



**MEMORANDUM**

**TO:** Rosie Truelove, Director, Contract Management Department  
**FROM:** Eric Stockton, Building Services Officer  
**DATE:** 8/26/15  
**SUBJECT:** Emergency Repair at Fleet Service Center #5

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Attached, please find the signed Certificate of Exemption for the emergency repair of the failed waste water line at Fleet Service Center #5.

To complete this repair we intend to follow the emergency procedures as identified below unless you direct otherwise;

- Utilize the Certificate of Exemption to immediately assign a contract for the repair of the failed waste line at Fleet Service Center #5.
- We will work with QSMD to review all documents for compliance with standards and completeness.
- Compare the bids of two contractors to ensure a timely and cost effective repair.
- We will work with CMD to review bids, complete the Funding Affirmation Form, create the Contract, and coordinate the Ratification.
- Immediately issue the notice to proceed to the contractor.

The efforts of your Department to help expedite the contracting and repair at Fleet Service Center #5 would be greatly appreciated. Building Services staff will work with your department staff to ensure the timely coordination of this request. If you have any questions or concerns, please contact me.

  
Eric Stockton, Building Services Officer

CC:

## Certificate of Exemption Explanation

Sir/Ma'am,

I am asking for an Exemption to address a failed sewer line at Fleet Service Center 5 (714 E 8<sup>th</sup> St.). This location is critical as it serves APD headquarters and provides the repair services for APD vehicles. We have jetted the line out twice and are having to clear the line daily to keep the facility operational. Even with our best efforts the line has backed up and spilled sewage on the ground 3 times since 6/10/15. Below is a brief time table of the events that have led up to this request.

- 6/10/15- Austin Water Utility responded to a service call put in by the SC Manager and cleared the line. SC Manager followed up with Building Services to inform us of the issue. Building Services started calling for repair quotes
- 6/18/15- 2<sup>nd</sup> back-up was reported and Building Services responded. Cleared the line and scheduled daily cleanings.
- 7/10/15- Received first bid of \$78,010.00 from 5F mechanical and coordinated with corporate purchasing on proper direction to take since it was over spending limits.- BSD was asked to contact CMD for direction.
- 7/16/15- Contacted CMD for assistance
  - 7/16/15- Reached out to Austin Water Utility for help with repair. AWU is not able to help since it is a private line.
- 7/22/15- 3<sup>rd</sup> back-up was reported. Large volume of water caused the system to back up even though BSD plumbers had already cleared the line.
  - Jetted the line a second time trying to buy more time while coordinating with purchasing and CMD for replacement.
  - Followed up with CMD for assistance/ direction. BSD was directed to seek exemption and go to Council for ratification
  - BSD contacted secondary vendor to provide cost estimate for comparison.
- 7/24/15- Received quote from Travis Cox Plumbing for \$73,800.

If you have any questions I can be reached at (512)-974-3965.

Thanks,

Donald Baldwin

Building Services, General Maintenance Manager

## **Directions for Completing**

### **Contract Management Department Certification of Exemption Form**

*(The following steps must be completed prior to forwarding form to Contract Management Department)*

1. Enter date of request in MM/DD/YYYY format
2. Enter Department requesting exemption
3. Enter Originator of certification
4. Enter phone number of Originator
5. Select one of the exemptions that apply to this procurement
6. Complete the Exemption Form providing any additional information required for the chosen exemption
7. Enter Vendor's Company Name
8. Enter Total Aggregate Amount
9. Obtain signature of:
  - Person requesting exemption (Originator)
  - Department Director or designee
  - Assistant City Manager or designee (for all other exemptions where the purchase > \$50,000)
10. Forward completed form to Contract Management Department:
  - Contract Relations Division Manager reviews and signs document
  - Contract Management Department Director or designee (only required if purchase > \$50,000)



**City of Austin**  
**Contract Management Department**  
**Certificate of Exemption**

DATE: 7/28/15

DEPT: Building Services

TO: Contract Management Department  
Director or Designee

FROM: Donald Baldwin

PHONE: 512-974-3965

Chapter 252 of the Local Government Code requires that municipalities comply with the procedures established for competitive sealed bids or proposals before entering into a contract requiring an expenditure of \$50,000 or more, unless the expenditure falls within an exemption listed in Section 252.022.

This Certification of Exemption is executed and filed with the Contract Management Department as follows:

1. The undersigned is authorized to submit this certification.
2. The undersigned certifies that the following exemption is applicable to this purchase. (Please check which exemption you are certifying)

a procurement made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the municipality's residents or to preserve the property of the municipality

a procurement necessary to preserve or protect the public health or safety of municipality's residents

a procurement necessary because of unforeseen damage to public 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, including: items that are available from only one source because of patents, copyrights, secret processes, or natural monopolies; films, manuscripts, or books; gas, water, and other utility services; captive replacement parts or components for

equipment; books, papers, and other library materials for a public library that are available only from the persons holding exclusive distribution rights to the materials; and management services provided by a nonprofit organization to a municipal museum, park, zoo, or other facility to which the organization has provided significant financial or other benefits

a purchase of rare books, papers, and other library materials for a public library

paving, drainage, street widening and other public improvements, or related matters, if at least one-third of the cost is to be paid by or through special assessments levied on property that will benefit from the improvements

a public improvement project, already in progress, authorized by voters of the municipality, for which there is a deficiency of funds for completing the project in accordance with the plans and purposes as authorized by the voters

- payment under a contract by which a developer participates in the construction of a public improvement as provided by Subchapter C, Chapter 212
- personal property sold: at an auction by a state licensed auctioneer; at a going out of business sale held in compliance with Subchapter F, Chapter 17, Business & Commerce Code; by a political subdivision of this state, a state agency of this state, or an entity of the federal government; or under an interlocal contract for

cooperative purchasing administered by a regional planning commission established under Chapter 391

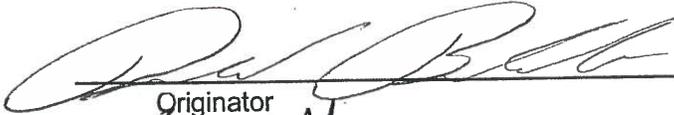
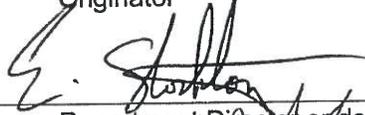
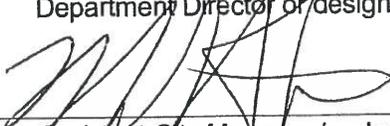
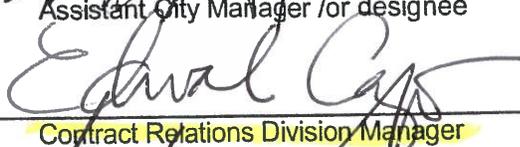
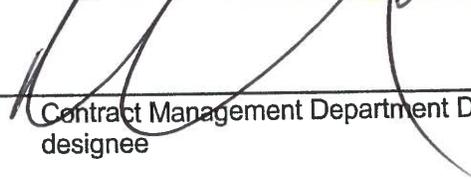
- services performed by blind or severely disabled persons
- goods purchased by a municipality for subsequent retail sale by the municipality
- electricity
- advertising, other than legal notices

3. The following facts as detailed below support an exemption according to Section 252.022 of the Local Government Code for this purchase. Please verify the steps taken to confirm these facts. If you are citing the following exemptions, please provide the additional information requested below. A more detailed explanation of these exemptions is attached.

- **Preserve and Protect the Public Health and Safety** – Describe how this purchase will preserve and protect the public safety of residents.
- **Sole Source** – Describe what patents, copyrights, secret processes, or natural monopolies exist. Attach a letter from vendor supporting the sole source. The letter must be on company letterhead and be signed by an authorized person in company management.
- **Personal Services** – Describe those services to be performed personally by the individual contracted to perform them.
- **Professional Services** – Describe what mainly mental or intellectual rather than physical or manual and/or disciplines requiring special knowledge or attainment and a high order of learning, skill, and intelligence are required to perform this service.
- **Planning Services** – Describe the services primarily intended to guide governmental policy to ensure the orderly and coordinated development of the state or of municipal, county, metropolitan, or regional land areas.

4. Please attach any documentation that supports this exemption.
5. Please provide any evaluation conducted to support the recommendation. Include the efforts taken to ensure the selected vendor is responsible and will provide the best value to the City (Ex: evaluation of other firms, knowledge of market, etc).

6. Because the above facts and documentation support the requested exemption, the City of Austin intends to contract with Travis Cox Plumbing Company, LLC which will cost approximately \$ 73,800 plus a \$ 10,000 contingency for a total contract amount not to exceed \$ 83,800 (Provide estimate and/or breakdown of cost).

Recommended Certification		7-29-15
	Originator	Date
Approved Certification		8-4-15
	Department Director or designee	Date
		8/6/15
	Assistant City Manager /or designee	Date
Contract Management		8/27/15
	Contract Relations Division Manager	Date
Exemption Authorized (if applicable)		8/27/15
	Contract Management Department Director or designee	Date

3/13/15