



Monterey County

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Board Report

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Matter Type: General Agenda Item

Approve and Authorize the Renewal and Amendment Agreement between Monterey County on behalf of the Monterey County Free Libraries and OverDrive, Inc., for a term of four years, retroactive from November 24, 2015 to November 24, 2019.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Approve and Authorize the Renewal and Amendment Agreement between Monterey County on behalf of Monterey County Free Libraries and OverDrive, Inc., for a term of four years, retroactive from November 24, 2015 to November 24, 2019.

SUMMARY/DISCUSSION:

The recommended action will enable Monterey County Free Libraries (MCFL) to continue receiving license and hosting services from OverDrive, Inc., for downloadable library services such as eBooks and Audiobooks. OverDrive, Inc. has been the vendor for MCFL for the last four years and is a leader in the field of providing e-content in an easy to use format for library patrons and staff. By renewing this contract, patrons will have continued access to the collections we have purchased over the past 4 years without disruption of services or the need to introduce a new service. Other vendors have not shown the quantity or quality of content as that available from Overdrive. Staff and patrons are familiar with the product and the usage of downloadable content from Overdrive has increased dramatically during the time we first made the service available to patrons. Downloadable content is now considered an essential library service for many patrons who are not able to visit the library as often as they would like.

The only changes to the terms of the contract are a reduction in the payment provisions and the renewal of four additional years. Based on the prior terms of the expired contract, OverDrive, Inc. is reducing the monthly hosting fee from \$1,250.00 to \$1,000.00. The discount provides MCFL a savings of \$3,000.00 annually for the next (4) four years which is the new extended term of the contract.

The delay in submitting the Amendment so that it is now being presented as a retroactive renewal is due to the extended negotiations with OverDrive in carrying over the terms of the expired contract and the unavailability of Overdrive personnel to confirm agreement on the terms of the renewal.

No other service is available to MCFL with the same standard of service and accessibility amongst vying competitors within this industry. Patrons and MCFL Staff are satisfied with its products. Over the course of the initial term, OverDrive has demonstrated improvement with

their service and selections. MCFL has seen a significant increase in its popularity and desire to continue promoting its collection.

OTHER AGENCY INVOLVEMENT:

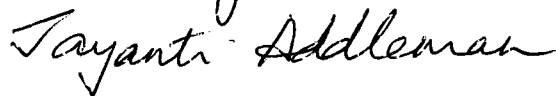
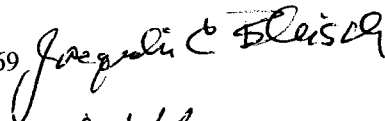
The original Contract and this Renewal and Amendment of the original contract have been reviewed by Counsel as to form and legality but were and still are unable to approve the non-standard agreement terms that limit and/or waive vendor liability/warranty/indemnification that are carried over through the extended term. Risk Management, Auditor-Controller's Office and Information Technology have reviewed this Renewal for terms and conditions.

FINANCING:

The recommended Renewal and Amendment Agreement shall not to exceed the amount of \$130,000.00, over a four year period. Funds have been included in the Library Budget to cover the cost of this contract. There is no additional cost to the County General Fund as MCFL is its own Fund (003).

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Approved by: Jayanti Addleman, Library Director, (831)883-7566



Attachments:

Renewal of and Amendment to Agreement between County of Monterey and OverDrive, Inc.
MCFL's Application Service Agreement of November 2011