EARTHJUSTICE

REQUEST FOR PROPOSAL TO PROVIDE OMBUDS SERVICES

DATE ISSUED: August 8, 2016

PROPOSAL SUBMITTAL DEADLINE: August 31, 2016

REQUEST FOR PROPOSAL EARTHJUSTICE

A. PROGRAM SUMMARY AND BACKGROUND
As the nation’s largest nonprofit environmental law organization, our programs have resulted in great precedent-setting environmental victories over the past 40 years. Our strategic plan includes goals to expand our programs and operations over the next three years and to invest in our capacity to deliver these excellent programs in the most diverse, inclusive, and equitable work environment possible. Toward that end, Earthjustice has committed to investing in creating a learning community and building a culture that is inclusive, ethical and civil, and in which mutual understanding can be reached and differences resolved through respectful dialogue and fair and neutral processes. The next step in this effort is a contract for an Earthjustice Ombuds Program to supplement (but not duplicate or replace) the existing processes for making decisions or resolving conflict that affects staff. That contract is the subject of this RFP.

What Is Earthjustice?
Earthjustice is the premier nonprofit environmental law organization. We wield the power of law and the strength of partnership to protect people’s health; to preserve magnificent places and wildlife; to advance clean energy; and to combat climate change. We are here because the earth needs a good lawyer.
In addition to its headquarters, California regional office and international program located in San Francisco, Earthjustice has attorneys and staff in nine other regional offices across the country with a total staff of over 200. Each of the regional offices works with client groups to create positive, lasting change using our legal system. Our attorneys use cutting-edge legal advocacy in the courts to enforce and strengthen environmental laws (e.g. Clean Air Act, Clean Water Act, Endangered Species Act, etc…). We support our legal work with a small but creative communications department, a talented policy and legislation team, and a very effective development staff.

Organizational Structure:
Earthjustice’s organizational structure consists of the following departments:

- **Office of the President:** The Office of the President is managed by our current President, Trip Van Noppen.
- **Litigation:** We have three Vice Presidents of Litigation: Climate & Energy; Healthy Communities; and Land, Wildlife & Oceans. The VPs oversee the managing attorneys who lead litigation on behalf of clients in our regional offices and program areas across the country and internationally.
- **Operations:** The Senior Vice President of Operations leads the Finance & Administration, Information Technology, and Human Resources departments as well as supervises our General Counsel, and Strategic Planning & Evaluation efforts.
- **Communications:** Our Communications department in San Francisco oversees marketing and initiates strategic media campaigns in concert with our litigation in order to both address the most urgent threats to our environment and increase awareness of and support for the work of Earthjustice.
- **Policy and Legislation:** Our hard-won legal victories are often targeted by polluting industries that use their congressional allies to undo or weaken the results. To prevent legislative rollback of our victories, Earthjustice’s Policy and Legislation team, located in our Washington, D.C., works with members of Congress to strengthen environmental laws and uphold our legal accomplishments.
- **Development:** Earthjustice earns top ratings by Charity Navigator and Better Business Bureau because more than 85% of every dollar contributed goes directly to funding our work protecting the environment. We do not charge our clients for legal representation; rather we rely on the generosity of foundations and individual donors to support our mission.

B. PURPOSE OF REQUEST FOR PROPOSAL
Earthjustice is seeking proposals from Ombuds interested in developing an Earthjustice Ombuds Program with us. The Earthjustice Ombuds will:

- Provide a respectful, confidential place for employees to discuss workplace concerns.
- Provide information to employees about where to turn, what policy provisions may apply, what procedures to follow and what resources may be available to them.
- Offers employees help to clarify their issues, identify their goals, develop and consider a range of options and communicate effectively on their own behalf to address their issues.
- May, with the consent of all involved, act as a neutral facilitator to help employees resolve problems. The Ombuds will not act as an arbitrator or decision maker to resolve problems.
- Looks into problems, collects information and perspectives, and provides information on general trends and patterns of complaints without breaching confidentiality so that problems may be prevented from escalating or recurring. On request, the Ombuds may provide management with his/her interpretation of those general trends and patterns.
• Reports directly to the President.
• Is confidential, neutral and impartial, and independent.

The future composition of our workforce makes it a priority for us to provide an Ombuds Program to build a culture that will enable our entire staff to function at a level that values individuals, fosters respect, and supports the growth of an environment of equity and inclusion. Our continued success depends on creating a culture where individual unique qualities are viewed and utilized as assets.

C. OMBUDS PROGRAM LOGISTICS:
Earthjustice will implement its Ombuds program on a trial basis for six months, with the option to extend the trial period for an additional six months at the discretion of Earthjustice.

Ombuds services will be available remotely by phone or email during specified hours or on designated days, but those hours should reflect the range of time zones in which Earthjustice has office locations, for example, between the hours of 11:00 a.m. to 1:00 p.m. Pacific, Monday through Friday. Ombuds services would be primarily provided by a single designated vendor or contractor, with a designated substitute available when the primary provider is not.

Earthjustice and the Contractor will agree about records to be kept by the vendor reflecting the extent to which Earthjustice staff utilize Ombuds services and the general topics of staff interest or concern involved. Those records will not compromise the confidentiality requirements of the Ombuds program. To preserve confidentiality, the Contractor will: 1) Hold the identity and all communications with employees seeking assistance in confidence, and not disclose confidential communications unless given permission to do so by the employee, except as required by law, or where, in the judgment of the Ombuds, there appears to be imminent risk of serious harm. The privilege of confidentiality belongs jointly to the Ombuds as well as the employee, and employees cannot unilaterally waive that privilege. 2) Will not share information or take an action that would reveal the identity of employees or others involved in matters brought to his/her attention without permission, as above. 3) Does not retain notes or documents containing information that would reveal the identity of specific employees or others involved in matters brought to his/her attention, except as required by law. 4) Adheres to IOA (International Ombuds Association) Code of Ethics (CoEs) and Standards of Practice (SoPs).

The Contractor will report to the Earthjustice President on a monthly basis regarding utilization of the program, the general nature of the issues raised by employees during the month, and any other information the provider deems useful or important for Earthjustice to know without compromising the confidentiality requirements of the Ombuds program. The President may choose to share that information with other members of staff at his or her discretion.

During the trial period, the Ombuds program may overlap to some extent with employee relations services provided by the Earthjustice Human Resources department. The Contractor and Earthjustice will work out how to insure that Ombuds services and employee relations services do not unnecessarily duplicate efforts or interfere with each other.

D. MINIMUM QUALIFICATIONS REQUIREMENTS
Education/Experience Requirements: Certified Organizational Ombuds Practitioner (CO-OP) Credential from the International Ombudsman Association required. Significant demonstrated experience working in a culturally competent way to develop the capacities of organizations and their staff in building mutual understanding and having respectful dialogue is a must. Previous
experience in the nonprofit community, environmental community, and/or legal community preferred. A minimum of five years’ experience providing Ombuds services required. Demonstrated experience developing cultural competency skills a plus. Responders may submit a brief resume or curriculum vitae, or description of education and previous applicable experience.

**Communication Skills:** The successful responders must be able to communicate in a clear and concise manner, and the materials provided must be appropriate to convey the key points.

**Budget:** The successful responder must submit a proposal for all specified requirements. Earthjustice will compensate the Contractor for $75,000 for the six month trial period, plus any out-of-pocket expenses incurred by the Contractor that have been pre-authorized by Earthjustice. Contractor will provide Ombuds services remotely.

**E. SCOPE OF SERVICES**
Earthjustice is seeking an experienced Ombuds with one backup to develop an Earthjustice Ombuds Program to provide a confidential, neutral and impartial, and independent place for employees to discuss their workplace concerns, clarify their issues, identify their goals, develop and consider a range of options, and communicate effectively on their own behalf to address their issues. Ombuds may act as a neutral facilitator to help employees resolve problems and will provide a monthly report to the President on services used and general issues. Ideally, Earthjustice would prefer a single designated vendor or contractor to provide Ombuds services, with a designated substitute available when the primary provider is not.

**F. PROPOSAL SUBMISSION REQUIREMENTS**
The proposal should outline the following in detail:
- Ombuds name and contact information.
- Substitute Ombuds name and contact information.
- A proposed outline of the Ombuds services being offered including the designated days and hours services will be offered (and whether the services will be by phone and/or email or an alternative method) and the timing and delivery of reporting.
- A proposed outline of the Ombuds onboarding process to familiarize themselves with Earthjustice’s relevant policies and procedures, Earthjustice as an organization, and organizational culture.
- Outline of projected budget including: fees for services, preparation and onboarding time, materials, out of pocket expenses, etc.
- Anticipated technical needs, administrative needs, etc., if any.
- Anticipated implementation timeline.
- Availability to initiate program September 26, 2016.
- Resume, CV or comprehensive bio.
- Three reference contacts representing previous clients.
- Please respond to the questions below:
  1. What process do you use to understand a client’s organizational culture?
  2. What do you see as the key steps in rolling out an Ombuds program to staff?
  3. Outline your experience working with nonprofit organizations, environmental organizations or organizations that provide legal services?
  4. Outline your experience demonstrating awareness and sensitivity to the needs and concerns of individuals from diverse cultures, backgrounds, and orientations.
Confidential Information – If an applicant believes any portion of a proposal contains information that should be withheld as confidential, the applicant shall request in writing nondisclosure of designated proprietary data to be confidential and provide justification to support confidentiality.

Valid business license preferred.

D. RFP SCHEDULE

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<tr>
<th>ACTION</th>
<th>COMPLETION DATE</th>
</tr>
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<tbody>
<tr>
<td>RFP Distributed</td>
<td>August 8, 2016</td>
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<tr>
<td>RFP Bids are Due</td>
<td>August 31, 2016</td>
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<tr>
<td>Conduct Phone Call with Selected Ombuds</td>
<td>Sept. 7 through 12, 2016</td>
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<tr>
<td>Select Ombuds</td>
<td>September 19, 2016</td>
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G. PROPOSAL EVALUATION PROCEDURES

All proposals submitted on time and within the designated requirements will be reviewed by the VP of Human Resources, the VP of Diversity and Inclusion, SVP of Operations, and the General Counsel at Earthjustice. The top two submitters will be invited for a phone screen and the selected submitter will receive a contract to provide services with Earthjustice. Submitters that are not selected will receive a communication from Earthjustice stating our intent not to move forward.

H. PROPOSAL PACKET FORMAT

Please submit a proposal of no more than 7 pages electronically by August 31, 2016:

Earthjustice
Attn: Kristina Lim
klim@earthjustice.org

Inquiries may be made by emailing Kristina Lim at the above email address.