



## REQUEST FOR PROPOSAL

### For Counsel to the NILG Board

**Responses Will Be Accepted During the Period of June 20, 2024 – July 19, 2024**

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In accordance with our By-laws, the National Industry Liaison Group (NILG) is soliciting proposals for One qualified and experienced attorney to serve as counsel to the NILG to provide legal services as needed.

#### **Counsel to the NILG Board:**

- Counsel to the NILG Board is a non-voting member of the Executive Committee. Counsel to the NILG Board provides legal, practical, parliamentary, and ethical advice, consistent with the mission, vision, and objectives of the NILG, to ensure that the NILG meets its responsibilities as required by law.
- Counsel to the NILG Board must be a qualified and experienced attorney who is well-established in the business of employment law and EEO/Affirmative Action. Counsel to the NILG Board must be licensed to practice law and in good standing with a state bar association.

#### **Proposal Submission:**

- Submit your proposal in PDF format via email no later than **Midnight ET, Friday, July 19, 2024**, to [annette.b.curren@jpmchase.com](mailto:annette.b.curren@jpmchase.com).

It is the responsibility of the Responder to ensure that the submission is received by the above deadline. Late submissions will not be accepted. **Direct all questions regarding the RFP to [Annette Curren](#).**

This Request for Proposal does not commit the NILG to award a contract or pay any costs incurred in the preparation of a proposal in response to this request. The NILG Board reserves the right to accept the proposal it considers to be in its best interests. Selection of the Counsel to the NILG Board is at the sole discretion of the NILG. All materials submitted to NILG in response to this RFP become the sole property of the NILG.

Thank you for your interest in working with the NILG.



### **About National Industry Liaison Group**

The **National Industry Liaison Group (NILG)** is a non-profit organization formed in 1992 for the main purposes of improving communications between the U.S. Department of Labor’s Office of Federal Contract Compliance Programs (OFCCP) and Industry Liaison Groups (ILGs); and enhancing the quality and overall effectiveness of ILG chapters. The NILG Board supports approximately 61 ILGs, which are comprised of small, mid-size and large federal contractors and subcontractors across the country. Local ILGs are in every Department of Labor (DOL) region. No other employer association has a broader base of constituents focused on EO/AA matters. Since its beginning, the National Industry Liaison Group has continued to improve and enhance its structure, purpose and membership and has evolved to address new challenges and opportunities.

**Our Vision:** To be the premier association of federal contractors supporting affirmative action and equal opportunity in the workplace through collaboration with ILGs and liaisons with the OFCCP, the Equal Employment Opportunity Commission (EEOC), and other government agencies and organizations connected to federal contracting and EEO and AA requirements.

### **Our Mission:**

- Support individual Industry Liaison Groups
- Coordinate the annual NILG National Conference
- Provide comments and feedback to regulators
- Liaise with OFCCP, ODEP, VETS, EEOC and related stakeholders

We accomplish this mission by carrying out the activities outlined in our bylaws and by achieving targeted objectives. The NILG is proud of the voluntary and unique partnership of public and private sector cooperation it has been able to foster as an effective approach in dealing with important legal and regulatory issues regarding affirmative action and equal employment opportunity. The NILG is committed to working together towards equality in the workplace.

### **Counsel to the NILG Board Role:**

The Counsel provides legal advice and strategic guidance on the business of the NILG Board. The Counsel must be a practicing attorney at a law firm, specializing in employment law, has and have access to experts in other areas, such as trademark, tax, and insurance. The individual must have both experience and expertise in Affirmative Action and EEO law and practice and be willing to devote a minimum of twenty hours a month to the position (pro bono) for meetings, phone calls, and providing advice (in writing or otherwise) and participates in drafting comments responsive to agency rulemaking proposals. The Counsel to the NILG Board is a non-voting member of the Executive Committee. The Counsel to the NILG Board is required to attend two multiple-day, face-to-face Board meetings per year (these sessions commonly include meetings with federal agencies including OFCCP, EEOC, ODEP, and VETS and at the National Conference).

### **Eligibility:**

1. A licensed, practicing attorney at a law firm, specializing in employment law, and in good standing with a state bar association. Attorneys from law firms already represented by a current NILG Board member will not be eligible.
2. Experience and expertise in and/or access to experts in other areas, such as trademark, tax, insurance, and non-profit Board business.
3. Experience and expertise in affirmative action and EEO law
4. Demonstrated experience with the Administrative Procedure Act
5. Experience writing comments on agency rulemaking proposals
6. Willing and able to devote a minimum of 20 hours a month to the position (pro bono) for meetings, phone calls, and providing advice (in writing or otherwise)



**Term:**

The Counsel to the NILG Board is appointed for a four-year term. Incumbents are eligible for reconsideration and selection at the end of their term through the RFP process.

**Selection:**

Counsel to the NILG Board of the NILG is selected every four years by a simple majority vote of the NILG Board Members.

**RFP Response Format and Proposal Submission:**

Responses should be concise and include the materials that are requested within this RFP (see “Specifications” section below). Generic marketing and promotional materials are not required. Responding attorneys should concisely but completely describe the scope of services they feel are appropriate to the NILG.

Proposals received after the deadline will not be accepted. It is neither the NILG’s responsibility nor practice to acknowledge receipt of any proposal. It is the responder’s responsibility to assure that a proposal is received in a timely manner.

To ensure a fair review and selection process, those submitting proposals are specifically requested not to make other contacts with the NILG officers or Board members regarding this proposal. Failure to comply with this request will result in disqualification of the proposal.

The NILG expects all responders to acknowledge and agree to the Role Description, Scope of Service, and Specifications. Exceptions desired must be clearly noted in the proposal submission.

**Scope of Service:**

The attorney selected shall be readily available to provide the pro bono services below:

1. Serve as Counsel to the NILG Board for a period of four years, spending an average of 20 hours per month on NILG business
2. Assist in preparing and reviewing legal documents
3. Provide timely and responsive guidance and counsel on emergent matters to the NILG Board, including consultation and advice on a wide variety of matters, including but not limited to general non-profit law, insurance, tax, agreements and contracts, trademarks, and other matters, upon request
4. Provide timely notification and responsive guidance and counsel regarding new or changed federal, state, and local EO/AA laws and regulations that impact the work of the NILG
5. Prepare and review comments on new and revised EEO/AA regulations
6. Appear and represent the NILG at NILG Board meetings, agency meetings and conferences
7. Render legal opinions upon request
8. Advise on responses and requests for information from third parties
9. Fulfill other legal duties as are commonly accepted and assigned

**Specifications:**

Responses to this RFP should cover the following components:

1. **General Specifications**



- a. Timeliness of response and accessibility to Counsel to the NILG is an important aspect of this service. Accessibility includes the ability to attend urgent Teams or Zoom calls or is readily available via email or phone. While infrequent, situations may arise which require the General Counsel's immediate accessibility
- b. Service response is also of high importance. When the NILG requests legal services, Counsel to the NILG should provide an estimated time of completion and keep the requesting party apprised of any delays or special considerations
- c. Counsel to the NILG must be willing and able to devote a minimum of 20 hours of service pro bono, which may be more in times of active agency rulemaking and regulatory activity

## **2. Firm Background**

- a. Firm Name
- b. Home Office Address
- c. Website
- d. Person submitting this RFP:
  - i. Name and Title
  - ii. Office Location, if different from above
  - iii. Phone
  - iv. Email Address
- e. Provide publicly certified documentation or a self-certification statement if your firm is a small, women, disabled veteran or minority-owned business
- f. Provide details of any efforts toward diversity by your firm

## **3. Experience**

- a. Your primary purpose and function in the legal field
- b. Education, number of years in practice, and state and federal bar affiliations
- c. Client volume
- d. Provide a statement that your representation of the NILG would not create a conflict of interest
- e. Provide proof of professional liability insurance, carrier, limits, and exemptions

## **4. Non-Profit Expertise/Relevant Experience/References**

- a. Descriptions/examples of previous experience that may be relevant to servicing the legal needs of the NILG, including providing legal counsel and advice on EO/AA regulations and matters, and writing comments
- b. Descriptions/examples of previous experience representing and/or working with non-profit organizations
- c. List three clients or colleagues whom we may contact as references. Please also include the number of years you have been working (or worked) with them
- d. Provide two specific examples of ways in which you have made a positive impact within firms and/or non-profit organizations that you have served or represented in the last two years (Pro Bono work, work on cases that had significant impact within the field, etc.)

## **5. Proposed Service Approach**

- a. Your employer approves of your participation as General Counsel on the NILG Board including time and travel commitments
- b. Discuss your philosophy on the process of providing legal services, including proposed techniques and methodology to be used



- c. State any difficulties foreseen in performing the designated scope of service tasks
- d. Describe depth of understanding and knowledge of a wide variety of non-profit organization laws and regulations, government regulations, including the Administrative Procedure Act, and EO/AA laws and regulations
- e. Describe your experience, interaction and process taken in handling relationships and meetings with government agencies
- f. Describe your firm's available resources to assist in performing the Counsel to the NILG Board responsibilities

**Contract Ethics:**

No Board member of the NILG who exercises any responsibilities in the review, approval or implementation of the proposal shall participate in any decisions that affect his or her direct or indirect personal or financial interest.

It is a breach of ethical standards for any person to offer, give or agree to give any NILG Board member or officer, or for any Board member to solicit, demand, accept or agree to accept from another person or firm, a gratuity or an offer of employment whenever a reasonably prudent person would conclude that such consideration was motivated by an individual, group or corporate desire to obtain special, preferential, or more favorable treatment than is normally accorded to the general public.

The attorney shall not assign any interest in this service and shall not transfer any interest in the same without the prior written consent of the NILG.

The attorney shall not accept any client or project that places it in a conflict of interest with its representation of the NILG. If such a conflict of interest is subsequently discovered, the NILG shall be promptly notified.

**Conditions of Proposal:**

All costs incurred in the preparation of a proposal responding to this RFP will be the responsibility of the attorney and will not be reimbursed by the NILG.

**Right to Reject:**

The NILG reserves the right to reject all proposals received in response to this RFP, and/or to waive irregularities and informalities.

**Selection Process:**

All eligible proposals will be reviewed and evaluated for their qualifications, experience, and suitability to complete the Scope of Service for this RFP. Be sure to include all relevant information and evidence of your record of performance and ability to perform the work. Phone, video and in-person interviews may be requested. The NILG, at its discretion, may request presentations or additional information from any or all Responders. However, the NILG reserves the right to select the proposal which furthers the best interests of the NILG and to select without further discussion of the proposals submitted. All responses are subject to approval by NILG Board officers and Board members.

**Notification of Selection:**

Notice to the selected Responder to proceed with the scope of work is anticipated **August 6, 2024**. All responders who submit proposals to this RFP will be informed, in writing, of the name of the attorney selected. It is expected that the four-year period of service will start on September 1, 2024, and end on August 31, 2028.