



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

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<b>File #:</b>	RS2024-403	<b>Name:</b>	
<b>Type:</b>	Resolution	<b>Status:</b>	Passed
<b>File created:</b>	4/22/2024	<b>In control:</b>	Metropolitan Council
<b>On agenda:</b>	5/7/2024	<b>Final action:</b>	5/7/2024
<b>Title:</b>	A resolution approving a sole source contract between the Metropolitan Government of Nashville and Davidson County, acting by and through the Nashville Public Library, and OverDrive, Inc. for the provision of ebooks, Eaudiobooks, ArtistWorks, eMagazines, and Kanopy Subscription Service.		
<b>Sponsors:</b>	Delishia Porterfield, Joy Styles, Ginny Welsch, Jacob Kupin, Quin Evans-Segall, Brenda Gadd, Terry Vo		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Contract Exhibit		

Date	Ver.	Action By	Action	Result
5/13/2024	1	Mayor	approved	
5/7/2024	1	Metropolitan Council	adopted	
5/7/2024	1	Arts, Parks, Libraries, and Entertainment Committee	approved	
5/6/2024	1	Budget and Finance Committee	approved	
4/30/2024	1	Metropolitan Council	filed	

A resolution approving a sole source contract between the Metropolitan Government of Nashville and Davidson County, acting by and through the Nashville Public Library, and OverDrive, Inc. for the provision of ebooks, Eaudiobooks, ArtistWorks, eMagazines, and Kanopy Subscription Service.

WHEREAS, Section 4.12.060 of the Metropolitan Code of Laws authorizes the Metropolitan Purchasing Agent to enter into sole source contracts when the Purchasing Agent determines in writing according to standards adopted by the Procurement Standards Board that there is only one source for the supply or services required; and,

WHEREAS, the Purchasing Agent has determined that the services and supplies to be provided by OverDrive, Inc. meet the requirements for the use of a sole source contract; and,

WHEREAS, Section 4.12.060 of the Metropolitan Code of Laws calls for Council approval by Resolution of sole source contracts "with a total contract amount in excess of two hundred fifty thousand dollars (\$250,000.00)"; and,

WHEREAS, approval of the contract will benefit the citizens of Nashville and Davison County.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the Contract between the Metropolitan Government of Nashville and Davidson County, acting by and through the Nashville Public Library and OverDrive, Inc., for the provision of ebooks, Eaudiobooks, ArtistWorks, eMagazines, and Kanopy Subscription Service attached hereto and incorporated herein, is hereby approved.

Section 2. That this resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This resolution approves a sole source contract between the Nashville Public Library and Overdrive, Inc., to provide e-books, e-audio books, e-magazines, and other programs and library subscription services.

Sole source contracts may be awarded under the Metro procurement code when it is determined that there is only one source for the supply or services rendered. Section 4.12.060 of the Metro Code requires all sole source contracts having a total value in excess of \$250,000 to be approved by the Council by resolution.

This sole source contract is before the Council for consideration because the estimated value of the contract is \$21,500,000. The term of the contract is 60 months, beginning upon approval of all parties and filing with the Metropolitan Clerk's Office.

According to the sole source justification form approved by the Metro Purchasing Agent, Overdrive possesses a unique list of e-books, e-audiobooks, e-magazines, and films not found with other e-book platforms. Overdrive is also the sole distributor of the Artistworks and Kanopy databases. Moving to another e-book platform would require a time-consuming and difficult transition and could potentially remove access to 20 to 30 percent of the titles previously purchased by the library.

*Fiscal Note: The estimated value of this sole source contract number 6546417 with OverDrive, Inc. for eBooks, eAudiobooks, ArtistWorks, eMagazines and Kanopy subscription service is \$21,500,000 to be paid from multiple Fund 330404/10101/30003, and multiple Business Unit 39304045/39304043/39706280/39101030/39201000. However, actual expenses may be paid from various department's fund and business unit when purchase orders are issued.*