

FINANCE DEPARTMENT
Certificate of Exemption Form

Date: 01/21/2016

Originating Department: BESD

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 software and firmware were developed and produced by EJ Ward, Inc. and there are no other certified sources that can duplicate or replicate parts for the fuels control terminals which operate in conjunction with Ward CanCievers/VITs.

3. Because the exemption stated above exists, the City of San Antonio intends to contract with EJ Ward which will cost approximately \$ 460,000.00

Alyssa Lopez
Originator

[Signature]
Department Director Approval

[Signature] 2/12/16
Procurement Administrator Approval

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

Revised 3/12/2014

CONTRACT ONLY

Tracking Number: F4160129
(For Finance Use Only)

M.C.



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: Autommated Fuel Management System

*Manufacturer: Ward

*Model Number: OEM

Available from only one source

Available from more than one source

*Name of Source: EJ Ward, Inc.

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

The internal and external components will be used to keep 39 Fuel Control Terminals at 11 refueling sites operable as well as 7 Fuel Control Terminals on 7 mobile fuel trucks operable.

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

The software and firmware were developed and produced by EJ Ward and cannot be duplicated or replicated by another source.

*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?

Fuel Control Terminals, CanCeivers/VITs

*Will this be used as an accessory or option?

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. None

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

No other certified sources are available to purchase parts for EJ Ward Fuel Control Terminals which operate interdependently and simultaneously with Ward hardware such as CanCeivers/VITs.

Signatures

M.C.



City of San Antonio
Justification for Sole Source Purchase

**Purchasing and
General Services**

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

Date: 1/26/16
Date: 1/26/16
Date: 2/2/16



SOLE SOURCE

January 1, 2016

Dear Customer,

For more than 41 years, E.J. Ward, Inc. (Ward), has been developing the most advanced fuel management technology. These solutions offer a new level of product reliability, technology, and system integration you will find unmatched in today's industry.

Ward is the original equipment manufacturer (OEM) of the Ward Fuel View Automated Fuel Management System™ (AFMS), and the Ward Fleet View GPS Asset Tracking System™ (ATS).

Ward owns the intellectual property and distribution rights to its AFMS, Telematics GPS /AVL solutions, along with the related Software Programs, Communication Systems and Documentation.

Ward is the sole supplier and support agent for its products, systems and solutions either direct or through its authorized agents. Ward designs, manufactures, assembles and quality checks all of its products, including but not limited to main boards, communications components, CANceivers™, hose modules, EM-Tags, firmware, related software programs and documentation utilized in the use and operation of its AFMS, Telematics GPS/AVL solutions.

Ward only supports its hardware products directly or through authorized service agents; and performs all of the software support direct.

At this time, Ward has not certified any other fuel management company's technology, vehicle installed devices OBDII or otherwise, global positioning system (GPS) other than those offered directly by Ward or its authorized agents to be installed in conjunction with or plugged into the vehicle Engine Control Module (ECM) port (e.g. OBD II etc.) in series or parallel with the Ward CANceiver. Only Ward supplied devices are certified to operate simultaneously with the Ward fuel management system and CANceiver while plugged into the vehicle ECM/OBDII port. Installing non-certified devices may affect operation of the Ward AFMS, or the CANceiver, and have a potential negative effect on vehicle functionality. If you have any questions, please do not hesitate to give me a call.

Regards,

A handwritten signature in black ink that reads "Robert E. Kettyle".

Robert E. Kettyle
VP Sales & Operations
rkettyle@ejward.com

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