

**FINANCE DEPARTMENT
Certificate of Exemption Form**

Date: May 19, 2016

Originating Department: Aviation

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:

WeatherBug is a proprietary weather system designed to alert airport ramp personnel of severe weather and lightning within 10, 5, and 3 miles of the airport. This system will allow the airport to issue accurate and timely weather safety information concerning deadly lightning for all airport personnel working on the airport apron (area of the airport where aircraft are parked, unloaded or loaded, refueled, or boarded) and the secured Air Operations Area (AOA) outside of the terminals and tenant facilities. WeatherBug is the only real-time weather alerting system that can provide lightning detection and severe weather alerts within 10, 5, or 3 miles from the airport and Earth Networks, Inc. is the sole manufacturer and service provider to develop, design, and produce these unique weather alerting systems. The Aviation Department seeks to issue a Request for Offer (RFO) for an annual contract with Earth Networks, Inc. on the basis of a sole source exemption due to the proprietary nature of the weather alerting system. Estimated annual costs are \$27,000.00 with a total contract value of \$135,000.00 for five years.

3. Because the exemption stated above exists, the City of San Antonio intends to contract with Weather Bug which will cost approximately \$ 135,000.00.


Originator


Department Director Approval


Procurement Administrator Approval


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

Revised 3/12/2014

Tracking Number: F4160236
(For Finance Use Only)

*CONTRACT
COUNCIL APPROVAL
REQUIRED*



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: WeatherBug Total Lightning Solution

*Manufacturer: Earth Networks, Inc.

*Model Number: N/A

☒ Available from only one source

☐ Available from more than one source

*Name of Source: Earth Networks, Inc.

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

WeatherBug is a severe weather alerting system that alerts airport ramp personnel of severe weather and lightning within 10, 5, and 3 miles of the San Antonio International Airport. The equipment will be placed on the roofs of Airport Terminal A and B.

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

This proprietary weather system has lightning detection sensors, alerting horns and cameras that stream live data and imagery through a proprietary network of weather tracking stations across the United States. The system is designed to alert airport ramp personnel of severe weather and lightning within 10, 5, and 3 miles of the airport. When there is lightning within 10 miles, WeatherBug issues an initial warning. Lightning within 5 miles, ceases the refueling of all aircraft, and lightning within 3 miles requires all airport personnel to leave the ramp. This system will give the airport real time notification of severe weather and lightning in our area. Thus, the airport will be able to provide weather related alerts to all airport staff and tenants throughout the airport in the interests of safety.

*Will the item be used in conjunction with existing equipment?

☐ 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. 1-2 hours of training

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

Harris Communication - Their system is not compatible with the WeatherBug Severe Weather Alerting Software.

Signatures



City of San Antonio
Justification for Sole Source Purchase

**Purchasing and
General Services**

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

Date: *5/19/16*
Date: *5/20/16*
Date: *5/23/16*



12410 Milestone Center Drive, Suite 300
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301.250.4000 • 800.544.4429
www.earthnetworks.com

10/23/2015

Sole Source Justification for Earth Networks – WeatherBug Products and Services

Earth Networks - WeatherBug operates a proprietary weather observing network of 9,000+ weather stations. This network is completely unique. Weather tracking stations, lightning detection sensors, cameras and Outdoor Alerting Horns stream live data and imagery through our proprietary network architecture to over 20,000,000 active users every 2-seconds. It is the only real-time and highly dense combined network of weather stations, lightning detection sensors and outdoor notification systems. There is no other comparable network or source of data in the United States. Enterprise access to this data is provided through a suite of proprietary applications and data feeds that are available only from Earth Networks - WeatherBug.

The company has sole rights to the network, including the technology and software that provides system compatibility and LAN, WAN, and Internet networking capability. Earth Networks – WeatherBug is a sole source vendor, manufacturer, and shipper that designs, develops, produces and sells unique weather system hardware and software that interfaces with Earth Networks – WeatherBug's proprietary networks, applications, and web-services. Throughout the United States, government agencies and municipalities have repeatedly elected to work with Earth Networks - WeatherBug on a sole source basis based upon the above proprietary capabilities.

Earth Networks - WeatherBug welcomes your interest in acquiring the severe weather alerting solutions for your organization. If you have any other questions, please contact me to discuss in person.

Sincerely,

Frank McCathran
Director, Earth Networks – WeatherBug
800.544.4429, ext. 4122
fmccathran@earthnetworks.com