

## VOLUNTARY CONTRACT NOTICE FOR UPCOMING PROCUREMENT PROCEDURE

### Provision of on-line access to (a) legal research service(s) on UK and/or US law (27874/SE/IMS/2013)

**Title:** Provision of on-line access to (a) legal research service(s) on UK and/or US law

#### I. Contracting authority

**1. Name, addresses and contact point of the contracting authority:**

European Central Bank  
Directorate General Secretariat - Information Management Services Division  
Attn: Ms Fabienne Allegret - Maret  
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60311, Frankfurt am Main, Germany  
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Tel +49 69 1344 7437 / Fax +49 69 1344 7880

**2. Business area:** Directorate General Secretariat

**3. Division:** Information Management Services

**4. Description of the functions:**

The Information Management Services Division is the primary provider of information management services at the ECB. It manages ECB Library and provides ECB members of staff with print and electronic publications and information services for all business and research purposes.

The main services of the ECB Library are to acquire, to organise and to provide access to information products and services, to provide research support, content organisation and document delivery. It is the central point of procurement for both printed and electronic publications, as well as external information services.

#### II. Description of the requested service:

To support the tasks of the Library and Directorate General Legal Services, the ECB requires (a) hosted service(s) which provide(s) on-line access to (an) electronic platform(s) that aggregate(s) information sources on UK legislation and case-law, and/or US legislation and case law, and legal journals in English language. The electronic platform(s) shall provide search functionalities that are accurate and reliable in terms of results generated.

The scope of the procurement is divided into **2 lots**:

**Lot 1: UK legislation and case-law:** Consolidated legal acts of United Kingdom of Great Britain and Northern Ireland including: Acts of Parliament, Statutory instruments, Scottish Acts of Parliament and Statutory Instruments, Welsh Statutory Instruments, Acts of the Northern Ireland Assembly and Statutory Rules, judicial decisions from the higher courts and the decisions of any of the courts or tribunals of the United Kingdom in construing legislation;

**Lot 2: US legislation and case-law:** Full-text annotated US federal and States' statutes and regulations, full-text federal judicial and administrative decisions and judicial decisions of all States, including case history, citations, and treatment, court dockets, court records, briefs, filings and other relevant court documents.

Both contents shall be provided in combination with **legal journals (secondary legal sources in English)**. The Tenderer shall include a comprehensive offer as regards secondary legal materials providing commentary on the law (such as law review articles, news reports, treatises, etc.) – abstracted and full text. Special consideration will be given to secondary legal materials dealing with topics relevant to the ECB, such as banking/financial law, European and international law.

The ECB retains the right to award a contract to each lot separately and/or to conclude a multi-vendor contract for each of the lots. Tenderers may submit an offer for either lot, for both lots separately, or a combined offer for both lots.

The electronic platform(s) shall fulfil at least the following technical and functional requirements:

- Providing access to all relevant legal documents in respective jurisdiction or legal system (UK or US) and academic legal journals (secondary legal sources in English language) (**minimum requirement**);
- Being a hosted service with on-line accessibility via Internet Explorer 6 or higher, or Google Chrome, with no additional software required (**minimum requirement**);
- Providing printing, downloading and e-mailing functionalities for all documents retrieved (**minimum requirement**).
- Providing search functionalities enabling sophisticated searches based on at least keywords, subject headings, document numbers, document authors, document title, date, and citation;
- Providing a list of relevant search results with the option to highlight search terms in retrieved results;
- Offering the possibility to enable notification services;
- Providing an online help tool;

The Tenderer shall be in a position to provide the following services:

- Usage reports of all ECB's usage identified by user. Such reporting shall be provided at least annually and in addition on ad-hoc basis on request by the ECB;
- Onsite user training on request by the ECB, as well as a possibility for a web-based training;
- Access to a service desk offering search support during ECB's business hours by telephone and online (Monday to Friday from 8:30 a.m. to 5:30 p.m. CET on ECB working days (refer to <http://www.ecb.europa.eu/home/html/contact.en.html> to see the ECB public holidays);
- A method whereby the user will be notified before trying to access a database that is not included in the tenderer's flat rate or per password pricing plan.

It is the ECB's intention to identify and select potential bidders in accordance with the rules specified in this voluntary contract notice and in particular under Section III ("Procedure") below, who will then be invited to participate in an upcoming procurement procedure as further described below.

The successful tenderer(s) that offer(s) best value for money will be awarded a contract following the closure of the procurement procedure, subject to a successful cost benefit analysis.

### **III. Procedure**

#### **1. General information**

This document constitutes a voluntary contract notice in the run-up to an upcoming procurement procedure for provision of on-line access to (a) legal research service(s) on UK and/or US law which shall be governed by Decision ECB/2007/5 of 3 July 2007 laying down the Rules on Procurement<sup>1</sup> and the supplementary rules attached as **Annex 1**. The procurement procedure will be carried out without publication of a notice in accordance with Article 29 of Decision ECB/2007/5.

#### **2. Pre-selection procedure:**

The ECB will send a Request for Proposal (RfP) to all candidates fulfilling the minimum criteria laid down in Section IV.1 of this voluntary contract notice. In such Request for Proposal, the selected tenderers will be asked to submit an offer to the ECB for the specified services. In the context of the procurement procedure, tenderers will need to grant a **trial** access (free of charge) to the ECB for minimum one month in the context of which the ECB will evaluate the quality of the electronic platform offered.

#### **3. Division into lots:**

The scope of the procurement is divided into 2 lots as set out in Section II: Description of the requested service.

#### **4. Type of contract:**

Service contract(s) for the duration of 4 years.

#### **5. Closing date:**

All applications must be received by the ECB by the closing date set out in Section VIII below.

### **IV. Qualifications and experience (selection criteria)**

#### **1. Minimum criteria:**

Applicant shall confirm that the platform(s) which the applicant would propose will fulfil all the **minimum requirements** as set out in Section II (Description of the requested service) of this voluntary contract notice.

#### **V. How to apply:**

Applications shall be submitted in hard copy format and shall be sent by post to the address and contact person stipulated under Section I. 1 above, and shall be mentioning: ***"Application for "Provision of on-line access to (a) legal research service(s) on UK and/or US law (27874/SE/IMS/2013)"***.

All applications must be received by the ECB by the closing date (see Section VIII below). If candidates submit their application by registered post or private courier services, the post office stamp or the date on the slip issued by the courier service shall constitute proof of compliance with the above time-limit for submission. However, the ECB will only consider applications that reach the ECB

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<sup>1</sup> OJ L 184, 14.7.2007, p. 34 as amended by Decision ECB/2009/2 (OJ L 51, 24.2.2009, p. 10) , Decision ECB/2010/8 (OJ L 238, 9.9.2010, p. 14) and Decision ECB/2012/10 ((OJ L 178, 10.7.2012, p. 14), all published on <http://www.ecb.europa.eu/ecb/proc/tenders/html/index.en.html>.

by no later than five calendar days after expiry of the above time-limit.

The application shall contain the completed and duly signed Candidate's Self-assessment for each lot for which the Candidate applies (**Annex 2a/b**).

Interested candidates may not apply to participate in the procurement procedure and/or be added to the list of candidates at a later date by sending the information requested in this voluntary contract notice after the closing date.

The ECB may, at its discretion, exclude applications that do not meet the minimum requirements, do not contain the information requested or are otherwise incomplete.

Applications will not be returned and will remain the property of the ECB.

**VI. Additional information:**

1. The contract(s) is/are intended for a duration of 4 years.
2. The contract(s) shall be governed by and interpreted under German civil law.
3. The ECB reserves the right to reuse the candidate's data for the identification of potential bidders for future procurement procedures.

**VII. Date of dispatch of this voluntary contract notice for the identification of potential bidders:**

**13 June 2014**

**VIII. Closing date:**

**4 July 2014 cob**