

Environmental scanning – preparation for tender

What do we know about organisation X ?

- Characterise the organisation X
- Organisation X culture
- Range of business operations/functions
- What is our history with organisation X ?
- Quality and level of personal relationships with organisation X management locally - how influential (or otherwise) are these people ?

What do we know organisation X's operating environment ?

- Financial
- Relationships with government
- Pressures on organisation X's industry
- Special pressure-points for organisation X in the subject regions
- Political drivers
- Public drivers
- Management competence
- Other

What has been the stimulus for this exercise ?

- Cyclic: two years / three years / other
- Political pressure ?
- Reducing costs / budget pressure - how genuine ?
- Other ?

Who is invited to bid ?

- Is this RFT just going to a restricted list ?
- Who are their current legal providers ?
- Do they have entrenched relationship/s with any firm/s ?
- How will work be divided up between successful firms ?

What about the evaluation process ?

- Who will be evaluating the responses ?
- What do we know about these people ?
- What are their "hot" buttons ?
- Who else will be influential ?
- What are their pet issues ?
- How much influence will the region/s have ?
- What will be the evaluation process ?
- What are the evaluation criteria ?
- Will there be a shortlist ?
- Will they gather further information ?

How are we viewed by the evaluators and organisation X generally ?

- What is our reputation ?
- What is our profile ?
- What would they see as our strengths and weaknesses apropos our competitors ?
- Do we have any research to support this, or is this just a combination of gossip, anecdotes, and our feelings ?
- How can we differentiate ourselves from the pack ?

How do we currently perform in this area of work ?

- Describe what we do
- How well do we do it (honestly!) ?
- Would organisation X rate our performance better / worse than we'd rate ourselves ?
- What do we do especially well ?
- What do we do only well enough / passably ?
- Where are we weak ?

What is the work ?

- What are the activities ?
- What skills will be needed - legal or non-legal ?

What work do we want to bid for ?

- What are the geographic limitations on our bid ?
- Field of practice limitations ?
- Are we offering to bid for enough areas to be appealing to organisation X who may be seeking to reduce the number of providers ?

How much are we going to bid for ?

- From organisation X's point of view, what is the minimum threshold in each area ?
- Again, from organisation X's viewpoint, what is the reasonable maximum amount in each area ?
- How important will volume be in this bid ?

How are we going to price the bid ?

- How important will price be in this bid ?
- Are there typical prices for these services at present ?
- What is organisation X currently paying ?
- How satisfied is organisation X with their current pricing ?
- At what price/s can we do the work profitably ?
- At what price should we bid ?
- Does this include disbursements ?
- Which ones ?
- What exceptions ?
- Can we make money out of it or do we need to reprice/reshape the team ?

What do organisation X's expressed requirements really mean ?

- Describe our work processes to meet their standards
- How could we improve the model or exceed the minimum required service standard ?

Competitive Analysis

- What do we know about our competitors ?
- Who are they ?
- What do they do well ?
- Where do we have the edge ?
- What is the most appropriate positioning for us ?

Are there other legal practices or offices with whom we should be teaming / jointly bidding / proposing ?

- Locally
- Remotely

Are there any hidden traps, pitfalls, or "skeletons" of which we should be mindful ?

- Do we have any conflicts ?
- What is our probability of success ?

What should we be sure to include in our document ?

- What will help us to make our case effectively ?

A reminder about what you might wish to include...

- Lawyer CVs
- Firm profile
- Case studies
- Statistics on our performance on these types of work
- Statistics on how many files our lawyers handle in these areas now
- References
- Testimonials
- Conference papers
- Articles
- Seminar papers
- Client list
- Quality standards