

Additional questions regarding the Request for Proposal

(RFP) 14/036 - 14 July 2015

1. Could you confirm whether processing of scanning will be invoiced monthly to AJCP?

The project partners as outlined in section 3.1.8 of the RFP, expectation is that the proposal will cover all costs including the project management and processing costs up to 100,000 (plus GST if applicable) for the partners. In order to cover the digitising costs and the project management costs as outlined above the partners expect the respondents would seek to monetise access to the content as outlined in section 3.14 of the RFP.

The following questions related to section 3.1.4, the RFP states: *“The Project Partners assume that Respondents will seek the right to distribute some or all of the Digitised Content commercially. The Project Partners will negotiate a period of time with the successful tenderer after which rights in the digitised images and metadata will revert to the Project Partners. The Questions section of this RFP asks Respondents to describe the nature of the rights they would seek and to indicate their preferred duration for the agreement. The duration will be an important criterion in the Project Partners’ assessment of proposals.”*

2. Is it a mandate for the respondent to seek rights for the digitized content? If yes, what is the minimum duration AJCP requires the respondent to seek rights for?

Although in section 4.2.1., the Project Partners indicate they would welcome a proposal that includes the digitisation of the M series of approximately 1.7 million frames including an undertaking to negotiate the rights to digitise some or all of the content, it is up to the respondent to consider whether to include this in their proposal or not and to consider how they will acquire the rights to digitise the content. Section 6 of the RFP outlines the copyright status of the original material and section 8 lists a number of questions the partners expect will be included in the proposal.

3. What are AJCP expectations after the respondent acquires the rights?

The Project Partners would expect the respondent to acquire the rights to digitise and make the content available commercially for a negotiated time period, however after that the partners would expect the rights in the digitised images and metadata to revert to them. It is not intended that this would interfere with any commercial use by the respondent. At the end of the agreed time period, Project Partners are also expecting to provide access to this material through their services.

4. As per the RFP, the respondent is responsible for marketing the digitized content. We address this as a separate service area with a cost associated with this service. Please correct our understanding.

Question 1 above covers this question.

5. In section 3.1.9 the RFP states “Responses that provide for revenue to the project partners would be welcomed.” We request AJCP to please elaborate.

The Project Partners would welcome an opportunity to share in revenue earned by the respondent in the provision of access to the digitised content.

The following questions related to section 9.2 Conditions for Participation, the RFP states:
“The Respondent and its nominated subcontractors must hold public liability insurance to at least \$20 million workers compensation insurance to \$50 million and professional indemnity insurance to \$10 million.

6. Are the amounts quoted above in the RFP in Australian \$ or US\$?

The amounts are in Australian Dollars.

7. Are you satisfied that policies for “Employers Liability” and “Public & Products Liability” cover the areas identified above: i.e. public liability, workers’ compensation and professional indemnity? Our understanding is that Employer’s Liability should cover workers’ compensation and professional indemnity, but these may mean different things in Australia.

The Project Partners would need to see details of the relevant policies before responding.

8. Could you explain what you anticipate would be covered by each of the three areas (i.e. public liability, workers’ compensation and professional indemnity)?

Public liability insurance protects the business against the financial risk of being found liable to a third party for death or injury, loss or damage of property or 'pure economic' loss resulting from your negligence.

Workers' compensation is a compulsory statutory form of insurance for all employers in every state and territory in Australia and provides protection to workers if they suffer a work-related injury or disease. Each State in Australia has a different scheme with different rules in place for domestic employees.

Professional indemnity insurance is designed for professionals who provide **advice** or **services** to their customers. It protects the business against legal costs and claims by third parties for damages arising from acts, omissions or breaches of professional duty in the course of the business.

9. Is there any flexibility in these conditions?

The Project Partners would enter into a negotiation phase after selecting the successful tenderer.

10. Is there a template for submitting a response to the Request for Proposal?

There isn't a specific template to respond to the RFP, however please ensure you include in your proposal a response to the questions in Section 8.

11. Also in section 3.1.8 where it may incur cost up to \$100,000 is there any hourly rate we would refer it?

This cost is intended to cover a range of work including Project management, quality checking of content, day to day liaison with the successful tenderer, problem solving, packing and dispatching of microfilms. These activities may be handled by a range of staff, at different levels and as such it is not possible to give an hourly rate. This would be a one off amount.

12. Is the requirement for 24 hours and 7 days a week for service and support, annually or one off?

The requirement for 24 hours/7 days a week relates to availability to the respondents commercialised product. In Section 7.1.10 the Project Partners outline the requirement for registered and on-site users to have free of charge access to any of the Digitised Content the respondent has commercialised.

13. Is it possible to have a private briefing?

Section 1.6.1 of the RFP, outlines that private briefings at the library or by video conferencing are possible by appointment. Briefings can be scheduled between 27 July to 7 August (excluding 30 July). Please email ajcptenders@nla.gov.au for an appointment.