



## City of Round Rock Purchasing Justification Form

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

<b>Date:</b>	<b>May 16, 2023</b>	<b>Department Name:</b>	Utilities and Environmental Services
<b>To:</b>	<b>Purchasing</b>	<b>Requestor Name:</b>	Michael De Santis
		<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 processes, 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.

☐ Goods Purchased for Subsequent Retail Sale

- ☐ A procurement of goods being purchased for subsequent resale by the City.

☐ 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

☐ Other

- Cite the applicable Texas Local Government Code Chapter 252 exemption in the justification box below.

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)

Aquaray UV Systems are a trademark of Veolia Water Technologies Treatment Solutions USA Inc. and are designed and engineered specifically for the City's treatment application and installation. The components are not sold through distribution networks. The components for the Aquaray UV Systems are designed, engineered, and produced specifically for the City's equipment and application. Veolia Water Technologies Treatment Solutions USA Inc. is the sole source supplier for Aquaray UV Systems and parts.

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:	Veolia Water Technologies Treatment Solutions USA Inc.
Description:	Aquaray UV Systems

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

- ☐ This is a one-time purchase request for \$ \_\_\_\_\_
- ☒ This is a term contract request for 31 (# months) in the amount of \$ 203,795.37

Purchasing Office/  
Management Review:


  
David Carter (May 17, 2023 08:00 CDT)

Purchaser/Purchasing Management (over \$50,000)

05/17/2023

Date

Approved by:

  
Michael Thane (May 16, 2023 14:02 CDT)

Department Manager, Asst Director, or Director

05/16/2023

Date