



City of San Antonio Certificate of Exemption

Finance

FY220187

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

Certificate of Exemption

Originating Department: World Heritage Office

Request Date: 03/03/2022

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 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 checked="" 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 |

***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

Working with Finance to create a RFO




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Sole Source Justification Notice

You have indicated that this Certificate of Exemption is being requested for a purchase that is categorized as a "Sole Source" procurement. Justification for such a purchase **MUST be provided in the following section of the form, where the justification for sole source purchase can be documented and submitted as part of this Certificate of Exemption request.** Provide any vendor-provided documents used in justifying the sole source 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 Source Justification Details

*Name of Item: Film licensing for outdoor movie screenings

*Manufacturer: NA *Model Number: NA

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

*Name of Source: Swank Motion Pictures, Inc.

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

The World Heritage Office will host a total of 75 cultural and community events, March 2021 - November 2022 at the Mission Marquee Plaza, 3100 Roosevelt Ave. The annual programs include a Free Family Film Series, held every first and third Saturday, and every third Thursday of each month, May - November. The WHO has selected 21 films to screen at Mission Marquee Plaza in 2022. The WHO is recommending to create an Informal Bid (RFO) for the 21 films @ \$550 each for 5 years, total amount \$57,750.00. Please reference previous PO#8000396402 and RFX# 6100013998.

CCDO is requesting Film licenses for Travis Park 'Movies by Moonlight' series. The CCDO has 7 films to screen at Travis Park in 2022. For the 7 films at \$665 each for 5 years, total amount \$25,000.00.

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

Free outdoor Family Film Series at Mission Marquee Plaza and Travis Park 'Movies by Moonlight' series. The films licensed by Swank Motion Pictures are non-theatrical public performances and distributed by motion pictures studios listed in the sole source letter (attached) and is fully in compliance with the Copyright Act as stated in Title 17 of the United States Code.

*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?

N/A

*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:

Licenses for the selected films (studios) are only held by Swank, no other company can provide them.

*Required attachment(s): Vendor Quotation and Sole Source Vendor Justification Letter explaining why requested item(s) are only suitable from one source.

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



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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:

NA

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

Swank Motion Pictures, Inc. (5yr Term) which will cost approximately \$ **82,750**

Approvals

Blanche Mendoza (WHO) Originator	03/02/2022 Date
Colleen Swain (WHO) Department Director Approval	03/03/2022 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	04/05/2022 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.