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RECEIVED

MAY 17 2002

City of San Luis

13 May 2002

Michael D'Amico, President/CEO
Alpha Internet Systems, Inc.
525 Midvale Way
Mill Valley, CA 94941

Re: CITY OF SAN LUIS INTERNET SITE

Dear Mr. D'Amico:

I read your letter of March 8 as I indicated and the Ordinance I sent you. While it refers to exclusive service, one of the synonyms for exclusive service as far as the law is concerned in this area is sole source and exclusive service means that if there is only one provider that is capable, it does not mean there is only one that is capable of providing "the most comprehensive, etc., etc." It means there is only one providing an Internet installation. Based on this I am hoping that you can provide me with something more specific such as an opinion from one of the other cities you have dealt with that has sole source provider language that indicates that your company is so unique that they are the only one that is capable of doing Internet installations of the type that we are talking about and specifically set forth what it is that makes that type so unique that no one else can do it. I know you have some patents you talked about and a discussion of what those patents do would appear to be appropriate. In the meantime I have advised my City Manager I do not think your letter of March 8 allows us to fall within the exclusive service provision of the purchasing ordinance.

Sincerely,


Gerald W. Hunt

GWH/mk
c: Alex Ruiz, City Manager
City of San Luis

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