

SERIAL 04147 S ELECTRONIC RESOURCES-MCLD (NIGP 95670)

DATE OF LAST REVISION: May 25, 2007 CONTRACT END DATE: February 28, 2011

CONTRACT PERIOD THROUGH FEBRUARY 28 2011

TO: All Departments

FROM: Department of Materials Management

SUBJECT: Contract for **ELECTRONIC RESOURCES-MCLD (NIGP 95670)**

Attached to this letter is published an effective purchasing contract for products and/or services to be supplied to Maricopa County activities as awarded by Maricopa County on **February 16, 2005**.

All purchases of products and/or services listed on the attached pages of this letter are to be obtained from the vendor holding the contract. Individuals are responsible to the vendor for purchases made outside of contracts. The contract period is indicated above.

Wes Baysinger, Director
Materials Management

DL/mm
Attach

Copy to: Clerk of the Board
 Susan Varscak, Library District
 Materials Management

SPECIFICATIONS ON INVITATION FOR BID FOR: **ELECTRONIC RESOURCES-MCLD
(NIGP 95670)****1.0 INTENT:**

The intent of this Invitation for Bids is to establish a multiple-award contract for any type of downloadable and/or aggregated electronic book or other resource and any related and/or supporting services. Vendors may be added during the life of the contract as appropriate to meet the Maricopa County Library District's needs. Amendments, supplements and/or revisions will be effective upon receipt and approval of notice to the Department of Materials Management.

Each year the amount spent on these items will be based on the budget approved by the Library District's Board of Directors for that fiscal year.

2.0 TECHNICAL SPECIFICATIONS:**2.1 CONTENT/CUSTOMER LEVELS**

Content is to be for the following Customer Levels:

- 2.1.1 Adult – we are interested in providing information to the general population for leisure, personal interests, general knowledge, and life-long learning
- 2.1.2 Juvenile – we are interested in providing information for leisure, personal interests and to ensuring adequate content for our K-12 customers.
- 2.1.3 Young Adult – we are interested in content for leisure interests as well as educational support.

2.2 LANGUAGES OTHER THAN ENGLISH

Spanish language resources, or resources with the ability to serve Customers in languages other than English, should be addressed for the general population and in all Customer Levels as described in Section 2.1. Mexican Spanish is preferred.

2.3 DELIVERY METHOD

It is preferred that resources be delivered via the Internet to library service locations (i.e.: library buildings) in Maricopa County, Arizona. Remote access to these resources from our customer's homes or offices is considered a standard service by The Library District. Either the Contractor and/or The Library District will implement proper customer authentication methods. The Library District currently takes appropriate measures to ensure that electronic resources are only used by authorized customers of our branches and will continue to do so under the resulting contract.

2.4 RESOURCES and/or SERVICES

- 2.4.1 This contract covers any type of downloadable and/or aggregated electronic book or other resource and any related and/or supporting services. Additionally, any other formats (currently existing, in development, or not yet developed) chosen through the life of the contract that are appropriate for use in the public library setting may be purchased against the resulting contract.
- 2.4.2 Where applicable and appropriate, Contractor would provide server space, customized website and related resources and services.

2.4.3 Preferred Features

Preferred Features set forth in this section indicate the minimal information to be considered, capabilities that are desired, or minimum performance levels that are desired. A written response to each section below should detail how the vendor offers the preferred feature.

2.4.3.1 Copyright and Royalty Fees Included in Price

Are all copyright and royalty fees included in the resource price?

2.4.3.2 Statistics

For electronic resources, are you able to provide free usage statistics in an electronic format? Briefly indicate the type of statistics you make available electronically to your customers.

2.4.3.3 Remote Access

Is remote access available to the resources? “Remote access” is defined as access from workstations in buildings on the same telecommunications network as the library (e.g., county government, city government, etc.), and access from home, office or other outside-the-library locations used by the library’s customers.

2.4.3.4 Seamless integration

Is there seamless integration with the Library District’s website, patron authentication, and catalog systems using standard protocol? Do you require customers to leave the MCLD URLs and/or do you require separate login? It is our intention to integrate Customer title records for electronic resources with other materials.

2.4.3.5 Printing Results

Is the end user able to print?

2.4.3.6 Training

Do you provide training at no additional cost? On-site &/or distance learning options are our first preference. Online tutorials or other self-training tools may be considered.

2.4.3.7 MARC Catalog Records

Do you provide MARC records for integration into the Library District’s catalog? Do they have direct links from the Library District’s catalog to the digital title page, or appropriate destination so that customers can access the resource?

2.4.3.8 Enhanced Metadata

Do you provide enhanced Metadata support and jacket covers -- including a variety of information about the collection (title, author, publishing imprint, reviews, subjects, excerpts, and creator information)?

2.4.3.9 Collection Development Tools

Are Collection Development tools available that allow development of the MCLD electronic resources? Is the Library District able to search for titles using various limiting options (i.e. format, language, subject, and publisher)?

2.4.3.10 Purchase Order Tools

Are Purchase Order Tools available that develop lists, provide pricing and facilitate invoicing and payment?

2.4.4 Content

Provide a comprehensive; yet brief description (300 words or less) of the resources or services you are proposing. Include any applicable requirements.

2.5 PRICING:

Using current prices, identify and price each resource or service that is described in 2.4.4 above on ATTACHMENT A.

2.6 ADDITIONAL CHARGES:

Any charges not delineated in the proposal, including but not limited to service charges, shall not be added to resources or services purchased under the terms of the contract without written consent of Maricopa County.

2.7 TAXES:

2.7.1 Libraries in the State of Arizona are exempt from any out-of-state tax on the purchase of books, electronic information and audio/visual materials.

2.7.2 Libraries in the State of Arizona are exempt from in-state transaction privilege (sales) tax on the purchase of books, electronic information, and audio/visual materials.

2.7.3 An In-State Contractor may only charge the city sales tax for the city within which they (the Contractor) are located. The exception to this is where the Arizona City has also exempt these taxes. As of April 1, 2000, only two (2) Arizona cities had NOT passed this sales tax exemption.

2.7.4 Applicable city sales taxes shall be imposed only on materials purchased. No tax shall be levied against labor. Pricing for services is to include all labor, overhead, tools and equipment used, profit, and any taxes that may be levied. It is the responsibility of the respondent to determine any and all taxes and include the same in price for labor.

3.0 **SPECIAL TERMS & CONDITIONS:**

3.1 CONTRACT LENGTH:

This Invitation for Bids is for awarding a purchasing contract to cover a six (6) year period.

3.2 AWARD:

The award of contract will be based on, but not limited to, the following:

3.2.1 Compliance with specifications

3.2.2 Desired service

3.2.3 Determination of responsibility

The County reserves the right to award in whole or in part, by item or group of items, by section or geographic area, or make multiple awards, where such action serves the County's best interest.

3.3 INDEMNIFICATION:

3.3.1 INDEMNIFICATION

To the fullest extent permitted by law, Contractor shall defend, indemnify, and hold harmless the County, its agents, representatives, officers, directors, officials, and

employees from and against all claims, damages, losses and expenses, including but not limited to attorney fees and costs, relating to this Contract.

The amount and type of insurance coverage requirements set forth herein will in no way be construed as limiting the scope of the indemnity in this paragraph.

3.3.2 **Abrogation of Arizona Revised Statutes Section 34-226:**

In the event that A.R.S. § 34-226 shall be repealed or held unconstitutional or otherwise invalid by a court of competent jurisdiction, then to the fullest extent permitted by law, **CONTRACTOR** shall defend, indemnify and hold harmless **COUNTY**, its agents, representatives, officers, directors, officials and employees from and against all claims, damages, losses and expenses (including but not limited to attorney fees, court costs, and the cost of appellate proceedings), relating to, arising out of, or resulting from **CONTRACTOR'S** work or services. **CONTRACTOR'S** duty to defend, indemnify and hold harmless, **COUNTY**, its agents, representatives, officers, directors, officials and employees shall arise in connection with any claim, damage, loss or expense that is attributable to bodily injury, sickness, disease, death, injury to, impairment or destruction of property including loss of use resulting therefrom, caused in whole or in part by any act or omission of **CONTRACTOR**, anyone **CONTRACTOR** directly or indirectly employs or anyone for whose acts **CONTRACTOR** may be liable, regardless of whether it is caused in part by a party indemnified hereunder, including **COUNTY**.

The scope of this indemnification does not extend to the sole negligence of **COUNTY**.

3.4 **PROCUREMENT CARD ORDERING CAPABILITY:**

It is the intent of Maricopa County to utilize a procurement card that may be used by the County from time to time, to place and make payment for orders under the Contract. Contractors without this capability may be considered non-responsive and not eligible for award consideration.

3.5 **INTERNET ORDERING CAPABILITY:**

It is the intent of Maricopa County to utilize the Internet to place orders under this Contract. Contractors without this capability may be considered non-responsive and not eligible for award consideration.

3.6 **INQUIRIES AND NOTICES:**

All inquiries concerning information herein shall be addressed to:

MARICOPA COUNTY
DEPARTMENT OF MATERIALS MANAGEMENT
ATTN: CONTRACT ADMINISTRATION
320 W. LINCOLN ST.
PHOENIX, AZ 85003

Administrative telephone inquiries shall be addressed to:

BILL THORNTON, PROCUREMENT CONSULTANT, 602-506-3248
(bthornto@mail.maricopa.gov)

Technical telephone inquiries shall be addressed to:

Susan Varscsak, 602-506-5784

Inquiries may be submitted by telephone but must be followed up in writing. No oral communication is binding on Maricopa County.

3.7 SUBMISSION PRICE CLARITY:

For reasons of clarity all submissions of pricing (Attachment A) shall be priced in the same unit (size, volume, quantity, weight, etc.) as the bid specifications request. Submissions (bids) failing to comply with this requirement may be declared non-responsive.

3.8 INSTRUCTIONS FOR PREPARING AND SUBMITTING BIDS:

Bidders are to provide one (1) original "hard copy" (labeled) and one (1) electronic copy of pricing on a 3.5" diskette. Bidders are to identify their responses with the bid serial number, title and return address to Maricopa County, Department of Materials Management, 320 West Lincoln, Phoenix, Arizona 85003. **A corporate official who has been authorized to make such commitments must sign bids.**

ALL REQUESTS FOR DISKETTES MUST BE FAXED TO THE PROCUREMENT CONSULTANT AT (602) 258-1573. IN ADDITION, ONE (1) HARD COPY OF EACH PAGE OF ATTACHMENT A (PRICING PAGE) SHALL BE SUBMITTED WITH YOUR BID.

BAKER & TAYLOR INC, 2550 WEST TYVOLA ROAD SUITE 300, CHARLOTTE, NC 28217
BOOKS VIDEO SOFTWARE, 2709 WATER RIDGE PARKWAY #500, CHARLOTTE, NC 28217

WILLING TO ACCEPT FUTURE SOLICITATIONS VIA EMAIL: YES NO

WILL YOUR FIRM ACCEPT A PROCUREMENT CARD FOR INVOICE PAYMENT? YES NO
 (Please see our RP response)

IF YES, MAY THE COUNTY TAKE ADVANTAGE OF DISCOUNTS OFFERED BY YOUR FIRM IN THIS
 BID/RFP WHEN PAYING WITH A PROCUREMENT CARD? YES NO
 (payment terms Net 30 days from date of invoice)

INTERNET ORDERING CAPABILITY: YES NO % DISCOUNT

OTHER GOV'T. AGENCIES MAY USE THIS CONTRACT: YES NO

PRICING SHEET ~~S027402/B0604225~~/NIGP 9567001

ITEM DESCRIPTION Hosted eContent Delivery eBook collection, circulation and reporting system.

LIST EACH RESOURCE/SERVICE PROPOSED IN SECTION 2.4.4:

1.0 RESOURCE: eContent Delivery system with collection of 200 eBook titles at an average cost of \$20
 (Please see Exhibit 1 for fee schedule options)

1.1 AVERAGE COST of RESOURCE: \$4,000.00
 1.3 ANNUAL MAINTENANCE or SUBSCRIPTION COST \$1,215.00/year \$1,055.00/Yrs 2-n

2.0 RESOURCE: OPTIONAL: Title Source II Gold: bibliographic, selection and ordering tool suite

2.3 ANNUAL MAINTENANCE or SUBSCRIPTION COST \$1,895.00/year

3.0 RESOURCE: OPTIONAL: Content Café data for online catalog (jacket images, annotations, reviews TOCs)

3.3 ANNUAL MAINTENANCE OR SUBSCRIPTION COST \$ /year Based on library circulation. Please call for quote.

4.0 RESOURCE: Title Source – ED (bibliographic, selection and ordering tool suite for eBooks only)

4.3 ANNUAL MAINTENANCE or SUBSCRIPTION COST FREE

Terms: NET 30

Vendor Number: **W000004721 X**

Telephone Number: 800/775-7930 **1800**

Fax Number: ~~704/329-8989~~ **704/998-3260**

Contact Person: ~~Lee Ann Queen~~ **Leah Bell**

E-mail Address: bids@btol.com

Company Web Site: www.btol.com

Certificates of Insurance Required

Contract Period: To cover the period ending **February 28, 2011.**

THOMSON GALE GROUP INC, 27500 DRAKE ROAD, FARMINGTON HILLS, MI 48331-3535

WILLING TO ACCEPT FUTURE SOLICITATIONS VIA EMAIL: ____ YES NO

WILL YOUR FIRM ACCEPT A PROCUREMENT CARD FOR INVOICE PAYMENT? ____ YES NO

IF YES, MAY THE COUNTY TAKE ADVANTAGE OF DISCOUNTS OFFERED BY YOUR FIRM IN THIS BID/RFP WHEN PAYING WITH A PROCUREMENT CARD? _____ YES _____ NO

INTERNET ORDERING CAPABILITY: ____ YES NO _____% DISCOUNT

OTHER GOV'T. AGENCIES MAY USE THIS CONTRACT: ____ YES NO

PRICING SHEET ~~S027402/B0604225~~/NIGP 9567001

ITEM DESCRIPTION

LIST EACH RESOURCE/SERVICE PROPOSED IN SECTION 2.4.4:

- 1.0 RESOURCE:** Gale virtual library
- | | |
|---------------------------------------------|------------------------------------------|
| 1.1 AVERAGE COST of RESOURCE: | \$ <u>Dependent on titles selected</u> |
| 1.3 ANNUAL MAINTENANCE or SUBSCRIPTION COST | \$ 3,900.00 /year <u>Maintenance fee</u> |
- 2.0 RESOURCE:** Xrefer 100
- | | |
|---------------------------------------------|--------------------------------------------|
| 2.1 AVERAGE COST of RESOURCE: | \$ <u>Dependent upon population served</u> |
| 2.3 ANNUAL MAINTENANCE or SUBSCRIPTION COST | \$ 9,112.00 /year |

Terms: NET 30

Vendor Number: **W000002065 X**

Telephone Number: ~~800/877-4253~~ **248/699-4253**

Fax Number: ~~800/414-5043~~ **248/699-8032**

Contact Person: Helen Wilbur

E-mail Address: Helen.Wilbur@thomson.com

Company Web Site: www.gale.com

Certificates of Insurance Required

Contract Period: To cover the period ending **February 28, 2011.**

OCLC ONLINE COMPUTER LIBRARY, CENTER INCORPORATED, 6565 FRANTZ RD, DUBLIN, OH 43017-3395

WILLING TO ACCEPT FUTURE SOLICITATIONS VIA EMAIL: YES NO

WILL YOUR FIRM ACCEPT A PROCUREMENT CARD FOR INVOICE PAYMENT? YES NO

IF YES, MAY THE COUNTY TAKE ADVANTAGE OF DISCOUNTS OFFERED BY YOUR FIRM IN THIS BID/RFP WHEN PAYING WITH A PROCUREMENT CARD? YES NO

INTERNET ORDERING CAPABILITY: YES NO 3% DISCOUNT

OTHER GOV'T. AGENCIES MAY USE THIS CONTRACT: YES NO

PRICING SHEET-S027402/B0604225/NIGP 9567001

ITEM DESCRIPTION

LIST EACH RESOURCE/SERVICE PROPOSED IN SECTION 2.4.4:

1.0 RESOURCE: Titles Purchased with Prepaid CSS fee – Amigos Discount included (cost/title)

- 1.1 AVERAGE COST of RESOURCE: \$ 30.20
- 1.2 INITIAL START-UP COST \$ 16.61
- 1.3 ANNUAL MAINTENANCE or SUBSCRIPTION COST \$ 0.00 /year

2.0 RESOURCE: Titles Purchased with Annual CSS fee – Amigos Discount included)cost/title)

- 2.1 AVERAGE COST of RESOURCE: \$ 28.76
- 2.3 ANNUAL MAINTENANCE or SUBSCRIPTION COST \$ 4.32 /year

3.0 RESOURCE: **NetLibrary eAudiobooks: Annual subscription to a core collection of over 1,000 titles at present, with 30 new titles added each month. The Pimsleur Language Series and CEV Bible are included in the subscription at no additional cost, bringing the total number of titles to more than 1200 and growing.**

- 3.1 AVERAGE COST of RESOURCE: \$47.00
 - 3.2 INITIAL START-UP COST \$ 0.00
 - 3.3 ANNUAL MAINTENANCE or SUBSCRIPTION COST \$48,000.00 /YEAR *
- (* List price for the Core Collection annual subscription is \$60,000.00)

4.0 RESOURCE: **NetLibrary eAudiobooks: Annual subscription to the Children's & Young Adults' Collection, 248 fiction titles and growing. Newbery and Caldecott winners with time tested classics.**

- 4.1 AVERAGE COST of RESOURCE: \$48.00
 - 4.2 INITIAL START-UP COST \$ 0.00
 - 4.3 ANNUAL MAINTENANCE or SUBSCRIPTION COST \$12,000.00 /YEAR **
- (** List price for the Children's & Young Adults' Collection annual subscription is \$15,000.00)

NetLibrary eBook License Agreement (Dom) 08-20-03 is also hereby incorporated as Exhibit A.

OCLC ONLINE COMPUTER LIBRARY, CENTER INCORPORATED, 6565 FRANTZ RD, DUBLIN, OH 43017-3395

PRICING SHEET ~~S027402/B0604225~~/NIGP 9567001

Terms: NET 30

Vendor Number: **W000004686 X**

Telephone Number: ~~800/848-5878~~ **614/764-6354**

~~Fax Number:~~ ~~614/764-0155~~

Contact Person: ~~Cathy De Rosa~~ **Linda Evers**

E-mail Address: ~~glassr~~ proposals@oclc.org

Company Web Site: www.oclc.org

Certificates of Insurance Required

Contract Period: To cover the period ending **February 28, 2011.**

DIGITAL LIBRARY RESERVE INC., ~~OVERDRIVE INC.~~, 8555 SWEET VALLEY DR SUITE C, CLEVELAND, OH 44125

WILLING TO ACCEPT FUTURE SOLICITATIONS VIA EMAIL: YES NO

WILL YOUR FIRM ACCEPT A PROCUREMENT CARD FOR INVOICE PAYMENT? YES NO

IF YES, MAY THE COUNTY TAKE ADVANTAGE OF DISCOUNTS OFFERED BY YOUR FIRM IN THIS BID/RFP WHEN PAYING WITH A PROCUREMENT CARD? YES NO

INTERNET ORDERING CAPABILITY: YES NO % DISCOUNT

OTHER GOV'T. AGENCIES MAY USE THIS CONTRACT: YES NO

PRICING SHEET ~~S027402/B0604225~~/NIGP 9567001

ITEM DESCRIPTION

LIST EACH RESOURCE/SERVICE PROPOSED IN SECTION 2.4.4:

1.0 RESOURCE: Digital Library Reserve One-time System and Configuration Fee

- 1.1 AVERAGE COST of RESOURCE: \$ 50,000.00
- 1.2 INITIAL START-UP COST \$ 23,000.00
- 1.3 ANNUAL MAINTENANCE or SUBSCRIPTION COST \$ 12,000.00 /year

2.0 RESOURCE: E-Books (Mobipocket formats)

- 2.1 AVERAGE COST of RESOURCE: \$ 11.00 Note: eBook titles range in price from \$1 .00 for classics and children's titles to in excess of \$40 for business titles \$11 is the average per title in a typical collection.

3.0 RESOURCE: Audio Books

- 3.1 AVERAGE COST of RESOURCE: \$ 35.00 Note: This is based mostly unabridged titles.

4.0 RESOURCE: eMusic

- 4.1 AVERAGE COST of RESOURCE: \$ 11.99

5.0 RESOURCE: Download Video

- 5.1 AVERAGE COST of RESOURCE: \$ 39.99
 - 5.2 INITIAL START-UP COST \$ TBD
 - 5.3 ANNUAL MAINTENANCE or SUBSCRIPTION COST \$ TBD
- Note: DLR is acquiring rights to digital video Pricing and costs will be base on various programs and film length TBD at future date.

6.0 RESOURCE: Shared Maricopa Area-Wide Digital Book/Media Collection

- 6.1 AVERAGE COST of RESOURCE: This cost will be determined by the RESOURCE (e.g. \$39.99, if Download Video, or \$11.00, if E-Books (Mobipocket format, etc.).

DIGITAL LIBRARY RESERVE INC., ~~OVERDRIVE INC.~~, 8555 SWEET VALLEY DR SUITE C,
CLEVELAND, OH 44125

6.2 INITIAL START-UP COST: \$ 1,500 Per Library

6.3 ANNUAL MAINTENANCE or SUBSCRIPTION COST \$ 24,000/Year
(bandwidth, technical support and maintenance)

Terms: 2% 10 days net 30

Vendor Number: **W000004729 X**

Telephone Number: 216/573-6886

Fax Number: 216/573-6888

Contact Person: Steve Potash

E-mail Address: spotash@overdrive.com

Company Web Site: www.overdrive.com

Certificates of Insurance Required

Contract Period: To cover the period ending **February 28, 2011.**