



## Request for City Manager Signature

(\$50,000 and higher)

Project Name/Contract Number:	220-244, Criminal Justice Info Sharing Platform (SmartForce)	
Department Contact / Department Name:	Stan Standridge, Chief, Police Department	
Date of City Council Approval: (Past or Recent)	Approval for Extension on September 6, 2022	
Return Signed Document to:	Tina Moreno	Ext. 8181

### Background/Purpose:

This request is for your review and approval by signing the attached Certificate of Exemption to competitive bidding per General Exemption 252.022(a) (2), "a procurement necessary to preserve or protect the public health and safety of the municipality's residents"

This software was procured in 2020 via an informal solicitation process whereby we received quotes and awarded the contract to the lowest responsive responsible bidder, Smartforce Technologies for \$22,500 annually. It was funded via a DOJ grant. There are now other federal funding source(s) identified for the extension. To extend the agreement for another year would exceed \$50,000 for a total contract amount of \$72,500.

The referenced contract allows the Police Department to communicate crime information in real-time, versus relying on email. By utilizing this intranet service, all employees can be immediately alerted to violent crimes. With the tremendous rise in crime in San Marcos, this software is desperately needed.

Because of the urgent need to continue with this technology platform this item will be presented to council on September 6, 2022 for approval to award the extension due to the health and safety exemption. Per the Purchasing Policy, the certificate of exemption requires the signature of the Finance Director and the City Manager. The executed certificate will be attached to the September 6<sup>th</sup> agenda item.

Please contact me if you have questions.  
Lynda Williams

### **Reviewed / Approved:**

DocuSigned by:	
Purchasing & Contracting:	<i>Lynda Williams</i> 9CD4F61A378E4E7...
Police Department:	<i>Stan Standridge</i> 9CD4F61A378E4E7...
Finance Director:	<i>Jonathan Locke</i> 9CD4F61A378E4E7...



### Certificate of Exemption

FROM:	Chief Stan Standridge	TO:	Purchasing Manager
DIV/DEPT:	Police Department	DIV/DEPT:	Purchasing & Contracting   Finance

**PURPOSE:** Section 252.022, Local Government Code, identifies procurements that are exempt from the competitive bidding/proposal requirements. Further, Section 36.08 paragraph 9 of the City of San Marcos Charter allows the City to "suspend or modify the formal bidding requirements for purchase of goods and services as authorized by state law" in the event of a disaster as declared according to Section 26.007. Refer to Purchasing Policy, Chapter 6, General Exemptions.

Completion of this certificate and the following approvals are required for purchases made without competition and for the reasons stated below. This signed and executed Certificate of Exemption must be submitted with the requisition request or request for a contract and the vendor's proposal. The Certificate will be filed with the resulting purchase order or contract.

☐ Expenditure is less than \$50,000  
(Requires signature of Director and Purchasing Manager)

☒ Expenditure is more than \$50,000  
(Requires signature of Director, Finance Director, City Manager prior to Council)

☒ **Emergency Exemption:** Good faith efforts shall be made to obtain prices from more than one vendor. *Note: Any additional work outside of the initial immediate scope of the emergency is not exempt from competitive bidding guidelines. (check items that pertain)*

- ☐ Public calamity or disaster (man-made or natural) such as fire, flood, etc., that requires the immediate appropriation of money to relieve the necessity of the residents of San Marcos, or that requires the immediate appropriation of money to preserve the City's property
- ☒ Preserve or protect the public health or safety of the City's residents
- ☐ Unforeseen damage to the City's machinery, equipment, or other property

☐ **Personal, Professional, Planning Exemption:** (check items that pertain)

- ☐ Personal Services
- ☐ Planning Services
- ☐ Professional Services

☒ **One Source Exemption:** (check items that pertain)

- ☒ Available for one source because of patents, copyrights, secret processes or natural monopolies (Vendor documentation required.)
- ☐ Purchase of captive replacement parts or components for equipment

A product is eligible for sole source purchase only when there is a significant functional difference between the product and other similar products on the market, and when the item is available only from one vendor.

**Detail the need for purchase/expenditure:**

SmartForce is a 21st century policing solution that allows the Police Department to communicate crime information in real-time, versus relying on email. By utilizing this intranet service, all employees can be immediately alerted to violent crimes in the city, which then automates collaboration between units, workflow, pin maps, and analytics. Violent crime in San Marcos has grown 52% in the last five years, so real-time intelligence is paramount to investigative efforts.

**Describe why competitive goods/services are not satisfactory:**

*no other provider can license the city to continue with this technology due to copyrights + patents. Starting over with a different competitor's product would be costly + disruptive to city's law enforcement efforts. L. Williams*

**Vendor Selected and Approximate Cost:**

(If Professional Services, justify fee negotiations to achieve fair and reasonable pricing.) Smartforce Technologies, Inc.	\$ \$22,500 annually
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# SAN MARCOS

**Justification for Selecting the Vendor including list of other Vendors contacted (if applicable):**

(If Professional Services, justify most highly qualified status.)

Informal bids were received in summer 2020 and Smartforce Technologies was selected based lowest responsible responsive bidder.

The undersigned certifies that the following exemption is applicable to this purchase:

**EMPLOYEE REQUESTING EXEMPTION:**

Signature

Date

**DEPARTMENT DIRECTOR APPROVAL:**

Signature

Date

**PURCHASING MANAGER APPROVAL: (IF UNDER \$50,000)**

Signature

Date

**FINANCIAL DEPARTMENT DIRECTOR APPROVAL: (IF OVER \$50,000)**

Signature

Date

**CITY OF SAN MARCOS APPROVAL: (IF OVER \$50,000)**

Signature

Date

Attachments: Vendor Quote/Proposal  
Vendor Sole Source Letter  
Other Supporting Documentation

cc: Filed with Purchase Order/Contract