

WHATCOM COUNTY PROSECUTING ATTORNEY

CHIEF CRIMINAL DEPUTY

Erik Sigmar

ASST. CHIEF CRIMINAL DEPUTY

Dona Bracke

CRIMINAL DEPUTIES

David Graham
Kellen Kooistra
Benjamin Pratt
Gordon Jenkins
Kacie Emerick
Jesse Corkern
Evan Sterk
Maggie Peach
Andrew Bogle
Maggie Peach
Natasha Campbell
Levi Uhrig
Samantha MacIntosh
Tom Seguine

Eric J. Richey

Whatcom County Courthouse
311 Grand Avenue Suite 201
Bellingham, WA 98225-4079
(360) 778-5710 /Main Office FAX (360) 778-5711

CHIEF CIVIL DEPUTY

Karen Frakes

CIVIL DEPUTIES

Royce Buckingham
Christopher Quinn
George Roche
Brandon Waldron

**CIVIL SUPPORT
ENFORCEMENT DEPUTIES**

Janelle Wilson/Lead

APPELLATE DEPUTIES

Kimberly Thulin
Hilary Thomas

ADMINISTRATOR

Louise Trapp

MEMO TO: Brad Bennett, Finance Manager

FROM: Louise Trapp, Administrative Manager

DATE: September 13, 2023

RE: Sole Source Approval – Thomson Reuters (West Publishing) Subscription Agreement

Attached is the West Publishing subscriber agreement that will require the Executive's approval and your approval as to having sole source standing. Also attached, is the sole source letter from West Publishing. This agreement renews and replaces last year's contract for on-line research, which expires on 9/30/23. This agreement has a 3 year (36 months) term, which includes a 5 % increase in both year 2 and year 3. The renewal subscription provides web-based access to proprietary legal materials giving our attorney's and staff a tool that facilitates efficient legal research.

West Publishing, which is a division of Thomson Reuters Inc, a Canadian corporation, has been designated as a sole source provider for web-based, legal research since June of 2004. West Publishing is considered the foremost provider of integrated information solutions to the U.S. legal market and has been doing so for more than 135 years. While there are other on-line research tools, West Publishing is the only company that can provide the treatises/series that are critical to our legal practice. The following is a partial list of the (proprietary) content we have access to through our current subscriber agreement: Washington Practice, Annotated Revised Code of Washington, Washington Digest, Pacific Reporter and McQuillin Municipal Corporations.

We have also asked to cancel our printed subscription as everything we need is offered online. That subscription was approximately \$820.68 per month. This new contract will be a 3 year contract with year 1 costing \$5,156.67 plus tax per month, year 2 will be \$5,414.50 plus tax per month and year 3 will be \$5,685.22 plus tax per month.

Service Contract

PRO_MEMO_West Publishing_Sole Source Approval_2023

Please provide your written decision below:

SOLE SOURCE DESIGNATION:

Approved: _____ Dated: _____

Please contract Louise Trapp, Administrative Manager at 360-778-5716 (ltrapp@co.whatcom.wa.us) if you have any questions or concerns regarding this request.



Dan Nagan
Account Manager

610 Opperman Dr.
Eagan, MN 55123
Phone: 763.326.4192
Dan.Nagan@tr.com

September 13, 2023

Leah DeVries
Whatcom County Prosecuting Attorney's Office
311 Grand Avenue, STE. 201
Bellingham, WA 98225

RE: Sole Source Designation – Thomson Reuters Westlaw Edge

Dear Leah,

Thomson Reuters is pleased to provide you with information concerning Westlaw. The purpose of this letter is to confirm that Thomson Reuters is the sole source provider for the exclusive content, features, and services listed herein.

West Publishing Corporation, a Thomson Reuters business, is the foremost provider of integrated information solutions to the U.S. legal market and has been providing research materials to the legal and professional community for 150 years.

Westlaw Edge provides the most advanced citator service, the easiest way to see statutory changes, and integrated litigation analytics, all powered by state-of-the-art artificial intelligence and built upon more than 100 years of editorial enhancements.

Westlaw Edge provides access to the following **exclusive features**:

- **Submit to Quick Check - Selected Text**—Locate relevant authority faster by highlighting significant text in the document you're viewing and get recommendations for relevant authority without leaving your research process.
- **Compare Text Tool**—Compare the language of documents across many content sets.
- **Concurring and Dissenting Opinion Shading**—Instantly know if your search language is in the cases' main opinion, or rather in the concurrence or dissent.
- **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 and principals in any jurisdiction in the U.S., utilizing the West

National Digest System, which contains editorial summaries commonly referred to as headnotes.

- **KeyCite Citator Service**—KeyCite is a full-service citator that helps users determine whether a proposition is good law by tracing the history of a case, statute, patent, or federal administrative decision. KeyCite also retrieves all citing references, which include cases, statutes, administrative materials, and secondary sources.
- **Research Recommendations**—Based upon documents the user has interacted with during their session, Westlaw will recommend additional primary and secondary law as well as Key Numbers.
- **Snapshots**—Westlaw gives snapshots of companies, legal professionals, and popular statutes.
- **Folder Analysis**—Westlaw makes suggestions, identifying the legal issues present through automatic analysis of cases and statutes in a folder. Users can view additional recommended cases and statutes, see a visual representation of issues, and navigate documents by issue.
- **Research Report**— Westlaw assembles professional reports, summarizing research in users' folders. Users can navigate reports with Table of Contents links, display all notations (including shared notes), and edit notes from the summary screen.
- **Reference Attorneys**—Bar-admitted legal research experts are available to assist users with any stage of legal research by providing time-saving guidance.
- **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, headnotes, and Notes of Decisions, we make the content better organized and connected so it's easier for researchers to find accurate answers quickly.
- **Industry-defining technology**—Our research innovations, such as WestSearch, the award-winning mobile app, Folder Analysis, Research Recommendations, Law Summaries, 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.

EXCLUSIVE CONTENT

- **Washington Practice Series** – A series written by local experts which furnishes a practical, informative survey of Washington civil and criminal practice.
- **Editorial Enhancements**—For more than a century, Westlaw attorney editors have been providing editorial enhancements to case law, statutes, and other legal materials, which includes providing the most exhaustive verification and correction process in the



legal publishing and information industry. No other research service can match Westlaw's editorial experience.

- **National Reporter System**—Since 1879, West's 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's National Reporter System is available exclusively on Westlaw.
- **Graphical Statutes/Interactive Timeline**— Graphical Statutes revolutionizes statute research by charting legislative changes and linking related documents in an easy-to-read display. From a single screen, researchers can easily track changes in the law, locate relevant legislative history materials, read important case law, and check for possible amendments. Graphical Statutes is available for USCA and the statutes for select states.
- **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.
- **Corpus Juris Secundum (CJS)**—CJS helps researchers understand unfamiliar areas of law by providing links to cases, statutes, regulations, key numbers, restatements, and more. CJS covers the full breadth and depth of the law, is cited to tens of thousands of times by the courts and is fully integrated with the West Key Number System.
- **American Jurisprudence: Full Library**—Only Westlaw provides access to the full collection of AmJur resources, including *American Jurisprudence 2nd*, *American Jurisprudence Proof of Facts*, *American Jurisprudence Trials*, and *American Jurisprudence Pleadings and Practice Forms*. These resources provide fast, authoritative answers to many aspects of civil, criminal, substantive, and procedural law.

Our company purpose is to *Inform the Way Forward*, which reflects our commitment to serve professionals, advance critical institutions, and build trust through our products and with our actions. I would be happy to further discuss Westlaw's capabilities with you. If you have any questions concerning this document or require additional information, please do not hesitate to contact me.

Sincerely,

Dan Nagan



THOMSON REUTERS™

Order Form

Order ID: Q-07328065

Contact your representative dan.nagan@thomsonreuters.com with any questions. Thank you.

Sold To Account Address

Account #: 1000815803
WHATCOM COUNTY
PROSECUTOR
311 GRAND AVE STE 201
BELLINGHAM WA 98225-4038 US

“Customer”

Shipping Address

Account #: 1000815803
WHATCOM COUNTY
PROSECUTOR
311 GRAND AVE STE 201
BELLINGHAM WA 98225-4038 US

Billing Address

Account #: 1000815803
WHATCOM COUNTY
PROSECUTOR
311 GRAND AVE STE 201
BELLINGHAM, WA 98225-4038
US

This Order Form is a legal document between Customer and

- A. West Publishing Corporation to the extent that products or services will be provided by West Publishing Corporation, and/or
- B. Thomson Reuters Enterprise Centre GmbH to the extent that products or services will be provided by Thomson Reuters Enterprise Centre GmbH.

A detailed list of products and services that are provided by Thomson Reuters Enterprise Centre GmbH and current applicable IRS Certification forms are available at: <https://www.tr.com/trorderinginfo>

West Publishing Corporation may also act as an agent on behalf of Thomson Reuters Enterprise Centre GmbH solely with respect to billing and collecting payment from Customer. Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation will be referred to as “Thomson Reuters”, “we” or “our,” in each case with respect to the products and services it is providing, and Customer will be referred to as “you”, or “your” or “Client”.

Thomson Reuters General Terms and Conditions apply to all products ordered, except print and is located at <http://tr.com/TermsandConditions>. In the event that there is a conflict of terms between the General Terms and Conditions and this Order Form, the terms of this Order Form control. This Order Form is subject to our approval.

Thomson Reuters General Terms and Conditions for Federal Subscribers is located at <https://static.legalsolutions.thomsonreuters.com/static/Federal-ThomsonReuters-General-Terms-Conditions.pdf> In the event that there is a conflict of terms between the General Terms and Conditions and this Order Form, the terms of this Order Form control. This Order Form is subject to our approval.

ProFlex Products
See Attachment for details

Material #	Product	Monthly Charges	Minimum Terms (Months)
40757482	West Proflex	\$5,156.67	36

Minimum Terms

Your subscription is effective upon the date we process your order ("Effective Date") and Monthly Charges will be prorated for the number of days remaining in that month, if any. Your subscription will continue for the number of months listed in the Minimum Term column above counting from the first day of the month following the Effective Date. Your Monthly Charges during the first twelve (12) months of the Minimum Term are as set forth above. If your Minimum Term is longer than 12 months, then your Monthly Charges for each year of the Minimum Term are displayed in the Attachment to the Order Form.

Post Minimum Terms

At the end of the Minimum Term, we will notify you of any change in Monthly Charges at least 60 days before each 12-month term starts. Either of us may cancel the Post-Minimum Term subscription by sending at least 30 days written notice.

Federal Government Subscribers Optional Minimum Term. Federal government subscribers that chose a multi-year Minimum Term, those additional months will be implemented at your option pursuant to federal law.

Banded Product Subscriptions. You certify your total number of attorneys (full-time and part-time partners, shareholders, associates, contract or staff attorneys, of counsel, and the like), corporate users, personnel or full-time-equivalent students is indicated in this Order Form. Our pricing for banded products is made in reliance upon your certification. If we learn that the actual number is greater or increases at any time, we reserve the right to increase your charges as applicable.

Miscellaneous

Applicable Law. If you are a state or local governmental entity, your state's law will apply, and any claim may be brought in the state or federal courts located in your state. If you are a non-governmental entity, this Order Form shall be interpreted under Minnesota state law and any claim by one of us shall exclusively be brought in the state or federal courts in Minnesota. If you are a United States Federal Government subscriber, United States federal law will apply, and any claim may be brought in any federal court.

Charges, Payments & Taxes. You agree to pay all charges in full within 30 days of the date of invoice. You are responsible for any applicable sales, use, value added tax (VAT), etc. unless you are tax exempt. If you are a non-government customer and fail to pay your invoiced charges, you are responsible for collection costs including attorneys' fees.

Excluded Charges And Schedule A Rates. If you access products or services that are not included in your subscription you will be charged our then-current rate ("Excluded Charges"). Excluded Charges will be invoiced and due with your next payment. For your reference, the current Excluded Charges schedules are located in the below link. Excluded Charges may change from time-to-time upon 30 days written or online notice. We may, at our option, make certain products and services Excluded Charges if we are contractually bound or otherwise required to do so by a third party provider or if products or services are enhanced or if new products or services are released after the effective date of this ordering document. Modification of Excluded Charges or Schedule A rates is not a basis for termination under paragraph 9 the General Terms and Conditions.

<http://static.legalsolutions.thomsonreuters.com/static/agreement/plan-2-pro-govt-agencies.pdf>

eBilling Contact. All invoices for this account will be emailed to your e-Billing Contact(s) unless you have notified us that you would like to be exempt from e-Billing.

Credit Verification. If you are applying for credit as an individual, we may request a consumer credit report to determine your creditworthiness. If we obtain a consumer credit report, you may request the name, address and telephone number of the agency that supplied the credit report. If you are applying for credit on behalf of a business, we may request a current business financial statement from you to consider your request.

Cancellation Notification Address. Send your notice of cancellation to Customer Service, 610 Opperman Drive, P.O. Box 64833, Eagan MN 55123-1803

Returns and Refunds. You may return a print product to us within 45 days of the original shipment date if you are not completely satisfied. Please see <http://static.legalsolutions.thomsonreuters.com/static/returns-refunds.pdf> or contact Customer Service at 1-800-328-4880 for additional details regarding our policies on returns and refunds.

Document Intelligence Product Specific Terms: The following product specific terms shall apply to the Document Intelligence products on this order form, and are incorporated by reference: www.ThomsonReuters.com/DocIntel-PST

Product Specific Terms and Information Security Controls: The following product specific terms and information security controls shall apply to the HighQ products on this order form, and are incorporated by reference:

- HighQ Product Specific Terms <http://tr.com/HighQ-PST>
- HighQ Information Security Controls <http://tr.com/HighQ-InfoSec>

Service Levels: Thomson Reuters shall provide service availability, maintenance and support for the term of the Agreement. Details are available at: <http://tr.com/HighQ-SLA>

Product Specific Terms. The following products have specific terms which are incorporated by reference and made part of this Order Form if they apply to your order. They can be found at <https://static.legalsolutions.thomsonreuters.com/static/ThomsonReuters-General-Terms-Conditions-PST.pdf>. If the product is not part of your order, the product specific terms do not apply. If there is a conflict between product specific terms and the Order Form, the product specific terms control.

- Campus Research
- Contract Express
- Hosted Practice Solutions
- ProView eBooks
- Time and Billing
- West km Software
- West LegalEdcenter
- Westlaw
- Westlaw Doc & Form Builder
- Westlaw Paralegal
- Westlaw Patron Access
- Westlaw Public Records

Amended Terms and Conditions

Government Non-Availability of Funds for Online, Practice Solutions or Software Products

You may cancel a product or service with at least 30 days written notice if you do not receive sufficient appropriation of funds. Your notice must include an official document, (e.g., executive order, an officially printed budget or other official government communication) certifying the non-availability of funds. You will be invoiced for all charges incurred up to the effective date of the cancellation.

Acknowledgement: Order ID: Q-07328065

Signature of Authorized Representative for order

Title

Printed Name

Date

This Order Form will expire and will not be accepted after 9/28/2023.



THOMSON REUTERS

Attachment

Order ID: Q-07328065

Contact your representative dan.nagan@thomsonreuters.com with any questions. Thank you.

Payment, Shipping, and Contact Information

Payment Method:

Payment Method: Bill to Account

Account Number: 1000815803

This order is made pursuant to:

Order Confirmation Contact (#28)

Contact Name: DeVries, Leah

Email: ldevries@co.whatcom.wa.us

eBilling Contact

Contact Name Leah DeVries

Email ldevries@co.whatcom.wa.us

Shipping Information:

Shipping Method: Ground Shipping - U.S. Only

ProFlex Multiple Location Details

Account Number	Account Name	Account Address	Action
1000815803	WHATCOM COUNTY	311 GRAND AVE STE 201 BELLINGHAM WA 98225-4038 US	New

ProFlex Product Details

Quantity	Unit	Service Material #	Description
1	Each	40757482	West Proflex
31	Attorneys	42510228	Westlaw Edge National Primary Law, Enterprise access, Government
31	Attorneys	42077755	Westlaw All Analytical, Enterprise access, Government
31	Attorneys	42086514	Gvt - PeopleMap Reports for Government on Westlaw
31	Attorneys	41974282	Gvt Drafting Assistant For Government (Westlaw PRO™)

Account Contacts

Account Contact First Name	Account Contact Last Name	Account Contact Email Address	Account Contact Customer Type Description
Leah	DeVries	ldevries@co.whatcom.wa.us	EML PSWD CONTACT

Lapsed Products

Sub Material	Active Subscription to be Lapsed
40757481	West Proflex

Charges During Minimum Term

Material #	Product Name	Year 1 Charges per Billing Freq	% incr Yr 1-2*	Year 2 Charges per Billing Freq	% incr Yr 2-3*	Year 3 Charges per Billing Freq	% incr Yr 3-4*	Year 4 Charges per Billing Freq	% incr Yr 4-5*	Year 5 Charges per Billing Freq	Billing Freq
4075748 2	West Proflex	\$5,156.67	5.00%	\$5414.50	5.00%	\$5685.22	N/A	N/A	N/A	N/A	Monthly

Charges During Minimum Term

Pricing is displayed only for the years included in the Minimum Term. Years without pricing in above grid are not included in the Minimum Term. Refer to your Order Form for the Post Minimum Term pricing. Refer to Order Form for Billing Frequency Type.