Request for Proposal
For
REVIEW OF GENERIC NAMES
SUPPORTING ORGANIZATION (GNSO)

Date of issue 22 April 2014

1. Introduction

The Internet Corporation for Assigned Names and Numbers ("ICANN") is seeking a provider to conduct an independent review of the Generic Names Supporting Organization (GNSO), as mandated by ICANN's bylaws.

As part of ICANN's ongoing commitment to its evolution and improvement, Article IV - Section 4 of ICANN's Bylaws contains provisions for *"periodic review of the performance and operation of each Supporting Organization, each Supporting Organization Council, each Advisory Committee (other than the Governmental Advisory Committee), and the Nominating Committee."*

These periodic reviews present ICANN structures with opportunities for continuous improvement through consistent application of compliance audit principles to objectively measure performance relative to specific and quantifiable criteria developed by ICANN based on the unique nature of its structures. The resulting implementation of improvements and the systematic means of measuring performance and validating effectiveness of implementation are of utmost importance to the ongoing legitimacy of ICANN.

The GNSO is the policy-making body responsible for generic top-level domains, such as .COM, .NET, and .ORG. Its members include representatives from generic Top Level Domains (gTLD) registries, gTLD registrars, intellectual property interest, Internet service providers, businesses and non-commercial interests. The GNSO strives to keep gTLDs operating in a fair, orderly fashion across one global Internet, while promoting innovation and competition.

Section 4 of the Bylaws addresses the periodic review of ICANN's structures and operations.

> *"The Board shall cause a periodic review of the performance and operation of each Supporting Organization, each Supporting Organization Council, each Advisory Committee (other than the Governmental Advisory Committee), and the Nominating Committee by an entity or entities independent of the organization under review. The goal of the review, to be undertaken pursuant to such criteria and standards as the Board shall direct, shall be to determine (i) whether that organization has a continuing purpose in the ICANN structure, and (ii) if so, whether any change in structure or operations is desirable to improve its effectiveness.*
>
> *These periodic reviews shall be conducted no less frequently than every five years, based on feasibility as determined by the Board. Each five-year cycle will be computed from the moment of the reception by the Board of the final report of the relevant review Working Group.*

The results of such reviews shall be posted on the Website for public review and comment, and shall be considered by the Board no later than the second scheduled meeting of the Board after such results have been posted for 30 days. The consideration by the Board includes the ability to revise the structure or operation of the parts of ICANN being reviewed by a two-thirds vote of all members of the Board."

Given the significant increases in the number and nature of the generic top level domains resulting from the recent launch of the New gTLD Program, the upcoming review of the GNSO is of critical importance to the ICANN community. ICANN is planning to start the review on 1 July 2014, with an anticipated duration of 6 months, and is seeking qualified providers to conduct the review in a timely and efficient manner.

2. Overview of ICANN

ICANN is a California non-profit public-benefit corporation dedicated to preserving the operational security and stability of the Internet; to promoting competition; to achieving broad representation of global Internet communities; and to developing policy appropriate to its mission through bottom-up, consensus-based processes. More specifically, ICANN:

1) Coordinates the allocation and assignment of the three sets of unique identifiers for the Internet, which are
   a. Domain names (forming a system referred to as DNS);
   b. Internet Protocol ("IP") addresses;
   c. Autonomous System ("AS") numbers; and
   d. Protocol port and parameter numbers.
2) Coordinates the operation and evolution of the DNS root name server system.
3) Coordinates policy development reasonably and appropriately related to these technical functions.

See www.icann.org for more information.

3. Background of the RFP

Previous Review
The last review of the GNSO took place in 2006, with the report issued by the independent reviewer, The London School of Economics (LSE Public Policy Group), in September 2006. The work of the independent reviewer was then considered by the Board Governance Committee, which issued its report on 3 February 2008. It included five target areas for improvement:
   1) Adopt a working group model
   2) Revise the Policy Development Process (PDP)
   3) Restructure of the GNSO Council
   4) Enhance constituencies
   5) Improve communication and coordination with ICANN structures

The Board endorsed the recommendations of the Board Governance Committee in June 2008, which led to the formation of various GNSO committees to address implementation, and in March 2009 five Work Teams under the auspices of two Steering Committees were officially inaugurated.   The improvement implementation work continued through 2012.

Additional information about the implementation work is available at http://gnso.icann.org/en/group-activities/inactive/2012/improvements.

Current Review
In accordance with the requirement to conduct the review no less frequently than every five years, based on feasibility, a public comment period was initiated on 15 July 2013 to inform the ICANN Board Structural Improvements Committee's (SIC) action on a potential postponement of the GNSO Review. The SIC sought community input on its proposed recommendation to the Board that ICANN would benefit from delaying the initiation of this second GNSO review in order to factor in valuable inputs from parallel projects. The feedback indicated that the GNSO review should not be postponed and the Board resolved that the GNSO Review should commence as soon as feasible.

Given the changing environment, including changes in participating stakeholders, and the lessons gleaned from the last review of the GNSO, the SIC considers the planning of the review to be of paramount importance in order to ensure that the recommendations for improvement are useful and implementable.

In light of the Board resolution that calls for a prompt commencement of the review in 2014, the SIC – in coordination with GNSO leadership – has proposed a community-inclusive approach pursuant to ICANN's commitment to a multistakeholder model. The proposed timeline reflects the sense of urgency articulated within public comments.   For additional background, refer to audio and written transcripts of the discussion held at the GNSO Council Meeting on 22 March 2014, at ICANN49 in Singapore.

4. Scope of Work

The objective of this RFP is to identify an independent reviewer **to conduct an examination of the GNSO's organizational effectiveness in accordance with the ICANN-provided objective and quantifiable criteria**, to take place from 1 July 2014 through 15 January 2015.

Note that the assessment of whether or not the GNSO has an ongoing purpose will not be considered as part of the current review.

The work methods are expected to include the following:
- Examination of documentation, records and reports.
- Outcomes from the 360 Assessment, an online mechanism to collect and summarize feedback from members of the GNSO structure, interested members from ICANN community and other structures, members of the Board and staff.

- Integration of Assessments of the Second Accountability and Transparency Review Team – see Appendix A of the *Second Accountability and Transparency Review Team Report and Recommendations* (http://www.icann.org/en/about/aoc-review/atrt/final-recommendations-31dec13-en.pdf).
- Limited interviews, if needed.

ICANN will supply the criteria to be used in conducting the GNSO Review; these criteria include but are not limited to the following areas, to be applied to GNSO structure components (GNSO Council, GNSO Working Groups, GNSO Stakeholder Groups and Constituencies):
- Achievement of mission, compliance with agreed upon rules and processes
- Accountability and transparency to the public
- Membership processes and participation
- Structural support toward achievement of mission
- Governance and management: effectiveness of execution
- Quality and evaluation/measurement of outcomes
- Communication
- Effectiveness of implementation of prior review recommendations

5. **Current GNSO Structure**
The GNSO structure is defined in the ICANN Bylaws:

"The GNSO shall consist of:

(i) A number of Constituencies, where applicable, organized within the Stakeholder Groups as described in [Section 5 of this Article](#);

(ii) Four Stakeholder Groups organized within Houses as described in [Section 5 of this Article](#);

(iii) Two Houses within the GNSO Council as described in [Section 3(8) of this Article](#); and

(iv) a GNSO Council responsible for managing the policy development process of the GNSO, as described in [Section 3 of this Article](#).

Except as otherwise defined in these Bylaws, the four Stakeholder Groups and the Constituencies will be responsible for defining their own charters with the approval of their members and of the ICANN Board of Directors."

Additional information about the GNSO structures:

- [Commercial Stakeholder Group](#)
  - [Commercial Business Users](#)
  - [Intellectual Property](#)
  - [Internet Service Providers](#)
- [Non-Commercial Stakeholder Group](#)

- o [Non-Commercial Users](#)
- o [Not-for-Profit Operational Concerns](#)
- • [Registrars Stakeholder Group](#)
- • [Registries Stakeholder Group](#)

More information about the GNSO is available at http://gnso.icann.org/en/index.htm, including a listing of procedures at http://gnso.icann.org/en/council/procedures and introductory overviews of the operations of the GNSO at http://gnso.icann.org/en/basics/101.

6. High Level Selection Criteria

The decision to select a final provider as an outcome of this RFP will be based on, but not limited to, the following selection criteria:

1) Understanding of the assignment
2) Knowledge and expertise
   a. Demonstrated experience in conducting broadly similar examinations
   b. Not-for-profit experience
   c. Basic knowledge of ICANN
   d. Geographic and cultural diversity, multilingualism, gender balance
   e. Suitability of proposed CVs
3) Proposed methodology
   a. Work organization, project management approach, timelines
   b. Suitability of tools and methods or work
   c. Clarity of deliverables
4) Flexibility, including but not limited to meeting the timeline
5) Reference checks (see template)
6) Financial value
7) Conflict of Interest

7. High Level Business Requirements

In order to be considered, the providers must be able to demonstrate ability to meet the following business requirements:
1) Ability to provide a complete response based on ICANN specifications by the designated due date (see below).
2) Availability to participate in finalist presentations via conference call/remote participation (see below).
3) Ability to execute a professional services agreement substantially in accordance with the terms and conditions of ICANN's Contractor Consulting Agreement (contact ICANN staff for a copy).
4) Ability to begin work on 1 July 2014 and complete it by 15 January 2015.
5) Conduct of periodic update calls, frequency to be determined.

6) Demonstrated ability to develop work methods, data gathering mechanisms and evaluation/assessment approaches based on the specific objective and quantifiable criteria supplied by ICANN.
7) Ability to conduct examination work using remote tools.
8) Ability to provide the following deliverables
   a. Work plan and timeline.
   b. Draft Report by 23 September 2014.
   c. Second Draft Report by 31 October 2014, based on clarification and rebuttal from the GNSO.
   d. Final Report by 15 January 2015
   e. Working session(s) with the GNSO or its designate to discuss preliminary findings (via remote participation).
   f. Report to include methodology and approach, assessment of the specific objective and quantifiable criteria, basis for conclusions, recommendations, and consideration of public comments.

8. Proposal components

Proposals should include the following components:
   a) Qualifications, including resumes and references.
   b) Proposed approach and methodology, including relevant examples.
   c) Proposed work plan and timeline.
   d) Detailed cost estimate (see template).
   e) Red-line markup of ICANN Contractor Consulting Agreement template.
   f) Support activities expected from ICANN staff.

Please use attached templates to organize your response.

9. Project Timeline

The following dates have been established as milestones for this RFP. ICANN reserves the right to modify or change this timeline at any time as necessary.

Activity	Dates
RFP published	22 April 2014
Participants to indicate interest in submitting RFP	30 April
Participants submit any questions to ICANN (see template)	30 April
ICANN responds to participant questions	2 May
Participant proposals due by	**13 May**
Preliminary evaluation of responses	14-19 May
Target for participant presentations (finalists)	Week of 19 May (May 19-23)
Target for Final evaluations and selection of vendor (includes contracting and award to	10 June

participant)	
Board appointment of independent reviewer	26 June
Estimated start of implementation	1 July
Summary results from 360 Assessment	30 July
Draft Report 1	23 September
Structural Improvements Committee Update	10 October
Clarification and rebuttal from GNSO	11-12 October
Draft Report 2	31 October
Public comment period[1]	1 November – 5 January 2015
Final Report	15 January 2015

10. Proposal submission instructions

Proposals should be submitted to Larisa Gurnick (larisa.gurnick@icann.org) by 23:59 UTC on 13 May 2014.   Submissions should be provided using supplied templates, supplemented by additional information, as necessary.

11. Terms and Conditions:

General Terms and Conditions

Submission of a proposal shall constitute Respondent's acknowledgment and acceptance of all the specifications, requirements and terms and conditions in this RFP.

All costs of preparing and submitting its proposal, responding to or providing any other assistance to ICANN in connection with this RFP will be borne by the Respondent.

All submitted proposals including any supporting materials or documentation will become the property of ICANN. If Respondent's proposal contains any proprietary information that should not be disclosed or used by ICANN other than for the purposes of evaluating the proposal, that information should be marked with appropriate confidentiality markings.

Discrepancies, Omissions and Additional Information
Respondent is responsible for examining this RFP and all addenda. Failure to do so will be at the sole risk of Respondent. Should Respondent find discrepancies, omissions, unclear or ambiguous intent or meaning, or should any question arise concerning this RFP, Respondent must notify ICANN of such findings immediately in writing via e-mail no later than three (3) days prior to the deadline for bid submissions. Should such matters remain unresolved by ICANN, in writing, prior to Respondent's preparation of its proposal, such matters must be addressed in Respondent's proposal.

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[1] A vital element in ICANN's processes is the opportunity for public comment on each substantial piece of work before it is considered for approval.   For more information, see http://www.icann.org/en/news/public-comment.

ICANN is not responsible for oral statements made by its employees, agents, or representatives concerning this RFP. If Respondent requires additional information, Respondent must request that the issuer of this RFP furnish such information in writing.

A Respondent's proposal is presumed to represent its best efforts to respond to the RFP. Any significant inconsistency, if unexplained, raises a fundamental issue of the Respondent's understanding of the nature and scope of the work required and of its ability to perform the contract as proposed and may be cause for rejection of the proposal. The burden of proof as to cost credibility rests with the Respondent.

If necessary, supplemental information to this RFP will be provided to all prospective Respondents receiving this RFP. All supplemental information issued by ICANN will form part of this RFP. ICANN is not responsible for any failure by prospective Respondents to receive supplemental information.

Assessment and Award

ICANN reserves the right, without penalty and at its discretion, to accept or reject any proposal, withdraw this RFP, make no award, to waive or permit the correction of any informality or irregularity and to disregard any non-conforming or conditional proposal.

ICANN may request a Respondent to provide further information or documentation to support Respondent's proposal and its ability to provide the products and/or services contemplated by this RFP.

ICANN is not obliged to accept the lowest priced proposal. Price is only one of the determining factors for the successful award.

ICANN will assess proposals based on compliant responses to the requirements set out in this RFP, any further issued clarifications (if any) and consideration of any other issues or evidence relevant to the Respondent's ability to successfully provide and implement the products and/or services contemplated by this RFP and in the best interests of ICANN.

ICANN reserves the right to enter into contractual negotiations and if necessary, modify any terms and conditions of a final contract with the Respondent whose proposal offers the best value to ICANN.