



# 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: SAFD

Request Date: 05/05/2023

## 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: Annual Contract Name/Number: TBD



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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: Fire Department Portable Radios and Accessories

\*Manufacturer: Motorola \*Model Number: Next APX-XN/Next APX

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

\*Name of Brand: Motorola

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

These portable radios will be used for Fire Department emergency and non-emergency communications.

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

The new fire radios manufactured by Motorola Solutions, Inc. have received NFPA certification and the Fire Department tested the radios in eight different testing evolutions designed to simulate real-life scenarios and found them to be functional on the P25 system.

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

\*Will it be used as a component to be interfaced with existing equipment?  Yes  No

\*What is the brand and model number of existing equipment?

Harris radio system

\*Will this be used as an accessory or option?  Yes  No

\*Will training be required?  Yes  No

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

Harris XL-400 and 200. Contract solicited citing a Public Health or Safety exemption allowing the City to select a portable radio that best meets the Fire Department's needs to provide emergency services with price being a secondary consideration. Based upon its discretion, the City selected the radios manufactured by Motorola.

**\*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.



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More specifically, the following event has occurred:

The SAFD requires an annual contract for portable radios and accessories. The contract will provide the SAFD access to purchase the needed equipment in a timely and efficient manner.

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

Motorola which will cost approximately \$ 9,000,000

## Approvals

**Instructions:** Enter your Network credentials and "click" the **Sign** button for Authentication eSignature:

UserID: \_\_\_\_\_ Password: \_\_\_\_\_

<u>Deborah S. Duran (SAFD)</u> Originator	<u>05/05/2023</u> Date	
<u>Bryan Norris (SAFD)</u> Department Director Approval	<u>05/05/2023</u> Date	
<u>---Not in APPROVAL PATH Routing---</u> Executive Leadership Team Approval <i>(approval required only for ratification by City Council)</i>	_____ Date	
<input type="button" value="Sign"/> <u>Jennifer Johnson</u> Procurement Administrator Approval	<u>5.11.2023</u> Date	<input type="checkbox"/> Update Estimated \$\$ Amount in item 3 (above) Updated Estimate Amt \$ <u>0</u>

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.

Send Forward

Print Form