

THE KEYS TO SUCCESS WHEN BIDDING

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When bidding to win work, law firms often make the mistake of not asking questions about the work being tendered however, taking an interest in the client will pay off, says Katie Dignan

Bidding for work is now a fact of life for law firms big and small. Why? One major reason is that

businesses have realised they can cut their legal bills by asking law firms to compete for their work. This means more and more companies are running competitive procurement processes. However, bids pose two key challenges for law firms. Firstly, firms need to ensure they devote enough time to the process. Around 99 per cent of the time, a bid must be led by a partner and partners are busy people. It is always tempting for a partner to devote more time to the work they are doing now, than to work they may win for the future. But they need to juggle both responsibilities. In most cases, lawyers are rewarded on the basis of work done rather than work won. Law firms in general need to look at the way they remunerate their lawyers to ensure enough emphasis is placed on the importance of winning new work.

The second challenge is that when lawyers put together a proposal, they not only have to understand what constitutes good value – and it's slightly different for every client – but they also have to really understand how their own firm makes a profit. It's all very well putting together a low fee offer, but if your firm isn't actually going to make any profit out of the work, then what is the point of doing it?

Don't bid for the wrong work

There are a number of common mistakes law firms make when participating in bidding processes. One error is not asking the potential client questions. If you have the opportunity during a bid process to meet with the client and ask questions, then do so. I have performed countless debriefs with general counsel following competitive bid processes, where I was told that the firm in question didn't actually ask them anything at all during the process, so they assumed they weren't really interested in winning the work.

Another mistake law firms often make is bidding for the wrong work. Each bid opportunity should be assessed on its merits, with proper consideration given to your firm's chances of winning. It can seriously damage your firm's reputation if you put in a weak bid. If you think you're not best-placed to win the work, then don't go for it.

Though bids are an increasingly common way of winning new work, most senior partners in law firms will not have been involved in bids in the early stages of their career. This makes training in how to handle a formal bid process vital. Many bid processes are in two-stages: a bid document followed by a presentation from key members of the proposed team. A key tip for anyone going to a sales presentation is to rehearse. Get the whole team together for several meetings before the presentation, discuss what you're going to say and then actually practice saying it in front of an audience. Ask your audience – which preferably should be made up of other lawyers and someone with skills in presentation coaching – to be critical and to ask you awkward questions.

It pays to involve more junior lawyers in bids early in their career. There is nothing like learning-on-the-job to ensure people really understand what they need to do. Junior lawyers can also do a lot of the leg work on bids and write a considerable amount of the document. Their work will always need to be checked by a partner, but it is much easier for a partner to correct someone else's work than to start with a blank page.

What makes for a successful bid? Put yourself in the client's shoes. At the end of each sentence you write, always ask yourself: "What does that mean to this client?" If you can't answer, then delete the sentence and start again. Talk to the other lawyers in your firm and see what they think. You may think you know everything about your client, but one of your colleagues may have a different perspective. And remember to read the client's questions very carefully – answer everything they ask.

It's wise to debrief with the client whether you win or lose. Make sure that this debrief is not undertaken by someone who actually went to the final pitch presentation. The client is more likely to be honest with someone independent from the process. Finally, a sound piece of advice is to design a "best practice" process for bids and ensure your firm's lawyers follow it. Train people in it and reward people who do well at it. It's also important to enjoy it – winning new work should be fun.