

Mayor and Council Communication

DATE: 03/31/26

M&C FILE NUMBER: M&C 26-0209

LOG NAME: 84OVERDRIVE, INC. SOLE-SOURCE AGREEMENT 2026

SUBJECT

(ALL) Authorize Execution of a Sole-Source Agreement with OverDrive, Inc. to Provide Digital Library Services in an Amount Up to \$3,400,000.00 Annually for the Initial Term of Five Years and Unlimited Renewal Options of Two Years Each for the Same Annual Amount for the Library Department

RECOMMENDATION:

It is recommended that the City Council authorize execution of a sole-source agreement with OverDrive, Inc. to provide digital library services in an amount up to \$3,400,000.00 annually for the initial term of five years and unlimited renewal options for terms of two years each for the same amount for the Library Department.

DISCUSSION:

This Mayor and Council Communication (M&C) requests authorization to execute a sole-source agreement with OverDrive, Inc. to provide digital library services for the Library Department. Services provided by OverDrive, Inc. include: digital materials (eBooks, eAudiobooks, and digital magazines) for Android, iOS, Kindle, Nook, Kobo, Windows, and Mac computers as well as maintenance, hosting and support for said digital materials.

OverDrive, Inc. uniquely provides a series of services and digital content materials that enable public libraries to lend popular audiobooks, eBooks, streaming video and other digital content via the library's website on a single platform. OverDrive, Inc. is the sole-source provider of the Library Department's digital materials and services under City Secretary Contract No. 035192 originally approved by M&C P-10542 on March 6, 2007. That agreement has been subsequently renewed for the maximum number of allowable terms (five) and is nearing the end of the last term. A new agreement is necessary to continue the services.

Funding is budgeted in the General Operating & Maintenance category in the General Fund for the Library Department.

AGREEMENT TERM: Upon City Council approval, this agreement shall begin upon execution and shall expire five years from that date, unless otherwise renewed.

RENEWAL OPTIONS: This agreement may be renewed for unlimited two-year terms at the City's option. This action does not require specific City Council approval, provided that the City Council has appropriated sufficient funds to satisfy the City's obligations during the renewal term.

EXEMPT PROCUREMENT: The City Attorney's Office has determined that this sole-source is exempt from competitive bidding under the provisions of Chapter 252 of the Texas Local Government Code due to the unique services provided by and only available from this vendor.

ADMINISTRATIVE CHANGE ORDER: An administrative change order to increase the agreement may be made by the City Manager up to the amount allowed by relevant law and the Fort Worth City Code and does not require specific City Council approval as long as sufficient funds have been appropriated.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current operating budget, as previously appropriated, in the General Fund to support the approval of the above recommendation and execution of the contract. Prior to any expenditure being incurred, the Library Department has the responsibility to validate the availability of funds.

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