



MEMORANDUM

TO: Mayor and Council Members

FROM: James Scarboro, Chief Procurement Officer *JS*

THROUGH: Ed Van Eenoo, Chief Financial Officer

DATE: June 3, 2022

SUBJECT: **Solicitation Process Associated with Budget Amendments (Fiscal Year 2022 Adler 2 Budget Rider)**

The purpose of this memo is to provide response to Fiscal Year 2022 Adler 2 Budget Rider which directs the City Manager to follow standard solicitation processes when considering vendor selection associated with budget amendments.

This direction is in alignment with current procurement statutes, policies, and procedures under which the City operates. While there are some exemptions from competition included in statute, which City policies and procedures must adhere to, none of these allows the waiving of competition due only to a specific vendor being named in a budget amendment. For competition to be waived on a budget amendment to award to a specific named vendor, a department is required to document the basis for a vendor being exempted from a competitive process which is supported by exemptions in statute. Some examples include contracts where something being acquired is patented and only available from a sole source, a procurement made due to unforeseen damage to public machinery or equipment and procurements of personal, professional, or planning services.

If you have questions regarding the City's procurement process, please contact me at james.scarboro@austintexas.gov.

cc: Spencer Cronk, City Manager
Veronica Briseño, Assistant City Manager