fixed costs for year 2 through 4 of the agreement. 2% fixed rate increases year over year thereafter.
- Agreement to penalty-based service level agreements.

As a result of Mattern's process, the firm was able to enter into a firm-friendly contract that guaranteed they would be able to meet their short and long-term inventory reduction goals.

At the end of the engagement, Marianne Boyne, the firm's Director of Administrative Services was enthusiastic about the value Mattern brought to the process, stating:

*"Our firm is extremely pleased with the services provided by Mattern – Very detail oriented, comprehensive and consistently covers our firm's best interests. Additionally, very professional and pleasant to work with."*

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