General Legal Counsel Services

Request for Proposal

10 August 2021
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Summary

The Federation of International Association for Public Participation (“IAP2”) is issuing this Request for Proposal (RFP) to identify and contract for General Legal Counsel Services for IAP2, initially for the period from October 2021 through September 2023.

IAP2 is seeking individual attorneys and/or law firms with extensive experience representing non-profit organizations in the areas of contracts, intellectual property, copyright, trademark, licensing and affiliation, privacy, tax-exempt status compliance, employment and general legal issues.

Who May Respond. Attorneys who are currently licensed to practice law in good standing in the State of Colorado, USA or law firms including such attorneys, may respond to this RFP.

Proposals are requested by August 31, 2021.

Background & Overview

The Federation of International Association for Public Participation (IAP2) is a 501(c)(3) tax-exempt organization incorporated in the State of Colorado, USA. IAP2 comprises an international body (“International”) and separate independent non-profit entities in multiple jurisdictions that operate pursuant to affiliation agreements with IAP2 (“Affiliates”). Affiliates are currently operating in Australasia (Australia and New Zealand), Canada, Indonesia, Latin America, Southern Africa and the United States.

IAP2 has an annual budget of approximately $300,000 USD, is governed by a 10-member volunteer Board of Directors which meets monthly and contracts with individuals/companies for management, financial and other services.

Our mission is to promote and improve the practice of public participation and community engagement in relation to individuals, governments, institutions, and other entities that affect the public interest in nations around the world. Further details are presented in the IAP2 Federation Annual Reports.

Desired Services

IAP2 is seeking proposals for general legal counsel services in major subject areas listed below. We seek strategic relationships that will provide high quality and consistent service, reasonable costs, and knowledge sharing. Commitments to diversity, equity and inclusion principles and the highest standard of ethics and business conduct are expected. Our goal is to build strong relationships with providers who appreciate the unique nature of our mission, history, people, values, organizational structure, and goals.
The Respondent shall be readily available to provide the following legal services (some may require an international lens):

1. Advise on legal issues and compliance related to tax-exempt organization status.
2. Advise on laws/regulations related to intellectual property, privacy, and personal data collection/storage.
3. Advise on legal issues related to affiliation, license, partnership, and other agreements.
4. Advise on individual labor and employment actions.
5. Preparation and filing of trademark registrations (outside the US)
6. Drafting and review for legal correctness and acceptability; legal documents, contracts, other legal drafting, as requested.
7. Review organization bylaws, personnel, fiscal, and other policies, as requested.
8. Attend Board of Directors and Executive Committee meetings, as necessary.
9. Advise on responses to subpoenas, court orders, and requests for information from third parties.
10. Defend lawsuits, administrative claims, or other legal claims.
11. Conduct litigation as necessary.
12. Other legal services as needed.

Fee for Service

All proposals must be accompanied with a copy of the Respondent’s billing guidelines, practices, and systems. The Respondent’s proposed fee should include information on the hourly billing rates of each attorney or other legal staff who are expected to provide services and charges for expenses, if any (research, long-distance phone calls, copies, etc) and any in-kind services offered.

RFP Process

Summary of Dates

Due Dates (Midnight, Pacific Time - CAN/USA)

- Release of RFP: August 10, 2021
- Question Period Conclusion: August 23, 2021
- Submission of Proposal: August 31, 2021
- Interviews (virtual): Week of September 13-17
- Selection of contractor and notifications: September 30, 2021
- Commencement of work: Immediately upon contracting

IAP2 reserves the right to modify the schedule at any time.

Proposal Format

Please submit your Proposal via email to Ellen Ernst, Executive Manager, at iap2hq@iap2.org

The proposal will be limited to 12 pages (single sided); on 8.5 x 11 size paper and submitted electronically (PDF or Word are acceptable). The bidder’s proposal must consist of the following items arranged in the order given. Proposals are requested in English.

- Company Profile – Include documentation to support organizational stability - size, structure, areas of practice, and geographic coverage.
- Relevant Experience – Demonstrate experience related to the areas outlined in the scope of services above. There is a particular interest in the following topic areas: non-profit and tax-exempt organizations, international, affiliation, partnerships, licensing, intellectual property, contracts, and employment.
- Principals and Key Players – Identify, specifically, who would be working on our account and how you will make these determinations in the future. (Please include resumés or CVs for primary players)
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- Fees – All fees must be provided in US Dollars. Explain your fee structure and the method you use to bill your clients and any related expenses anticipated during the term of the contract must be detailed and included.

- References – Contact names, phone numbers and email addresses for three (3) references that can provide information relevant to Respondent’s experience on related types of work undertaken in the last three years.

- Conflict of Interest – All Respondents will be required to declare any conflict of interest with the organization.

The proposal must be submitted electronically by the closing date and time or it will be disqualified from consideration. The proposal must be signed by a person authorized to sign on behalf of the bidder.

All costs incurred in the preparation and presentation of proposals to the RFP shall be completely absorbed by the responding party to the RFP. All documents submitted as part of the RFP will become property of IAP2. Any material submitted that is confidential must be clearly marked as such.

Addenda and Corrections

Should a correction be made or additional information released in connection with this RFP, it will be issued in the form of an Addendum and will be provided to all potential bidders. IAP2 reserves the right to extend the due date for submission of the RFP, or not.

Questions

Please direct all questions to Ellen Ernst, Executive Manager, at iap2hq@iap2.org.

Responses to questions will be provided to all respondents who have indicated an intent to submit.

Selection Process

Evaluation and selection of the RFP will be based on content and responsiveness to all proposal requirements. The evaluation criteria include a combination of:

- Experience: Non-profit experience and relevant experience of the firm and individuals assigned to the account
- Expertise: Relative quality and depth of the firm’s expertise and individuals assigned to provide legal services
- Responsiveness: Overall organization, completeness, and quality of the RFP response, including cohesiveness, conciseness and clarity of response
- Reference: Information provided by client references
- Cost: the schedule of fees will be considered along with the qualifications of the proposers
- Interviews: The RFP selection committee will conduct interviews with its top candidates from the respondent pool

IAP2 reserves the right to accept the proposal most favourable to the interests of the organisation, and not necessarily the lowest cost proposal. IAP2 may decide not to accept any proposal.

Equal Opportunity

IAP2 ensures that all respondents will receive full consideration without regard to race, color, religion, sex, national origin, disability, age, or sexual orientation.