



# 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.

FY230375

## Certificate of Exemption

Originating Department: Solid Waste Management

Request Date: 02/08/2023

## 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) #: 2000794482  
(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: SWMD Rear Load Refuse Trucks

\*Manufacturer: Freightliner \*Model Number: M2-106

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

\*Name of Brand: Freightliner

\*Brief description of where or how the item(s) will be used:  
Rear load refuse trucks are used in the daily collection of garbage, organics, and recyclable materials. Rear load refuse trucks are used primarily in alleys where larger trucks cannot fit. Rear load trucks are also used in the clean up of homeless encampments within the city. In circumstances where automated side load trucks are unavailable due to unforeseen damages a rear load refuse truck would be used to fill that void.

\*Describe the performance functions proprietary to the item(s) requested and why they are necessary to accomplish the project:  
The durability of the Freightliner chassis has proven to be successful throughout the ten year life cycle of the rear load truck. The design of the chassis allows for easy maintenance and repair with fewer major failures of key components. doggett Freightliner has proven to provide a high level of support and is also participating on the on call repair contract.

\*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.  
Dealer training will be offered on basic operating functions as expected with all new purchased equipment.

\*Name other sources/brands whose products have been evaluated and why they do not meet requirements:  
We demoed a Dennis Eagle chassis/body, the chassis and body are to big, it posed a threat of impacting objects while performing City Wide Collection. We also have Mack trucks in our fleet which have experienced failures with air conditioning due to design issues with the air filtration system.

**\*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 Solid Waste Management Department is required by State Statute to collect refuse from every customer every week for the health and safety of the community. Operational demands of the Solid Waste Management Department requires very specific design characteristics. The City of San Antonio is seeking to purchase seven trucks with Freightliner chassis. Seven trucks will be equipped with New Way rear load refuse bodies.

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

Doggett Freightliner which will cost approximately \$ 2,111,403

Approvals	
<u>Louis Mendiola (SWMD)</u> Originator	<u>02/09/2023</u> Date
 Department Director Approval	<u>2/10/2023</u> Date
<u>Executive Leadership Team Approval</u> <i>(approval required only for ratification by City Council)</i>	<u>                    </u> Date
 Procurement Administrator Approval	<u>7.31.2023</u> 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.



**SOLID WASTE  
MANAGEMENT**

**Certificate of Exemption Memo:**

**FROM:** David Badillo, Solid Waste Administrator

**COPIES:** Andrew Gutierrez, Assistant Director; David Badillo, Solid Waste Administrator

**DATE:** February 08, 2023

**SUBJECT:** 2023 Rear Load Refuse Truck New Way

The Solid Waste Management Department is required by State Statute to collect refuse from every customer every week for the health and safety of the community. Operational demands of the Solid Waste Management Department require very specific design characteristics.

SWMD will be purchasing New Way refuse bodies, after demoing several rear load bodies we decided to move forward with acquiring 7 New Way bodies. The New Way body has proven to be successful due to its quality, durability, and design. The City of San Antonio has several New Way body trucks in our Fleet that have lasted longer than the expected life cycle of 7 years. The City Fleet shop stockrooms have a stock of frequently used New Way body parts which helps support the SWMD daily line up. Texas Pack and Load, which is the local New Way dealer has proven to offer strong dealer and service support and is currently participating on the On Call service contract with The City of San Antonio.