National Institute of Building Sciences
Request for Proposal (RFP) for General Counsel/Legal Services
For the Period January 11, 2027- January 10, 2028

Issue Date: November 18, 2026
Submission Deadline: December 14, 2026 COB EST

Inquiries and Proposals Should be Directed to:
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National Institute of Building Sciences
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General Information

Introduction and Background

The National Institute of Building Sciences (NIBS) is an independent 501(c)(3) nonprofit created by Congress in 1974 to be the nation's authoritative source of findings and recommendations that impact and improve the built environment for the American people. NIBS connects research, policy, and practical applications to advance innovation in the built environment. Our mission is to create a safer, more resilient, and technologically advanced infrastructure that serves American communities and strengthens our nation's future.

To support the mission of NIBS, Congress granted the 501(c)(3) sole-source authority through Section 809(g)(3) of Public Law 93-383, which permits federal agencies and departments to contract directly with NIBS without engaging in full and open competition. NIBS currently sustains its operations and its public interest mission through public contracts with federal (and some state) agencies.

Purpose

This request for proposal (RFP) seeks qualified law firms or individual attorneys to serve as NIBS's outside General Counsel. The selected legal entity will provide strategic and operational legal advice to the president and CEO, the senior leadership team, and the board of directors during the initial 12 months. They will ensure strict adherence to tax-exempt laws, mitigate organizational risk, and oversee employment matters, contracts, and governance. Subsequent terms may be agreed upon by both parties.

Who May Respond
Law firms with attorneys or individual attorneys who are licensed to practice law in the District of Columbia.

Scope of Services
The selected entity will provide legal services on an as-needed basis across the following core areas:

- **Tax-Exempt Compliance:**
  - Ensure compliance with IRS regulations, maintaining 501(c)(3) status, overseeing unrelated business taxable income (UBTI), and advising on the annual IRS Form 990 and related public disclosure requirements
  - Ensure compliance with lobbying/political activity restrictions
- **Nonprofit Governance:**
  - At the direction of the Board, review and update bylaws, advise on board fiduciary duties, and participate in new board member orientations, drafting board resolutions, and assisting with compliance with governance policies
  - Advise the Board of Directors to ensure compliance with the duty of care, duty of loyalty, and duty of obedience
  - In partnership with the Board, monitor and manage conflict of interest policies and private inurement risks
  - Work cooperatively with the Board's outside counsel they may engage from time to time
- **Contract Law:**
  - Draft, review, and negotiate a wide array of contracts which include but are not limited to public contracts (federal, state, and local); grant agreements, partnership/sponsorship agreements, vendor agreements, memorandums of understanding, and commercial leases
  - Ensure legal and regulatory compliance for federal, state, and private grants and contracts
  - Provide counsel on charitable solicitation registrations, planned giving, and donor bequest agreements
- **Employment & Labor Law:**
  - Advise Human Resources, the President and CEO, and the senior leadership team on hiring, employment agreements, terminations, and severance
  - Ensure compliance with federal and state labor laws, wage and hour regulations, and workplace safety requirements
  - Provide feedback on the employee handbook and other organizational policies, including but not limited to whistleblower and document retention policies
- **Risk Management & Litigation**
  - Identify potential legal liabilities and implement risk mitigation strategies across all organizational operations

    - Oversee insurance policies (general liability, D&O, workers' comp) and claims administration
    - Manage active litigation and supervise external counsel to ensure cost-effective representation
- **Intellectual Property & Privacy:**
    - Advise on intellectual property matters, including trademarking organizational names, logos, and licensing
    - Advise on data privacy/security regulations
- **Meetings & Trainings:**
    - Attend all Board of Directors meetings as well as Board subcommittee meetings (in person and virtual)
    - Provide periodic legal trainings as needed

Proposal Submission Requirements

To be considered, proposals must include the following elements:

- A description of how your firm is organized to serve national non-profit organizations with the services identified in the Scope of Services section.
- A detailed explanation of the firm's experience and capacity in non-profit law. Please include information and experience in specific areas of law as well as experience in performing the requested services. For example:
    - Experience in representing similarly situated non-profit organizations.
    - Litigation experience.
    - Non-profit experience and other items as listed in the scope of services.
    - Experience participating in and presenting workshops and seminars in the non-profit and public sector law area.
- Names and resumes or biographies of attorney(s) to be assigned as association legal counsel, including the specific attorney who would be principally responsible for the provision and/or coordination of the firm's representation.
- References:
    - Three client references, preferably 501(c)(3) organizations, with 2 organizations that are not member-based associations or societies
- Fee Structure:
    - Please indicate whether you offer discounted nonprofit rates, blended rates, or flat fees for specific recurring services
    - An overview of the firm's fees, including:
        - Hourly fee and minimum time increment for billing purposes for all partners, association, paralegals, and admin staff.
        - A description of any reimbursable expenses.
        - A description of any alternative fees.
        - A sample of a monthly invoice.
        - Typical timeline on business practices, for example, typical turnaround on contract review, etc.
- Conflict of Interest:
    - Disclosure of any actual or potential conflict of interest with our organization and how it would be resolved

Submission Guidelines

All Inquiries and Final Proposals

All inquiries related to this RFP and final proposals should be addressed to:
Name: Anne Law
Title: SVP, Government Affairs
National Institute of Building Sciences
2121 K Street, NW
Suite 800
Washington, DC 20036
Phone Number: 202-780-1792
Email Address: alaw@nibs.org

Closing Date

Proposals must be submitted as a PDF and emailed to the Primary Point of Contact by ***December 14, 2026; COB EST***. Late submissions will not be reviewed.

Conditions of the Proposal: Costs incurred in preparing the proposal in response to the RFP will not be reimbursed and will be the submitter's responsibility.

Right to Reject

NIBS reserves the right to reject any and all proposals received in response to this RFP. A contract for the accepted proposal will be drafted based upon the criteria outlined in this RFP.

Evaluation Criteria

Proposals will be evaluated based on the following criteria:

- Demonstrated experience advising **501(c)(3) organizations**, including expertise in nonprofit law, governance, and organizational compliance.
- Qualifications, expertise, and availability of the attorneys proposed to serve NIBS.
- Clarity, reasonableness, and competitiveness of the proposed fee structure; and
- Quality of references, responsiveness, and demonstrated commitment to client service.

Following the initial evaluation, **up to three finalist firms will be invited to participate in interviews**. Interviews will be conducted by a selection committee consisting of the NIBS President and CEO and members of the Executive Committee of the NIBS Board of Directors. The committee will evaluate the finalists and **advise on the final selection of legal counsel**.

Notification of Award

The firm or individual will be selected and will report to the President and CEO. A decision selecting the successful firm or individual attorney will be made by January 4th. Upon conclusion of the final negotiations with the selected firm or individual attorney, all other proposers submitted in response to this RFP will be notified in writing.