SINGLE SOURCE AWARD **BID # SS-0176-17**

Subject: Hardware and Software Maintenance for Automark Voter Assisted Tabulator Units

Department: Supervisor of Elections Office

Description of Purchase:
Recommend approval of Single Source Award to Election Systems and Software, LLC., for hardware and software maintenance for the Automark voter assisted tabulator units for the Supervisor of Elections Office. Period of service will be from June 1, 2017 through December 1, 2017. Total requested expenditure not to exceed $66,500.00.

Funding for this award to be encumbered by account SEEL011-04662, to be executed by purchase order(s).

Single Source Award To: Election Systems and Software, LLC.

Price Justification: See Attached

Total Award: $66,500.00 **Requisition #** N/A

Attachments: Single Source Form; Vendor Letter, Vendor Quote

Certification as to Single Source: Mike Hogan, Supervisor of Elections

THE ABOVE PURCHASE IS RECOMMENDED FOR AWARD IN ACCORDANCE WITH CHAPTER 126.206.

ANALYST: Chelsey Fleming

Gregory Pease, Chief
Procurement Division

APPROVAL OF GENERAL GOVERNMENT AWARDS COMMITTEE
"ALL AWARD ACTIONS SUBJECT TO LAWFULLY APPROPRIATED FUNDS"

CHAIRMAN ***DATE***

ACTION OF AWARDING AUTHORITY

DATE: _____

APPROVED _____ **DISAPPROVED** _____

OTHER _____

SIGNATURE OF AUTHENTICATION _____

FORM GB-114, Revised 12/2007

SINGLE SOURCE REQUEST

Pursuant to the City of Jacksonville Procurement Code § 126.206 & § 126.312, when requesting a purchase from a vendor subject to the referenced sections, please complete this form to justify your request and submit to Procurement with applicable attachments.

REQUESTING AGENCY (DEPT./DIVISION): Supervisor of Elections

FUNDING SOURCE: SEEL-011 04662

BRIEF DESCRIPTION OF GOODS/SERVICES:
HARDWARE MAINTENANCE AGREEMENT AUTOMARK UNITS

AMOUNT OF PROJECT (attach quote): $66,500.00

PROVIDE A SUMMARY OF THE SCOPE OF GOODS/SERVICES TO BE PROVIDED; IDENTIFY EACH ITEM, COMPONENT OR SERVICE BEING PROCURED (ATTACH QUOTE/PROPOSAL):
HARDWARE and software maintenance for Automark Voter Assisted Tabulator units

PROVIDE A DETAILED JUSTIFICATION AS TO WHY THE REQUESTED GOODS/SERVICES CAN ONLY BE EFFICIENTLY AND EFFECTIVELY PROCURED THROUGH THE RECOMMENDED SINGLE SOURCE PROVIDER:
All HARDWARE AND SOFTWARE ARE PROPRIETARY property of Election Systems and software

ASSERT THAT YOU HAVE RESEARCHED THE AVAILABILITY OF THE REQUESTED GOODS/SERVICES FROM OTHER SOURCES IN APPLICABLE MARKETS AND HAVE DISCUSSED AND EVALUATED THE SAME WITH COJ'S PROCUREMENT AND EBO DIVISIONS:
yes see attached

Submitted by: Robert D. Phillips (Name) Chief Election Officer (Title)

Date: 5/15/17

Requesting Agency's Director's Signature: Mike Hogan

Procurement Division ___

March, 2017

Election Systems & Software
MAINTAINING VOTER CONFIDENCE. ENHANCING THE VOTING EXPERIENCE
11208 John Galt Boulevard · Omaha, NE 68137 USA
Phone: 402.593.0101 · Toll-Free: 1.800.247.8683 · Fax: 402.593.8107
www.essvote.com

May 15, 2017

Chelsey Renfroe
Purchasing Analyst
Procurement Division
City of Jacksonville
214 N. Hogan St., 8th floor
Jacksonville, FL 32202

RE: Election Systems & Software, Inc. ("ES&S") Hardware and Software License, Maintenance and Support Services ("License and Maintenance Services")

Dear Ms. Renfroe:

This letter is in response to your request for information regarding ES&S' License and Maintenance Services to be provided by ES&S to Duval County, Florida ("County"). Such License and Maintenance Services shall be performed by ES&S or its authorized representatives. The License and Maintenance Services to be performed by ES&S include the license, maintenance and support for ES&S' proprietary ElectionWare® Election Management Software and Firmware (collectively, "ES&S Software") as well as ES&S' Model DS200, ES&S' Model DS850 and ES&S AutoMark voting equipment (collectively, "ES&S Equipment").

Please be advised that ES&S is the sole and exclusive developer and licensor of the ES&S Software. As such, ES&S owns all patents, copyrights and trademarks ("Intellectual Property") in its proprietary ES&S Software. Further only ES&S can provide help desk support services for the ES&S Software as well as provide any and all upgrades, enhancements, maintenance patches and other changes to the ES&S Software as may be required by ES&S or its customers. No other vendor in the marketplace today is authorized to license or provide maintenance and support services for the ES&S Software.

With respect to the ES&S Equipment, please be advised that ES&S owns all Intellectual Property associated with the ES&S Equipment. Further, certain component parts of the ES&S Equipment are proprietary to ES&S and may only be obtained directly from ES&S. As certain component parts of the ES&S Equipment may only be obtained directly from ES&S, only ES&S can ensure that such ES&S proprietary component parts are installed in the ES&S Equipment. This is important to note as all ES&S Equipment certified both and the federal and State level require the replacement of the same component parts which were included in the voting equipment at the time such voting equipment was certified. By utilizing ES&S for the

performance of hardware maintenance services, the County will be assured that all component parts installed in the ES&S Equipment will be in compliance with both the federal and state certified equipment configuration.

In order for the County to receive License and Maintenance Services on the ES&S Software, the County must utilize ES&S for the license of the ES&S Software as well as the performance of software maintenance services as ES&S is the sole and exclusive licensor of the ES&S Software. In addition, in order to ensure that only certified component parts are utilized in the repair and maintenance of the ES&S Equipment, it is necessary for the County to obtain such hardware maintenance services directly from ES&S as ES&S owns certain proprietary component parts which are installed in the ES&S Equipment.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

Timothy J. Hallett
Associate General Counsel

Quote

11208 John Galt Blvd
Omaha, NE 68137
Ph. 800-247-8683
Fx. 402-339-4742

Quote No	Quote Date
76703	5/16/2017

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Bill To
Duval County, Florida
General Accounting Div
117 W Duval St Ste 375
Jacksonville, FL 32202
US

Ship to
Duval County, Florida
105 E Monroe St
Jacksonville, FL 32202
US

Customer No	Slspsn	Payment terms
17678	2861	NET 30 DAYS

Loc	PPD/COL	Ship via	Ship Date
FI		CUST. GRND#O	A.S.A.P.

Qty Ordered	UOM	Item No	Unit price	Disc	Extended price
1.00	EA	/DR-PAYMENT Payment Terms are as Follows: $65,000.00 due on or before Upon receipt for the period of June 1, 2017 through December 1, 2017 ---------- Invoice includes: Silver HMA for (280) AutoMARK FMA for (280) AutoMARK	66,500.0000		66,500.00

THE QUOTE TOTAL MAY NOT REFLECT MISCELLANEOUS CHARGES, FREIGHT OR SALES TAX

Quote Total
66,500.00

(C)2002 Exact Software North America

QWS3270X 5/22/2017 3:39 PM
FAML6350 V5.1 ** NW COJ FAMIS PRODUCTION ** 05/22/2017
LINK TO: ACCOUNT SUMMARY INQUIRY 3:39 PM

FISCAL MO/YEAR : 08 2017 CURRENCY CODE :
INDEX CODE : SEEL011 ELECTIONS
SUBOBJECT : 04662 HARDWARE/SOFTWARE MAINTENANCE & LICENSES
PROJECT :
PROJECT DETAIL :
GRANT :
GRANT DETAIL :
USER CODE :

S	MAY 2017	ANNUAL BALANCE	ALL YEARS BALANCE
ESTIMATED REVENUES	.00	.00	.00
REVENUES	.00	.00	.00
UNREALIZED REVENUES	.00	.00	.00
BUDGET	.00	361,964.00	361,964.00
EXPENDITURES	.00	56,928.00	56,928.00
ENCUMBRANCES	.00	.00	.00
PRE-ENCUMBRANCES	154,955.72	243,411.44	243,411.44
REMAINING BALANCE	-154,955.72	61,624.56	61,624.56

F1-HELP F2-SELECT F4-PRIOR F5-NEXT
F9-LINK F10-PRIOR-MO F11-NEXT-MO

G014 - RECORD FOUND