

**FINANCE DEPARTMENT
Certificate of Exemption Form**

Date: 01/12/2016

Originating Department: Library

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. Please select one exemption.


- | | |
|--|--|
| <input type="radio"/> a procurement made because of a public calamity that requires funds to relieve the needs of the residents or to preserve city property | <input type="radio"/> 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="radio"/> a procurement to preserve or protect the public health or safety of the city's residents | <input type="radio"/> 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="radio"/> a procurement necessary because of unforeseen damage to machinery, equipment or other property | <input type="radio"/> 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="radio"/> a procurement for personal, professional or planning services | <input type="radio"/> personal property sold |
| <input type="radio"/> a procurement for work that is performed and paid for by the day as the work progresses | <input type="radio"/> services performed by blind or severely disabled persons |
| <input type="radio"/> a purchase of land or right-of-way | <input type="radio"/> goods purchased by a municipality for subsequent retail sale by the municipality |
| <input checked="" type="radio"/> a procurement of items available from only one source | <input type="radio"/> electricity |
| <input type="radio"/> a purchase of rare books, papers and other materials for a public library | <input type="radio"/> advertising, other than legal notices |

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

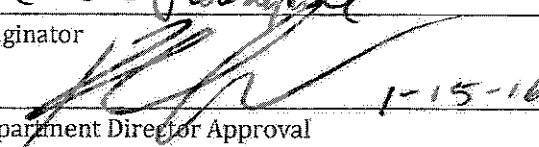
1. The undersigned is authorized to approve an exemption.
2. An exemption according to Section 252.022 of the Local Government Code exists. More specifically, the following event has occurred:

The San Antonio Public Library is requesting a contract with this vendor for the purchase of physical audio books and a subscription to their One Click Digital Service. The audio books offered by this vendor are available through an exclusive agreement the vendor has with the publishers. The One Click Digital Service is a proprietary system designed, developed and owned by the vendor and not available through any other source.

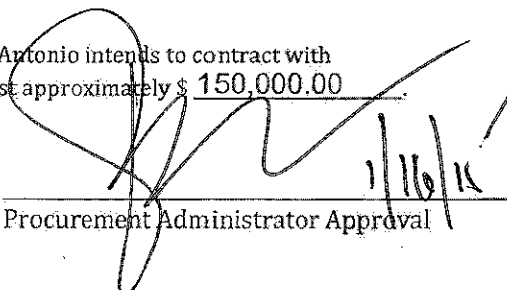
3. Because the exemption stated above exists, the City of San Antonio intends to contract with Recorded Books which will cost approximately \$ 150,000.00.



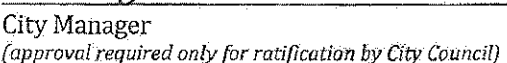
Originator



Department Director Approval



Procurement Administrator Approval



City Manager
(approval required only for ratification by City Council)



City of San Antonio

Justification for Sole Source Purchase

**Purchasing and
General Services**

This questionnaire is designed to assist staff in relating information necessary for the Purchasing & General Services Department to process sole source requisitions.
(Sole Source purchases are permissible only when goods or services are available from only ONE source. Please refer to Procurement Policy & Procedures Manual on COSAweb for complete requirements.)

Source Details

*Name of Item: Audio Books and One Click Digital Service Subscription

*Manufacturer: _____ *Model Number: _____

Available from only one source Available from more than one source

*Name of Source: Recorded Books

*Brief description of where or how the item(s) will be used:
The audio books will be made available for check-out to the public. The subscription will provide the public access to a wide variety of electronic book titles.

*Describe the performance functions proprietary to the item(s) requested and why they are necessary to accomplish the project:
The physical audio book collection is made available by the vendor through exclusive marketing arrangements with specified publishers. The One Click Digital Service is a proprietary data base designed and owned by the vendor.

*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?

Staff and Public Computers

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

*Will training be required? Yes No

*Name other sources whose products have been evaluated and why they do not meet requirements:
There are no other sources available that can provide the product/service.

Signatures



City of San Antonio
Justification for Sole Source Purchase

**Purchasing and
General Services**

Originator's Name: Michael D. Hoysyphull
Division's Approval: [Signature]
Purchasing Approval: [Signature]

Date: 1/12/16

Date: 1/12/16

Date: 1/15/16

Recorded Books

October 24, 2015

To Whom It May Concern,

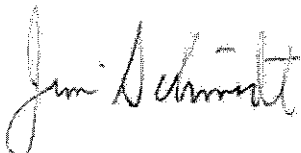
Thank you for your interest in Recorded Books. We are happy to provide you with the following sole source information on our products.

Recorded Books has been recording and publishing unabridged audiobooks since 1979. We currently hold over 25,000 titles, all of them copyrighted by Recorded Books, Inc. and registered with the United States Copyright Office. Each unabridged audiobook (ReadAlong Homework pack, SmartReader, SteadyReader, Spanish titles, eAudio, etc.) produced by Recorded Books is assigned a unique ISBN number and come packaged in a durable, double vinyl album. Library edition audiobooks recorded and manufactured by Recorded Books can only be purchased directly from our company, which makes us the sole source for Recorded Books products.

We are also the sole source for libraries for the Modern Scholar lecture series, Evergreen Audiobooks, Pimsleur Language Programs for Libraries, and Recorded Books-produced titles on Playaway devices. Recorded Books is the only provider to libraries of the following online services: OneClickdigital, RB Test Prep, Atomic Training, Transparent Language Online, Signing Savvy, LawDepot for Libraries, Universal Class, Zinio for Libraries, IndieFlix, GymAmerica, Kudza, BenchPrep, Worldcrunch, ArtistWorks, ComicsPlus and FastPencil for Libraries.

Please call us if you need additional information.

Sincerely,



Jim Schmidt
Senior Vice President
Sales & Marketing



November 1, 2015

To Whom It May Concern,

Thank you for your interest in RBdigital from Recorded Books. We are happy to provide you with the following sole source information on our products.

RBdigital from Recorded Books is the only provider of OneClickdigital to libraries. In March of 2010, Recorded Books developed a wholly owned proprietary platform to host eAudio and eBooks for public libraries.

OneClickdigital allows libraries to access exclusive Recorded Books eAudio titles, as well as other popular eBooks and eAudio titles from other publishers. Thousands of Recorded Books recorded titles are only available as multi-access on OneClickdigital.

OneClickdigital will authenticate and manage patron accounts, and create numerous usage reports to gauge activity.

Recorded Books is the sole source supplier for this service to public libraries, and OneClickdigital is only available from Recorded Books.

Sincerely,

Jim Schmidt
Senior Vice President
Sales & Marketing