Experiences with a Tender for Bibliographic and Bibliometric Databases and Post-Termination Access

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Agenda

• Introduction: a few words on the BICfB

• BICfB’s experience with a tender for Bibliographic and Bibliometric Databases
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  • Comparative study WoS / Scopus
  • Why a European tender?
  • Difficulties before the tender
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  • Special specification
  • Tender analysis
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• BICfB’s experience with post-termination access to the data
  • (contractual) theory vs reality
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A few words on the BICfB

- Non-profit organization created in 2000 by the board of chancellors of the French-speaking universities in Belgium (9 universities in 2000, 6 in 2012 after mergings)

- Aimed at promoting, coordinating and developing a common policy between the university libraries regarding academic and scientific documentation

- Financed by the public authorities (65%) and the universities (35%)

- Negotiates the consortial purchase of eProducts (partially funded) with the objective (partially met) that all the member universities have the same products
  - 44 products in 2012 = 193 subscriptions
  - Works with consensual decisions (≠ central purchasing agency)

- Achieves 1 yearly project / study (ex: institutional repositories, Open Access, preservation and curation...)

- Daily activities managed by a technical staff (1.5 ETP); Decisions taken by the board (6 universities’ chief librarians)

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Tender for Bibliographic and Bibliometric Databases
Looking back: the context

• **Since 2002**: *Consortial subscription* of BICfB universities + Belgian French-speaking Research Foundation (FRS-FNRS) to the **Web of Science** (Thomson Reuters) (+ CCC + ESI + JCR)
  - by decision of the Chancellors board
  - including the « backfiles »

• Arrived of a **potential concurrent** on the market: Scopus (Elsevier)

⇒ decision to compare the 2 databases to prepare the 2012 renewal decision (regardless of the financial aspects)
Comparative Study (method)

• Aim: comparing Web of Science and Scopus
  • On the content (quality and extend of the data)
  • As a bibliographic database (search functionalities)
  • As a bibliometric tool (citations & indicators)

• Taskforce of 17 people
  • members of different universities + Research Foundation
  • with different backgrounds and angles (libraries and research administration, researchers, administrative staff)
  • worked in seminars, sub-meetings and e-mail exchanges
  • conclusions based on the use of the databases

• From November 2010 to May 2011

• 119 pages report, presented to the universities’ chancellors

• Confidential results because of the context of pre-negotiations
Comparative Study (results)

• Similar scope and functionalities but **different strengths and weaknesses**
  
  • 95% of Web of Science titles in Scopus, but differences
    • Content selection policy (geographic and linguistic coverage, articles in press or not, Open Access titles...)
    • Retrospective collection (coverage and consistency)
  
  • Citation counts and bibliometric indicators provided by the two databases, but
    • IF had been the only reference so far
    • citations in Scopus only back to 1996
  
  • Advanced search functionalities in the 2 databases, but
    • Scopus interface more appreciated
    • Scopus interrogation quicker
  
  • Some characteristics due to the different « age » of the products and their situation on the market
  
  • 2 very big publishers but different orientations (Data and Press vs academic journals) (monopoly risk!)

• **No clearly better product**, ⇒ **complementary**
Why a European tender?

• **Mandatory:**
  - High costs (> 200,000€ yearly for the consortium) for any of the two products
  - Concurrent products because of similar scope and functionalities (bibliographical and bibliometrical)

• **But risky:**
  - Hope for better prices <> fear for higher prices
  - First experience for us and for the publishers too in Europe
  - **Prisoner's dilemma:** delay problem if one or no response...
Difficulties before (internal)

• **Very tight calendar:**
  • Decision in June 2011, conclusion before January 2012
  • Official time / process constraints:
    • EU minimal official periods (consultation, stand still) and publication process
    • Universities internal calendars and approval procedures (public vs private institutions)

  $$\Rightarrow$$ 1 month to write the specifications, < 1 week for draft submission analysis

• **First time** such a tender for eProducts as a collaboration b. universities
  • lots of questions
  • necessity of a convention between the universities

• **Merging** of universities ongoing during the tender period

• **Consortium is not structured to do public tenders:**
  • No human resource in the consortium specialized in public tender
  $$\Rightarrow$$ exceptional administrative and legal support in the consortium chair’s university
Difficulties before (external)

• Very **negative reaction** from the publishers:
  • threatens not to respond to the call for tenders
  • Interruption of the ongoing trial period
  • problem of the publication of prices
  • never done before (first experience for them)
  • much administrative work

• Feeling of trust breaking...
Final and financial responsibility stays by the universities
Consortium = representative for the tender’s organization

5 Aug 2011
Convention between the universities + FRS-FNRS and BICfB

9 Aug
Publication of the invitation to tender

June-Aug
Survey = needs and opinions of the universities’ Research administrations

3 Oct
Receiving of the offers

3-30 Oct
Analysis by a taskforce (BICfB board + FRS-FNRS) and preparing a decision draft

3-26 Nov
Internal approval of the decision draft by the universities authorities

29 Nov
Publication of the decision

30 Nov – 13 Dec
Stand still (15 days)

14 Dec
Purchase order sent to the candidates

1 Jan 2012
Beginning of the contract and separate invoicing
Special specifications

- Based on the comparative study
- Supply (not services) contract

- Divided into different batches:
  - To *give the publishers* the possibility to meet the needs of the consortium and to advantageously present their products
  - To *give some institutions* the possibility not to subscribe to some products

- Difficulties in the writing:
  - A priori writing = "a minima" clauses ⇒ loosing the negotiation’s benefit
  - Finding the balance to avoid:
    - inadequate submissions
    - Oriented tender (ex: description the coverage, indicators)
Tender analysis

- **BATCH 1: WoS / Scopus**
  - **Price** (criterium 35%)
    - respondents maintained their previous price policy
    - Product A 3.5 x more expensive than product B
    - Price cap Product A 3% vs Product B 0%
  - **Content & coverage, functionalities, indicators...** (criterium 55%)
    - No surprise after comparative study results (coverage, consistency, policy)
    - Difficulty to compare some aspects > lack of information
  - **Quality of service** (criterium 10 %)
    - Author feed-back by Scopus

- **BATCH 3: JCR**
  - No concurrent product
  - 1.5 x more expensive than 2011 price (same product, same universities, but no package...!)
Difficulties after the tender (external)

• No appeal from any respondent, but very practical action by the « looser » for the bibliographic part (batch 1 & 2):
  • 1st January 2012: Immediate access cut to all the products subscribed at the same publisher (including a product « winner » of the tender... and a free product!!!)

• Difficulties for licensing the purchased products:
  • Publishers do not (want to) understand that:
    • special specifications are mandatory (must be respected)
    • special specifications act as a license
  ⇒ maintain clauses which are not legal or contradictory to the specifications)
  ⇒ VERY LONG negotiations (May 2012) ⇒ access cut or delay in giving access to updated data (JCR 2011)
What we have learned

1st experience for us, but also for the publishers....

- **Practical recommendations** to smooth the process:
  - Be very accurate in the invitation to tender, best with a systematic form to complete for each product (risk of inadequacies / « holes » between requirements and submissions)
  - Annex the license with/in the invitation to tender (to avoid loosing time in negotiating afterwards)
  - Have a good legal structure regarding the competences of the consortium (this could avoid making new conventions between the members)
  - Find good administrative and legal support to prepare the tender

- Importance of a *good dialogue* (before) between publishers and libraries ... publishers have to collaborate (they have the data, they choose to participate to the tender or not...)
Is all this really necessary?

- Until now, we have always negotiated directly with publishers, without special specifications or public tenders....

- But as the legislation is evolving, our universities’ control authorities are more and more encouraging (obligating ?) us to engage in public tenders ...
  - For multiplatform databases > possible concurrence
  - For publisher’s e-journals packages : special specifications only

- No clear conditions and processes at present, but it seems necessary for consortia to gain very specific knowledge in public tenders (as informational products are very specific)
  - Questioning the role and relevance of consortia (benefit vs cost analysis)
  - Very difficult for small consortia ...

- Is it also feasible for the publishers?
Post-termination access for Bibliographic and Bibliometric Data
(Contractual) theory vs practice

• In theory: WoS archives were **purchased** in 2001-2004:
  • « In the event Licensee chooses to cancel the Agreement, Licensor agrees to provide Licensee with the licensed Databases and the then current software by tape or CD-ROM. »

• In practice:
  • « platform solution »
    • Publisher’s offer = annual access fee to access the archives on the publisher’s platform ⇒ **too high** costs
  • « tape solution »
    • Promise to send the archives on tapes but, after many recalls and discussions, tapes effectively arrived in... August 2012 (more than 7 months after the end of the contract)
    • Software problem: difficulty to receive the publisher’s software and information and to anticipate the material needs (very high !) ⇒ human cost to analyze the data and software once received

*With the passing of time, the data have become more and more obsolete...*
What can we do?

• **BEFORE**
  • Include **very specific clauses** about PCA solutions AND prices in the contract (prices are at the present very often omitted)
  • Best ask for multiple solutions, complying with the conservation policy of the institution
  • Ask for « use cases » and examples: has the publisher already provided the data to an institution?

  *Probably done much more now than in 2000... Maybe useful to check out the « old » contracts?*

• **AFTER**
  • Negotiate! Abandonate the purchased data (and gain present time and money) could have been an alternative... but
    • Request from some universities (mostly for evaluation of researchers with minor h-index in the choosen solution)
    • data were paid with public funds (to be justified)
  • Requesting a financial compensation?
    • Seems not very realistic: difficulty and costs of justice for a small consortium vs a big publisher...

  *Could grouping with other consortia or institutions be a solution?*
Thanks for your attention

Do you have a feedback on the same problems?

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