

Data Access Services: Web-Based Investigative and Locator Data (T-1616)

METHOD OF OPERATION

The Using Agency will generate a Purchase Order for the data access services it needs to use, to either of the two contract vendors, ChoicePoint Business & Government Services, Inc. ("ChoicePoint") or LexisNexis, A Division of Reed Elsevier, Inc. ("LexisNexis"). There are four (4) types of services offered under this contract:

- a. Monthly Flat (or "tiered") Access: Monthly fixed fee for unlimited access for the number of users described in the RFP and the price lines.
- b. Optional Services: Less frequently used services and/or products.
- c. Transactional Costs. Per-transaction products and services.
- d. Batch processing. The contractor processes batches of Using Agency records on the Using Agency's behalf via secure File Transfer Protocol (FTP). File layout for batch processing must be jointly developed by the Using Agency in consultation with the contractor. The Using Agency is invoiced based on the number of "hits" or successful matches.

The available types of data are described in the Request for Proposal (RFP), available on the web at <http://www.nj.gov/treasury/purchase/noa/attachments/a1616-noa.pdf>.

The contractor must provide the Using Agency with a monthly report of user activity and, if requested, must provide a yearly report of connect time based on Using Agency, Using Agency division¹ and/or user passwords.

Online research sessions are automatically terminated if there is no user activity within a fifteen (15) minute period after successful connection with the contractor's website. During online research sessions, the contractor is required to suppress internet "pop-ups" or advertisements of any kind from displaying.

The Using Agency is permitted to add and/or delete logon IDs and passwords. For monthly flat (or tiered) access, tier placement is determined on a monthly basis and is based on the number of current logons on the first day of each month. Auditing of the Using Agency's logon IDs will be conducted by the contractor each month. The Using Agency is permitted to add or delete logon IDs during the month without incurring additional charges or expecting credits for that month unless the addition or deletion of logons exceeds the original tier limits, high or low, by more than ten (10) users.

The contractor may not impose a limit on the number of simultaneous users, nor limit in any manner the amount of access time.

¹ Using Agency divisions will be identified by the Using Agency and provided to the contractor during account establishment.

Training

Training must be planned with the contractor. The contractor must provide training free of charge to Using Agency employees who will be using the services provided by this contract. Training is described in more detail in the Request for Proposal (<http://www.nj.gov/treasury/purchase/noa/attachments/a1616-noa.pdf>).

The Using Agency may choose to have the contractor train its users, or have the contractor train State personnel to be trainers who in turn train the users ("train the trainer"). The training option should be identified in the Using Agency's purchase order. The contractor must provide all handouts, course materials, users quick reference guides, etc., for all password holders no matter which type of training the Using Agency selects. The contractor must also provide an electronic copy of the training materials to the Using Agency upon request.

Classes must be conducted at the Using Agency's locations within the State of New Jersey. The Using Agency must ensure that class size in all instances does not exceed fifteen (15) students. The Using Agency must provide computers for the trainees and the instructor(s), projector(s), whiteboard(s), flipchart(s), web access, etc.

A contractor may make its New Jersey area training facilities available for additional training locations at the Using Agency's request. If the Using Agency wishes to avail itself of a contractor's New Jersey training facilities, then the contractor must provide computers, projector(s), whiteboard(s), web access, etc.

In addition to hands-on training, the contractors have available telephonic and online tutorial training sessions for the Using Agency.

Support Services

Support services are available via a toll-free, staffed telephone number, 24 hours per day / 7 days per week, to respond to users' questions. A contractor may, at its option, also provide a website or equivalent methodology for technical assistance *in addition to the required telephonic support*.

Invoicing

The contractor must provide the Using Agency with a monthly invoice. The invoice may be submitted to the Using Agency 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.

Changes and Additions

The contractor must notify in writing the State Division of Purchase and Property within the Department of the Treasury when new services, products, content and/or databases become available. If new items become available during the term of the contract, which would change the pricing of the contract if added, the contractor must allow the State and all current subscribers within the State of New Jersey a 30-day free trial period for the new item(s). This trial period is intended for evaluation purposes to determine whether the new item(s) has

sufficient relevance to State work. New items, i.e., services, products, content and/or databases, will only become a part of the contract upon acceptance in writing by the Division of Purchase and Property. The Using Agency is under no obligation to defray costs associated with free trial periods.

The contractors must continue to provide, at no additional or increased cost, access to any portion of a restructured database or enhanced research collection to which a Using Agency is already receiving access. The contractors must make available to the Using Agency any enhancements or upgrades to either the contractor's website or search engine features at no additional cost.

Awarded Price Lines

Firm	Tiered Pricing	Batch Processing	Optional Services	Transaction Pricing	T1 Data Connection
ChoicePoint				award	award
LexisNexis	award	award	award		award

Of the 4 service types, ChoicePoint was awarded transactional pricing (price line 107). Further information about ChoicePoint's transactional pricing is available at <http://www.nj.gov/treasury/purchase/noa/attachments/a1616-pl.pdf>. ChoicePoint is also permitted to install a T1 data connection for a dedicated link between the Using Agency and the vendor (price lines 103-105).

LexisNexis was awarded monthly flat (or "tiered") rates (price lines 1-42), batch processing (price lines 43-102), and optional services (price line 106). LexisNexis' optional services are described at <http://www.nj.gov/treasury/purchase/noa/attachments/a1616-pl.pdf>. LexisNexis is also permitted to install a T1 data connection for a dedicated link between the Using Agency and the vendor (price lines 103-105).

Prohibitions

- The sharing of logons or user IDs is strictly forbidden. A Using Agency found sharing logons or user IDs may be denied use of this contract.
- This contract may not be used for legal research. Legal research is available through a separate State contract available at <http://www.nj.gov/treasury/purchase/noa/contracts/t2311.shtml>.
- Using Agencies are not permitted to accept "special deals" or "special offers" from the contractors. This prohibition includes offers for Using Agencies that are "very good customers" of a particular contractor.