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On Thursday, September 30, 2010, the following multi-part e-mail inquiry was received with respect to the August 23, 2010, Request for Proposals for the online Ohio Revised Code and Ohio Administrative Code. The response was transmitted via e-mail on Monday, October 4, 2010. Each part of the inquiry appears below, with the respective part of the response:

Inquiry:
Per ***Part Three: General Instruction, Inquiries***, this vendor requests copies of all other inquires that have been received by LSC as they pertain to the above referenced RFP.

Response:
The text of all inquiries received prior to October 1, 2010, 8:00 am, and the responses are posted on the LSC website, at http://www.lsc.state.oh.us/rfp/rfp.htm.

Inquiry:
Part Four: Evaluation of Proposals, Rejection of Proposals states that LSC may reject any Proposal that… "objects to the terms or conditions of this RFP". This vendor will have to take exception to at least one term as posted in the RFP. As a threshold matter, will objections diminish this vendor's score during the evaluation?

Response:
It is not possible to give a definite answer, given the abstract nature of the inquiry. LSC reserves the right to diminish a Proposal's score or to reject a Proposal if the offeror objects to any terms or conditions of the RFP.

Inquiry:
The following questions are regarding ***Attachment One: Project Requirements, Required Contents:***

a. Section (A) states that the "OAC also must include the complete supplemental information for each rule [various details] …***"as it appears on the rule as filed"***. This vendor is interested in understanding the priority of this requirement for LSC as to comply with this requirement strictly as written would increase costs significantly. Please advise.
   i. Additionally, this vendor would like to know if strict compliance to the display has to be met for all supplemental information as listed, or if some supplemental information may be displayed alternatively?
b. Section (G) requires contact information to be provided of the Contractor. Please clarify:

i. What is the purpose for posting the Contractor's contact information?
ii. Will LSC be available to provide support on research and or content questions pertaining to each code, and will LSC post contact information?
iii. This vendor could provide a general number for Technical Support. Will this suffice?

Response:
LSC expects that the complete content of the supplemental information for each rule will be displayed. LSC does not necessarily expect that the supplemental information be formatted precisely as it is formatted on the rule, so long as the complete content of the supplemental information appears with the text of each rule. If an offeror's OAC does not currently include the complete content of the supplemental information, or contains alternative information, that situation may be a matter for discussion in the event LSC elects to pursue negotiations with that offeror.

Users of the Site should be provided a contact with the Contractor to report operational issues or concerns about the accuracy of the content of the Contractor's Codes, or, perhaps, to inquire about purchasing additional services not provided on the Site. To the extent that it will accommodate those ends, a general number for Technical Support will suffice.

The question concerning LSC contact information is addressed by paragraph (H) under "Required Contents," Attachment One. LSC expects that the Contractor will be able to resolve content questions on its own, although LSC does field occasional inquiries from various legal publishers and will continue to do so.

Inquiry:
Under ***Desired Content*** (A), please provide clarification as to what history information you are seeking for each section.

Response:
Ideally, the Site will provide effective dates of all legislation enacting, amending, or repealing a section of the ORC. At a minimum, the Site will provide the effective date of the most recent legislation affecting a section of the ORC.

Inquiry:
Under ***Desired Content*** (B), please provide clarification as to the requirement that there will be links the "index". This vendor's index is viewed as an editorial enhancement and as such would likely not be available on either unannotated websites.

Response:
LSC does not expect the Site to include a topical index to the Codes. The RFP is using the terms "index" and "table of contents" interchangeably.

Inquiry:
Under ***Desired Content*** (D) (7), please clarify what is meant by the "capability of limiting searches to a specific document level".

Response:
Ideally, users should be able to keyword search across the entire ORC or OAC, or limit the search to a single title or a single chapter.

Inquiry:
Under ***Miscellaneous Site Specifications*** (C) the requirement is that the "Site must display a page informing users of the outage". In the very rare instance that an outage should occur, would an error message suffice?

Response:
No. It is LSC's desire that users of the Site, in the event of an outage, be informed the Site is down and that it will be restored as quickly as possible. A default server error message is insufficient to provide users with the information the Site outage has been reported and is being addressed.

Inquiry:
Under ***Attachment Two***, the second paragraph describes the possibility of other sites that may have various provisions of the OAC already via the Internet and as such the Contractor shall not publish such rules. This vendor believes, absent copyright restrictions, the web site should contain the most complete set of the Codes in one site.

a. Please clarify the meaning of this provision.
b. Additionally, please advise how frequently should this vendor anticipate such certification happening?
c. Additionally please explain what is meant by "the contractor shall include a link within its publication of the OAC at the appropriate location for the omitted rules".
    i. Is this to mean another site altogether?
    ii. Would a link to a help file with a general disclaimer suffice?

Response:
In the event that an agency adopts rules containing text that is copyrighted, LSC may exercise the option. If the rules containing the copyrighted material are already available for free, general public viewing over the Internet via a universally accessible website, LSC may choose to issue a written certification to the Contractor directing the

Contractor to refrain from publishing those rules. Currently, only the Ohio Fire Code rules fit this description and, therefore, are specifically addressed in the RFP. However, the general provision is included in the RFP in the event that a similar situation arises involving another agency.

LSC may also exercise this option if a rule-filing agency notifies LSC that the rule-filing agency is dissatisfied with the presentation of its rules by the Contractor, whether because of incorrect textual content of rules, inaccurate representation of tabular or graphic data, failure to publish the current effective version of one or more rules, or any other reason deemed sufficient by LSC.

The vendor should anticipate receiving such certification from LSC only on rare occasion. To date, only the rules that constitute the Ohio Fire Code have ever been subject to this non-publication requirement. If a certification were issued in the future, LSC expects that the link provided at the appropriate location for the omitted rules will point directly to the external website where the rules are available. As an example, rule 1301:7-7-01 is an Ohio Fire Code rule subject to copyright. Where the Contractor would typically have an entry for rule 1301:7-7-01, instead there would appear a link to the home page of the website on which the Ohio Fire Code is available for free, general public viewing. This type of link is expected, rather than a help file containing a general disclaimer.