



*Based on a rewritten and updated NASIGuide for  
The E-Resources Management Handbook – UKSG*

# A beginner's guide to working with vendors

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This chapter provides an overview of the varieties of relationships with vendors, issues with communication, product knowledge, licensing and negotiating, ongoing service responsibilities by both librarian and vendor, and ethics. Many of the principles included here may be applied to a variety of people from whom libraries purchase resources, and may refer to serials subscription agents, database providers, consortium partners who negotiate with resource providers and, even at times, publishers' agents. The evaluation of vendors is not treated in this guide. While several of the examples and issues relate specifically to electronic resources, the principles and many of the topics treated are relevant to library materials in any format purchased through an agent.

## Introduction

A brief introduction to the primary issues librarians face in working with vendors, this chapter treats the varieties of relationships with vendors, issues with communication, product knowledge, licensing and negotiating, ongoing service responsibilities by both librarian and vendor, and ethics. Many of the principles in this chapter may be applied to a variety of people from whom libraries purchase resources, and may refer to serials subscription agents, database providers, consortium partners who negotiate with resource providers and, even at times, publishers' agents. The focus is on librarians' and vendors' "mutually beneficial goals and aspirations" to provide resources to library users, and so evaluation of vendors will not explicitly be addressed.<sup>1</sup>

## The varieties of relationships with vendors

Librarians who work to acquire and provide access to information resources for their patrons must work with the vendors of those resources, whether they are serials, journals packages, databases, or some other type such as e-books. Librarians can work most effectively with those vendors when they create and maintain healthy working relationships. The librarian/vendor relationship takes many forms, due in part to the fact that the library is most often not the end-user of the content, but rather is providing that content as a service to its patrons.<sup>2</sup> There are at least three basic forms of librarian/vendor relationship: buyer and seller, development partners, and professionals with overlapping clients.

Outsiders considering how librarians and vendors relate to each other might seize first upon the fundamental need for libraries to purchase content produced outside the library. This connection between librarian and information provider may be direct (as in licensing a database directly from the publisher), but may also be, and often is, indirect – that is, the library often chooses to acquire content from a third party, the vendor. However, this form is by no means the only type of relationship.

Why do libraries use vendors, especially for online and continuing resources? Vendors still offer libraries service in locating, acquiring and managing electronic resources – three issues for libraries' provision of electronic resources noted by Armstrong and Lonsdale.<sup>3</sup> Rollo Turner has elsewhere described the "vital link" that vendors can continue to be for libraries.<sup>4</sup> As Turner points out, agents' records can help both libraries and publishers identify and manage their subscribed and accessible titles (including consortial 'bulk purchases', or 'big deals'), and vendors' tools can provide data on licensing and costs to help libraries manage their expenditures. These and other services may certainly be seen as expansions of traditional vendor roles of consolidation and efficiency.

Another way librarians and vendors relate to each other is by becoming development partners. Products and standards are just two arenas where librarian and vendor collaborate to improve service to the library's patrons. Recent advances in technological solutions for managing data and the interchange of data provide examples of librarians and vendors coming together as in partnership. The development of electronic resource management systems (ERMS) in general, and specific contributing projects like Project COUNTER<sup>5</sup>, SUSHI<sup>6</sup>, or the work now going on for CORE<sup>7</sup> (Cost of Resource Exchange) all depend on cooperation of librarians and vendors. Their collaboration is both formal, adding such arrangements as focus groups or beta testing agreements to the foregoing examples, and informal, through sales conversations or in exhibition hall feedback.

Finally, librarians and vendors are often professionals with overlapping clients. In his introduction to a special issue of the *Journal of Library Administration* treating 'Library/Vendor Relationships', Sam Brooks describes how the difference from normal customer/vendor relations creates a system of mutual dependence for librarian and vendor.<sup>8</sup> He points out the qualities of reliance and trust both must evince on entering that system, because librarian and vendor are working towards the satisfaction of end-users who, generally speaking, are external to them both. As the librarian and vendor begin to work together, they will discover a variety of relationships, each one with the potential to change their interactions.

## **Make sure librarian and vendor understand each other**

'Establish clear communication' is advice throughout literature discussing library/vendor relations. The advice to 'make sure librarian and vendor understand each other' extends beyond checking for clear communications sent and received, and is advice intended to encourage the librarian and the vendor to understand each other's needs, in the light of relevant business and political climates, so they can meet them.

There are several aspects of the library and the community it serves that the vendor should understand, in order to appreciate the information need the library is trying to fill and the means the library is using in attempting to fill that need. It is to the vendor's benefit to be aware of the research foci, program and collection strengths of the library before contact. However, if the vendor does not, the librarian should acquaint the vendor with these contexts. The librarian should also share the library's service philosophy, and clearly identify the library's user groups, in addition to stating the product needs, including both required management tools and information resources to serve various subject areas. The library's political climate also influences how librarians interact with vendors; the political situation may include pressures to offer digital access or additional content for a specific subject area, or insistence on decreasing troubleshooting time for online products, or other external circumstances that affect the library's priorities.

There are several business components to this relationship that the librarian and vendor should also clarify early on. Some of these components are straightforward characteristics affecting the library's resource acquisition, including the budget cycle, the selection-to-acquisition process, correct and current billing and shipping addresses and contacts, authorized personnel for various tasks like licensing and

invoicing, and relevant numbers, such as IP ranges and FTE counts. The library's requests for subscription support and management, training, usage statistics, or other service needs should be clearly explained.

As a customer, the librarian should also know pertinent information about the vendor and the vendor's company, such as the vendor's role within the company, in addition to other company contacts for various functions (day-to-day customer service, technical support, account management, etc.). In addition the account structure for the library and the billing methods the company will use should be clearly understood by the librarian. The vendor should be able to acquaint the librarian with the variety of products available, as well as how those products relate to what the library has already acquired from the vendor's company. In the same way as the library's political climate influences the librarian, the business climate within the company affects the vendor. The librarian should take the time to learn any relevant business news from the company, which may include whether the company is acquiring or being acquired by another company, and what changes are being announced in the company's administration or organization. Finally, the librarian should be familiar with whether the company will be taking over or distributing titles germane to the library's interests, and what new products are being developed.

Within the larger context of understanding each other's needs, there are several characteristics of communication that help develop healthy relationships. Rick Anderson's description of the 'Top Ten Qualities of a Good Customer' includes several of these characteristics – the librarian must be, at the right times, assertive, tough when necessary but also reasonable, fair and ethical, strategic and professional.<sup>9</sup>

Anderson also encourages librarians to have a specific agenda when meeting with vendors, and to take charge of those meetings. One way librarians can set a targeted agenda for meetings with vendors is to stay informed about the company and any changes in its products. Many vendors maintain newsletters, and lists to which they will add librarians. Another important consideration for librarians meeting with vendors is to be sure there is strong in-house communication with selectors, reference staff, instruction staff, IT staff and any others whose input is vital to make sure that users will have access to the resource within the library.

## Know the products

What titles do you want to acquire? The librarian should clarify exactly what product has been selected before placing any order, and should ask additional questions, such as these: Are there competing titles? Is this title bundled with any others? Is there a competing publisher/vendor? The librarian will also want to know how well the selected resources work with other library services, like the OpenURL resolver, federated searching, or the library's preferred authentication method. The librarian should understand how users might access and manipulate the content – whether the articles can be e-mailed or exported to citation management software, for instance, or whether reports can be downloaded to spreadsheets. Trial access to electronic resources provides an important evaluation period as well as easing the setup if the resource is purchased by a library. For electronic resources, knowing up-front the permanent ownership options as well as archival access provisions may influence title selection and/or purchase option (i.e., online only subscription versus print + online, or subscription access only versus one-time purchase + annual access fee).

Vendor-provided management products, such as serials management systems, can make ordering, claiming and reporting more efficient. Some helpful reports for collection development may include checklists of subscriptions, e-journal availability of subscribed titles, or historical price analyses, among others. Subscription details like licensing and activation of online journals or payment information are important features of serials management systems. Several vendors are now working to make the library's subscription and other pertinent data exchangeable with both the integrated library system (ILS) and the ERMS. Vendors should be willing to provide demonstrations of their management products to help the library decide whether and how to use them.

The ability to customize appearance and functionality are important reasons to be familiar with management systems, whether strictly a subscription management tool or the publisher's administrative interface. Management systems usually offer downloadable reports for subscribed titles and coverage

dates, and content-level management systems almost always offer usage reports, in addition to any other necessary information. Librarian and vendor alike should encourage non-COUNTER vendors to become compliant. Universal settings for user options, like e-mail options for articles, search results options for user manipulation, and personal online 'save' folders, are features that librarians should look for in these systems. The administrative modules might also support the creation and maintenance of URLs for the product or components within the product. For instance, are stable article-level links available for class assignments or reserves? May a proxy server URL be automatically appended to document links?

While the librarians in charge of working with vendors to provide content may or may not be familiar with the subjects treated in their journals or databases, they should certainly take advantage of opportunities to become familiar with the management tools that the vendors can provide.

## Negotiating and licensing

Many of Rick Anderson's 'Top Ten' qualities are applicable to negotiating and licensing library access to resources: librarians should be assertive on behalf of their libraries and patrons, tough when necessary but reasonable in their expectations, fair and ethical, strategic, and professional in particular. Clear communication is absolutely necessary at this point in the vendor/librarian relationship and it is not enough just to send a vendor an order for a specific title.

There are multiple factors affecting the total price a library pays over time, and the librarian should consider these when negotiating for a resource. Among them, how does the company arrive at the purchase price? Options may include FTE or Carnegie classification of the institution; the number of subject-area faculty and/or students; bundling or packages; up-front versus ongoing payments; consortial discount availability; and prior sales discounts, among other factors. Some companies have expressed interest in usage-based pricing – how, then, is the usage that affects the price going to be counted? Other factors may also affect total price over time, including service charges, credits, or perhaps any discounts for which the library may be eligible, in addition to anticipated increases in the near future. The librarian should also investigate whether the vendor offers multiple-year contracts and whether these are to the library's advantage. If multiple-year contracts are available, the librarian should find out whether price caps are also available. Is automatic renewal a possibility, and should the library consider asking for a prorated term to consolidate the renewal period for each vendor? The order might also be influenced by subscription versus purchase costs, and what rights does the purchase entail compared to the subscription? When the librarian and vendor have reached an agreement on these factors that agreement should be recorded, so that both parties can refer to it in the future.

There may be a variety of additional vendor services which may influence the library's decisions. For instance, EDI invoicing is a draw, and the availability of adequate MARC records is an incentive for libraries. A vendor's offer (and follow-through) to provide training or publicity materials likewise can have an effect on a library's decision to purchase.

Archival provisions have a significant effect on the decision to purchase electronic resources. Does the publisher agree that the library is entitled to post-cancellation access for subscriptions? If so, via what access method, for example, an online service like LOCKSS<sup>10</sup> or Portico<sup>11</sup>, local loading of a digital file, or the provision of the content on a CD-ROM or other current medium? And if there is a charge for post-cancellation access, or an annual access fee, what is it and how is it determined? Archival provisions should clearly be spelled out in the license.

When a librarian is ready to negotiate a license, several questions must be answered at a local level: What is necessary? What is negotiable? What is flatly unacceptable? See Rick Anderson's *NASIGuide: Licensing 101* for additional details.<sup>12</sup> Hosted at Yale University, LibLicense provides additional resources, like a model license, commentary and examples of specific license terms, and a license glossary.<sup>13</sup> Interested librarians may also sign up for the e-mail list. JISC, Licensingmodels.com (based on the Cox Model License), and California Digital Library also provide model licenses.<sup>14,15,16</sup> Licenses have continued to increase in complexity, adding costs in staff time for both vendor and library. It is critical for the librarian to remember that the only terms they can count on being enforced are the ones in writing – these

are the ones that will be passed along to the librarians who will come after us. The NISO-sponsored Shared E-Resources Understanding (SERU) presents an alternative to some licenses.<sup>17</sup> Librarians should investigate the SERU initiative and registry, and discuss when appropriate.

## Ongoing service

Ongoing service requires commitment and action from both the vendor and the librarian. From the vendor, ongoing service centers on these three areas: order support, training and problem resolution.

Ordering, invoicing, claiming, activation of online content, cancelling and problem resolution are only some of the activities requiring ongoing support. Fortunately, many of them can be performed by library staff using the vendor's management system. It is, however, important for the vendor to provide a single access point for these support services. Notification of bibliographic changes should be automated for the librarian, whether via e-mail or by notices within the management system. If library staff plan to use a vendor's management tool, training can help one to use the tool most effectively. Discuss whether the vendor training includes tutorials, help sheets, in-person and/or live online sessions, and ask for the types of training that suit the library staff best.

There will be a need for problem resolution, especially with electronic resources. The librarian should do some homework prior to contacting the vendor's help desk, including verifying order and payment details, or license terms, for instance. Be as specific as possible when working with a vendor on problem resolution. For example, screen shots of the problem may be especially helpful to the vendor's representative for online access issues. Another example is when a claim has not been received: be prepared to tell the vendor how many contact attempts have been made and on what dates. Lastly, telephone calls may be a fast way to reach a person and explain a convoluted problem, but they should be followed up with e-mails to clarify understanding and provide any necessary context.

Librarians should also consider their commitments to ongoing service to vendors, and engage in opportunities to provide that service. These opportunities may range from offering feedback when vendors request it to participating on panel discussions or serving on product development forums. Librarians may also participate in user groups or serve as a reference to other potential customers. Vendors occasionally offer librarians the opportunity to serve on advisory boards or in some other formal capacity.

## Ethics

The ALCTS Statement on Principles and Standards of Acquisitions Practice is an especially helpful document for librarians considering ethics in dealing with vendors.<sup>18</sup> The librarian's first responsibility is to the library and its users, who deserve the librarian's scrupulous attention to fair business practice on their behalf. Librarians must avoid cronyism or favoritism. Instead, the products must be evaluated on their own merits, and the vendor's services on a documented track record.

Librarians also have a responsibility to act ethically toward vendors. Respect the library's agreements with the publishers and the vendors, including confidentiality clauses. Pay invoices on time, or make arrangements with the vendor. Be prompt in returning contacts, and respect the time that the other party carves out for meetings. Represent the institution truthfully in regard to size, enrollment, and other particulars, and avoid 'sharp practices', which include exaggeration or deceit in order to receive greater access to goods and services than the library has contracted for.<sup>19</sup> Try to resolve gripes with a vendor privately instead of airing them in open forums, for instance, on blogs or e-mail lists. Finally, expect the vendors to act ethically towards librarians.

## Conclusion

All librarians have inherited various relationships with vendors, and their successors will inherit their relationships. Because of this fact, librarians must take the long view; as Ronald Gagnon reminds

librarians, these relationships themselves should be considered an important investment.<sup>20</sup> Nothing is more important to maintaining vendor relationships than communication – frequently, in writing for clarity and later referral, and in person whenever possible. A final thought might be Anderson's overarching theme: 'be assertive, but reasonable'.<sup>21</sup>

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