

**FINANCE DEPARTMENT**  
**Certificate of Exemption Form**

Date: 12/09/2016

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.

- |   |   |
|---|---|
| <ul style="list-style-type: none"><li><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</li><li><input type="radio"/> a procurement to preserve or protect the public health or safety of the city's residents</li><li><input type="radio"/> a procurement necessary because of unforeseen damage to machinery, equipment or other property</li><li><input type="radio"/> a procurement for personal, professional or planning services</li><li><input type="radio"/> a procurement for work that is performed and paid for by the day as the work progresses</li><li><input type="radio"/> a purchase of land or right-of-way</li><li><input type="radio"/> a procurement of items available from only one source</li><li><input type="radio"/> a purchase of rare books, papers and other materials for a public library</li></ul> | <ul style="list-style-type: none"><li><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</li><li><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</li><li><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.</li><li><input type="radio"/> personal property sold</li><li><input type="radio"/> services performed by blind or severely disabled persons</li><li><input type="radio"/> goods purchased by a municipality for subsequent retail sale by the municipality</li><li><input type="radio"/> electricity</li><li><input type="radio"/> advertising, other than legal notices</li></ul> |
|---|---|

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 Early Literacy Station is a stand-alone system with 34 education software packages pre-installed spanning 7 curricular areas. The AWE Early Learning Stations provide access to all 34 educational software packages in English and Spanish. No other system provides this service. While it would be possible to purchase all the software individually in languages, purchasing computers, loading the software and keeping it updated would be cost prohibitive in terms of time and dollars. We were unable to locate any other company that offered a "plug and go" computer learning station that contained pre-loaded educational software in multiple curricular areas in both English and Spanish.

3. Because the exemption stated above exists, the City of San Antonio intends to contract with AWE Digital Learning Solutions which will cost approximately \$ 300,000.00

Michelle S. Hargrett  
Originator

[Signature] 12/22/16  
Procurement Administrator Approval

[Signature] 02-09-16  
Department Director Approval

[Signature]  
City Manager  
(approval required only for ratification by City Council)

Revised 3/12/2014

Tracking Number: FY160173  
(For Finance Use Only)

COE-SS-SAPL-20160322



## 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: Alternative Work Environment Early Literacy Stations

\*Manufacturer: \_\_\_\_\_

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

☒ Available from only one source

☐ Available from more than one source

\*Name of Source: AWE Digital Learning Solutions

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

The devices will be used to replace a small number of exiting older-generation AWE Early Literacy Stations currently installed in all San Antonio Public Library locations, which are used to provide all-in-one digital learning solutions in English and Spanish for children ages 2 through 8.

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

Proprietary user interface designs; proprietary application management; proprietary administrative control panel; time and session management; utilization tracking; educational titles lookup matrix; unique software integration methodologies.

\*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:

There are no other sources that can provide this type of proprietary equipment.

### Signatures

Originator's Name: \_\_\_\_\_

*Michael D. Hall*

Date: 11/25/15

Division's Approval: \_\_\_\_\_

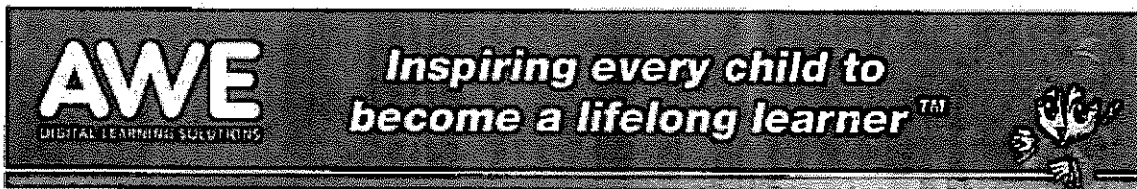
*[Signature]*

Date: 11/25/15

Purchasing Approval: \_\_\_\_\_

*[Signature]*

Date: 2/22/16



AWE Acquisition, Inc.  
2501 Seaport Drive, Suite #410 SH  
Chester, PA 19013

November 24, 2015

**Whom It May Concern:**

AWE's Early Literacy Station™, Student Learning Center™, AfterSchool Edge™, ELF™ Child-Safe Browser, and ELF™ Reading & Reference are all protected proprietary products developed exclusively by AWE. AWE Acquisition, Inc. is the sole source for these digital learning solutions.

These products include, but are not limited to, the following proprietary and exclusive features:

- o Customized hardware components (excluding the ELF browser products)
- o Proprietary user interface designs
- o Proprietary application management environment (PEP)
- o Proprietary administrative control panel
- o Time and session management
- o Utilization tracking
- o Reports
- o Educational titles lookup matrix
- o Unique software integration methodologies

AWE Acquisition, Inc. has exclusive rights to develop and deliver the Early Literacy Station™, Student Learning Center™, AfterSchool Edge™, ELF™ Child-Safe Browser, and ELF™ Reading & Reference products. These products can only be purchased through AWE.

Sincerely,

Kevin Kuby  
Chief Executive Officer  
AWE Acquisition, Inc.