

FINANCE DEPARTMENT  
Certificate of Exemption Form

01E-SS-SAPL-20150324

Date: 01/27/2015

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.

- a procurement made because of a public calamity that requires funds to relieve the needs of the residents or to preserve city property
- a procurement to preserve or protect the public health or safety of the city's residents
- a procurement necessary because of unforeseen damage to machinery, equipment or other property
- a procurement for personal, professional or planning services
- a procurement for work that is performed and paid for by the day as the work progresses
- a purchase of land or right-of-way
- a procurement of items available from only one source
- a purchase of rare books, papers and other materials for a public library
- paving, drainage, street widening and other public improvements or related matter where at least one-third of the costs are paid by special assessments
- 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
- a payment under a contract by which a developer participates in the construction of a public improvement as provided by subchap. c, ch 212.
- personal property sold
- services performed by blind or severely disabled persons
- goods purchased by a municipality for subsequent retail sale by the municipality
- electricity
- 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 Swank Motion Pictures, Inc. DBA Movie Licensing USA which will provide the Library with Public Performance Site Licenses satisfying the copyright protection needed when entertainment movies are shown in Library facilities. The vendor has long standing, exclusive licensing agreements with most of the major Hollywood producers. The Library is requesting a one year contract with four one-year renewal options.

3. Because the exemption stated above exists, the City of San Antonio intends to contract with Movie Licensing USA which will cost approximately \$ 75,000.00.

Mitchell D. Howard  
Originator

[Signature] 1/24/15  
Procurement Administrator Approval

[Signature] 1-29-15  
Department Director Approval

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

Revised 3/12/2014

Tracking Number: \_\_\_\_\_  
(For Finance Use Only)

CONTRACT / GOV. COUNCIL  
61-5831

SC 2000232536



# 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: Public Performance Site License

\*Manufacturer: \_\_\_\_\_ \*Model Number: \_\_\_\_\_

Available from only one source       Available from more than one source

\*Name of Source: Swank Motion Pictures, Inc. DBA Movie Licensing USA

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

The Public Performance Site License offered by this vendor satisfies the copyright protection needed when entertainment movies are shown solely within library facilities.

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

The vendor has long standing, exclusive licensing agreements with most of the major Hollywood movie producers. The movie studios represented by this vendor have agreed to allow entities possessing the public performance site license to show entertainment movies as long as the entity follows guidelines established by the vendor.

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

\*Will training be required?       Yes       No

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

The exclusive licensing agreements possessed by this vendor are not available from any other source.

## Signatures

Originator's Name: Michael D. Harp

Date: 1/27/15

Division's Approval: [Signature]

Date: 1/27/15

Purchasing Approval: [Signature]

Date: 3/24/15

# Approve Shopping Cart: 2000233536

Number: 2000233536 Document Name: Library-DF-AC movie rental Status: Awaiting Approval Created On: 02/04/2015 12:56:21 Created By: DARLENE FERRELL

Approve | Reject | Close | Save | Check

### General Data

#### Approval Note

Request for annual contract for a public performance site license for the Library. POC: Michael Harvey/shell at 210-207-2680 (DF02203 02/03/2015 13:01:40 CST)

#### Note to Supplier

Make accessible to my Purchasing Substitutes

Team Shopping Cart:  Make accessible to my Purchasing Substitutes

Approval Process: Display/Edit/Cancel

Budget: Display

Document Changes: Display

Commitment Documents: Display

### Item Overview

Line Number	Item Type	Product ID	Description	Product Category	Product Category Description	Quantity	Unit	Net Price / Limit	Currency	Option Type	Order Type	Per	Delivery Date	Notes	Attachments	Account Assignment	Item Status	File
0001	Material		Public Performance Site License	97737	FL/MOV/VD/RENTL	0.01	DOL	1.00	USD				02/17/2015			Generic account assignment	Awaiting Approval	

Details | Add Item | Copy | Paste | Duplicate | Calculate | Process All Items

# Movie Licensing USA<sup>®</sup>

A Division of Swank Motion Pictures, Inc. • Tim Swank, Chairman

Movie Licensing USA, is a corporate division of Swank Motion Pictures, Inc.® We provide the Public Performance Site License to K-12 schools and public libraries which satisfies the copyright protection needed when entertainment movies are shown in the buildings. Swank Motion Pictures, Inc. has long standing, exclusive licensing agreements to this and other non-theatrical markets with most of the major Hollywood movie producers.



Founded in 1937, Swank Motion Pictures, Inc.® is a successful, growing business privately owned by the Swank family and led by Tim Swank, Chairman. Headquartered in St. Louis, Swank also has an office location in Paris, France. Swank is the world's largest non-theatrical distributor of motion pictures for public performance and the acknowledged leader in the field.

Major Hollywood and independent movie studios have appointed Swank as their exclusive licensing and distribution partner to offer their box-office hits for public performance in non-theatrical markets (markets outside theaters).

Swank provides both public performance licensing rights and licensed movies to numerous non-theatrical markets, including worldwide cruise lines, U.S. colleges and universities, K-12 public schools and libraries, American civilian and military hospitals, motor coaches, Amtrak trains, correctional facilities and other markets such as parks, art museums and businesses.

[View a list of the studios we represent.](#)

## Need Help?

Can't find what you're looking for? Visit our [FAQ Page](#).

Movie Licensing USA represents the major Hollywood Studios including **Walt Disney Pictures, Warner Bros., Sony Pictures, NBC/Universal Pictures, New Line Cinema, Lionsgate Films, MGM, Touchstone Pictures, Hollywood Pictures, Columbia Pictures, TriStar Pictures, Summit Entertainment, Focus Features, Miramax, Warner Independent Pictures, Fine Line Features, United Artists and Picturehouse.**



In addition to the studios listed above that are covered under the Annual License, Swank Motion Pictures, Inc. is the licensing provider for many other studios which are available for a Single Event License. Swank Motion Pictures represents the major Hollywood Studios including **Magnolia Pictures, Vivendi Entertainment, The Weinstein Company, Millennium Entertainment, Cohen Media, eOne Entertainment, Relativity Media, Image Entertainment, Koch Lorber Films, Hallmark Hall of Fame, ABC Family, New Line Cinema, HBO, Monterey Media, Summit Entertainment, Turner/MGM, Oscilloscope, Orion Pictures, Screen Media, Fine Line Features, Trimark, Rogue Pictures, Allied Artists, Apparition, Artisan Films, Hanna-Barbera Productions, Ladd Company, Lakeshore Entertainment, Lorimar Pictures, October Films, Outsider Pictures, Regent Releasing, Republic Pictures, RKO Pictures** and select **National Geographic**. For more information, call one of our experienced Account Executives at 1-888-267-2658 today!

[View information about a Single Event License.](#)

**Need Help?**