

**Request for Proposal (RFP):
OSB Strategic Planning**



SUMMARY OF REQUEST: This RFP seeks proposals from consultants to develop a strategic plan around diversity, equity, inclusion (“DEI”), and well-being (“WB”) for the programming of the Oregon State Bar (“OSB” or “bar”). The selected consultant will review past OSB strategic plans, and information gathered around these topics and facilitate conversations with key external and internal stakeholders to identify goals for the plan and prioritize actions to achieve those goals.

RFP SCHEDULE:

Issue RFP	May 28, 2024
Questions Deadline	June 5, 2024
Questions Response Deadline	June 12, 2024
Deadline to respond to RFP	June 20, 2024
Decision Date	July 8, 2024

BACKGROUND:

The Oregon State Bar regulates the legal profession in Oregon and provides programs and services to improve the quality of legal services and increase access to justice. The OSB is a public corporation and instrumentality of the judicial branch created by the legislature to serve the public interest by performing the following statutory functions, for which its governing board has adopted corresponding goals:

- Regulate the Legal Profession and Improve the Quality of Legal Services. Our goal is to cultivate competence, integrity, diversity, equity, inclusion, and well-being in the legal profession.
- Support the Judiciary and Improve the Administration of Justice. Our goal is to protect and advance the quality, integrity, diversity, and impartiality of the judicial system.
- Advance a Fair, Inclusive, and Accessible Justice System. Our goal is to foster trust in, respect for, understanding of, and access to the justice system.

The OSB is a mandatory bar, which means that individuals must be a member of the bar to practice law in Oregon. The bar has both lawyer members and, as of this year, paralegal members. The Oregon Supreme Court has the inherent authority to regulate the practice of law but has delegated the administrative work to the OSB. The Court oversees the bar’s regulatory function in several ways, including review of the bar’s regulatory budget, approval of all regulatory rules, and review of certain regulatory decisions.

The OSB has a multi-pronged mission and multiple and diverse stakeholder groups to which it is accountable.

PROJECT LEADERSHIP AND STAKEHOLDERS:

The Oregon State Bar is governed by a Board of Governors (“BOG” or “board”). In addition to the BOG, there are three OSB volunteer stakeholder groups that we anticipate being involved at some level in the planning process: the OSB Advisory Committee on Diversity & Inclusion (“ACDI”), the OSB Quality of Life Committee (“QOL Committee”), and the Oregon Attorney Assistance Program (“OAAP”).¹

External stakeholder groups that we anticipate being consulted or otherwise engaged in the process include the various volunteer affinity bars, the state court administrator’s office, and Oregon’s three law schools.

In terms of OSB staffing, we expect the following internal staff to participate in the process: OSB CEO, Chief Equity and Professional Development Officer, Director of Diversity & Inclusion, Member Services Manager, Deputy General Counsel, Executive Director of the OAAP, and the PLF CEO. We expect additional OSB and PLF staff to be consulted or otherwise engaged on an as-needed basis.

The Chief Equity and Professional Development Officer and the Director of Diversity & Inclusion will be the primary contacts and responsible for working with the consultant to drive the process forward. The bar will provide administrative support to assist with scheduling, compiling, and sharing documents.

PROJECT DESCRIPTION, TIMING AND BUDGET RANGE:

The OSB has already engaged a consultant to initiate and facilitate the process of strategic planning around its third goal of advancing a fair, inclusive, and accessible justice system. We are not looking for assistance in developing a strategic plan to increase access to justice.

The OSB has also already engaged a consultant to initiate and facilitate the process of strategic planning around workplace culture. Therefore, we are not looking for assistance in developing a strategic plan that addresses DEI and WB issues related to the bar’s workplace or employees.

Instead, we are seeking assistance with developing a 5-year strategic plan that focuses on the bar’s remaining two statutory functions, with a focus on DEI and WB in the legal profession. We anticipate this will involve looking both at bar programs and services themselves and at how we run those programs and services. In other words, what types of programs and services could we develop or improve upon to better advance DEI and WB in the legal profession? And how can we change or adjust the operation of bar programs and services within the first two statutory functions to ensure they serve our goals around DEI and WB in the legal profession?

Finally, we would like to ground the plan in our existing theory of change framework as well as our statutory functions. We envision that staff will incorporate the plan around DEI and WB into that overall framework (as well as the access to justice and workplace culture planning). In the end, our goal is to have a single strategic plan that will provide for benchmarking and evaluation as we move forward. However, we are not asking the consultant to integrate all the pieces into a single plan – only those related to DEI and WB that you would be assisting the bar with developing. The consultant’s final product should allow for OSB staff to easily transfer the DEI and WB components into the bar’s existing framework.

In terms of process, we are not seeking to engage in an extensive gap analysis process. Instead, we aim to utilize input we have already gathered over the last several years as well as existing resources around best practices to inform gaps in the bar’s current programming, services, resources, and potential strategies. To the extent that we may identify a need to do extensive analysis into gaps (i.e. through surveys or focus groups), we would expect that

¹ The OAAP is a program of the Professional Liability Fund (“PLF”) which is part of the bar but operated independently with its own separate staff.

would be part of the strategic plan so that we can budget and plan for it separately.

At the same time, we want to inform all who are interested that the bar will be engaging in the planning process and seek open input at the outset of this process. Thereafter, we would like to engage a diverse group of internal and external stakeholders to help establish an overall vision and mission for the strategic plan that encapsulates our focus on DEI, WB in the legal profession, and access to justice and that acknowledges the need to consider and address operational sustainability.² And we want to engage this same stakeholder group in developing strategies and action items for the plan.

Please note: The OSB is subject to Oregon Public Meetings Laws. Any meetings that include external stakeholders (i.e. not just bar staff) require proper notice and are open to the public to attend. OSB staff will handle notice and minutes requirements; however, the consultant will be responsible for facilitating participation of any public members who attend committee meetings.

We have allocated \$30,000-\$35,000 for the planning process. If you think the project requires a higher budget or can be completed for less, please explain in the Budget and Costs section below. In particular, it would be helpful to know if there are specific aspects of the project that could be carved out and done by OSB staff to meet the budget requirements.

We want the final plan completed by the end of March 2025 but are open to extending the deadline to the end of May 2025, if necessary, to ensure an inclusive process.

EXISTING RESOURCES TO CONSIDER

Since 2012, the board has adopted a diversity action plan every 3-4 years. The [most recent plan](#) was intended to last through 2023, although we continue to work on a number of the initiatives contained therein. Prior plans and implementation reports can be provided upon request.

In 2019, the OSB conducted a survey of bar members to assess the current climate of the legal profession through a diversity, equity and inclusion lens. The [Climate Assessment Summary Report](#) is rich with data. The OSB partnered with the Multnomah Bar Association to conduct a subsequent survey in 2020 to understand the impact of COVID on those in caregiving roles. The presentation on the findings of both surveys can be found [here](#).

The OSB also conducts an economic survey every five years. The most recent report is from [2022](#).

In June 2022 leaders from the OSB, the PLF, Oregon courts, and Oregon law schools convened a conference to discuss the challenges to WB in Oregon's legal profession. Over six months, members of the bar met to discuss challenges to WB in the workplace and in law schools, regulatory and structural impediments to WB, and reducing vicarious trauma and stigma. In June 2023, their findings were published in the [Well-Being Workgroup Report](#).

In addition to the OSB resources listed above, there are significant resources available from the American Bar Association (ABA) and the Institute for Well-Being in the Law (IWIL) around best practices to advance DEI and WB in the legal profession.³

The OSB Theory of Change Framework and Evaluation Plan (mentioned above) can be provided upon request.

² Here, sustainability means the ability for the organization to operationalize the plan and continue action items into the future.

³ For example, in 2017 the National Task Force on Lawyer Well Being issued its report [The Path to Lawyer Well-Being: Practical Recommendations for Positive Change](#), which contains an extensive list of recommendations and best practices. Diversity, equity & inclusion resources from the ABA can be found [here](#).

WHAT TO SUBMIT:

You are invited to submit a proposal that covers the following components:

1. **Summary of why you're the right partner for OSB.** Please describe how your firm's specific skills and experience make you the right partner for the needs described in this proposal.
2. **Experience with strategic planning.** Please discuss your experience with strategic planning generally and specifically with planning around diversity, equity, inclusion, and well-being.
3. **Experience working with multiple stakeholders.** Please discuss your experience with facilitating and otherwise working with multiple and diverse stakeholder groups.
4. **Budgeting and costs.** Please provide the proposed budget for the project and, where possible, identify the different components and associated costs.
5. **Three case studies.** Please provide three case studies for work you have done that is most like that described in this RFP. Please describe the processes used and, general timeframe for key project milestones, and, if relevant, other organizations or firms involved.
6. **Team background and experience.** Please provide short bios of the team we will be working with on this project.
7. **Optional:**
 - Is there anything else you think we should know about our project? After reviewing this RFP, are there any concerns about what we're asking for?
 - Responses to the following inquiries about workplace diversity and related business practices, if applicable:
 - Describe your commitment to providing equal employment opportunities including your firm's or agency's efforts to develop an internal diverse workforce; internal on-the- job training, mentoring, technical training and/or professional development opportunities addressing diversity; and the process(es) used to recruit women and minorities.
 - Describe your firm's commitment to including diverse suppliers, vendors, and subcontractors in your business.
 - MWESB Identification (COBID – Certification Office for Business and Diversity)
 - Our business is a minority (or) women owned (or) emerging small business within the State of Oregon. COBID certification number: _____

CONTACTS AND INQUIRIES

Please send all inquiries regarding this RFP by 5 P.M. (PT) on June 5, 2024, to rfpresponses@osbar.org. Responses to questions will be provided via email upon receipt and will be published on the bar's website on or before June 12, 2024.

SUBMISSION PROCESS

Proposals will be accepted until 5 P.M (PT) on June 20, 2024. Please email all materials to rfpresponses@osbar.org. All proposals will be reviewed and evaluated. Finalists may be invited for a virtual interview.

THE SMALL PRINT - MISCELLANEOUS OTHER TERMS:

1. **Costs of Preparing Responses:** OSB will not pay any vendor costs associated with preparing proposals submitted in response to this RFP.
2. **Responses Property of OSB:** This RFP, correspondence related to the RFP, one copy of each original proposal received in response to it, and all documents pertaining to the award of a contract shall be kept by the Oregon State Bar and made a part of a file or record which shall be open to public inspection. If a proposal contains any information that is considered a trade secret under ORS 192.345(2), each sheet of such information must be marked with the following legend: "This data constitutes a trade secret under ORS 192.345(2) and shall not be disclosed except in accordance with the Oregon Public Records Law, ORS Chapter 192." The Oregon State Bar can protect trade secrets only to the extent permitted by the Oregon Public Records Law. The Oregon Public Records Law exempts from disclosure only bona fide trade secrets, and the exemption from disclosure applies only "unless the public interest requires disclosure in the particular instance" ORS 192.345(2). Therefore, non-disclosure of documents or any portion of a document submitted as part of a proposal may depend upon official or judicial determinations made pursuant to the Public Records Law.
3. **RFP Amendments/Cancellation/Reissue/Reopen:** OSB reserves the right to change the RFP Schedule or issue amendments to this RFP at any time. OSB also reserves the right to cancel or reissue the RFP. All such actions will be posted on the bar's website.
4. **Non-Collusion:** By submitting a bid, vendors certify, under penalty of perjury, that it, its agents, and parties in interest has not colluded or conspired with any other party in connection with this RFP, to submit a collusive or sham bid, to refrain from bidding, to manipulate or ascertain the price of other vendors, or to secure through any unlawful act an advantage over other vendors or the OSB. The bids submitted have been created independently and lawfully by the vendor without consultation with other vendors or foreknowledge of other bids. **Conflict Disclosure:** By submitting a bid, vendors certify, under penalty of perjury, that to the best of their knowledge and belief, no OSB Board member, officer, employee, or person paid by the OSB has a direct or indirect financial interest in the award of this contract. Finalist vendors will be required to disclose any other apparent or perceived conflict of interest, including current or past relationships with consultants, contractors, and subcontractors associated with OSB. If a perceived conflict may exist, the OSB may request further explanation prior to awarding the contract.
5. **Minor Administrative Irregularities:** OSB reserves the right to waive minor administrative irregularities contained in any response.
6. **Inability to Enter Contract:** OSB reserves the right to eliminate from further consideration any vendor that OSB is unable to contract with at the time responses are due in accordance with the project timeline outlined above.
7. **No Obligation to Enter a Contract:** The release of this RFP does not compel OSB to enter into any contract. OSB reserves the right to refrain from contracting with any vendor that has responded to this RFP whether the vendor's response has been evaluated and whether the vendor has been determined to be qualified. Exercise of this reserved right does not affect OSB's right to contract with any other vendor. OSB reserves the right to request an interview with any vendor and/or a demonstration from any vendor prior to entering into a contract.
8. **Multiple Contracts:** OSB reserves the right to enter contracts with more than one vendor because of this RFP.
9. **Non-Endorsement:** The selection of a vendor pursuant to this RFP does not constitute an endorsement of the vendor's services. The vendor agrees to make no reference to OSB in any literature, promotional material, brochures, sales presentations, or the like without OSB's express written consent.
10. **Contract Payment Limitations:** The contract may provide for periodic payments based on completion of agreed upon milestones. Vendors should anticipate payment at the end of the invoice period in which they provide services or after they submit any deliverable for which a payment is due.