



THE NEW ELLIS GROUP

# Monday Monday

*Connecting the Dots with Karen Kaplowitz*



*Helping you create and reinforce the habits of successful career building,  
gleaned from my work as a business development strategist, trainer and coach*

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## Why Didn't You Get the Work

Being invited to participate in an RFP process, for an individual matter, multiple matters or to get on a preferred counsel panel, is always encouraging and often a milestone. It is also an investment of effort by you and other firm lawyers and staff. If you don't get the work, it is important to learn from the investment to help insure you will be successful the next time. Did you follow [best practices for RFPs](#)? To help ensure that you get good feedback when you don't get the work, here are some steps to consider:

- When you are invited to participate, request as much information as possible on your competition and the selection process. Also, ask your contacts if they will agree that if you are not selected that they will help you understand where you did not meet their requirements. You want as much of a commitment as possible that you will be told where your firm was deficient.
- When you submit your response, thank your source personally and send a copy of your submission. Say that you are looking forward to the outcome, either way, and try to pin down the date they will make the decision and inform participants.
- If there is public information available, such as a litigation docket in an RFP to defend a lawsuit, start tracking the docket so you know if another firm has made an appearance in the case and you can follow up with your source.
- When you learn which firm got the work, do your own assessment of how your firm compares based on your own research into their work in the area.
- If the client is willing to provide feedback, be prepared with good questions.
  - Did the other firm have a better track record in similar cases?
  - Were the rates or discounts an issue?
  - Did the client have more experience working with the winning firm?
  - Was the diversity of the proposed team a factor?
  - What would make your firm more competitive the next time?
- Keep track of the client's results in the matter so you can use the information for the next RFP.

If you invested a lot in cultivating the client relationship to participate in the RFP and then invested a lot in preparing the response, it is essential that you get a return on your investment whether you got the work or not. The client may or may not appreciate that you are committed to understanding how to compete more effectively next time, but your team will.

**Example:** When a senior associate went in-house, one of the partners who had mentored the associate and had advocated for her to become a partner hoped that the associate would become a client. The former associate assured the partner that she would look for opportunities to work with her old firm but that she wasn't senior enough to have much sway. The partner stayed in touch and was pleased when the former associate invited the firm to participate in an RFP. The associate was candid that the company was likely to give the work to one of its standard firms but that she wanted to help the firm get more visibility in the law department. The partner shared with her team that the RFP was a long shot but assured the team that the former associate promised that they would get good feedback on the results if they were not successful.

Are you doing everything you can to insure that you get good feedback when you participate in RFPs when you don't get the work?