




## MEMORANDUM SOLE SOURCE DECLARATION

TO: Hidalgo County Commissioner's Court

FROM: Ignacio Amezcua MBA, CTCM, CTCD 

DATE: 12/6/2024

RE: Sole Source Declaration for Hart Intercivic, Inc. – Verity Voting Machine System Hardware, Software, Warranties, License support and Maintenance.

---

In 2017 Hidalgo County acquired and purchased the Hart Intercivic, Inc. Verity Touch Voting Machine System. Hart Intercivic, Inc. is the sole developer and seller of the Verity Voting Machine System along with all the accompanying hardware, software licenses support, maintenance renewals and annual warranties. In addition, The Texas 87<sup>th</sup> Legislature's passed SB 598 wherein, Section 129.003 of the Texas Election Code that requires voting systems must "use, create, or display a paper record that may be read by the voter". Therefore, the current Hidalgo County Hart Verity Touch Electronic System, requires retrofitting to the Hart Verity Duo to comply with the law and any update by Hart Intercivic, Inc.

In Accordance with the Texas Local Government Code Chapter 262.024 (a)(7)(A),

(a) A contract for the purchase of any of the following items is exempt from the requirement established by section 262.023 if the commissioners court by order grants the exemption:

(7) Any item that can be obtained from only one source, including:

(A) Items for which competition is precluded because of the existence of patents, copyrights, secret processes, or monopolies.

Therefore, for the reason stated herein, we humbly request that the Hidalgo County Commissioners' Court declare a Sole Source Vendor, for the purpose of procuring the purchase with Hart Intercivic, Inc. This sole source declaration will remain in effect through the life term of the contract, unless otherwise revoked by the Hidalgo County Commissioners Court.



**Hidalgo County Purchasing Department Sole Source Affidavit**

*THIS IS AN OFFICIAL PURCHASING DOCUMENT – RETAIN WITH PURCHASE ORDER*

Before me, the undersigned official, on this day, personally appeared Hollie Osbourn a person known to me to be the person whose signature appears below, whom after being duly sworn upon his/her oath deposed and said:

1. My name is Hollie Osbourn. I am over the age of 18, have never been convicted of a crime, and am competent to make this affidavit.
2. I am an authorized representative of the following company or firm: Hart InterCivic, Inc
3. The above-named company or firm is the sole source for the following item(s), product(s), or service(s):  
Extended Hardware Warranty for Verity Voting Devices
4. Competition in providing the above-named item(s), product(s), service(s) is precluded by the existence of a patent, copyright, secret process, or monopoly as stated under Section 262.024(a)(7)(A), of the Local Government Code. Also, attached hereto is a sole source letter, which sets forth the reasons why this Vendor is a sole source provider (dated and signed).
5. There is/are no other like item(s) or product(s) available for purchase that would serve the same purpose or function.
6. Note: This Vendor understands that by providing false information on this Sole Source Affidavit, it may be considered a non-responsible Vendor on this and future purchases and may result in discontinuations of any/all business with Hidalgo County.

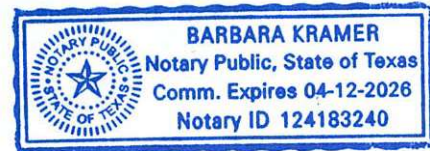
Signature: 

SWORN AND SUBSCRIBED TO under oath before me on 6<sup>th</sup> day of December, 2024

Notary Public  


Printed Name  
Barbara Kramer

My Commission Expires 4-12-2026



Company Name: Hart InterCivic, Inc

Address, City, State & Zip Code: 3800 Quick Hill Road, Building 1, Suite 200, Austin, TX 78728

Phone Number: 512-252-6400 Fax: 512-252-6556

Contact Name and Title: Hollie Osbourn, CFO WEB Address: hartintercivic.com Email: hosbourn@hartic.com

Federal Tax ID Number: 95-3248916 Texas Sales Tax Number: 19532489168



November 14, 2017

Yvonne Ramon  
Hidalgo County  
317 N Closner Blvd.  
Edinburg, TX 78541

Dear Ms. Ramon,

This letter is regarding Hart InterCivic's Verity voting system and its associated software and hardware. Verity and/or its individual components, including hardware, software, and support, may only be purchased or licensed from Hart InterCivic, Inc. The license to use the software may only be issued by Hart. Maintenance for Verity software and hardware is only provided by Hart. Repair of Verity voting systems must be done by Hart InterCivic.

Verity software applications are a proprietary group of products necessary for an authorized Hart customer to accomplish ballot creation, election management, tabulation, and maintenance of the Verity equipment. The software and voting equipment will enable the customer to comply with the Help America Vote Act (HAVA) of 2002. Verity software and equipment is certified by the Texas Secretary of State for use in elections conducted in the State of Texas. Hart InterCivic, Inc. is the only vendor capable of and authorized to provide support for Hart's Verity system and products under the Verity Master Agreement between Hart and a customer.

If you have questions regarding any aspect of these Hart products and their authorized use, please do not hesitate to contact me.

Regards,



Phillip W. Braithwaite  
CEO