



## Request for Proposals for Legal Services

### I. INTRODUCTION

The Children's Defense Fund (CDF) is seeking proposals from qualified firms wishing to offer corporate legal services for the organization. The successful firm will provide exemplary, mission-aligned service predictable fee structures, and opportunities for knowledge sharing. The highest standards of ethics and business conduct are expected. Our goal is to establish a strong relationship with providers who appreciate and can help CDF to realize its mission, vision, and strategy. Prospective firms should demonstrate a breadth of experience to meet CDF's legal needs and a clear commitment to diversity, equity and inclusion in their proposed team and firm-wide hiring practices.

### II. BACKGROUND OF ORGANIZATION

The Children's Defense Fund's Leave No Child Behind mission is to ensure every child a *Healthy Start*, a *Head Start*, a *Fair Start*, a *Safe Start* and a *Moral Start* in life and successful passage to adulthood with the help of caring families and communities. The Children's Defense Fund envisions a nation where marginalized children flourish, leaders prioritize their well-being and communities wield the power to ensure they thrive.

CDF serves and advocates for the largest, most diverse generation in America: the 74 million children and youth under the age of 18 and 30 million young adults under the age of 25, with particular attention to those living in poverty and communities of color. We partner with policymakers, aligned organizations and funders to serve children, youth and young adults. With headquarters in Washington, D.C., CDF programs operated in nearly 100 U.S. cities and thirty (30) states or territories. For more information visit <https://www.childrensdefense.org>

### III. SCOPE OF SERVICES

The scope of legal services required by CDF is primarily focused on, but not limited to, the following areas:

- The ability to advise a national non-profit on the full scope of its legal needs as well as the capacity to advise state and regional offices as needs emerge.
- Provide legal advice, counsel, and representation in the following substantive primary practice areas:
  - Non-profit corporate law and governance related to, but not limited to, 501(c)(3) organizations, and 501(c)(4) organizations
  - Labor and employment law
  - Contracts and procurement
  - Copyright law and rights clearances
  - Trademark law
  - Government relations including non-profit advocacy, lobbying and political activities.
  - Fundraising law including on complex charitable contributions and charitable gift planning

- Potentially provide legal advice, counsel and representation in the following substantive secondary practice areas:
  - Data security, data privacy, and knowledge management
  - Real estate law
- Advise as needed on the creation of strategic partnerships with aligned institutions
- Advise on any litigation that might arise including, but not limited to, defending lawsuits, administrative claims, or other legal claims and on matters adjacent to litigation such as subpoenas, court orders and requests for information.

CDF recognizes that not all firms will have expertise in all areas noted above. We encourage proposals from firms to provide some or all of the services consistent with their experience and qualifications.

#### **IV. OTHER PROPOSAL INFORMATION**

Outsourced History. CDF has used several law firms over the last 47 years, utilizing a combination of pro bono representation and fees-for-services from firms with expertise in a variety of areas. CDF has relationships with 5-10 firms that operate in a pro bono capacity on discrete projects and may wish to continue utilizing pro bono services in some instances.

The successful firm selected through this process will be our lead and primary legal services firm, consolidate our approach to representation and either manage or advise future pro bono efforts. CDF believes that it is a good business practice and good stewardship to periodically seek proposals for comprehensive legal services.

Employees. CDF currently has 65 staff based in the headquarters in Washington, DC and 79 dispersed among six state and regional offices and one training center across the country.

Approach to Engagement. CDF intends to engage with a qualified firm that will provide services under retainer at contracted hourly rates. It is anticipated that specific services will be engaged based on scope with a total and hourly fee estimate for each task from the selected firm in advance of a notice to proceed. CDF welcomes proposals that include access to pro-bono representation as appropriate to meet the legal needs of the organization on certain projects as mark of partnership for our social sector mission.

Access to Work Product. CDF and their authorized representatives will have free and unrestricted access throughout the contract period and after the contract ends to work papers, records and reports prepared or in process of being prepared under this engagement.

Confidentiality. The law firm, its affiliates, and any subcontractors it may engage to assist with the support, agrees to keep information related to the Children’s Defense Fund, its finances, and its grants in strict confidence. Other than reports submitted to CDF, the contracted firm agrees not to publish, reproduce, or otherwise divulge such information, in whole or in part, in any manner or form, or permit others to do so.

#### **V. PROPOSAL CONTENT**

Proposals should include the following information. Please supply the information in the order requested to facilitate our review of the qualifications of each firm. Please limit your proposal to a black and white Microsoft Word document of no more than ten (10) pages using 11-point Times New Roman font.

1. **Name and Background** – include complete name and contact information. If any of the work is subcontracted to another party, please provide the same information for all firms, and indicate who will be the lead firm.

2. **Profile of Firm** – provide a brief description of the size of the firm(s) and the composition and qualifications of professional staff by level. Include the racial/ethnic and gender demographics of your firm and its leadership. Indicate any local, regional, or national resources available to the team.
3. **Legal Experience** – describe the experience of your firm (or firms) related to the scope of work outlined above. There is particular interest in your firm's work with comparable organizations: national non-profit organizations engaged in advocacy at state, regional, and federal levels, an investment portfolio. Provide the names of organizations and contact information for 501(c)(3) organizations for whom you have worked within the past three years (no more than 3).
4. **Key Personnel** – list those key staff directly assigned to this client, setting forth name, job title, duties and responsibilities and relevant experience. Resumes should be provided for senior leadership assigned and management/supervisory personnel who make up the engagement team. The resumes should include the amount of experience of everyone, as well as a summary of specific experience with not-for-profit organizations.
5. **Approach** – describe your approach to the legal needs of the Children's Defense Fund. The description should be adequate to demonstrate an understanding of our needs, knowledge of our activities and include a description of how pro bono representation undertaken by other firms will be managed or brought in-house.
6. **Diversity Statement**- CDF believes that diverse and inclusive teams lead to better outcomes. Describe your firm's efforts to recruit, retain, promote and support people of color. What is your firm's commitment to racial equity and justice? How has your firm showcased a commitment to diversity regarding clients, pro bono work, and hiring practices? How has your firm demonstrated a commitment to support causes of equity and justice for different marginalized groups?
7. **Conflict of Interest** – describe any existing or potential relationships with board members or employees of the Children's Defense Fund that could affect your firm's independence by creating an actual or perceived conflict of interest. Describe procedures for on-going conflict of interest checks.
8. **Fee Structure** – Provide a standard fee schedule (hours rates, or other fee schedule) for the personnel who would be assigned to this project. Including an overall not-to-exceed fee for the services described above. The fee is to be inclusive of all out-of-pocket expenses. Describe your billing rates and procedures for technical questions and break down hourly rates by management level.
9. **References** – offer at least three current references for similar types of organizations. Briefly describe the scope of your work for these references, the year completed, and a contact name and telephone/email for each one. (This information may be included with #3 above.)
10. **Information on additional services** – please provide any information on additional services that you believe would be pertinent, and align with CDF's mission, vision, and values.

## VI. SELECTION CRITERIA

Proposals will be evaluated on the following criteria:

- Qualifications and experience of your firm and staff, particularly with not-for-profit organizations, social justice, civil rights, and labor/employment law.
- Understanding of the work to be performed and scope of services available.
- Commitment to diversity, equity and inclusion.

- Knowledge of best practices for non-profit governance and social justice advocacy.
- Your firm’s alignment with CDF’s mission, vision, and values, including racial equity.
- Level of personalized service offered.
- Alignment of fee structures and pricing model with CDF’s goals and legal needs, including articulation of principles around pro-bono services.

**VII. PROPOSAL SUBMISSION AND DUE DATE**

The proposals must be submitted via e-mail to Sarah Jane Forman at the e-mail address listed below by **11:59 p.m. EST on February 28th, 2021.**

Sarah Jane Forman  
 Chief of Staff  
 840 First Street NE Suite 300  
 Washington, DC  
 (917) 913-9138  
[sjforman@childrensdefense.org](mailto:sjforman@childrensdefense.org)

Questions regarding your submission may be directed to Sarah Jane Forman via email at [sjforman@childrensdefense.org](mailto:sjforman@childrensdefense.org). Please direct all inquiries to Sarah Jane Forman only. Please do not contact any Board members or CDF staff. The failure to comply may result in disqualification.

**VIII. PROPOSAL SELECTION TIMELINE**

Deadlines and Selection Timing is as follows:

February 28, 2021	Deadline for submitting a proposal
March 10, 2021	Question & Answer Session for Applicants
March 15-19, 2021	Firm Presentations
April 30, 2021	Firm Selected