

FINANCE DEPARTMENT
Certificate of Exemption Form

Date: 02/26/2016

Originating Department: Aviation - Maintenance

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 Aviation Department currently has a Siemens APOGEE Building Automation System (BAS) installed at the San Antonio International Airport that incorporates sole sourced hardware and software to control and monitor the Heating, Ventilation and Air Conditioning (HVAC) operations of the Airport. The Aviation Department needs an annual contract for a licensed contractor to perform full HVAC maintenance and repair services, including parts, labor, and software maintenance, for the Siemens APOGEE Automation System. Siemens does not license the APOGEE product line to distributors, or authorize any other company to provide licensed maintenance and repair services. The Aviation Department seeks to issue a Request for Offer (RFO) to Siemens on the basis of a sole source exemption due to the proprietary nature of the software programming and related hardware and maintenance services. Estimated annual costs are \$95,000.00 with a total contract value of \$475,000.00 for three years and two 1 yr. renewals.

3. Because the exemption stated above exists, the City of San Antonio intends to contract with Siemens Industry, Inc. which will cost approximately \$475,000.00

Originator

Department Director Approval

Procurement Administrator Approval

City Manager

(approval required only for ratification by City Council)

*file
2/26/16*



**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: Annual HVAC Maint. & Repairs of Siemens APOGEE Automation System

*Manufacturer: Siemens

*Model Number: N/A

Available from only one source

Available from more than one source

*Name of Source: Siemens Industry, Inc.

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

Complete Heating, Ventilation and Air Conditioning (HVAC) maintenance and repair services would be performed on the Siemens APOGEE Automation System (BAS) currently installed at the San Antonio International Airport to control and monitor the HVAC operations of the Airport.

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

A Request for Offer (RFO) procurement with Siemens is needed on the basis of a sole source exemption due to the proprietary nature of the software programming and related hardware and maintenance services. Siemens does not license the APOGEE product line to distributors, or authorize any other company to provide licensed maintenance and repair services.

*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?

Siemens APOGEE

*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:

N/A

Signatures



City of San Antonio
Justification for Sole Source Purchase

**Purchasing and
General Services**

Originator's Name: [Signature]
Division's Approval: [Signature]
Purchasing Approval: [Signature]

Date: 2/25/16
Date: 2/25/16
Date: 2/24/16

SIEMENS Industry, Inc.

Building Technologies Division
12001 Network Blvd. Suite 318
San Antonio, Texas 78249
(210)-641-2921
FAX: (210) 641-2922

January 6, 2016

Re: SAIA - Siemens Sole Source Letter

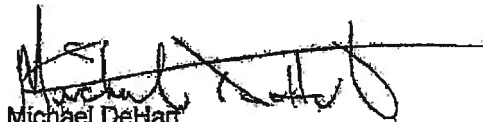
Dear Sir(s),

Please allow this letter to serve as written confirmation of our discussion. Siemens Industry, Inc. is the sole source provider for the Siemens Apogee Building Automation System (BAS) install at the San Antonio International Airport.

Siemens does not license the Apogee product line to distributors, or authorize any other company to provide the services we have proposed to the San Antonio International Airport for the Siemens BAS.

Please contact me if you need additional information or details on this or any other matter at (512)-651-5376.

Best Regards,



Michael DeHart
Branch Manager
Mike.dehart@siemens.com