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| State of Nevada |  | Brian Sandoval |
| Department of Administration | Governor |
| Purchasing Division |  |
| 515 E. Musser Street, Suite 300 | Jeffrey Haag |
| Carson City, NV 89701 | Administrator |

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| SUBJECT: | Amendment 1 to Request for Qualification 3429 |
| DATE OF AMENDMENT: | September 8, 2017 |
| DATE OF RFQ RELEASE: | August 25, 2017 |
| DATE AND TIME OF OPENING: | September 21, 2017 @ 2:00 PM |
| AGENCY CONTACT: | Nancy Feser, Procurement Staff Member |

The following shall be a part of RFQ ***3429*** for ***Court Reporting Services.*** If a vendor has already returned a proposal and any of the information provided below changes that proposal, please submit the changes along with this amendment. You need not re-submit an entire proposal prior to the opening date and time.

1. Under 2.2.14   Minutes and audio recordings are generally created by an employee of the state agency, not the court reporter.  NRS 241.035 only states that minutes of state agency meetings may be turned over for archival preservation. NAC 239.850 further provides that the State Archives receives legal custody only of "minutes" not transcripts.  What is the authority for requiring transfer of court reporter transcripts to State Archives? By what authority does State Archive obtain legal custody of court reporter transcripts and deny compensation to court reporter when transcripts are provided by State Archives? Such a process appears to violate NRS 239.053(1)

***NRS 241.035 sets forth the minimal requirements for maintaining minutes for the purposes of Nevada’s Open Meeting Law. However, additional materials may be preserved and protected by Nevada’s Public Records Act. Pursuant to NAC 239.850, “…the minutes of a public body, including agendas, exhibits and other related records, may be transferred for archival presentation and continued public access…” The term “related records” can include transcripts or portions of transcripts. Section 2.2.14 allows a court reporter to charge fees for copies of transcripts for five years before a transcript or a portion of a transcript is included as part of an archived record. This gives the court reporter an opportunity to collect fees in accordance with NRS 239.053. However, it would make little sense to assume a perpetual right in archived material that could theoretically sit in a library for 500 years. As set forth in NRS 239.053, the fees to be collected by court reporters for copies of transcripts are “as set forth in the contract between the governmental entity and the court reporter.” For any contract resulting from this RFQ, those fees are limited to the five years before any possible archival of a transcript because the administrative costs associated with tracking down the heirs of a court reporter 500 years in the future would be prohibitive.***

2. How much lead time is given when scheduling?  The RFQ mentions is will be a “reasonable” time, but is there an example of what that is?

 ***Lead time is determined by the induvial agencies needs and not controlled by State Purchasing.***

3. Are our independent contractor reporters considered “subcontractors” for this RFQ since they are not directly employed by our company?

 ***Court Reporters associated with your company are considered “Sub Contracts” if you are not reporting their earnings to the IRS.***

4. Will these be taking place at a courthouse?

 ***Each situation is different, as to locations where a court reporter will be needed.***

5. In reference to the rates provided - are these the current rates being paid to the state's current vendor?

 ***Per NRS 3.370 the rates shown in Attachment G – Cost Schedule they are the current rates paid to the vendors.***

6. Is there any historical information? For example: volume of work as a whole, volume of work for hearings and depositions separately, etc.?

 ***That information is not available.***

7. Is the current incumbent vendor providing these services? If so, what is their pricing?

 ***The previous vendors where paid at the rates per NRS 3.370 only. Refer to Section 4, Cost.***

8. Please clarify: Section 8.2.2.4 (F): Copies of applicable certifications and/or licenses. What certifications/licenses are considered to be applicable?

 ***Per NRS 656 Certificate of a Court Reporter, a copy of each reporter’s certification would need to be provided with the proposal.***

9. Pricing: In Section 4.1 the solicitation sates: “The State has established rates for court reporting services for court proceedings at the statutory rates, per NRS 3.370, refer to  Attachment G, Cost Schedule.” Are the rates currently listed in Attachment G the statutory rates? Are they meant to be the maximum rates that the vendor can charge the state? Can we add additional line items (such as appearance fees) to the schedule? Are turnaround times meant to be calendar day or business day (which is the industry standard)?

 ***Sections 4.1 under NRS 3.370 are the fees set for court proceedings at the statutory rates and cannot be changed. Section 4.2 refers to all other types of proceedings and a pricing sheet is provided to add your company’s fees.***

***ALL ELSE REMAINS THE SAME FOR RFQ 3429.***

Vendor shall sign and return this amendment with proposal submitted.

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| NAME OF VENDOR |  |
| AUTHORIZED SIGNATURE |  |
| TITLE |  | **DATE** |  |

RFQ 3429 Amendment 1

# This document must be submitted in the “State Documents” section/tab of vendors’ technical proposal