



**City of Austin  
Financial Services Department – Central Procurement**

**Certificate of Exemption for Professional Services, Public Health and Safety or  
Other Exempt Purchase (Non-Competitive)**

DATE: DEPT: Parks and Recreation  
TO: Procurement Officer or Designee FROM: Sarah Marshall  
FSD-CP POC: PHONE:512.974.9478

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 unless the expenditure falls within an exemption listed in Section 252.022.

Refer to Local Government Code 252.022 for a complete list of exemptions:

[Link to Local Government Code](#)

The City has selected a vendor for contract award and declares the competitive solicitation procedures in Local Government Code Chapter 252.022 to be exempt for this procurement. This Certificate of Exemption is hereby executed and filed with FSD – Central Procurement as follows:

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

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

- 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.
- A procurement necessary to preserve or protect the public health or safety of the municipality's residents.
- A procurement necessary because of unforeseen damage to public machinery, equipment, or other property.
- A procurement of personal, professional, or planning services
- Other exemption from Chapter 252.022: \_\_\_\_\_

2. Describe this procurement:

- What it is for and why it is needed? *PARD has custody of approximately eight cubic feet of artifactual material that was recovered during archaeological excavations of the Old City Bakery by Alton Briggs/ Lone Star Archeological Services in 1983 and returned to PARD in the 1990s. PARD has identified the Texas Archeological Research Laboratory (TARL) at The University of Texas at Austin as the repository of choice to curate and accession this collection, due to its proximity to the site and certification status. Before it can be curated, the collection must be inventoried and prepared to repository standards; TARL has the capability to both curate and store the artifacts in accordance with certified archaeological standards. Through this process, PARD can determine which artifacts could be loaned and incorporated into a future exhibit for tourists to the Old Bakery.*
- Describe the following (as applicable):
  - **For Public Calamity, Public Health and Safety, Unforeseen Damage to Public Machinery or Equipment, or Critical Business Need Exemptions:**
    - Provide description of the event leading to the procurement and a business justification for this purchase.
    - What would be the impact to department operations and the community if this purchase was not made?
    - How and why this vendor was selected?
  - **For Professional, Personal, or Planning Service Exemptions:**
    - Why is the vendor the most qualified to provide the services? *TARL has the capacity to both curate and store the artifacts in accordance with certified archaeological standards and is in close proximity to the site.*
    - Does this vendor have a history of working with the City? *TARL houses many notes and collections from City of Austin projects. If so, was it on this particular service? TARL has not been involved in this particular project.*
    - Will this procurement be component of a larger service or phases of service? *This procurement requires that the artifacts be inventoried, packed, then stored in accordance with certified archaeological standards.*
    - Is the vendor a City of Austin local vendor? *Yes*
    - Does the vendor hold an M/WBE certification with the City, a HUB certification with the State of Texas, or any other minority or women owned certifications? *No*
    - What qualifications, certifications, or specialized training does the vendor have? *TARL is a certified archaeological repository for the State of Texas under the Texas Historical Commission's Curatorial Facility Certification Program and meets all the requirements for repositories housing federal collections as outlined in federal standards (36 CFR Part 79).*
    - What is the impact if a contract is not secured with this particular vendor (loss of project timeline, loss of funding etc.)? *There is not another facility within a 30mile radius that can both curate and store the artifacts. Without an agreement, the artifacts may deteriorate and will never be available for public viewing and enjoyment.*
    - What other vendors can provide these services and why are they not the best fit for the contract? *No other vendors in the vicinity can provide both services required. TARL has the closest proximity.*
  - **For Other Exceptions from Chapter 252.022:**
    - Explain the circumstances of the procurement.
  - **Prices were determined to be reasonable based on the following (select all that apply):**
    - Prices are established under a current Cooperative contract.  
**Notes:** At a minimum, note the contract number, contract title, cooperative entity, and government or entity who created the contract.
    - Prices are on a current and publicly available list price, for the same or similar products,

available to all government and commercial customers.

**Notes: Following are the publicly available rates and fees for curation:**

**[https://minio.la.utexas.edu/webeditor-files/tarl/pdf/Repository%20Rates%20and%20Fees%20\(23-24FY\).pdf](https://minio.la.utexas.edu/webeditor-files/tarl/pdf/Repository%20Rates%20and%20Fees%20(23-24FY).pdf)**

- Prices are established by law or regulation.

**Notes: At a minimum, note the legal or regulatory reference that established the prices.**

- Other means of determining Price Reasonableness.

**Notes: For the curation and reporting portion of the project, TARL's bid is under \$10K. Two other estimates from private archeological firms ranged in price from \$26-\$40K. TARL provides a much better value for the City.**

**\*The questions in the form are designed to justify why this purchase should be exempt from a competitive procurement process. Failure to provide adequate documentation to substantiate the request may lead to the request being rejected.**

*The Old Bakery & Artisan Emporium, a historic property in Austin, Texas, under the control of the Austin Parks and Recreation Department (PARC), has in its custody approximately eight cubic feet of artifactual material that was recovered during archaeological excavations of the Old City Bakery by Alton Briggs/ Lone Star Archeological Services in 1983. The collection currently fills six standard bankers boxes and five 4 x 12 x 12" boxes. The site (41TV848), also known as the Lundberg Bakery, dates to 1876; it is a State Historic Landmark and is listed on the National Register of Historic Places. PARC needs to have these collections curated in a state-certified archaeological repository so that they can be preserved and made available for future research as well as future exhibition for visitors to the Old Bakery. PARC has identified the Texas Archeological Research Laboratory (TARL) at the University of Texas at Austin as the repository of choice to house this collection, due to its proximity to the site and certification status. Before it can be curated, the collection must be inventoried and prepared to repository standards.*

3. Forward the completed and signed Certificate of Exemption to FSD – Central Procurement along with the following documentation:

- Scope of Work or Statement of Work (if applicable)
- Vendor’s proposal/quote (if applicable)
- Project timeline with associated tasks, schedule of deliverables or milestones, and proposed payment schedule
- Professional resumes, certifications, and/or licenses (Professional, Personal or Planning Services Only)
- Other supporting documentation

4. Because of the above facts and supporting documentation, the City of Austin exempts this procurement from Local Government Code Chapter 252 and intends to contract with:

(Vendor Name): UT Texas Archeological Research Laboratory (Payment ID A00000253574).

(Description of Procurement): Curation and Storage of Old Bakery Artifacts

5. Check the contract type (one-time or multi-term) and fill in the dollar amount and term as applicable:

- This is a one-time request for **\$11,041 until the work is completed.**
- This is a multi-term contract request for \_\_\_\_\_ (# months for base term) in the amount of \$\_\_\_\_\_ with \_\_\_\_\_ (# of renewal options) for \$\_\_\_\_\_ each for a total contract amount of \$\_\_\_\_\_.

**Recommended  
 Certification**

**Alyssa Tharrett**

Digitally signed by Alyssa Tharrett  
 DN: C=US,  
 E=alyssa.tharrett@austintexas.gov, O=PARO,  
 OU=ARCH DEV., CN=Alyssa Tharrett  
 Date: 2024.11.04 16:11:44-06'00'

**Originator**

**Date**

**Approved  
 Certification**

**Angela Means**

Digitally signed by Angela Means  
 Date: 2024.11.12 16:19:19 -06'00'

**Department Director or designee**

**Date**

**(For Austin Energy, Deputy General Manager, or designee)**

**Assistant City Manager or designee\***

**Date**

**(For Austin Energy, General Manager, or designee\*)**

**\*Only needed for procurements requiring Council approval**

**FSD-CP  
 Review**

**Authorized FSD-CP Staff**

**Date**

**FSD-CP  
 Management Review**

**Chief Procurement Officer or designee  
 (If required due to signature authority level)**

**Date**