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SINGLE SOURCE AWARD **BID # SS-11591-22**

Subject: ADA Compliant "ExpressVote BMD" Voter Assistance Terminals

Department: Supervisor of Elections

Description of Purchase:
Election Systems and Software, LLC (ES&S, LLC) provides the hardware and software for all voter tabulation equipment in the Duval County Supervisor of Elections' inventory.

Recommend approval of a Single Source award to Election Systems and Software, LLC (ES&S, LLC) to upgrade the current voter assistance terminals to ADA compliant "ExpressVote BMD" terminals as is required by law. The equipment is proprietary to ES&S, LLC. Period of service will be a one-time purchase. Total expenditure amount not-to-exceed $929,085.00.

Funding for this award will be encumbered from account 00111.610001.564290.000000.00000000.00000.0000000 and executed by Purchase Order.

Single Source Award To: Election Systems and Software, LLC (ES&S, LLC)

Price Justification: See attachment

Total Award: $929,085.00 **Requisition #:** SEEL-500260-22

Attachments: Agency Memo, Single Source Request Form, Supplier Letter & Quote

Certification as to Single Source: Robert Phillips, Chief Elections Officer, Duval County Spvr. of Elections

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

Analyst: David Klages

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 _____

Mike Hogan
Supervisor of Elections 105 E. Monroe St.
Jacksonville, FL 32202
PH (904)630-1414
FX (904)630-2920

November 3, 2021

Gregory Pease, Chief,
Procurement Division
117 West Duval St, Suite 335

Dear Gregory,

This letter is to request the approval of a Single Source purchase order for Election Systems and Software, LLC (ES&S) to upgrade the current voter assistance terminals to ADA compliant "ExpressVote" voter assistance terminals. The upgrade to the ADA compliant terminals is required by law. Election Systems and Software, LLC is our vendor of record for voter tabulation equipment since 2012. ES&S is the owner of the proprietary ExpressVote system and it integrates seamlessly with the current Election Ware software that is currently in use. ES&S has done an exemplary job of meeting our voting system needs. It is important that we continue this partnership leading into the next election cycle.

Please do not hesitate to contact me if I can provide any further information or assistance.

Sincerely,

Robert Phillips
Senior Elections Officer
Duval County Supervisor of Elections

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 Office

FUNDING SOURCE: 00111.610001.564290.000000.00000000.00000.0000000

BRIEF DESCRIPTION OF GOODS/SERVICES:

ADA compliant voter assistance terminals.

AMOUNT OF PROJECT (attach quote): $929,085.00 See attached quote.

PROVIDE A SUMMARY OF THE SCOPE OF GOODS/SERVICES TO BE PROVIDED; IDENTIFY EACH ITEM, COMPONENT OR SERVICE BEING PROCURED (ATTACH QUOTE/PROPOSAL):

Election Systems and Software (ES&S) provides all hardware and software upgrades for all voter tabulation equipment in the Duval Supervisor of Elections inventory. This hardware purchase is the next generation of Voter Assistance terminals and is required to meet ADA requirements and allow voters with disabilities to vote independently. The Expressvote is the proprietary product of ES&S.

PROVIDE A DETAILED JUSTIFICATION AS TO WHY THE REQUESTED GOODS/SERVICES CAN ONLY BE EFFICIENTLY AND EFFECTIVELY PROCURED THROUGH THE RECOMMENDED SINGLE SOURCE PROVIDER:

Election Systems and Software has been the system of record for Duval County since 2012. ES&S is certified in the state of Florida to provide these services. The Expressvote is the proprietary product of ES&S.

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. The equipment to be purchased is a proprietary product of the current supplier for Duval County.

Submitted by: Robert Phillips (Name) Chief Elections Officer (Title)

Date: 10/20/21

Requesting Agency's Director's Signature:

Election Systems & Software
MAINTAINING VOTER CONFIDENCE. ENHANCING THE VOTING EXPERIENCE.
EXPERIENCE RELIABILITY SECURITY INNOVATION
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

October 29, 2021

Supervisor of Elections
Duval County
105 E. Monroe Street
Jacksonville, FL 32202

RE: Election Systems & Software, LLC ("ES&S") Equipment and Software For the Danville Election Commission

To whom it may concern,

This letter is in response to the Duval County, Florida ("County") request for information regarding ES&S' proprietary election equipment. This letter provides the Commission with information on ES&S' proprietary ExpressVote® Ballot Marking Device (the "ES&S Equipment") as well as ES&S' proprietary Equipment firmware (the "ES&S Software").

Please be advised that ES&S owns all patents, copyrights and trademarks ("Intellectual Property") associated with the ES&S Equipment. With respect to the ES&S Equipment (ExpressVote), ES&S owns patent numbers 8,997,701, 8,814,045 and 10,147,259. As such, ES&S is the sole and exclusive developer and manufacture of the ES&S Equipment and only ES&S may sell the ES&S Equipment in the marketplace. 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 (maintenance) parts of the ES&S Equipment may only be obtained directly from ES&S, only ES&S and ES&S trained technicians 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 at the federal and State level require the replacement of the same certified component parts which were included in the ES&S Equipment at the time such ES&S Equipment was certified. By purchasing the ES&S Equipment from ES&S as well as utilizing ES&S for the performance of preventative and repair maintenance and support 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.

With respect to the ES&S Software, 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 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.

ES&S is the only vendor in market today which can sell the ES&S ExpressVote unit to the County and ensure that such new unit will work in conjunction with the County's current ES&S equipment and software. The County can be assured that the ES&S ExpressVote will work seamlessly with the County's current equipment as ES&S is the only vendor who owns, manufactures, develops and sells the foregoing ES&S ExpressVote as well as all ES&S Software in the marketplace.

With respect to the County's proposed purchase of the ES&S Equipment, please be advised that such new ES&S Equipment is specifically designed to work with ES&S' DS200 precinct tabulator providing the County with a fully integrated voting system. In fact, by purchasing the ES&S Equipment and licensing the ES&S Software from ES&S, the County will be assured that all of the County's ES&S voting system equipment and voting system software will work together for use in the City's upcoming elections as well as be assured that all maintenance and support services will be handled in a timely manner by ES&S. As ES&S is the only vendor in the market today that can sell and license the ES&S Equipment and ES&S Software as well as provide all necessary election services, the County can be confident that the end to end voting system purchased through ES&S will serve the voters in the City for many years to come.

Please let me know if you have any questions or need any additional information.

Sincerely,

Katie D. Figgins
Associate General Counsel

cc: Nick Cowles, ES&S

ES&S
ELECTION SYSTEMS & SOFTWARE

11208 JOHN GALT BLVD
OMAHA, NE 68137-2364
(402) 593-0101

Sales Order Agreement

Sales Quotation #:
1st Election Date: March 2022
Estimated Delivery Date: Mid August 2021
Phone Number: 904-630-1414
Fax Number: N/A

Customer Contact, Title: Mike Hogan - Supervisor of Elections
Customer Name: Duval County, Florida

Type of Sale: ☑ NEW
Type of Equip: ☑ NEW ☐ REFURBISHED

Bill To.
Duval County, Florida
Mike Hogan - Supervisor of Elections
105 E. Monroe Street
Jacksonville, FL 32202

Ship To:
Duval County, Florida
Mike Hogan - Supervisor of Elections
1 Imeson Park Blvd. - Bldg 100
Jacksonville, FL 32218

	Item	Description	Qty	Price	Total
1	ExpressVote BMD	ExpressVote BMD Terminal with Internal Backup Battery, ADA Keypad, Headphones, Power Supply with AC Cord, and One (1) Standard 4GB Memory Device	225	$3,325.00	$748,125.00
2	ExpressVote BMD	Soft-Sided Carrying Case	225	$175.00	$39,375.00
3	ExpressVote BMD	ExpressVote Printer	225	$725.00	$163,125.00
4	ExpressVote BMD	Equipment Installation	225	$105.00	$23,625.00
5	Services	Project Management Day	1	$1,700.00	$1,700.00
6	Trade-In Allowance	Equipment Being Traded-In by Customer Includes: 280 - AutoMARK	1	($56,000.00)	($56,000.00)
7	Shipping	Shipping & Handling	1	$9,135.00	$9,135.00
				Order Total	$ 929,085.00

Freight Billable: yes ☑ no ☐

Gene Seets
Regional Sales Manager

V.P. of Finance Date

Mike Hogan 9/1/2021
Customer Signature Date

Supervisor of Election
Title

Trade-In Equipment:
ES&S will coordinate and pay for the pickup and transportation of the trade-in equipment from Customer's site on a date to be mutually agreed upon by the parties. ES&S is responsible for preparing, packaging and palletizing the trade-in equipment for shipment