



**Board of County  
Commissioners**

P.O. Box 1366  
477 Houston Street  
Green Cove Springs, FL  
32043

Area Code: 904  
Phone: 284-6352  
269-6352  
Fax: 278-4731

**County Manager**  
Howard Wanamaker

**Commissioners:**  
Mike Cella  
District 1

Wayne Bolla  
District 2

Jim Renninger  
District 3

Betsy Condon  
District 4

Kristen Burke, DC  
District 5

**Switchboard:**  
GCS (904) 284-6300  
KH (352) 473-3711  
KL (904) 533-2111  
OP/MBG (904) 269-6300  
[www.claycountygov.com](http://www.claycountygov.com)



May 25, 2021

Maria Matthews, Esq.  
Division of Elections, Director  
Florida Department of State  
500 S. Bronough Street  
Tallahassee, Florida 32399

Dear Ms. Matthews:

The Clay County Board of County Commissioners on May 25, 2021 considered the purchase by Clay County from Election Systems and Software, LLC ("ES&S") certain voting equipment described in the proposal, attached hereto as **Exhibit A**, as a single source purchase.

The existing voting tabulation system utilized by the County's Supervisor of Elections is provided by ES&S, which is one of only two vendors with certified voting systems in the State of Florida. The ES&S voting tabulation system is comprised of hardware and software components manufactured exclusively by ES&S for certification as a State of Florida election tabulation system. To allow for the continued use of the ES&S DS200 precinct tabulation system, Ballot on Demand printers, electionware, and the election management software, upgrades are needed to the existing equipment and software manufactured exclusively by ES&S. Additionally, to meet the needs of the current and future growth of voters in the County, the County wishes to purchase additional DS200 Precinct Scanners and DS 200 Wireless Modems for the Supervisor of Elections. The purchase of this equipment via a single source is the most economical solution as it will allow the County to avoid having to purchase a new voter tabulation system from a separate vendor at an increased cost.

In accordance with Section 101.293(1)(b), Florida Statutes, the Clay County Board of County Commissioners, by a majority vote, has determined ES&S to be the single source from which the necessary voting equipment may be obtained, justifying an exception to the competitive sealed bidding and competitive sealed proposal requirements of Section 101.293, Florida Statutes and Rule 1S-2.004, Florida Administrative Code.

The notification and information provided herein is provided in compliance with the requirements of Sections 101.293(1) and 101.294(2), Florida Statutes, and Rule 1S-2.004, Florida Administrative Code, as to the purchase and sale of voting equipment, and shall constitute the certification required under Section 101.293(1), Florida Statutes.

Please do not hesitate to contact our office should you have any questions.

Sincerely,

Mike Cella, Chairman  
Clay County Board of County Commissioners

Cc: Chris Chambless, Supervisor of Elections



## EXHIBIT A

Maintaining voter confidence. Enhancing the voter experience.

### Clay County, Florida Purchase Proposal Quote Submitted by Election Systems & Software

#### Purchase Solution Includes:

Quantity	Item Description	Price
<b>Tabulation Hardware</b>		
<b>Model DS200 Precinct Scanner:</b>		
32	Model DS200 (Includes Scanner, Internal Backup Battery, Plastic Ballot Box with Steel Door and e-Bin, Paper Roll and One (1) Standard 8GB Memory Device)	\$187,360.00
32	DS200 Wireless Modem-Verizon (Price does not include data transmission fees)	\$9,600.00
<b>Election Services</b>		
X	Equipment Installation	\$3,680.00
X	1 Year Hardware and Software Warranty	Included
<b>Shipping &amp; Other</b>		
X	Shipping and Handling	\$3,680.00
<b>Total Purchase Solution</b>		<b>\$204,320.00</b>
<b>Payment Terms</b>		
Amount due within thirty (30) calendar days of contract execution:		\$102,160.00
Amount due within thirty (30) calendar days of delivery of Hardware and/or Software:		\$102,160.00
<b>Annual Post-Warranty License and Maintenance and Support Fees (Fees are Based Upon a 3-Year Customer Commitment to Subscribe to the Following Services)</b>		
<b>Annual Post-Warranty Hardware Maintenance and Support Fees:</b>		
32	HMA DS200 - Extended Warranty with Annual Maintenance	\$5,920.00
<b>Annual Post-Warranty Firmware License and Maintenance and Support Fees:</b>		
32	Firmware License - DS200	\$2,560.00
<b>Total Annual Post-Warranty License and Maintenance and Support Fees</b>		<b>\$8,480.00</b>

#### Footnotes:

1. This quote is an estimate and is subject to final review and approval by both ES&S and the Customer.
2. Rates valid for 60 days and thereafter may change.
3. Any applicable (City & State) sales taxes have not been included in pricing and are the responsibility of the customer.
4. Subject to state, municipal, jurisdictional, provincial or territory laws to the contrary, the above pricing information is confidential, proprietary and trade secret information of ES&S and is intended only for the use of the individual or entity to which the document is directed to. This information may not be disclosed or reproduced either publicly or to any other individual or entity without the prior written authorization of ES&S.

# CLAY COUNTY, FLORIDA

## Single/Sole Source Request

Vendor: Election Systems and Software, LLC (ES&S)

Goods/Services: Model DS200 Precinct Scanner, Wireless Modem, Installation, Warranty

Estimated annual expenditure for the above goods or service: \$ 204,320.00

Initial all entries below that apply to the proposed purchase. Attach a memorandum containing complete justification and support documentation as directed in initialed entry. (more than one entry may apply).

1. \_\_\_\_\_ SINGLE/SOLE SOURCE REQUEST IS FOR THE ORIGINAL MANUFACTURER OR PROVIDER. (Attach the manufacturer's written certification as to single/sole source.)
2. \_\_\_\_\_ SINGLE/SOLE SOURCE REQUEST IS FOR THE ONLY REGIONAL DISTRIBUTOR OF THE ORIGINAL MANUFACTURER OR PROVIDER. (Attach the manufacturer's — not the distributor's — written certification that identifies all regional distributors.)
3.   X   THE PARTS/EQUIPMENT ARE NOT INTERCHANGEABLE WITH SIMILAR PARTS OF ANOTHER MANUFACTURER. (Attach memorandum describing basis for this request.)
4. \_\_\_\_\_ THIS IS THE ONLY KNOWN ITEM OR SERVICE THAT WILL MEET THE SPECIALIZED NEEDS OF THIS DEPARTMENT OR PERFORM THE INTENDED FUNCTION. (Attach memorandum describing basis for this request.)
5.   X   THE PARTS/EQUIPMENT ARE REQUIRED FROM THIS SOURCE TO PERMIT STANDARDIZATION. (Attach memorandum describing basis for this request.)
6. \_\_\_\_\_ NONE OF THE ABOVE APPLY. A DETAILED EXPLANATION AND JUSTIFICATION FOR THIS SINGLE/SOLE SOURCE REQUEST IS CONTAINED IN ATTACHED MEMORANDUM.

The undersigned requests that the vendor identified as the supplier of the goods or services described herein be authorized and approved as a single/sole source provider.

\_\_\_\_\_  
DEPARTMENT/DIVISION SIGNATURE

\_\_\_\_\_  
Clay County Supervisor of Elections Office  
DEPT./DIV.

\_\_\_\_\_  
COUNTY MANAGER SIGNATURE

\_\_\_\_\_  
DATE

*For any anticipated Single Source or Sole Source purchases in an amount equal to or greater than \$50,000, a Notice of Intent to Single/Sole Source shall be posted on the County's website for at least seven (7) Business Days. If it is determined after reviewing information received from prospective Vendors that the Goods or Services are available only from a Single/Sole Source, a Notice of Intended Decision to Enter a Single/Sole Source Purchase shall be posted and brought before the Finance and Audit Committee for a recommendation to the Board.*

(PURCHASING USE ONLY)     SINGLE/SOLE SOURCE AUTHORIZATION

NOTICE OF INTENT DATE: \_\_\_\_\_

BCC APPROVAL DATE: \_\_\_\_\_