



REQUEST FOR PROPOSAL

Legal Research Services

Office of the City Counselor

1200 Market Street, Room 314

St. Louis, Missouri 63103

Phone: 314-622-3361

Fax: 314-622-4956

Request for Proposal (RFP)

Legal Research Services

1.0. INFORMATION FOR RESPONDENTS.

1.1. Purpose and Intent.

This Request for Proposal (RFP) for Legal Research Services is issued by and through the Office of the City Counselor (the “OCC”), on behalf of The City of St. Louis, Missouri (the “City”).

The purpose of this RFP is to solicit sealed proposals for the purpose of hiring a company through competitive negotiations to provide services for legal research for use by various attorneys of the OCC. The potential contract(s) resulting from this RFP will be used to obtain electronic and hardcopy research services via the web for legal-related research.

The intent of this RFP is to award a contract to the respondent whose proposal, conforming to this RFP, is most advantageous to the OCC, price, and other factors considered. The OCC reserves the right to award the contract(s) resulting from this RFP to one or more respondents, as required and appropriate to meet the needs of the OCC user community.

1.2. Background.

The Law Department for The City of St. Louis, Missouri, known as the Office of the City Counselor, provides legal assistance and representation to the City, its related agencies and departments, and its elected and appointed officers. The OCC is comprised of approximately 40 attorneys plus support staff. The main office, with around 20 attorneys, and for whose attorneys this RFP is primarily intended, is located in Room 314 of City Hall. Additional attorney staff is located at Lambert-St. Louis International Airport, the Municipal Courts, the St. Louis Development Corporation, Workers’ Compensation Unit, and the Problem Properties Unit.

1.3. RFP Timeline.

1.3.1. Question and Answer Period.

It is the policy of the OCC to accept questions and inquiries regarding this RFP only via U.S. mail. The contact person for the Committee is Thomas Gleditsch. Written questions shall be mailed to him at the following address:

Mr. Thomas Gleditsch
Assistant City Counselor
1200 Market Street, Room 314
St. Louis, Missouri 63103
Telephone: 314-622-3361

Questions must be received no later than **Friday, June 22, 2012**. The OCC will maintain a list of all entities requesting copies of the RFP and shall ensure that copies of all questions and responses thereto shall be made available to each entity on such list.

Questions should be asked in consecutive order, from beginning to end, following the organization of the RFP. Each question should begin by referencing the RFP page number and section number to which it relates. Short *procedural* inquiries may be accepted by telephone by the OCC and should be directed to Mr. Gleditsch; however, oral explanations or instructions given over the telephone shall not be binding upon the OCC. Respondents shall not contact any other Committee member, the OCC or the City directly, in person, by telephone, facsimile, or by e-mail, concerning this RFP.

After the submission of proposals, unless requested by the OCC, contact with the OCC is limited to status inquiries only and such inquiries are only to be directed to the above-named individual. Any further contact or information about the proposal to the OCC or any other City official connected with this RFP will be considered an impermissible supplementation of the respondent's proposal.

1.3.2. Submission of Proposal.

In order to be considered by the Selection Committee, a respondent's proposal must be received by the OCC at the location, date and time noted below. Proposals received after this deadline will not be accepted. **THE DATE, TIME AND LOCATION ARE:**

<u>Date:</u>	FRIDAY, JUNE 29, 2012
<u>Time:</u>	4:30 P.M. CST
<u>Location:</u>	OFFICE OF THE CITY COUNSELOR 1200 MARKET STREET, ROOM 314 ST. LOUIS, MISSOURI 63103

Proposals must be labeled on the outside of the package to clearly indicate that they are in response to the **RFP FOR LEGAL RESEARCH SERVICES**. Proposals submitted via e-mail or facsimile will not be accepted.

Each respondent must submit **one (1) sealed, complete, ORIGINAL proposal**. Each respondent must also submit **seven (7) sealed, full, complete and exact copies** of the original. It is suggested that the respondent make and retain a copy of its proposal.

2.0. **SCOPE OF WORK.**

2.1 Background.

The OCC is interested in receiving sealed proposals to provide legal research services to approximately twenty (20) of its attorneys primarily located at its main office in Room 314 of the City of St. Louis City Hall.

The respondent should assume that any contract(s) that may be issued as a result of this RFP shall be either a fixed-price contract – inclusive of all services and products required by the OCC – or a contract based on per-use or transaction. The OCC shall have the right to choose which fee structure is most advantageous to its research needs.

2.2. Specifications.

This section contains specifications and relevant information respondents should use for the preparation of their proposals. Respondent's proposal must contain a response to each specification, if applicable.

2.2.1. Legal Research Services.

The respondent shall have the ability to provide web access to a broad range of legal research services including but not limited to cases, statutes, appellate briefs, legal journals, treatises, and law reviews. The services provided shall include searching, citation, downloading and printing.

The respondent(s) shall provide access to the legal research services via the web with secured password protection for access and control.

The respondent's product shall provide for file downloads to the user's computer in Rich Text Format (.rtf), Microsoft Word (.doc), and Adobe Acrobat (.pdf) formats. File downloads and remote printing should be available at the user's on-site PC and/or network attached printer, and it is desirable that access would be obtained from any remote location via password.

The respondent's product shall be capable of providing pinpoint page citations.

The respondent shall provide an automatic cite checking service such as Shepard's or Keycite. A citation verification service such as WestCheck or CiteCheck shall also be provided at no extra cost.

2.2.2. Materials.

Respondent's proposal shall provide three price structures, each on a flat-fee and per-use basis. The first must encompass materials outlined in subsection 2.2.2.1. The second price quote must include subsection 2.2.2.1 and 2.2.2.2. The third price quote must include subsections 2.2.2.1.,

2.2.2.2., and 2.2.2.3. If respondent is unable to “bundle” the materials as required in this subsection, respondent must state the reason for its inability and provide an alternative structure that most resembles the structures listed in subsections 2.2.2.1. through 2.2.2.3.

2.2.2.1. Mandatory Materials.

The respondent must provide access to all the requested materials listed below:

All Federal case law material listed below:

- US Supreme Court
- US Courts of Appeals, all circuits, reported/unreported decisions
- US District Courts, all states, all circuits.

Federal Statutes/Legislative History/Bill Tracking listed below:

- US Code - with and without annotation, historical codes, and all tables and indices
- Federal bill tracking and bill archives
- Congressional bills
- Federal Rules with annotation.

Federal Administrative Law and Regulations listed below:

- Code of Federal Regulations - current and archived.

All Missouri databases offered through the respondent’s catalog (excepting third-party database services) to include at a minimum:

- MO case law including all state courts
- MO statutes
- MO regulations.

2.2.2.2. Elective Materials, Tier I.

Depending on respondent’s availability, and the cost of access to the OCC, the respondent is asked to provide a cost structure for the materials listed below:

Federal Statutes/Legislative History/Bill Tracking listed below:

- Federal bill tracking and bill archives
- Congressional Record
- Legislative history - current and archived.

Federal Judicial materials listed below:

- Federal practice materials and forms.

Federal Administrative Law and Regulations listed below:

- Federal Register - current and archived
- Federal regulation tracking.

All 50 States materials listed below:

- Case law, including all state courts
- Statutes, including annotated version
- Legislative histories
- Court rules
- Attorneys General opinions
- Regulatory codes and registers
- Bill tracking.

Law reviews/law journals/texts/treatises including, but not limited to:

- Any law review or law journal material normally made available by the respondent to legal subscribers
- Any legal text or treatise that the State of Missouri already subscribes to in print form (e.g., Am Jur, ALR, CJS, etc.).

All Missouri databases offered through the respondent's catalog (excepting third-party database services) to include at a minimum:

- All MO regulatory and administrative law materials
- MO practitioner's guide and legal forms
- Law reviews from MO law schools
- MO Approved Instructions (MAI)
- MO bill text and tracking
- MO Attorney General Opinions
- MO Law Journal/MO Lawyer and other state legal newsletters
- MO Court Rules.

2.2.2.3. Elective Materials, Tier II.

Depending on respondent's availability, and the cost of access to the OCC, the respondent is asked to provide a cost structure for the materials listed below:

- News
- Public records (e.g., UCC records, liens, judgments, property records, lawsuit or adverse filings, etc.).

2.2.2.4. The respondent may provide access to other legal reference databases in addition to the mandatory and elective materials listed above. The respondent must maintain a comprehensive list of all required databases. The OCC shall be provided with the original list and all updates to the list as they occur. The respondent should provide the OCC with a comprehensive list of all additional databases offered as a part of this RFP.

2.2.3. Technical Requirements.

Standard web browser software and internet connectivity shall be the only tool necessary to access the online services proposed.

Unless specifically stated, the respondent's service must provide the following features, and shall be included in respondent's quote price structure:

- A. Password protection to prevent unauthorized access. The respondent shall provide monthly reports of user activity and, if requested by the OCC, shall provide monthly reports of connect time based on user passwords.
- B. A mechanism by which online research sessions are automatically terminated if no activity is recognized, i.e., no transactions performed, within a given time period after successful connection with the respondent's site.
- C. During all online research sessions, the respondent shall preclude any internet "pop-ups" or advertisements of any kind from displaying during the user's research session.
- D. The OCC shall be able to add or delete logon IDs and passwords on at least a monthly basis and upon the separation from employment of any individual user.
- E. Prior to commencing a search session, the OCC shall be able to input a client's identification for easy bill tracking.
- F. The respondent shall not impose any limit to the number of simultaneous users, nor limit in any manner the amount of access time to the materials listed in 2.2.2.1. Web-based access must not be limited to any group or type of IP addresses.
- G. The most current version of an automatic cite checking system to include, at a minimum, Shepard's Citations or approved equal. It shall be the respondent's responsibility, at no additional cost to the OCC, to update the OCC's cite checking system when newer versions are released. The respondent shall also provide the most current version of a citation verification service.
- H. The respondent's product shall be capable of providing pinpoint page citations.
- I. The respondent's product shall be capable of providing case-tracking, and/or provide users with electronic bulletins on important developments (legislative bills, statutes, regulations, and/or caselaw) in a specific area of the law or jurisdiction.
- J. The system shall be capable of performing specialized searches on "key" fields such as dates, judges, and citations. The system shall also provide for searches on topical areas of interest and shall have the ability to search for character strings. The system must allow for searching using natural language and Boolean logic as well as by use of expanded terms or universal characters (e.g., a search for

approv! will return all variations on approve, and a search on kn*w will return matches for know and knew).

2.2.4. Training

The contractor must be capable of providing on-site training for OCC employees. The training shall be included in respondent's quote price structure and shall focus on accessing the web-based research tools and include the following minimum elements in the course syllabus:

- Accessing the website
- Becoming familiar with the available databases, record collections, and resources
- Conducting simple searches
- Saving search results
- Conducting subsequent searches within search results
- Conducting complex searches
 - Boolean logic
 - Nested searches
 - Wild card searches
 - Constructing an efficient search
 - Constructing searches that can be saved and rerun in the future
- Printing search results
- Downloading search results to the user's computer
- Using the online help
- Using online tutorial(s), if available.

2.2.5. Support Services.

Support services shall be included in respondent's quote price structure and shall be available via a toll-free, staffed telephone number, 24 hours per day / 7 days per week, to respond to users' questions.

2.2.6. Invoicing.

The respondent shall provide the OCC with a monthly invoice. The invoice may be submitted to OCC in electronic format or paper format, provided the electronic format can be printed in a legible, convenient manner for processing by accounting offices. The monthly invoice must provide service utilization details by each logon ID (named user), including the costs associated with the logon ID's monthly activity, and the connect time and/or number of transactions conducted. The respondent shall maintain user activity data through a tracking report.

2.2.7. Pricing Provision.

The respondent's proposal should contain specific pricing and cost information. The respondent shall provide access to its basic legal research databases on a monthly flat fee. In addition, and as an alternative, the respondent's proposal should contain specific pricing and cost information for the services contained herein on a per-use or transaction fee structure. The OCC shall have the right to choose which fee structure is most advantageous to its research needs.

2.2.8. Changes and Additions.

The respondent shall notify the OCC in writing when new services, libraries, products, content and/or databases become available. Should new items become available during the term of the contract that would change the fixed pricing of the contract if added, the respondent shall allow the OCC a 30-day free trial period for the new item(s). This trial period shall be for evaluation purposes to determine whether the new item(s) has sufficient relevance to OCC work. At the conclusion of the 30-day free trial period, the respondent must request in writing to the OCC that the contract be amended to include these item(s), with clear definition of the impact on pricing. New items, i.e., services, products, content and/or databases, may only become a part of the contract upon acceptance by the OCC. The OCC shall be under no obligation to pay additional costs without its express prior written consent. The respondent shall make available to the OCC any enhancements or upgrades to either the respondent's website or search engine features at no additional cost.

2.2.9. Respondent's Questionnaire.

2.2.9.1.1. Please describe your organization and include in your description, at a minimum, the following:

- Type of organization (Corporation, Partnership, etc.)
- Brief history
- Description of services
- Experience in providing online legal research services to attorneys in a municipal setting
- Representative list of clients, preferably municipalities, for whom you provide similar online services

2.2.9.1.2. How frequently are your legal research libraries updated?

2.2.9.1.3. Measured on a monthly basis, what is the uptime percentage for your servers and data research facilities?

2.2.9.1.4. What is the response time for return of data for customers who access your present legal research database?

2.2.9.1.5. Compare your proposal to the free legal research materials and tools available on the Web.

3.0. **PROPOSAL EVALUATION.**

3.1. Proposal Selection Committee

The evaluation of proposals will be performed by a Selection Committee composed of representatives of the Mayor's Office, Comptroller's Office, the Aldermanic President's Office, and the OCC, in accordance with the guidelines established by Ordinance No. 64102 and the Regulations established by the Board of Public Service.

The Selection Committee will review proposals using the following criteria as a guide to determine which, if any, proposals are the most advantageous to the OCC's needs:

- A. The proposed cost of the services. The proposed cost of the services is very important but is not necessarily the controlling factor in choosing the successful respondent.
- B. Specialized experience, qualifications, and technical competence of the respondent, its principals, project manager and key staff.
- C. Ability of the respondent to provide innovative solutions.
- D. Approach to the project and any unusual problems anticipated.
- E. The capacity and capability of the respondent to perform the work within the time limitations.
- F. Proximity of the respondent to the City.
- G. Availability of financial and operating resources as required to complete the work.
- H. M/WBE and/or DBE participation.
- I. Ability of the respondent to meet statutory or ordinance requirements.
- J. Past record and performance of the respondent with respect to schedule compliance, cost control, and quality of work.
- K. The extent to which the proposal is complete and responsive to the RFP specifications.
- L. Other relevant criteria as may be developed by the OCC or the Selection Committee.

The Selection Committee reserves the right to interview, or call for a presentation from any respondent submitting a response. The Selection Committee also reserves the right to discuss the proposals with any or all respondents. Nothing in this RFP is intended to be, nor should anything herein be construed as, an offer of engagement. A selection or designation of a successful respondent shall not be construed as an offer of engagement until and unless a contract is fully negotiated. The Selection Committee also reserves the right to reject any and/or all bid responses with or without cause; request additional information from bidders as the

Committee may deem necessary; waive any/or all non-material irregularities pertaining to this selection and/or submission of responses; disqualify any and/or all firms or bidders and reject any and/or all bid responses for failure to comply with this RFP or to promptly provide additional requested materials or information.

4.0. **ADDITIONAL INFORMATION.**

4.1. Amended Proposals

A respondent may submit an amended proposal before the deadline for receipt of proposals. Such amended proposals must be complete replacements for a previously submitted proposal and must be clearly identified as such in the transmittal letter. The OCC will not merge, collate or assemble proposal materials.

4.2. Right to Withdraw Proposal

Respondents will be allowed to withdraw their proposals at any time prior to the deadline for receipt of proposals. The respondent must submit a written withdrawal request signed by the respondent's duly authorized representative(s) addressed to the OCC and received by the OCC prior to the deadline for the receipt of proposals.

4.3. Revisions to this RFP

In the event that it becomes necessary to clarify or revise this RFP, such clarification or revision will be by addendum.

All RFP addenda will be issued on the City website. To access addenda, the respondent must locate "Legal Research Services RFP" at the following address:
<http://stlouis-mo.gov/government/procurement.cfm>

There are no designated dates for release of addenda. Therefore, interested respondents should check the City website on a daily basis from time of RFP issuance through RFP deadline date. It is the sole responsibility of the respondent to be knowledgeable of all addenda related to this RFP.

4.4. Respondent Responsibility.

The respondent assumes sole responsibility for the complete effort required in this RFP. No special consideration shall be given after proposals are opened because of a respondent's failure to be knowledgeable of all the requirements of this RFP. By submitting a proposal in response to this RFP, the respondent represents that it has satisfied itself, from its own investigation, of all the requirements of this RFP.

4.5. Cost Liability.

Any cost incurred by the respondent in preparation, transmittal, or presentation of any proposal or material submitted in response to this RFP, including oral presentation and demonstration if required, shall be borne solely by the respondent.

4.6 Audits

The City of St. Louis and the City's auditors and accountants shall be afforded access during the term of any contract adopted pursuant to this RFP, and for five (5) years following termination, to all of the contractor's books and records without limitation whatsoever for the purpose of conducting audits. All books and records shall be open to inspection and/or reproduction to the extent necessary to adequately permit evaluation and verification of the firm's full compliance with contract documents. In those situations where the contractor's records have been generated from computerized data or records, in addition to hard copy (reports), contractor shall provide such information on disk or in a suitable alternative electronic format.

4.7. Contents of Proposals.

All materials submitted in accordance with this RFP will become and remain the property of the City and will not be returned.

All Proposals shall be considered public records, but may be deemed and treated as "closed" or "exempt" by the OCC, at the sole discretion of the OCC, pursuant to the City's understanding and interpretation of the laws of the State of Missouri. The City cannot guarantee confidentiality of any materials during the evaluation process or at any other time. Thus, Proposals and communications exchanged in response to this RFP should be assumed to be subject to public disclosure.

4.8. No Obligation.

This RFP in no manner obligates the City or the OCC to the eventual purchase of services offered until confirmed by a fully executed written contract approved by the OCC. Progress toward this end is solely at the discretion of the OCC and may be terminated at any time prior to obtaining a fully executed written contract.

4.9. Termination.

This RFP may be canceled at any time and any and all proposals may be rejected, in whole or in part, when the OCC determines it is in the best interest of the City and/or the OCC.

4.10 Negotiation

The City reserves the right to negotiate contract terms with any respondent to this RFP.

4.11. Governing Law.

This RFP, and any agreement with selected respondent(s) that may result, shall be governed by the laws of the State of Missouri.

4.12. Nondiscrimination

In connection with any contract resulting from this RFP, the contractor agrees that in performing any services resulting from this RFP, neither the contractor nor anyone under the contractor's control will permit discrimination against any business, employee, applicant, client or subscriber because of age, sex, race, creed, color, disability, religion, sexual orientation, national ancestry or origin.

4.13 Living Wage & Minority and Women's Participation.

The selected respondent(s) will be expected to comply with the City's Living Wage Ordinance No. 65597, and all respondents are encouraged to review this ordinance prior to making their submissions. The City is actively seeking participation by MBE and WBE firms and encourages those firms to submit proposals. The selected respondent(s) shall comply with the Mayor's Executive Order No. 28, as amended, or any subsequent order, ordinances, or any City Rules and/or Regulations relating to the utilization of women and minority-owned businesses (W/MBE) in all of its activities under the resulting contract. Executive Order No. 28 requires contractors and consultants to seek, through good-faith efforts, the involvement of minority business enterprises (MBEs) and women business enterprises (WBEs) with a goal of participation of at least 25% and 5% respectively, for this project. For additional information, please visit www.mwdbe.org.

4.14 Americans with Disabilities Act (ADA)

In connection with the furnishing of goods and services under any contract resulting from this RFP, the contractor(s) shall comply with all applicable requirements and provisions of the Americans with Disabilities Act (ADA).

4.15 Unauthorized Alien Employees

As a condition for the award of the resulting contract, the selected respondent(s), shall, pursuant to the provisions of Sections 285.525 through 285.555 of the Revised Statutes of Missouri 2000, as amended, by sworn affidavit (attached hereto as Appendix 1) and provision of documentation, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the resulting contract. The selected respondent(s) shall also sign an affidavit (attached hereto as Appendix 1) affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the resulting contract pursuant to the above-stated Statutes.

4.16 Subject to Appropriation

Any contract or agreement that results from this RFP is subject to annual appropriation by the City. Any contract or agreement that results from this RFP is voidable at any time by the City if appropriation by the City for the services under the contract or agreement is not made.

4.17 Indemnification.

Each respondent, in seeking, receiving or possessing this RFP and/or in submitting a response, does release, indemnify, and hold the City and its various employees, representatives and agents harmless from and against all claims and demands of any and all loss, cost, damage, or liability of whatever nature, which may be asserted against or imposed against the City as a result of issuing this RFP, making any revisions thereto, conducting this selection process and subsequent negotiations, and making a final recommendation and/or entering into a contract.