Purpose

The purpose of this Request for Qualifications (RFQ) is to invite submissions from legal firms interested in serving as General Counsel for the California Emerging Technology Fund (CETF) and providing legal services as needed.

Deadline Extended - responses to this RFQ are now due by 5:00 PM on Friday, February 5, 2010.

Overview of the California Emerging Technology Fund

The California Emerging Technology Fund is a non-profit charitable corporation established pursuant to requirements by the California Public Utilities Commission (CPUC) in approving the mergers of SBC-AT&T and Verizon-MCI in 2005. As a result, those merged companies have contributed a total of $60 million in seed capital to CETF. CETF is governed by a 12-member Board of Directors and has been in operation for the last 3 years with a current staff of 9 employees and a contract bookkeeper.

The mission of the California Emerging Technology Fund is to provide leadership statewide to close the “Digital Divide” by accelerating the deployment and adoption of broadband and other advanced communications services to underserved communities and populations. “Broadband” is a generic term that refers to high-speed Internet access and includes both wireline and wireless technologies; CETF is technology-neutral. CETF also is dedicated to making California a global leader in the deployment and adoption of broadband technology. The goal is to close the Digital Divide in California across all population demographic groups and geographic regions by 2017, which requires both the availability of broadband technology as well as the ability to access and use it. CETF focuses on 3 significant consumer communities: rural and remote areas; urban disadvantaged neighborhoods; and people with disabilities. CETF has 5 major categories of activities: Civic Leader Engagement; Venture Philanthropy Grantmaking; Public Policy Promulgation; Public Awareness and Education; and Strategic Partnerships. To date, CETF has awarded grants to approximately 50 different non-profit organizations. Within the category of Public Policy Promulgation, CETF has funded major initiatives related to: telehealth-telemedicine (California Telehealth Network); digital literacy (including promoting a Governor’s Executive Order); education (closing the Achievement Gap and Digital Divide in low-performing middle schools in California with a program called School2Home); smart housing; smart infrastructure; and model policies for local and regional governments.
For the last fiscal year ending June 30, 2009, CETF expended $7.3 million for grants and operations and had $36.4 million in assets. It is anticipated that going forward there may be additional funding from other foundations and government agencies. For example, CETF submitted on behalf of 44 partners 3 applications to the federal government for funding from the American Recovery and Reinvestment Act. Thus, there may be an expanding oversight and management role for CETF in working with other non-profit organizations and government agencies. Please see the CETF website and Annual Report for additional background information.

**Requested Services**

The following are the requested services from a firm to serve as CETF Legal Counsel:

- Serve as General Counsel of Record and be named in official documents, such as the CETF Annual Report and grant applications when required.
- Review staff drafts and finalize legal documents for use by CETF, such as grant agreements.
- Provide other legal services as requested in a timely and responsive manner.
- Represent CETF in any potential legal disputes or filed suits.
- Assist CETF as appropriate and necessary in negotiating agreements or contracts with government, non-profit and for-profit entities.

**Qualifications**

The following are the qualifications for a firm to serve as CETF Legal Counsel:

- Experience providing legal services to non-profit charitable corporations and smaller community-based organizations, including advising on appropriate management and reporting of income (related and unrelated).
- Respect within the legal profession and reputation for conscientious client service.
- Interest in the mission of CETF and a passion for improving quality of life for all Californians.
- Working knowledge about telecommunications and broadband (although need not necessarily be a specialty within the firm).
- No or low initial and annual retainer fees.
- Reasonable fees for requested services.

**Requested Content for Statement of Qualifications**

Statements of Qualifications should include the following information:

- Letter stating interest in serving as CETF General Counsel and an explanation of why your firm would be the best choice for CETF.
- Delineation of proposed relationship, including fees and assigned personnel (with resumes).
- Any additional background information about your firm that you deem pertinent to CETF.

Please send submission both electronically and in hard copy to:
California Emerging Technology Fund
Vice President for Operations – Personnel (alana.obrien@cetfund.org)
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