

Questions regarding the RFP:

1. Section 2.8 requests one scanned copy of our proposal. May publishers submit an electronic copy instead?

ANSWER: Yes, however the Reporter must be able to electronically duplicate the electronic copy at no cost and without getting permission from the publisher.

2. Section 8.5 references that subscriptions have been declining slowly but steadily. Can you please provide an annual average decrease percentage rate over the past contract term? Can you please advise what is currently being done to maintain print subscriptions? Is it true that pricing has remained flat since 2006 as stated on the fact sheet?

ANSWER: (a) The percentage decrease in print subscriptions has generally been between six and ten percent per year. Most often, the decline has been eight or nine percent per year. (b) The current publisher markets the official reports by featuring the official reports in a variety of e-mails, mailings, search engine marketing, and in related Washington promotions, catalogs, and literature; the publisher also provides support from online segment marketing teams. (c) The fact sheet was in error as to the current pricing. The current cost per volume for subscribers is \$24.50. The current cost for annual subscription to advance sheets is \$74.00. The current cost for the Cumulative Subject Index is \$24.50 per issue. We will correct the page in Appendix B that reflects this information and repost as an amendment to the RFP. (Other information on the Facts Sheet is being corrected as well.)

3. Part 10 pertains to an optional web site that is allocated up to 6% of the total score. In light of the requirement to provide a marketing plan to help retain print revenues, and the probability that publishing exact versions of the opinions on a public website, will the Reporter consider removing all evaluation points associated with this aspect?

ANSWER: No. The proposals will be evaluated as indicated in the RFP. To fully consider the merits of a proposal, we need to evaluate both the marketing plan and any optional proposal for a web site.

4. With print subscriptions being the source of revenue for publishers and with print subscriptions declining steadily year over year, may publishers charge the Reporter of Decisions a one-time development flat fee for the optional web site?

ANSWER: No. Any costs for developing or operating the web site should be accounted for in the bidder's proposal for pricing for the advance sheets and bound volumes in Part 9 of the RFP. If costs for the website are to be incorporated into the pricing under Part 9, a bidder may wish to specially note how much of the price is attributed to developing or operating the web site.

5. Additionally, may publishers charge an annual maintenance fee of the optional web site?

ANSWER: No. See the answer to question 4.

6. Additionally, may publishers charge the public access to enhanced opinions on the web?

ANSWER: No.

7. Will the Reporter consider removing the requirement that the electronic version of the official reports reflect the same editorial standards and enhancements as the print version?

ANSWER: No.

8. Will the Reporter consider alternative pricing proposals for the print material and the online material that vary from the pricing is required from the RFP?

ANSWER: No, except as noted in the last part of the answer to question 4. The pricing required in the RFP provides a uniformity that allows us to readily compare the pricing proposed in different bids.

Appendix D to the RFP:

9. Appendix D, Subscription Lists. Can the Reporter ensure, rather than use best efforts, that publishers will have a subscription list (as detailed in 6.8.2) by May 1, 2014?

ANSWER: No. We do not have the subscription list, so we cannot ensure this. We will use our best efforts to enforce the current contract's requirement that the current publisher deliver the subscription list 60 days prior to the termination of the contract.

[Note: An error is contained on page 2 of Appendix D. On that page, under the heading "SUBSCRIPTION LIST," the date for delivery of the subscription information should be May 1, 2014, not June 1. We will correct this error and repost as an amendment to the RFP.]

10. Appendix D, Section 1.6 Copies. Regarding providing free copies to the Reporter. May these 150 plus copies be offered for a discounted rate rather than for no cost?

ANSWER: No.

11. Section 3.1.6 of the Publishing Services Contract (page 9) "if requested, the Reporter of Decisions can supply a sample binder the Publisher". Would you please send to us a sample binder for the Advance sheets?

ANSWER: Yes.

12. Section 3.5 provides citation resources publishers are to use. Please send a copy of the current Washington Opinion Reference Manual and the current Opinion Citation and Style Guide. Additionally, is the style guide classification provided in the style guide. If not can you please provide the classification scheme?

ANSWER: We will send copies of these items, as requested. If the style guide does not answer your question about the classification scheme, please clarify your request.

13. Section 3.9 Licensing Database. Please clarify how when the suppression is lifted for the RCEs, how this database will be different than the content on the optional website?

ANSWER: A bidder may propose additional enhancements on the optional web site beyond the minimum level specified in Part 10 of the RFP. For this reason, we do not know what the differences will be between the information on the optional website and the information in the database.

14. Please provide the subscription numbers to the products listed in 3.12.1 – i.e. the number of paid subscriptions, the number of complimentary, and the number of individual sales for all the respective titles (as the fact sheet does not break down the types of subscriptions).

ANSWER: It is our understanding that the subscription numbers provided in the fact sheet in Appendix B are all paid subscriptions. Other than the 150 free copies that are provided to the Reporter of Decisions office, at this time we are not aware of any unpaid subscriptions.

15. In addition to complimentary copies provided to the Reporter of Decisions, are their other services or hardware or software (as mentioned in Section 5.3 and 6.6) provided to the Reporter's office for no charge? If so, please detail what is provided to the Reporter's Office for no additional charge and for what reason.

ANSWER: No, as to hardware and software. We are not aware of any significant services that the current publisher provides free of charge beyond the services generally involved in completing the contracted-for work. In any event, a new publisher would not be bound to continue any services previously provided if those services are not specified in a new contract.

16. Will there be an opportunity to negotiate Exhibit B, General Terms and Conditions upon notice of contract award? For instance, this publisher requests that Termination for Convenience is not applicable in this publishing agreement and thus removed.

ANSWER: The provisions in Exhibit B, General Terms and Conditions, are based on the contract that is currently in place. We reserve the right to require these same provisions. Some of the General Terms and Conditions are required by either state law or policy and any changes to those provisions must not substantively change its intent and purpose. Nevertheless, as part of negotiating a contract with the Apparent Successful Proposer under Part 12 of the RFP, we will be open to discussing hardship caused by any particular provision and try to work toward a mutually agreeable solution.

17. In the event the contract is awarded to another publisher other than the present publisher, will the new publisher be able to obtain complete historical opinions back to 2000 to add to the publisher's propriety online research service for no additional cost?

ANSWER: We will be able to furnish, at no additional cost, complete historical opinions in their current electronic format back to 2000 to add to the optional web site.