



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: SAPD

Request Date: 04/18/2022

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) #: 2000742891
(enter "NA" if unavailable)

OR

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




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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: Smith and Wesson M & P 9 M2.0 Handgun and Accessories

*Manufacturer: Smith and Wesson *Model Number: 13353-XFET

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

*Name of Brand: Smith and Wesson

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

The San Antonio Police Departments service handguns are approaching their estimated ten-year service life. The San Antonio Police Department is seeking a competitive solicitation for the brand specific Smith and Wesson M & P 9 M2.0 handgun and accessories to replace the current 2,800 Smith & Wesson M&P .40 caliber handguns. Under the Collective Bargaining Agreement, the Labor Relations Committee (LRC) recommends and approves all Police equipment. The LRC created a Firearms Subcommittee to determine the preferred service handgun based on accuracy, ease of use, and fewer catastrophic malfunctions. The subcommittee recommended the Smith & Wesson M&P 9M 2.0 pistol with accessories to include a direct milled Aimpoint Acro miniature red dot sight, stream light TLR weapon mounted light, and appropriate holster. Based on these conclusions, the LRC adopted and approved the Subcommittee's recommendation. The Chief of Police approved the LRC's recommendation to transition the Department's duty weapon from the .40 caliber to the 9mm.

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

Since the San Antonio Police Department's current service handgun is nearing the end of its service life, the SAPD would like to transition from the .40 caliber to the 9mm round. In 2021, a Firearms Subcommittee was formed to address the aging inventory of the department's handguns, consider the transition to a new caliber of service pistol, and revisit the current handgun contract. The Subcommittee was comprised of subject matter experts in the area of ballistics, firearms, and administration. The LRC Firearms Subcommittee's intent was to ensure officers have the best equipment to carry out their duties. The brand specific Smith and Wesson M & P 9 M2.0 handguns and accessories recommended by the Subcommittee will increase accuracy, reaction time, situational awareness, and enhance public and officer safety. After a comparison between the .40 caliber and 9mm, the Subcommittee determined that the 9mm was more accurate, equally effective, more reliable, more readily available, and less expensive. The subcommittee also evaluated the benefits of a miniature red dot sight (MRDS) versus traditional iron sights, as well as weapon mounted lights. One major benefit is that the MRDS and the weapon mounted lights significantly improve officer safety and firearm accuracy.

*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.

The handguns and accessories will be distributed during an 8 hour In-Service Training Day.



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

The LRC Subcommittee considered Glock, Sig Sauer, and Smith & Wesson and reviewed cost, customer service, quality, and historical performance. Sig Sauer was eliminated due to increased cost and because it isn't as well utilized among law enforcement entities. During the LRC Subcommittee's consideration, the Subcommittee discovered that Glock does not offer a direct mill option for the Aimpoint Acro in all models. Based on the increased cost and low utilization of the the Sig Sauer and the lack of availability of a direct mill option for the Aimpoint Acro in all Glock models, the LRC Subcommittee recommended the Smith & Wesson M&P 9M 2.0. The LRC endorsed the Subcommittee's recommendation and the recommendation was approved by the Chief of Police.

***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:

As the San Antonio Police Department's current service pistols are approaching their estimated service life, the SAPD would like to transition from the .40 caliber service pistol to a new 9mm caliber service pistol that will increase accuracy, lower reaction time, is more reliable, and enhances public and officer safety.

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

Competitive Solicitation _____ which will cost approximately \$ **1,585,140**

Approvals

Velma Martinez (SAPD) Originator	04/20/2022 Date
Richard Riley (SAPD) Department Director Approval	04/22/2022 Date
---Not in APPROVAL PATH Routing--- Executive Leadership Team Approval <i>(approval required only for ratification by City Council)</i>	_____ Date
Jennifer Johnson (Finance) Procurement Administrator Approval	08/30/2022 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.