

Minnesota Appellate Courts Legal Research Database Request for Proposal

NOTICE IS HEREBY GIVEN of Request for Proposal for a Contract for Internet Access to Legal Research Databases for Minnesota Appellate Courts

The State of Minnesota, through its appellate courts, requires Internet access to a variety of primary and secondary source legal research databases from Minnesota and other jurisdictions. Experience has indicated that access to automated legal databases can provide timely, extensive, efficient, and cost effective access to legal materials for judges, and their support staff. The appellate courts request proposals from vendors who are able to provide such access to court offices described in Appendix I, Request for Proposals.

This is not a request for a bid but a request for a proposal that could become the basis for negotiations leading to a contract for court access to vendor compiled and designed legal research databases and services and/or vendor secondary research materials available online as outlined in Appendix I, the Request for Proposals. Other documents relative to the request are attached as additional appendices. The State is not obligated to respond to any proposal submitted nor is it legally bound in any manner whatsoever by the submission of a proposal. The State reserves the right to cancel or withdraw the request for proposal at any time if it is considered to be in its best interest. In the event the request for proposals is cancelled or withdrawn for any reason, the State shall have no liability to any responder for any costs or expenses incurred in connection with this request for proposals or otherwise. The State also reserves the right to reject any or all proposals, or parts of proposals, to waive any informalities therein and to extend proposal due dates.

Copies of the complete Request for Proposals can be obtained from the Legal Counsel Office of the State Court Administrator, 125 Minnesota Judicial Center, 25 Rev. Dr. Martin Luther King, Jr. Blvd., St. Paul, Minnesota 55155 or by calling 651-297-7486.

The deadline for the submission of proposals is October 28, 2014. No electronic or facsimile submissions will be accepted.

Questions about the RFP or the selection process must be in writing and directed to
Deanna J. Dohrmann
Legal Counsel
125 Minnesota Judicial Center
25 Rev. Dr. Martin Luther King, Jr. Blvd., Suite 125-C
St. Paul, Minnesota 55155 or by e-mail at Deanna.dohrmann@courts.state.mn.us.

Answers to questions received before 4:30 p.m. on October 17, 2014 will be posted on the public website (www.mncourts.gov) on Wednesday, October 22, 2014.

REQUEST FOR PROPOSAL FOR INTERNET ACCESS TO LEGAL RESEARCH DATABASES FOR MINNESOTA APPELLATE COURT PERSONNEL

I. SCOPE OF PROJECT. The purpose of contracting for access to legal databases is to provide appellate court personnel (Minnesota Supreme Court and Minnesota Court of Appeals) with the internet access to legal research materials to support sound judicial and court administrative decisions in a cost effective, timely, and efficient manner. In addition the appellate courts seek CD-Rom access to Minnesota statutory and case law material in networked and individual format.

II. REQUIRED COMPONENTS OF SERVICE.

A. Vendor will provide access to regularly updated legal research databases described below. Courts will use the Internet Explorer V9 or higher and Safari on the iPADS to access the databases. The courts workstations run a mixture of Windows 7 32 and 64 bit or Window 8o/s. The servers are a mixture of Windows Server 2008, Windows Server 2012, and Windows Server 2012 R2. The Windows Servers are Standard, Data Center and Enterprise Versions. The Courts are running a Windows 2012 R2 running in 2008 mode active directory. The networks are all connected via MN.IT. The wide area networks are running from 1 gig to 3 MB speeds. The Vendor must be able to provide connectivity within these parameters and must be able to service upgrades compatible with future technology.

B. Vendor will maintain and provide access to current legal research databases including:

1. Appellate cases, statutes, rules (court and administrative), and administrative decisions from each of the United States
2. U.S. Supreme Court Cases, U.S. Courts of Appeals Cases, U.S. District Court Cases
3. Federal Statutes and Rules (court and administrative)
4. Minnesota state trial and federal district court orders
5. Minnesota practice materials
6. Minnesota Legislative History database
7. ALR and AmJur 2d
8. All U.S. Law Reviews
9. Ability to search databases to cross reference cases and allow the user to determine if cases have been overruled or distinguished or otherwise cited in later cases in the same and other jurisdictions.
10. CJS (Supreme Court only)
11. Display and print cases in pdf. format (Supreme Court only)

Databases will be configured to allow users to search by official case citation,

name, and subject matter and other means to find related cases and principles of law.

- C. DOWNLOADING AND PRINTING VENDOR MATERIAL. The vendor system will allow for the downloading and printing of legal materials for the use of the appellate courts to court printers.
 - D. USERS. Judges, law clerks, staff attorneys and court administrative staff will access the databases. There are currently approximately 35 Supreme Court and 60 Court of Appeals personnel with access to the on-line legal research system. Because of periodic law clerk turn over, a system of access control to the databases should be part of the proposal. Management of that access system should reside with the courts.
 - E. PRICING. The State would prefer predictability in the pricing of any on-line legal research system and CD-Rom access to Minnesota case law and statutory material. The courts would prefer a monthly fixed price cost for each court. The licensing arrangement should allow for sufficient accessibility to avoid user delay in gaining access to materials.
 - F. BILLING. The State requires separate billings for the Court of Appeals and the Supreme Court identified by user and court.
 - G. TRAINING. The State requires training to be delivered periodically in each court upon request. The Vendor should identify in its proposal any necessary training that would be required initially for Courts to access and use efficiently the search features of the database system and CD-Rom materials. Vendor should specify the manner and location(s) in which that training could be delivered.
 - H. TECHNICAL SUPPORT. The State requires readily available technical support from the vendor to facilitate resolution of technical issues in cooperation with State technical staff responsible for the court computer network. Because access to legal databases is critical to the successful adjudication of court cases, continuous access to legal databases is critical to the successful performance of this task.
 - I. IMPLEMENTATION. The State requires the implementation of access to on-line legal research materials within 30 days of the execution of the contract.
 - J. TERM. The desired term of any contract is three years.
- III. COURT CONTACT. Questions regarding this Request for Proposal must be submitted in writing and directed to:
Deanna J. Dohrmann
Legal Counsel
125 Minnesota Judicial Center

25 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN. 55155

PLEASE NOTE: OTHER JUDICIAL BRANCH PERSONNEL ARE NOT ALLOWED TO DISCUSS THE PROJECT WITH RESPONDERS BEFORE THE DEADLINE FOR SUBMITTING PROPOSALS.

- IV. SUBMISSION OF PROPOSALS. Your proposal must be submitted in writing in a sealed envelope to:

State Court Administrator's Office
Attn: Deanna J. Dohrmann
25 Rev. Dr. Martin Luther King, Jr. Blvd. Suite 125-C
St. Paul, MN 55155

An individual authorized to bind the firm must sign the proposal.

The proposal must be received in our office no later than noon on Tuesday, October 28, 2014. Proposals will be opened the following business day and once opened become accessible to the public. Do not place any information in your proposal that you do not want revealed to the public.

LATE PROPOSALS WILL NOT BE ACCEPTED.

- V. PROJECT PAYMENT RATE. Vendors should propose a cost for the service inclusive of the cost for each of the following:
1. System access and usage
 2. Printing
 3. Training
 4. Technical Support

Continuation of this contract beyond June 30 of any year is contingent upon continued State appropriation of funds for the purpose of the contract. In the event that adequate funds are not so appropriated, the State may cancel this contract by the giving of thirty (30) days written notice. In the event of any such cancellation, no penalty in any form shall be levied against the State of Minnesota or any agencies or employee thereof as a result of such cancellation.

- VI. CONTRACT DURATION. This contract will run for the period beginning approximately December 1, 2014, and ending November 30, 2017. The terms of the proposal as stated will be valid for the duration of the contract.
- VII. PROPOSAL CONTENTS. Your proposal must specify the ability to provide the service components identified in Paragraph II, the cost identified in Paragraph V, a statement of the ability to implement the database access software, and a proposed timeframe for implementation.

VIII. ADDITIONAL PROPOSAL CONTENTS.

- A. CERTIFICATE OF INSURANCE. Minnesota Statutes § 176.182 requires that the State shall not enter into any contract before receiving from all other contracting parties acceptable evidence of compliance with the workers' compensation coverage requirements of § 176.181, subd. 2. Your proposal must include one of the following: (1) a certificate of insurance, or (2) a written order from the Commissioner of Insurance exempting you from insuring your liability for compensation and permitting him to self-insure the liability, or (3) an affidavit certifying that you do not have employees and therefore are exempt pursuant to Minn. Stat. §§ 176.011, subd. 10; 176.031; and 176.041.
- B. AFFIRMATIVE ACTION CERTIFICATION. If your proposal exceeds \$100,000.00, your proposal must include a completed Affirmative Action Data Page.
- C. NONCOLLUSION. You must complete the Affidavit of Noncollusion and include it with your proposal.

- IX. EVALUATION. The appellate courts will evaluate all complete proposals received by the deadline. Incomplete proposals, late proposals, or proposals sent to any other address will not be considered. A vendor demonstration may be requested. The evaluation of all proposals shall be based upon deriving the “Best Value” for the Judicial Branch.

Best Value means achieving an appropriate balance between price and other factors that are key to a particular procurement. A procurement that obtains a low price but does not include other necessary qualities and features of the desired product or service does not meet the Best Value criterion.

Factors upon which the proposals will be judged include, but are not limited to, the following:

- A. Ease of Implementation
- B. Effectiveness of Search Cross References
- C. Accuracy of Case Cross Referencing
- D. Cost
- E. Availability of Technical Support and Training

Affirmative Action Statement and Certification of Compliance

STATE OF MINNESOTA - AFFIRMATIVE ACTION STATEMENT

If your response to the RFP is estimated to exceed \$100,000, you must complete the information requested:

BOX A:

1. Have you employed more than 40 full-time employees within Minnesota on a single working day during the previous 12 months?

YES NO

If your answer is “NO,” proceed to BOX B. If your answer is “YES,” **your response will be rejected unless your firm or business has a Certificate of Compliance issued by the State of Minnesota, Commissioner of Human Rights, or has submitted an affirmative action plan** to the Commissioner of Human Rights for approval **by the time the responses are due** for any proposal estimated to exceed \$100,000.

2. Please check one of the following statements:

YES, we have a **current** Certificate of Compliance that has been issued by the State of Minnesota, Commissioner of Human Rights. (Include a copy of your certificate with your response.)

NO, we **do not have** a Certificate of Compliance; however, **we submitted an affirmative Action plan** to the Commissioner of Human Rights for approval on _____, . The plan must be approved by the Commissioner of Human Rights before any contract or agreement can be executed.

NO, we **have not submitted** a plan. If your plan is not submitted by the time the responses are due, your response will be rejected.

NOTE: Minnesota contractors must have a certificate issued by the Minnesota Department of Human Rights. Affirmative Action plans approved by the federal government, a county, or a municipality must still be reviewed and approved by the Minnesota Department of Human Rights for a certificate to be issued.

BOX B:

1. Have you employed more than 40 full-time employees on a single working day during the previous 12 months in a state in which you have your primary place of business and that primary place of business is outside of the State of Minnesota, but inside the United States?

YES NO

If your answer is “NO,” proceed to BOX C. If your answer is “YES,” **the state cannot execute a contract with your firm or business unless it is in compliance with the Minnesota Human Rights certification requirements. It is the sole responsibility of the firm or business to apply for and obtain a human rights certification prior to execution of a contract as applicable.** You may achieve compliance with the Human Rights Act by having either a current Certificate of Compliance issued by the State of Minnesota, Commissioner of Human Rights, or by certifying that you are in compliance with federal Affirmative Action requirements.

2. Please check one of the following statements:

YES, we have a current Certificate of Compliance issued by the Minnesota Department of Human Rights. (Include a copy of your certificate with your response.)

YES, we are in compliance with federal Affirmative Action requirements.

NO, we do not have a current Certificate of Compliance and we cannot certify that we are in compliance with federal Affirmative Action requirements.

BOX C:

1. If your answers to BOX A (Question 1) and Box B (Question 1) were “NO,” you are not subject to the Minnesota Human Rights Act certification requirement. Please, however, check one of the following:

NO, we have not employed more than 40 full-time employees within Minnesota on a single working day during the previous 12 months and we have not employed more than 40 full-time employees on a single working day during the previous 12 months in the state in which our primary place of business is located.

We are a business with our primary place of business outside of the United States that has not employed more than 40 full-time employees within Minnesota on a single working day during the previous 12 months.

For further information regarding Minnesota Human Rights requirements, contact the Department of Human Rights, Compliance Services, 190 East 5th Street, Suite 700, St. Paul, MN 55101; Voice: 651.296.5663; Toll Free: 800.657.3704; or TTY: 651.296.1283. For further information regarding federal Affirmative Action requirements, call 800.669.4000 or visit its web site at <http://www.eeoc.gov/>.

By signing this statement, the Proposer certifies that the information provided is accurate.

NAME OF FIRM: _____

AUTHORIZED SIGNATURE: _____

TITLE: _____

DATE: _____

(See next page for notice to Proposers)

NOTICE TO PROPOSERS
AFFIRMATIVE ACTION CERTIFICATION OF COMPLIANCE

The Minnesota Human Rights Act (Minn. Stat. § 363.073) divides the contract compliance program into two categories. Both categories apply to any contracts for goods or services in excess of \$100,000.

The first category applies to businesses that have had more than 40 full-time employees within Minnesota on a single working day during the previous 12 months. The businesses in this category must have submitted an Affirmative Action plan to the Commissioner of the Department of Human Rights prior to the due date of the response and must have received a Certificate of Compliance prior to the execution of a contract.

The second category applies to businesses that have had more than 40 full-time employees on a single working day in the previous 12 months in the state in which they have their primary place of business. The businesses in this category must have either a current Certificate of Compliance previously issued by the Department of Human Rights or certify to the STATE that they are in compliance with federal Affirmative Action requirements before execution of a contract. For further information, contact the Department of Human Rights, 190 East 5th Street, Suite 700, St. Paul, MN 55101; Voice: 651-296-5663; Toll Free: 800-657-3704; or TTY: 651-296-1283.

Minnesota businesses must have a current Certificate of Compliance or submitted an affirmative action plan by the time proposals are due, or their proposal will be rejected.

The STATE is under no obligation to delay the execution of a contract until a business has completed the Human Rights certification process. It is the sole responsibility of the business to apply for and obtain a Human Rights certificate prior to execution of a contract, as applicable.

**STATE OF MINNESOTA
AFFIDAVIT OF NONCOLLUSION**

I swear (or affirm) under the penalty of perjury:

1. That I am the Proposer (if the Proposer is an individual), a partner in the company (if the Proposer is a partnership), or an officer or employee of the responding corporation having authority to sign on its behalf (if the Proposer is a corporation);
2. That the attached proposal submitted in response to the _____ Request for Proposals has been arrived at by the Proposer independently and has been submitted without collusion with and without any agreement, understanding or planned common course of action with, any other Proposer of materials, supplies, equipment or services described in the Request for Proposal, designed to limit fair and open competition;
3. That the contents of the proposal have not been communicated by the Proposer or its employees or agents to any person not an employee or agent (including a partner) of the Proposer and will not be communicated to any such persons prior to the official opening of the proposals; and
4. That I am fully informed regarding the accuracy of the statements made in this affidavit.

Proposer's Firm Name: _____

Authorized Signature: _____

Date: _____

Subscribed and sworn / affirmed to me

this _____ day of _____, _____

Notary Public
