

FINANCE DEPARTMENT
Certificate of Exemption Form

Date: 2/15/16

Originating Department:

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.

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| <p><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</p> <p><input type="radio"/> a procurement to preserve or protect the public health or safety of the city's residents</p> <hr/> <p><input type="radio"/> a procurement necessary because of unforeseen damage to machinery, equipment or other property</p> <p><input type="radio"/> a procurement for personal, professional or planning services</p> <p><input type="radio"/> a procurement for work that is performed and paid for by the day as the work progresses</p> <p><input type="radio"/> a purchase of land or right-of-way</p> <p><input checked="" type="radio"/> a procurement of items available from only one source</p> <p><input type="radio"/> a purchase of rare books, papers and other materials for a public library</p> | <p><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</p> <p><input type="radio"/> a public improvement project which has been authorized but for which there is <u>deficiency of funds to complete in accordance with the plans as authorized</u></p> <p><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.</p> <p><input type="radio"/> personal property sold</p> <p><input type="radio"/> services performed by blind or severely disabled persons</p> <p><input type="radio"/> goods purchased by a municipality for subsequent retail sale by the municipality</p> <p><input type="radio"/> electricity</p> <p><input type="radio"/> advertising, other than legal notices</p> |
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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 Bio-Rad HIV and Syphilis assays and Bioplex 2200 instrumentation were officially adopted by the Texas Dept of State Health Services (DSHS), State of Texas Title V, and the STD-HIV control programs. Bio-Rad Laboratories is the sole manufacturer and sole distributor/supplier in the United States of their HIV and Syphilis test kits and instrumentation. Although some ancillary supply items may be purchased from other suppliers, Bio-Rad Laboratories is the only distributor/supplier capable of providing all the Bio-Rad products under one umbrella. A modification to the existing Bio-Rad purchase contract is required to allow the City to enter into a reagent-rental agreement to obtain Bio-Rad proprietary analytical testing instrumentation that can only be used with Bio-Rad assay test kits. Testing reagents purchased by DSHS for their use or on behalf of Metro Health are counted toward the minimum purchase volumes to meet reagent rental minimums to obtain the Bioplex 2200 instrumentation. 3 year extension of existing contract term: \$267,000 for purchase of consumable supplies. Replacement liability for rental equipment: \$351,854.81.

3. Because the exemption stated above exists, the City of San Antonio intends to contract with Bio-Rad Laboratories which will cost approximately \$ 618,854.

Mark Wade

Originator

Tom Penfold 2/17/17
Department Director Approval

[Signature] 7/28/2017
Procurement Administrator Approval

City Manager

(approval required only for ratification by City Council)

*REQUIRED
COUNCIL
APPROVAL*