

3. Discretionary Exemption Form

INTEROFFICE MEMORANDUM

MEMO TO: Daniel R. Garza, Purchasing Agent

DATE: (Type Date Here)

FROM: (Type Department Representative Name and Title Here)

SUBJECT: Discretionary Exemption for a purchase from (Type Supplier Name Here)

Formal competitive procurements are required for purchases over \$50,000. Purchases of any of the following are exempt from the competitive procurement requirements if the Commissioners Court grant the exemption. The Purchasing Agent grants the exemption to informal competitive procurements for purchases below \$50,000. Please check all applicable blocks below (more than one may apply) and provide an explanation on the following sheet.

The item / service purchased is:

- ☐ an item that must be purchased in a case of public calamity if it is necessary to make the purchase promptly to relieve the necessity of the citizens or to preserve the property of the County;
- ☐ necessary to preserve or protect the public health or safety of the residents of the County;
- ☐ necessary because of unforeseen damage to public property;
- ☐ a personal or professional service;
- ☐ individual work performed and paid for by the day, as the work progresses, provided that no individual is compensated under this subsection for more than 20 working days in any three month period;
- ☐ any land or right of way;
- ☐ obtained from only one source, including: items for which competition is precluded because of the existence of patents, copyrights, secret processes, or monopolies, films, manuscripts, or books, electric power, gas, water, and other utility services, or other specialized needs;
- ☐ captive replacement parts or components for equipment;
- ☐ food (applies only to sealed competitive bidding, must solicit at least three phone quotes);
- ☐ personal property sold: at an auction by a state licensed auctioneer, at a going out of business sale or by a political subdivision of the State of Texas, a state agency of the State of Texas, or any entity of the federal government;
- ☐ vehicle and equipment repairs;

- ☐ the renewal or extension of a lease or of an equipment maintenance agreement if: (1) the lease or agreement has gone through the competitive bidding procedure within the preceding year, (2) the renewal or extension does not exceed one year and (3) the renewal or extension is the first renewal or extension of the lease or agreement.

This item / service:

- ☐ does require Commissioner's Court approval.
- ☐ does not require Commissioner's Court approval.

Authorized Signature: _____

Discretionary Exemption Explanation:
(Type explanation here)

Please call the Purchasing Department at 210-335-2211 for assistance with this form.