



# City of San Antonio Certificate of Exemption

Finance

Please fill this form out online, attach any required support documents, and forward your request to next approval authority.

## Certificate of Exemption

Originating Department: Information Technology Services

Request Date: 05/31/2023

## Exemption Requested/Taken

The City is authorized under limited conditions to make procurements outside of the competitive solicitation process. Chapter 252 of the Local Government Code provides guidance regarding sixteen general exemptions from the competitive solicitation. Departments must submit vendor(s) quotations for any selection below. Please select one exemption:

- |  |   |
|--|---|
| <input type="checkbox"/> A procurement made because of a public calamity that requires funds to relieve the needs of the residents or to preserve city property (Note: Department must notify the Purchasing Division immediately regarding such an event) | <input type="checkbox"/> Paving, drainage, street widening and other public improvements or related matter where at least one-third of the costs are paid by special assessments  |
| <input checked="" type="checkbox"/> A procurement to preserve or protect the public health or safety of the city's residents (Note: Department must notify the Purchasing Division immediately regarding such an event)                                    | <input type="checkbox"/> A public improvement project which has been authorized but for which there is deficiency of funds to complete in accordance with the plans as authorized |
| <input type="checkbox"/> A procurement necessary because of unforeseen damage to machinery, equipment or other property (Note: Department must notify the Purchasing Division immediately regarding such an event)   | <input type="checkbox"/> A payment under a contract by which a developer participates in the construction of a public improvement as provided by Subchap. C, Ch 212.              |
| <input type="checkbox"/> A procurement for personal, professional or planning services   | <input type="checkbox"/> Personal property sold   |
| <input type="checkbox"/> A procurement for work that is performed and paid for by the day as the work progresses   | <input type="checkbox"/> Services performed by blind or severely disabled persons   |
| <input type="checkbox"/> A purchase of land or right-of-way  | <input type="checkbox"/> Goods purchased by a municipality for subsequent retail sale by the municipality   |
| <input type="checkbox"/> A procurement of items available from only one source   | <input type="checkbox"/> Electricity  |
| <input type="checkbox"/> A purchase of rare books, papers and other materials for a public library   | <input type="checkbox"/> Advertising, other than legal notices  |

**\*Does the public health & safety procurement include a "Sole Brand" preference?**       Yes     No

**\*Is this an "Emergency" purchase request that exceeds \$50,000 in value and would require City Council ratification?**       Yes     No

**\*Sourcing Accounting Details**       Insert Shopping Cart (SC) or Purchase Requisition (PR) #       Insert Annual Contract #

**Enter:** Shopping Cart (SC) # / Purchase Requisition (PR) #: NA  
(enter "NA" if unavailable)

**OR**

Explanation (justification) why Shopping Cart # or Purchase Requisition # is unavailable

Once exemption is approved, procurement documents will be created for formal RFO citing brand specific requirement



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## Sole Brand Justification Notice

You have indicated that this Certificate of Exemption is being requested for a purchase that is categorized as a "Sole Brand" procurement. Justification for such a purchase **MUST be provided in the following section of the form, where the justification for sole brand purchase can be documented and submitted as part of this Certificate of Exemption request.** Provide any related documents used in justifying the sole brand aspects of this purchase, attaching any correspondence(s) related to establishing that justification.

Click on the paperclip icon  located in the left margin of this form to make any required attachment.

## Sole Brand Justification Details

\*Name of Item: Dual Cooled Computer Room Air Conditioning (CRAC) Units

\*Manufacturer: Liebert \*Model Number: multiple

\*Source Count:  Available from only one source  Available from more than one source

\*Name of Brand: Liebert DS

\*Brief description of where or how the item(s) will be used:

The data center currently houses critical server, storage and network equipment required for the operation of multiple public safety systems, SAP, FileNet, and additional software / data interfaces required for interacting and serving the City's residents. There are currently four (4) Liebert, water-cooled units that are encroaching on their life span of twenty (20) years. There have been several noted failures of the chilled water systems that have driven temperatures well above the acceptable range for the safe operation of the City's data infrastructure. As one of the current Data Center is decommissioned, the main COSA Data Center will serve as the City's solely owned Data Center. As part of this transformation, there have been a significant amount of design and reengineering services to plan for and provide a more robust and dedicated cooling system. These designs call for minimal interruption and intrusion to the building with the eventual replacement of the four (4) water cooled units with seven (7) dual cooled (air and water) units. Additionally, ITSD is seeking to add two (2) dual cooled units for use in UPS rooms to control the environments in these areas. This contracting effort will ultimately allow for the purchase of nine (9) units, specifically identified (brand / model) to provide adequately designed cooling to the server, storage and network equipment environments that are used to provides safe and timely services to the COSA community to include citizens, employees and outside entities.

\*Describe the performance functions proprietary to the item(s) requested and why they are necessary to accomplish the project:

COSA ITSD cites brand specificity to support the design of the new data center configuration and to build upon a standard manufacturer brand for the cooling of critical sites such as our data centers and our Public Safety Answering Point (PSAP) facilities. This effort is supported by the CIO and the City's Public Works Department.

\*Will the item be used in conjunction with existing equipment?  Yes  No

\*Will training be required?  Yes  No

\*Describe the training and the amount of training (in hours, days, or months) that will be provided.

Training will include day to day oversight and maintenance along with emergency handling of the equipment. 16 hours

\*Name other sources/brands whose products have been evaluated and why they do not meet requirements:

Contracted engineer consultant has verified that no other manufacturer's unit can fit the form factor in the current data center without additional re-engineering and build out. The data environment could be at an increased risk during an extended build out.



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**\*Required attachment: Sole Brand Justification Document explaining why requested item(s) are only suitable from one one brand (Labor Relations Committee (LRC) Memo, other department-approved brand justification, etc.).**

\*Has all of the required justification documentation been attached to this request?  Yes  No

## Execution/Filing Details

***This Certificate of Exemption is executed and filed with the Finance Department as follows:***

1. The undersigned is authorized to approve an exemption;
2. An exemption according to Section 252.022 of the Local Government Code exists.

More specifically, the following event has occurred:

A brand specific requirement has been identified based on a Public Health & Safety Exemption (PHS). PHS is justified because the data center houses critical data for all City Departments including SAPD, SAFD and SAMHD among others. ITSD is not seeking to exempt the competitive element and is requesting a brand specific competitive RFO process.

3. Because the exemption stated above exists, the City of San Antonio intends to contract with

**A Liebert Distributor - RFO competitive, sole brand** which will cost approximately \$ 997,000

| Approvals   |                           |
|---|---------------------------|
| <u>John Rodriguez (ITSD)</u><br>Originator  | <u>05/31/2023</u><br>Date |
| <u>Craig Hopkins (ITSD)</u><br>Department Director Approval   | <u>06/01/2023</u><br>Date |
| <u>---Not in APPROVAL PATH Routing---</u><br>Executive Leadership Team Approval<br><i>(approval required only for ratification by City Council)</i> | _____<br>Date             |
| <u>Jennifer Johnson (Finance)</u><br>Procurement Administrator Approval   | <u>06/29/2023</u><br>Date |

To send this approval document to the next approver, press **Send Forward**.  
To retain a copy of this request, perform a **Save As** to save it as an electronic form.