

Mayor and Council Communication

DATE: 02/25/25

M&C FILE NUMBER: M&C 25-0132

LOG NAME: 04NEARMAP SOLE SOURCE AGREEMENT

SUBJECT

(ALL) Authorize Execution of Sole Source Agreement with Nearmap US, Inc. for Citywide Aerial Photography Services in an Annual Amount Up to \$165,000.00 for the Initial Term and Authorize Four One-Year Renewal Options in Increasing Amounts Not To Exceed Three Percent Per Annum for the Information Technology Solutions Department

RECOMMENDATION:

It is recommended that the City Council authorize execution of a Sole Source Agreement with Nearmap US, Inc. for citywide aerial photography services in an annual amount up to \$165,000.00 for the initial term and authorize four one-year renewal options, in increased amounts not to exceed three percent (3%) per annum, for the Information Technology Solutions Department.

DISCUSSION:

On June 25, 2019, Mayor & Council Communication (M&C) P-12344 authorized the execution of City Secretary Contract No. (CSC) 52864 with Nearmap US, Inc. (Nearmap), in response to Invitation to Bid (ITB) No. 19-0099. ITB 19-0099 was issued for Orthorectified imagery (Orthoimagery) aerial photography of current city limits, extraterritorial jurisdiction (ETJ), plus an additional 1-mile buffer.

On October 1, 2019, the City executed CSC 52864 for citywide aerial photography services for a one-year term, with four one-year renewal options. CSC 52864 expired on October 3, 2024 with all renewal options utilized. Upon expiration of CSC 52864, Nearmap required the City to delete all historical Orthoimagery provided during the term of the agreement. The City immediately lost access to the Orthoimagery that provided aerial images from 2020, 2021, 2022, 2023, and 2024 of city limits and ETJ areas for the City's various mapping platforms. These platforms include the City's zoning map, ArcGIS platforms and Computer-Aided Dispatch (CAD) system. City departments utilize the aerial images for various uses, including the following:

- Transportation and Public Works: Impervious surface modeling for customer billing,
- FWLab: Validation of current land use for planning purposes , and
- Parks and Recreation: Assessing tree canopy size.

Due to the importance of these aerial images, City staff began sourcing replacement data for the five years of Orthoimagery aerial images lost upon expiration of CSC 52864. Adequate replacement data is available through county data provided by the City's five coverage counties (Denton, Johnson, Parker, Tarrant, and Wise counties) but is not immediately available.

To ensure prolonged lapse of coverage is not experienced while the replacement data is sourced; a Chapter 252 Exemption was requested and approved by the City Attorney's Office as a sole source exemption.

This M&C requests authorization to execute a one-year Sole Source Agreement with Nearmap in an annual amount not to exceed \$165,000.00 with four (4) one-year renewal options with increased annual renewal cost not to exceed three percent (3%) per annum. This agreement will allow for continued access to Orthoimagery aerial images owned by Nearmap while the replacement data is sourced.

DVIN: This project was approved for a waiver per the Chapter 252 Exemption, as a sole source by the Legal Department. Therefore, the business equity goal requirement is not applicable.

Funding is budgeted in the Other Contractual Services account within the Info Technology Systems Fund for the Information Technology Solutions Department.

ADMINISTRATIVE CHANGE ORDER: An administrative change order or increase 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.

AGREEMENT TERMS: Upon City Council approval and execution of the Sole Source agreement, this agreement shall begin October 4, 2024 and expire one (1) year from that date.

RENEWAL TERMS: This agreement may be renewed for four (4) one-year renewal terms at the City's option. Increases to annual renewal cost will not exceed 3% per annum. 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.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that upon approval of the recommendation, funds are available in the current operating budget, as previously appropriated, in the Info Technology Systems Fund. Prior to an expenditure being incurred, the Information Technology Services Department has

the responsibility to validate the availability of funds.

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