

**EXHIBIT**  
**"A"**



**City of Round Rock Purchasing**  
**Justification Form**

|              |                   |                         |                          |
|--------------|-------------------|-------------------------|--------------------------|
| <b>Date:</b> | 10/04/2022        | <b>Department Name:</b> | Utilities                |
| <b>To:</b>   | <b>Purchasing</b> | <b>Requestor Name:</b>  | Michael A. De Santis Jr. |
|              |                   | <b>Phone Number:</b>    | 512-218-2005             |

Instructions: Complete this form for all purchases that will exceed \$3,000 and will be exempted from competition as prescribed in Texas Local Government Code Chapter 252.022. Attach additional information as needed to support the exemption request.

The City declares the competitive bidding procedures in Texas Local Government Code Chapter 252 to be exempt for this procurement. This Justification Form is executed and filed with the Purchasing Division as follows:

1. The undersigned is authorized and certifies that the following exemption is applicable to this purchase.

Please check the criteria listed below that applies to this purchase request:

Sole Source (check one)

- Items that are available from only one source because of patents, copyrights, secret process, or natural monopolies.
- Films, manuscripts or books.
- Gas, water and other utilities.
- 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 the exclusive rights to the materials

Public Calamity

- 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 a municipality.

Public Health and Safety

- A procurement necessary to preserve or protect the public health or safety of the municipality's residents.

Unforeseen Damage

- A procurement necessary because of unforeseen damage to public machinery, equipment, or other property.

Personal, Professional or Planning Services

- A procurement of personal, professional, or planning services

2. Justification: Describe in detail below why an exemption according to Section 252.022 of the Local Government Code is being submitted for this purchase. (Attach additional pages if needed)

Clarifier #4 drive was damaged suddenly and needs to be replaced ASAP.

3. Attach and submit the following documentation that supports this justification as applicable.
- Vendor's proposal/quote.
  - If sole source a Manufacturer's letter declaring the purchase is sole source and why. The letter should be no older than 6 months old and signed by an authorized representative on company letterhead.
4. Because the above facts and supporting documentation the City of Round Rock exempts this procurement from LGC Chapter 252 and intends to contract with:

|              |                                 |
|--------------|---------------------------------|
| Vendor Name: | Environmental Improvements      |
| Description: | Clarifier Drive Sales & Repairs |

5. Check the purchase type and fill in the dollar amount and purchase term as applicable

- This is a one-time purchase request for \$ 72,159.00
- This is a term contract request for      (# months) in the amount of \$

Recommended  
By

Requestor

10/04/2022

Date

Approved  
By

Department Manager, Asst Director or Director

10/04/2022

Date

Purchasing Office  
Review

Purchaser

11/01/2022

Date

Purchasing Office  
Management Review

Purchasing Manager (over \$50,000)

11/01/2022

Date



2607 N. Grandview Blvd. Suite 130  
Waukesha, WI 53188  
Phone: 262-547-0141  
Fax: 262-547-4120

## Sole Source Letter

**Company:** City of Boerne, TX  
**Tel:** 830-248-1538  
**Subject:** Orbal Equipment – Quotation

**Date:** 02/17/2023  
**From:** Gina Alberti  
**Tel:** 262-521-8511  
**Fax:** 262-521-8249  
**Email:** Gina.Alberti@evoqua.com

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This document is to confirm that Evoqua Water Technologies, LLC is the sole source provider for the components originally supplied under Contract #16191, Orbal Aeration Equipment.

Evoqua Water Technologies, LLC is the original O&M Manufacturer of these parts reflected on Quotation 2019-318515, and is the only source for the replacement parts. Environmental Improvements, Inc is the only authorized sales representative and parts provider for Evoqua Water Technologies, LLC.

If I can be of further assistance or should you have any questions, please feel free to contact me.

Sincerely,

Gina Alberti

A handwritten signature in black ink, appearing to read "Gina Alberti", written in a cursive style.

Evoqua Water Technologies, LLC.