

VIRGINIA CODE COMMISSION REQUEST FOR INFORMATION RELATING TO PRINTING AND PUBLISHING THE CODE OF VIRGINIA

Request for Information - Headings and Minimum Requirements

Section I - Introduction and Instruction.

Agency contact: Mark J. Vucci (804) 698-1810; mvucci@dls.virginia.gov

Schedule: Return date for this RFI is October 1, 2018

Respondent is responsible for all costs of responding to this RFI, including mailing and courier costs.

This RFI is being issued by the Virginia Code Commission (the Commission) with the intent to procure the printing and publishing of the Code of Virginia and related services. Under § 2.2-4345 of the Code of Virginia, the Commission may enter into a contract for the printing and publishing of the Code of Virginia without competitive sealed bidding or competitive negotiation.

Trade secrets or proprietary information submitted as part of a response to this RFI shall not be subject to disclosure pursuant to subsection B of § 30-147 of the Code of Virginia so long as the respondent (i) invokes the protections of such subsection prior to or upon its submission of the data or other materials to be protected and (ii) states the reasons why protection is necessary.

Section II Goals and Background.

The Commission is a legislative branch body established under § 30-145 of the Code of Virginia, which requires that the Commission consist of not less than 11 nor more than 13 members. At the time of distribution of this RFI, the Commission consists of 13 members.

Among its duties, the Commission is charged with publishing a Code of the general and permanent statutes of the Commonwealth of Virginia. Section 30-146 of the Code of Virginia authorizes the Commission to arrange for the Code of Virginia to be printed and published (i) by or at the expense of the Commission and sold or otherwise distributed by the Commonwealth or (ii) privately under the direction and supervision of the Commission with sales and distribution of the Code to be completed by the publisher upon such terms, including price, as the Commission may provide.

The current contract for the printing and publishing of the Code of Virginia expires on August 31, 2020. At its May 7, 2018, meeting the Commission formed a work group, consisting of Commission members Rita Davis, E.M. Miller, Jr., and Mark J. Vucci (the Work Group), to ensure that a new contract for the printing and publishing of the Code of Virginia would be in place by the fall of 2019.

Section III - Response Format.

Responses to this RFI must be provided on the attached Requirement Scope Response Form (Attachment A) in Word format but may include attached diagrams, charts, schedules, etc.

Responses to this RFI should be directed to the attention of Rita Davis, E.M. Miller, Jr., and Mark J. Vucci and should be returned by October 1, 2018, by email, mail, or courier to Mark J.

Vucci. Responses sent by email should be sent to mvucci@dls.virginia.gov. If the response to this RFI is sent by mail, it must be postmarked by October 1. The address for mail and courier delivery is:

Mark J. Vucci, Virginia Division of Legislative Services
Pocahontas Building, 900 East Main Street
Eighth Floor
Richmond, Virginia 23219

Section IV - Minimum Requirements.

1. The Commission is looking to enter into a six-year agreement for the printing and publishing of the Code of Virginia beginning on September 1, 2020, and ending on September 1, 2026, with two three-year renewal options. The renewal options must be agreed to by the Commission and the ultimate vendor. The first renewal option would cover the period beginning September 1, 2026, and ending September 1, 2029. The second renewal option would cover the period beginning September 1, 2029, and ending September 1, 2032. The Commission desires an agreement that is non-assignable and non-transferable, except with the consent of both parties.
2. Each respondent to this RFI must demonstrate to the Work Group that it will:
 - (i) Produce and ship accurate printed copies of the changes to the Code of Virginia made during a Regular Session of the General Assembly of Virginia (the General Assembly) by July 1 of the same year, with such printed copies taking the form of cumulative pocket parts or cumulative freestanding, softbound supplements;
 - (ii) Provide to the Division of Legislative Automated Systems on behalf of the Commission an electronic file accurately incorporating the changes to the Code of Virginia made during a Regular Session of the General Assembly by June 23 of the same year;
 - (iii) Include in its cumulative printed pocket parts or freestanding supplements annotations to Code of Virginia sections, including citations and annotations of relevant Virginia Supreme Court opinions, Virginia Court of Appeals opinions, Virginia Circuit Court opinions, federal court opinions, opinions of the Attorney General of Virginia, other relevant court opinions, law review articles, and other law-related annotations; annotations relating to relevant enactment clauses included in bills passed by the General Assembly and effective dates of changes to sections of the Code of Virginia; annotations describing the changes to a statute made by the General Assembly at the most recently ended Regular Session; relevant cross-references; and editorial notations;
 - (iv) Produce and ship as needed and agreed to by the vendor and the Commission accurate printed replacement volumes or new volumes, annotated as described in subdivision (iii), including any volume in which a Code of Virginia title has been recodified by the General Assembly during the same year that the recodification bill is passed by the General Assembly; and
 - (v) Have (and currently has) the capacity and flexibility to work with the Commission to produce and ship accurate printed copies of the changes to the Code of Virginia (and to provide the Commission an electronic file of such changes) made during a Special

Session of the General Assembly in accordance with a reasonable time frame designated by the Commission.

3. Along with the production and shipment of printed cumulative pocket parts and freestanding supplements to the Code of Virginia each year, each respondent must demonstrate to the Work Group that it will be able to produce and ship the following by July 1 of each year:
 - (i) A current, accurate printed Index to the Code of Virginia contained in one or more volumes updated to reflect changes to the Code of Virginia made during a Regular Session of the General Assembly that same year;
 - (ii) A current, accurate printed version of the Rules of Supreme Court of Virginia contained in one or more volumes annotated in a similar fashion as described in subdivision 2 (iii) for cumulative pocket parts and freestanding supplements to the Code of Virginia;
 - (iii) Current, accurate printed cumulative pocket parts or freestanding supplements of the changes to the Constitution of Virginia as a result of the action of Virginia voters at the preceding November election, annotated in a similar fashion as described in subdivision 2 (iii) for cumulative pocket parts and freestanding supplements to the Code of Virginia; and
 - (iv) Current, accurate printed cumulative pocket parts or freestanding supplements that include legal ethics opinions, lawyer advertising and solicitation opinions, and unauthorized practice of law opinions (Legal Ethics Opinions) issued by the Standing Committee on Legal Ethics of the Virginia State Bar, annotated in a similar fashion as described in subdivision 2 (iii) for cumulative pocket parts and freestanding supplements to the Code of Virginia.
4. Each respondent must agree that all pocket parts, freestanding supplements, and replacement volumes produced and printed for the Code of Virginia and the Constitution of Virginia will include relevant citations and annotations to court opinions published prior to April 1 of the same year regardless of the year the court opinion was issued.
5. Each respondent must demonstrate to the Work Group that it can meet the annual demand of customers for the printed pocket parts, freestanding supplements, volumes, or replacement volumes, as applicable, to the Code of Virginia, the Constitution of Virginia, Legal Ethics Opinions, the Index to the Code of Virginia, and the Rules of Supreme Court of Virginia.
6. Each respondent must demonstrate to the Work Group that it can and will produce and ship by October 1 each year accurate printed copies of replacement volumes, annotated as described in subdivision 2 (iii), for volumes of the Code of Virginia, the Constitution of Virginia, the Rules of Supreme Court of Virginia, and Legal Ethics Opinions, in cases in which current volumes have become unmanageable due to the number of printed cumulative pocket parts or freestanding supplements.
7. Each respondent must agree to produce, print, and ship an Advanced Code Service for each calendar quarter. The Advanced Code Service will contain citations and annotations of important Virginia and federal court opinions interpreting the Constitution of Virginia and the Code of Virginia, which were issued by a relevant court in the previous quarter.
8. Each respondent must agree that the printing and publishing of the Code of Virginia, including pricing, will be under the supervision and direction of the Commission as follows.

- (i) Respondent agrees that the Commission, in consultation with the ultimate vendor, will make determinations of title, chapter, article, and section numbering; headings; catchlines; font; type size; general appearance; and paper for the printing of the Code of Virginia, Constitution of Virginia, Index to the Code of Virginia, Rules of Supreme Court of Virginia, and Legal Ethics Opinions.
 - (ii) Respondent agrees to publish titles of the Code of Virginia in volumes with the specific titles to appear in each volume determined by the Commission. The Commission will consult with the ultimate vendor in determining which titles will appear in each volume of the Code of Virginia.
 - (iii) Respondent agrees to reprint at length and ship throughout the year cumulative pocket parts and freestanding supplements to correct minor errors and omissions and other editorial changes identified by the Commission.
 - (iv) Respondent agrees to participate in an electronic forum designed to allow publishers to ask questions relating to the correct language and numbering to be used for printing and publishing changes to the Code of Virginia made by the General Assembly. The Commission will delegate representatives to answer publisher questions.
 - (v) Respondent agrees that the price charged to customers for printed cumulative pocket parts and freestanding supplements, volumes, the Index to the Code of Virginia, replacement volumes, and the Advanced Code Service for the Code of Virginia and the Constitution of Virginia will be established annually by the Commission and the ultimate vendor. The Commission will not unreasonably withhold its approval of prices proposed by the ultimate vendor. Pricing for all other materials will be determined by the ultimate vendor.
9. Each respondent must agree to furnish up to 685 complete, complimentary sets of printed pocket parts, freestanding supplements, volumes, and replacement volumes to the Code of Virginia and the Constitution of Virginia, and for the Index to the Code of Virginia. The respondent will bear all printing, publishing, mailing, and shipping costs for each complimentary set and will ship the complimentary sets to mailing addresses as provided by the Commission. For each year covered by the contract, the respondent must agree that the Commission, upon written notice, may increase the current number of complimentary sets by up to an additional four percent. The complimentary sets must be shipped by the deadlines established for delivery of the materials.
- Each respondent must agree, if selected as the ultimate vendor, to offer a discounted price for sales to Commonwealth of Virginia agencies of printed pocket parts, freestanding supplements, volumes, and replacement volumes relating to the Code of Virginia, the Constitution of Virginia, Legal Ethics Opinions, the Index to the Code of Virginia, and the Rules of Supreme Court of Virginia.
10. Each respondent must agree to provide at no charge to the Virginia Division of Legislative Services by July 1 each year a searchable CD-ROM(s) that contains, in a scrollable format, (i) the current, entire Code of Virginia and Constitution of Virginia, including tables of contents for titles, parts, chapters, and articles, all annotations and editorial notations, and advanced search features; (ii) all formal opinions issued by the Attorney Generals of Virginia; (iii) Virginia Supreme Court, Court of Appeals, and Circuit Court opinions; and (iv) Supreme Court of the United States and other federal court opinions. The Code of

Virginia, Constitution of Virginia, and Attorney General Opinions must include citations and annotations of relevant court opinions and other annotations. The updated CD-ROM(s) must be delivered to the Division by July 1 each year. Respondent must agree to provide up to 35 such CD-ROM(s) each year to the Division at no charge. The Division agrees to use such CD-ROM(s) solely for use in preparing legislative bills and conducting research related to legislative issues.

For purposes of this subdivision and subdivision 11, CD-ROM(s) can also be other digital or physical file formats that can be used on an individual computer or internal computer network.

11. Each respondent must agree to provide the Division of Legislative Services upon request with one complimentary copy of each Virginia-specific legal publication or CD-ROM it publishes, other than a publication or CD-ROM already described above, during the term of the contract. The legal publication or CD-ROM will be added to the Division's Reference Center legislative resources. The respondent also agrees to pay all postage and shipping charges associated with the delivery of the publication or CD-ROM to the Division.

ATTACHMENT A

VIRGINIA CODE COMMISSION REQUEST FOR INFORMATION RELATING TO PRINTING AND PUBLISHING THE CODE OF VIRGINIA REQUIREMENT SCOPE RESPONSE FORM

Requirement scope responses

C= Capable of satisfying requirement

M= Capable of satisfying requirement with some modification

N= Cannot satisfy the requirement

Req. No.	Requirement Description	Req. Scope Response (C, M, N)	Comment
IV 1	Six-year contract term for the printing and publishing of the Code of Virginia beginning on September 1, 2020, and ending on September 1, 2026, with two three-year renewal options.		
IV 2 (i)	Produce and ship accurate printed copies of the changes to the Code of Virginia made during a Regular Session of the General Assembly of Virginia by July 1 of the same year, with such printed copies taking the form of pocket parts or cumulative supplements.		
IV 2 (ii)	Provide to the Division of Legislative Automated Systems on behalf of the Commission an electronic file accurately incorporating the changes to the Code of Virginia made during a Regular Session of the General Assembly by June 23 of the same year.		
IV 2 (iii)	Include in its printed pocket parts or cumulative supplements annotations to Code of Virginia sections including citations and annotations of relevant Virginia Supreme Court opinions, Virginia Court of Appeals opinions, Virginia Circuit Court opinions, federal court opinions, opinions of the Attorney General of Virginia, other relevant court opinions, law review articles, and other		

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	law-related annotations; annotations relating to relevant enactment clauses included in bills passed by the General Assembly and effective dates of changes to sections of the Code of Virginia; annotations describing the changes to a statute made by the General Assembly at the most recently ended Regular Session; and editorial notations.		
IV 2 (iv)	Produce and ship accurate printed replacement volumes or new volumes, annotated as described above, including any volume in which a Code of Virginia Title has been recodified by the General Assembly during the same year that the recodification bill was passed by the General Assembly.		
IV 2 (v)	Currently has the capacity and flexibility to work with the Commission to produce and ship accurate printed copies of the changes to the Code of Virginia (and to provide the Commission an electronic file of such changes) made during a Special Session of the General Assembly in accordance with a reasonable time frame designated by the Commission.		
IV 3 (i)	Ship by July 1 of each year an accurate printed Index to the Code of Virginia contained in one or more volume(s) updated to reflect changes to the Code of Virginia made during a Regular Session of the General Assembly that same year.		
IV 3 (ii)	Ship by July 1 of each year an accurate printed version of the Rules of the Supreme Court of Virginia contained in one or more volumes annotated in a similar fashion as described above for pocket parts and cumulative supplements to the Code of Virginia.		
IV 3 (iii)	Ship by July 1 of each year current, accurate printed pocket parts or cumulative supplements of the changes to the Constitution of Virginia as a result of the action of Virginia voters at the preceding		

Req. No.	Requirement Description	Req. Scope Response (C, M, N)	Comment
	November election, annotated in a similar fashion as described above for pocket parts and cumulative supplements to the Code of Virginia.		
IV 3 (iv)	Ship by July 1 of each year current, accurate printed pocket parts or cumulative supplements that include legal ethics opinions, lawyer advertising and solicitation opinions, and unauthorized practice of law opinions (Legal Ethics Opinions) issued by the Standing Committee on Legal Ethics of the Virginia State Bar, annotated in a similar fashion as described above for pocket parts and cumulative supplements to the Code of Virginia.		
IV 4	Provide for all pocket parts, cumulative supplements, and replacement volumes produced and printed for the Code of Virginia and the Constitution of Virginia to include relevant citations and annotations to court opinions published prior to April 1 of the same year regardless of the year the court opinion was issued.		
IV 5	Ability to demonstrate the annual demand of customers for the printed pocket parts, cumulative supplements, volumes, or replacement volumes, as applicable, to the Code of Virginia, the Constitution of Virginia, Legal Ethics Opinions, the Index to the Code of Virginia, and the Rules of the Supreme Court of Virginia can be met.		
IV 6	Ability to demonstrate to the Work Group that it can and will produce and ship by October 1 each year accurate printed copies of replacement volumes, annotated as described above, for volumes of the Code of Virginia, the Constitution of Virginia, the Rules of the Supreme Court of Virginia, and Legal Ethics Opinions, in cases in which current volumes have become unmanageable due to the number of printed pocket parts or cumulative supplements.		

Req. No.	Requirement Description	Req. Scope Response (C, M, N)	Comment
IV 7	Produce, print, and ship an Advanced Code Service for each calendar quarter. The Advanced Code Service will contain citations and annotations of important Virginia and federal court opinions interpreting the Constitution of Virginia and the Code of Virginia, which were issued by a court in the previous quarter.		
IV 8	Acknowledgement that the printing and publishing of the Code of Virginia will be under the supervision and direction of the Commission.		
IV 8 (i)	Acknowledgement that the Commission, in consultation with the ultimate vendor, will make determinations of headings; catchlines; title, chapter, article, and section numbering; font; type size; general appearance; and paper for the printing of the Code of Virginia, Constitution of Virginia, Index to the Code of Virginia, Rules of the Supreme Court of Virginia, and Legal Ethics Opinions.		
IV 8 (ii)	Publication of Titles of the Code of Virginia in volumes with the specific Titles to appear in each volume determined by the Commission. (Note: The Commission will consult with the ultimate vendor in determining which Titles will appear in each volume of the Code of Virginia).		
IV 8 (iii)	Reprinting and shipping throughout the year of pocket parts and cumulative supplements to correct minor errors and omissions and other editorial changes identified by the Commission.		
IV 8 (iv)	Participate in an electronic forum designed to allow publishers to ask questions relating to the correct language and numbering to be used for printing of the changes to the Code of Virginia made by the General Assembly. (Note: The Commission will delegate representatives to answer publisher questions).		

Req. No.	Requirement Description	Req. Scope Response (C, M, N)	Comment
IV 8 (v)	Acknowledgement that the Commission will annually approve the price charged to customers for printed pocket parts, cumulative supplements, volumes, the Index to the Code of Virginia, replacement volumes, and the Advanced Code Service for the Code of Virginia and the Constitution of Virginia. (Note: The Commission will not unreasonably withhold its approval of prices proposed by the ultimate vendor. Pricing for all other materials will be determined by the ultimate vendor.)		
9 Paragraph 1	<p>Furnish up to 685 complete, complimentary sets of printed pocket parts, cumulative supplements, new volumes, and replacement volumes to the Code of Virginia and the Constitution of Virginia, and for the Index to the Code of Virginia.</p> <p>Agreement to bear all printing, publishing, mailing, and shipping costs for each complimentary set and will ship the complimentary sets to mailing addresses as provided by the Commission.</p> <p>For each year covered by the contract, acknowledge that the Commission, upon written notice, may increase the current number of complimentary sets by up to an additional four percent. The complimentary sets must be shipped by the deadlines established for delivery of the materials.</p>		
9 Paragraph 2	Offer a discounted price for sales to Commonwealth of Virginia agencies of pocket parts, cumulative supplements, volumes, and replacement volumes relating to the Code of Virginia, the Constitution of Virginia, Legal Ethics Opinions, the Index to the Code of Virginia, and the Rules of the Supreme Court of Virginia.		
10 Paragraph 1	Annually provide at no charge to the Virginia Division of Legislative Services by July 1 a searchable CD-ROM(s) that contains (i) the current, entire Code of Virginia and		

Req. No.	Requirement Description	Req. Scope Response (C, M, N)	Comment
	<p>Constitution of Virginia, (ii) all formal opinions issued by the Attorney Generals of Virginia, (iii) Virginia Supreme Court, Court of Appeals, and Circuit Court opinions, and (iv) Supreme Court of the United States and other federal court opinions. The Code of Virginia, Constitution of Virginia, and Attorney General Opinions must include citations and annotations of relevant court opinions and other annotations. The CD-ROM(s) must be delivered to the Division by July 1. Respondent must agree to provide up to 35 such CD-ROM(s) each year to the Division at no charge. (Note: The Division will use such CD-ROM(s) solely for use in preparing legislative bills and conducting research related to legislative issues).</p>		
11	<p>Provide the Division of Legislative Services upon request with one complimentary copy of each Virginia-specific legal publication or CD-ROM it publishes, other than a publication or CD-ROM already described above, during the term of the contract. The publication or CD-ROM published will be added to the Division's Reference Center legislative resources. The respondent also agrees to pay all postage and shipping charges associated with the delivery of the publication or CD-ROM to the Division.</p>		

Submitting Entity:

Date:

Authorized Person:

Email:

Phone: