

**TOP**  
**100**

## Mattern Helps Holland & Knight Reduce Current Costs by 34.5% and Permanent Withdrawal Fees by \$1 Million While Incorporating Information Governance Goals

**Opportunity:** Holland & Knight, an Am Law 100 firm with 24 locations and 650,000 cubic feet of off-site records storage, had consolidated their off-site holdings with a national provider. While leadership was generally pleased with the services of their selected provider, it was unclear how their current pricing and contract terms stood up against the marketplace.

In addition, the firm's leadership was in the process of implementing an Information Governance (IG) program and desired to drive down their off-site holdings as part of this and, as a result, sought: 1. An expert review of their IG policy and retention schedules to ensure all critical items were addressed and benchmarked against industry peer best practices, and 2. Ensure their contract terms aligned strategically with this policy as well as reflected the most competitive and cost-effective destruction costs.

Based upon its evaluation and utilizing its industry knowledge, benchmarks, and long history with off-site records providers, Mattern claimed they could help the firm negotiate its last off-site records contract ever. Holland & Knight was incentivized to take advantage of a complimentary offer from Mattern to benchmark their current off-site records storage contract that was due to expire in 18 months and a pending renewal. Mattern's benchmarking analysis identified the following:

- Storage, service, and shredding costs were higher than the Mattern Benchmarks

The following contractual terms could be improved:

- Annual increases
- Defined contract termination process
- A scorecard process with performance standards
- Destruction allowances and declining permanent withdrawal fees
- Minimum storage clauses

After reviewing the findings, firm leadership retained Mattern to review their IG policy and manage a request for proposal (RFP) for their off-site records storage.

Leadership found Mattern's commitment - that this would be the last off-site contract they would sign, along with the guarantee that all fees and expenses would be reimbursed to the firm by the winning service provider - attractive.

**Process:** After a review of the providers that could service Holland & Knight, Mattern and the firm crafted an RFP that addressed key points from the analysis and elected to send the RFP to three national providers and the incumbent. Once the firm approved the RFP, Mattern managed the analysis of the responses, clarifications, interviews, and another round of pricing. After the completion of the process, the firm elected to award the new ten-year off-site storage and shredding contract to a new provider.

### Mattern

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**TOP**  
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**Result:** The new contract absorbed the entire cost of the permanent withdrawal fees from the incumbent and improved the following:

- Lowered the firm's storage, service, and shredding costs by an estimated 34.5%
- Reduced their permanent withdrawal fees by close to \$1 million dollars
- Allowed the firm to destroy up to 96% of their off-site holdings over the course of the agreement
- Kept rates locked for the first 3 years with sporadic minimal increases
- Included performance standards with penalties for non-compliance and a detailed termination process

In addition, the new service provider agreed to reimburse the firm all of Mattern fees and expenses not only for the RFP process, but also for overseeing the transfer of the 650,000 cubic feet, ten (10) years of invoice monitoring, along with service and performance reporting.

**Client Comment:** When leadership at Holland & Knight was asked whether they would recommend Mattern to a colleague, the client responded as follows. *"What Mattern has been able to achieve on this project goes far above and beyond our expectations. Their characterization from the onset of the goal being that this will be the last records storage contract Holland & Knight would ever have to negotiate was very compelling, although I absolutely did not believe we would be leaving our incumbent. Having Mattern run the entire RFP process, the terms and pricing they were able to secure, and the availability of Mattern to assist in the transition, more than convinced me of the wisdom of this decision. I would without hesitation recommend Mattern to anyone evaluating their off-site storage options."*

As to the IG assessment *"Our objective in this project was to obtain an outside expert's evaluation of our IG operations.... the assessment acted as a validation of our progress and internal understanding of future plans and provides some additional tools for prioritizing elements of our program going forward."*

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