



Purchasing Department

07/26/17

Williamson County Commissioners Court

Re: Sole Source recommendation for Clarity Help Desk Support System

Dear County Judge and Commissioners,

Recently our Elections Office made a renewal request for an existing contract with SOE Software Corporation dba Scytl. These actions require new qualification as a **sole source purchase of Clarity Help Desk Support System. These services are supplied only by SOE Software Corporation dba Scytl who is the owner, and the only provider of this service.**

After reviewing all documentation requested and submitted, **I recommend qualifying this request as a sole source purchase and exempting these goods from competitive bidding requirements per Texas Local Government Code sections 262.003 (a) and 262.024 (a) (7),**

The process has included the following:

- Public posting of an RFI in BidSync for 14 days, with zero (0) responses received from another competitor.
- A signed Sole Source Justification Request from Christopher Davis, Elections Administrator
- A signed letter of justification from the supplier, establishing why the product / service is only available from their company
- A notarized Sole Source Affidavit completed by the supplier
- A price quote of requested items/services

The term of this Sole Source exemption will be effective for 36 months from the date of approval.

If you have any questions or concerns, please contact me at any time.

Sincerely,

Randy Barker
Purchasing Agent/Director
Williamson County Purchasing Department

Bid #1707-174 - Intend to deem SOE Software Corp d/b/a/SCYTL for Clarity Help Desk Support

Creation Date Jul 11, 2017

End Date Jul 26, 2017 9:00:00 AM CDT

Start Date Jul 12, 2017 8:52:22 AM CDT

Awarded Date Not Yet Awarded

1707-174-01-01 Please attach any supporting documentation to this line					
Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
			No Bids		
Agency Product Code:		Supplier Notes:			
Agency Notes:					

**All bids/proposals submitted for the designated project are reflected on this tabulation sheet. However, the listing of the bid/proposal on this tabulation sheet shall not be construed as a comment on the responsiveness of such bid/proposal or as any indication that the agency accepts such bid/proposal as being responsive. The agency will make a determination as to the responsiveness of the vendor responses submitted based upon compliance with all applicable laws, purchasing guidelines and project documents, including but not limited to the project specifications and contract documents. The agency will notify the successful vendor upon award of the contract and, as according to the law, all bid/proposal responses received may be available for inspection at that time.

From: [Kay Eastes](#)
To: [Dianne West](#)
Subject: FW: SOE Software Corporation dba Scytl
Date: Tuesday, July 11, 2017 2:25:21 PM

From: Jay Schade
Sent: Tuesday, July 11, 2017 2:20 PM
To: Kay Eastes <keastes@wilco.org>
Subject: Re: SOE Software Corporation dba Scytl

Kay,

Since this is an existing product that you all have been using for several years now, we are fine with you continuing to use it, and contracting for an additional term.

Jay Schade, CGCIO
Sr Director of Technology Services
Williamson County, Texas
(512) 943-1460
jay.schade@wilco.org
www.wilco.org

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From: Kay Eastes
Sent: Tuesday, July 11, 2017 1:41 PM
To: Jay Schade
Subject: SOE Software Corporation dba Scytl

Jay,

Good afternoon,

We are in the process of getting a revised agreement with Scytl, formerly known as SOE Corporation, for a 3-year term approved by Commissioners Court. As part of that, we are also going through the sole source process with Purchasing. (This vendor was approved by CC as a sole source in March 2014.)



Christopher Davis
ELECTIONS ADMINISTRATOR

March 27, 2017
Sydney Richardson
Contract Specialist
Williamson County Purchasing Department
901 S. Austin Ave.
Georgetown, TX 78626

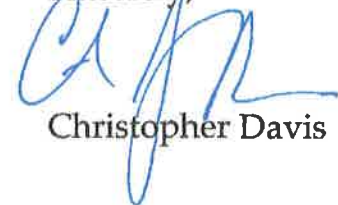
RE: Letter of Recommendation for Clarity Help Desk Support and Asset Tracking System
Annual Maintenance from Scytl

Sydney,

As directed by your department, please consider this letter as my formal recommendation that Williamson County begin the sole source purchasing process for the Clarity Help Desk Support and Asset tracking System Annual Maintenance services from Scytl.

If I can provide you or your department with any more information, please don't hesitate to contact me.

Sincerely,



Christopher Davis

WILLIAMSON COUNTY
301 S.E. Inner Loop, Suite 104
Georgetown, Texas 78626
Phone 512.943.1630
Fax 512.943.1634
[Email cidavis@wilco.org](mailto:cidavis@wilco.org)



Sole Source Justification Request

This request is for a:

Sole Source Item (goods or services are available from ONLY this supplier due to a unique capability, patent, copyright, secret process, or capability to meet the requirements of the solicitation)

This Sole Source justification requires additional documentation and requirements as listed below. **One of these steps may require placing a public notice in BidSync for 14 days, in order to allow any possible competitors to come forward with equivalent goods or services.** This step will be completed by the Purchasing Team that supports your office or county department after all required documents have been submitted. In addition, all sole source justifications must be approved in Commissioners Court.

Required Documentation that must accompany this request before this purchase can be considered (any missing documentation will result in delays). *Check all included documents:*

- ☒ This request form completed and signed
- ☒ A written quote from the supplier, listing the goods, services and pricing
- ☒ Letter of justification from the supplier (on company letterhead and signed by an authorized representative) establishing why they are the only Sole Source provider of the service or item
- ☒ Notarized Sole source affidavit completed by the supplier
- ☒ Signed letter of recommendation from the Elected Official or County Department Head

Requestor Name and County Office / Department: Christopher Davis / Elections Administration

Requestor Title: Elections Administrator Requestor Phone Number: 512-943-1630

Requested Sole Source Supplier:

Company Name: Scytl

Contact Name: Marc Fratello

Address 5426 Bay Center Dr., Ste 525

City: Tampa State: FL Zip Code: 33609

Phone Number: 813-490-7150 Email Address: marc.fratello@scytl.com

Website: www.scytl.com

Is the recommended supplier the manufacturer? ☒ Yes ☐ No

Does the manufacturer sell the item(s) through distributors? ☐ Yes ☒ No

Description of the Product or Service: (if additional space is needed, include a separate page) *Describe the full scope of work, including installation if required, items should include brand, model and part number if applicable.*

The Scytl election day HELP DESK Support allows election officials have access to real-time information, such as knowing when and where supplies are low and which polling locations are experiencing difficulties. Scytl Election Help Desk includes a customizable reporting utility that can run on-demand or scheduled to run periodically. A visual dashboard provides election officials with an instant overview of their help desk's service fulfillment, reducing individual reporting needs. In addition, post-election audits can be streamlined thanks to the information collected throughout the election. Scytl Asset Tracking tracking tool locates and supervises every piece of equipment used in the election process and provides extensive audit capabilities and chain-of-custody vision. This election asset management tool leverages many leading technologies, while still retaining a familiar barcode scanning functionality easing the learning curve for new users. Accessible from anywhere with an Internet connection,

Schedule: *Identify the date items are needed to be delivered, or month work is to be performed. Please be specific and do not use "ASAP".*

April 1, 2017

Estimated Cost: \$20,500.00/year for three years.

SOLE SOURCE RATIONALE

Complete the following checklist:

The requested supplier is the only source of required item(s) or service(s) because:

Check all that apply:

- ☒ The required item or service is proprietary to the supplier
- ☐ The recommended supplier holds the patent on the requested item(s)
- ☐ The recommended supplier is the only supplier capable of performing the requested service
- ☒ A specific item is needed
- ☐ To be compatible or interchangeable with existing hardware
- ☐ As a spare or replacement hardware
- ☐ For the repair or modification of existing hardware
- ☐ For technical evaluation or testing
- ☐ Have there been any prior attempts to obtain competitive bids or proposals for the items or services that failed?

If so, please list and describe such attempts:

- ☐ There is a substantial risk in selecting another product or service provider.

If so, please describe:

- ☐ It is not possible to obtain competitive bids for consideration.

If so, why:



Williamson County Purchasing Department
901 South Austin Avenue
Georgetown, Texas 78626
(512) 943-3553
www.wilco.org/purchasing
purchase@wilco.org

NOTARIZED SOLE-SOURCE PURCHASE AFFIDAVIT

STATE OF TEXAS
COUNTY OF WILLIAMSON

KNOW ALL MEN BY THESE PRESENTS THAT:

Before me, the undersigned authority duly authorized to take acknowledgments and administer oaths, on this day personally appeared Marc Fratello, who after being duly sworn on oath stated the following:

My name is Marc Fratello. My title is General Manager Scytl U.S..
I am aware that the Williamson County Purchasing Department is required to comply with competitive bidding requirements of Chapter 262 of the Texas Local Government Code. I am aware that the statutory competitive bidding provisions do not apply to the purchase of an item that can be obtained from only one source. See, Texas Local Government Code section 262.003.

Sole-source items include:

Items for which competition is precluded because of the existence of patents, copyrights, secret processes, or monopolies, films, manuscripts, or books, electric power, gas, water, and other utility services, and captive replacement parts or components for equipment.

I have represented to the Purchasing Department of Williamson County and I hereby warrant that as of the date below, I am the sole-source supplier of the following item: Clarity Help Desk Support.
I am the sole-source supplier of this item because: Scytl is the only Election Software Supplier that offers the Clarity Help Desk Support. I agree that if I ever cease being the sole-source supplier of this item, I shall immediately make a full disclosure in writing to the Williamson County Purchasing Department of all relevant facts and circumstances.

IN WITNESS WHEREOF, the undersigned has executed this Affidavit on the 13th day of March, 2017.

[Signature]
[Signature]

MARC FRATELLO General Manager
[Printed Name] [Title]

SWORN TO AND SUBSCRIBED before me on March 13, 2017, by
Holly M. Elliott
[Printed Name]



Holly M. Elliott
Commission # FF931579
Expires: October 28, 2019
Bonded thru Aaron Notary

[Signature] Notary Public
State of Florida
My Commission expires on October 28, 2019



Innovating Democracy

5426 Bay Center Drive, Suite 525
Tampa, Florida 33609 USA

TEL 813 490 7350

FAX 813 490 7145

www.scytI.com

Chris Davis

Election Administrator

Williamson County Elections Department

301 SE Inner Loop Ste. 104

Georgetown, TX 78626

March 13, 2017

Dear Mr. Davis,

This letter is being provided in support of the invoice for the Annual Assurance of the Clarity Help Desk Support product provided by SOE Software Corporation (doing business as ScytI) to Williamson County.

Williamson County has been using ScytI's Election Help Desk Support solution since 2014. ScytI Help Desk Support allows election officials have access to real-time information, such as knowing when and where supplies are low and which polling locations are experiencing difficulties. SOE Software is the ONLY provider of the Clarity Help Desk Support product, therefore we are the sole source provider of this technology as it cannot be licensed, purchased, or leased from any other company or provider. SOE Software is the only company that can maintain this software and therefore is the sole source provider of these services.

Please contact myself or Wendy Williams, Director of Client Services, if you require any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Marc Fratello', written over a horizontal line.

Marc Fratello

General Manager

ScytI

marc.fratello@scytI.com

www.scytI.com