



CITY COUNCIL AGENDA ITEM

Date: January 7, 2015

To: Members of the Troy City Council

From: Brian Kischnick, City Manager
MaryBeth Murz, Purchasing Manager
Lori Grigg Bluhm, City Attorney
Jacquelyn M. Bault, Legal Assistant II

Subject: Bid Waiver - Legal Research Services

History

The City Attorney's Office has contracted with Westlaw, through Thompson Reuters, for its on-line legal research needs since 1991. At that time, there was a review of the costs and capabilities of the two available service providers; Westlaw and Lexis. Westlaw was better suited to the City's needs. Since 1991, Westlaw has continued to be the City's legal research provider, and we have been very satisfied with their services. Westlaw has also worked very closely with the City to convert to electronic research, and has also alerted the City to additional cost savings measures throughout the years.

Based on gradual price increases over the past 23 years, the annual cost for this service now exceeds the \$10,000 bid threshold as per Chapter 7 of the City Charter.

The current three (3) year contract with Westlaw does not expire for another year. However, as per past practice, in year 2 of the current 3 year contract Westlaw offers a new contract price predicated on governmental pricing that is lower than the current contract, and limits the annual increases to 3% for each of the subsequent two years if the City approves a contract renewal before January 16, 2015. Note, that the City routinely works with WestlawNext to ensure further reduced monthly payments by choosing the best options as applicable based on the City's research requirements.

Through this renewal, the City will save approximately 14%. Under the new contract, the monthly payment for on-line legal research would be \$1,302, resulting in an estimated annual cost of \$15,624.00 for the first year, \$16,092 for the second year, and \$16,574 for the third year. Annual costs may vary or increase if additional specialized research capability is required. Specialized research capability is required on an as needed basis only.

Presently there still are only two services available for on line legal research; Westlaw and Lexis. Legal staff periodically reviews and compares pricing and content from both firms. It is consistently determined that Westlaw is superior to Lexis, especially since Westlaw offers additional relevant databases and content not available through Lexis.



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History (continued)

The attached letter from Westlaw further details the unique services that are included under the contract.

Because of the unique legal issues facing a city the size of Troy, and the complexity of the legal research in many different substantive areas; Westlaw is still the best legal research provider for the City. Additionally, since the City has used Westlaw for the past 23 years, ease of use and familiarity has resulted in more efficient legal research.

Purchasing

City Administration recommends a waiver of the bid process to continue its ongoing contractual relationship for on-line legal research with Thompson Reuters. Thompson Reuters is the sole source supplier of WestlawNext. The legal research features offered by Westlaw and the inability of any other legal research company to provide the same level of service and research capability is in the best interest of the City.

Financial

On-line legal research is included in the City Attorney's budget.

Recommendation

City Administration recommend the approval of the contract with Thompson Reuters for electronic research services from Westlaw so as to ensure research capability, continuity and credibility for the City's Legal Department at an estimated annual cost of \$15,624.00, with annual price increases not to exceed 3%.



THOMSON REUTERS

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January 6, 2015

City of Troy
Ms. Jacquelyn Bault
City Attorney's Office
500 West Big Beaver Road
Troy, MI 48084

RE: Sole Source Designation—WestlawNext

Dear Ms. Bault,

Thomson Reuters (West Publishing Corporation) provides a legal research solution via WestlawNext. This letter is to confirm West's status as the sole source provider for WestlawNext, which includes the exclusive content, features, and services listed on the following page.

WestlawNext provides legal researchers with access to exclusive resources, proprietary tools, and technology that no other research provider can offer, such as the following:

- **Authoritative content**—With the most trusted primary law resources and leading analytical titles that are cited most often in court—all in one place and always available—researchers have access to all of the relevant information they need to answer a legal question.
- **Attorney-editor enhancements**—For more than a century, our attorney-editors have been analyzing, summarizing, and classifying the law. By developing proprietary innovations like the West Key Number System, KeyCite, and notes of decisions, we make the content better organized and connected so it's easier for researchers to find, validate, and interpret the law.
- **Industry-defining technology**—Our research innovations, such as WestSearch, the award-winning iPad app, folder sharing, and Graphical Statutes connect content and our proprietary analysis of the law in unparalleled ways so that legal professionals can conduct research faster and with more accuracy. Advanced, yet intuitive, easy-to-use functionality also helps researchers be more efficient.

With WestlawNext, researching is more complete, accurate, and efficient.

I would be happy to further discuss with you the exclusive features, services, and content available via WestlawNext. If you have any questions concerning this document or require additional information, please do not hesitate to contact me.

Sincerely,

Bob Malouf

Exclusive Content

- **National Reporter System**—Since 1879, our National Reporter System has compiled and organized federal and state case law into a cohesive body of law that can be researched within and across jurisdictions.
- **West Key Number System**—The West Key Number System, is the master classification system of U.S. law and is widely regarded as the cornerstone of effective legal research. It helps users to quickly locate and identify cases with the same or similar legal concepts in any jurisdiction in the U.S.
- **Editorial Enhancements**—For more than 100 years, our attorney-editors have been providing editorial enhancements to case law, statutes, and other legal materials. No other research service can match our editorial experience. Our exclusive enhancements include headnotes (more than 350,000 created annually), synopses (more than 60,000 created annually), and parallel citations (more than 500,000 added annually). Our headnotes are classified to the exclusive West Key Number System.
- **Correction and Verification Process**—Our attorney-editors provide the most exhaustive verification and correction process in the legal publishing and information industry. We are the only legal information provider to engage in these quality control steps to ensure the accuracy and reliability of the data.
- **West Key Number Digest System**—The West Key Number Digest System has been an essential case-finding tool since the United States Digest was first published in 1848. A digest is a multi-volume index to the law consisting of major topic headings, thousands of subheadings, and short summaries of legal propositions stated in published cases, referred to as headnotes.
- **Uniform Laws Annotated (ULA)**—The ULA provides an extensive reference to the text of uniform laws, prepared under the sponsorship of the National

Conference of Commissioners on Uniform State Laws and the American Law Institute. ULA examines acts recommended for adoption in all states, pinpoints state variations, and includes annotations to cases decided in adopting jurisdictions.

- **Restatements of the Law**—The restatements are principles of black letter law distilled from case law. Restatements on WestlawNext provide a section's black letter law, reporter's notes, commentary, illustrations, and annotations in one document. First Restatements of the Law, available exclusively on WestlawNext, can help researchers trace the evolution of a law, or an area of law, and aid in the interpretation of older cases that rely on First Restatement sections.
- **American Jurisprudence Library**—The American Jurisprudence library provides fast, authoritative answers to many aspects of civil, criminal, substantive, and procedural law. WestlawNext provides exclusive online access to the full library.
- **Michigan Criminal Law and Procedure (Gillespie)**—Gillespie is a comprehensive source of in-depth information on substantive and procedural criminal law in Michigan. It provides expert analysis of current statutes, court rules and judicial decisions, and is considered to be the preeminent source for criminal law in Michigan.
- **Briefs**—WestlawNext provides access to an extensive and exclusive collection of appellate briefs at both the federal and state levels. As of June 2014, Westlaw contains more than 2.8 million separate documents and the number of briefs is growing monthly.
- **West Reporter Images**—West Reporter Images provides cost effective, easy access to an exact electronic copy of a National Reporter System case.

Exclusive Features & Services

- **WestSearch**—WestSearch, a search engine designed specifically for law, incorporates over 140 years of proprietary analysis of the law and exclusive tools such as key numbers, KeyCite, headnotes, notes of decisions, indexes, and secondary sources to deliver relevant documents.
- **Case Summaries**—These editorially-created summaries help researchers move through result lists efficiently, providing an understanding of what a case is about at a glance.
- **Folding**—WestlawNext enables users to organize and manage their research by storing documents and text snippets in dedicated folders by issue, client, or topic. Users can **save** the document they are viewing with a few mouse clicks, or they can select portions of document text and **save** that text to a folder. Users can even use drag-and-drop functionality to add documents to a folder.
- **Notes and Multiple-Color Highlighting**—Users can type personal notes in a case to use for future reference, to follow up on an issue, or to capture their thought processes. Additionally, users can highlight text online, as they would with print materials, helping them to refocus on previous research when they return to a document.
- **Visual Indicators**—Icons help researchers easily determine when they have already viewed or worked with a document.