



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

## Sole Source Justification Request

### Definition of a Sole Source Purchase

Sole Source Item – goods and/or services which can only be obtained from ONLY ONE source, including:

- 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,
- Captive replacement parts or components for equipment which there is no commercially available substitute, and which can be obtained only from the manufacturer and/or manufacturer's distributor; item where compatibility is the overriding consideration, such as computer operating software enhancements for an existing system, continuation of an existing contract when work is so closely related to that of the uncompleted basic contract that it would not be feasible to consider another potential contractor.

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 needed.
- ☐ Notarized Sole Source affidavit completed by the supplier
- ☐ Signed letter of recommendation from the Elected Official or County Department Head. Must provide a detailed written explanation as to why competitively bidding the product or service would be impracticable and that the cost charged by the supplier is reasonable and customary.

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

Requestor Title and Phone Number: \_\_\_\_\_  
(512) \_\_\_\_\_

**Requested Single Sole Source Supplier:**

**Company Name:** \_\_\_\_\_

**Contact Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City, State, Zip:** \_\_\_\_\_, \_\_\_\_\_ \_\_\_\_\_

**Phone Number:** (    ) \_\_\_\_\_

**Email:** \_\_\_\_\_

**Website:** \_\_\_\_\_

**Is the recommended supplier the manufacturer? Yes? No? YES**

**Does the manufacturer sell the item(s) through distributors? Yes? No? NO**

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

[illegible]

**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".* \_\_\_\_\_

**Estimated Cost: \$**

# 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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ **Are there any other companies who can provide the services or needed items?** If so, please list and provide explanation of why they were unable to meet the requirements: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ List any other sources, suppliers, products or service providers that you reviewed in your selection process: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ List all research methods that you reviewed in your selection process (i.e.: specific internet searches, trade publications, references, etc.): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## ACKNOWLEDGEMENT

- ☐ I affirm and acknowledge Williamson County's requirements, justification and criteria for Sole Source purchases. I have gathered the required technical information, provided all required documentation, have made a concerted effort to review comparable / equal equipment or services to the best of my ability, and further affirm that there is no conflict of interest in my recommendation of the selected item(s), service(s) or supplier.
- ☐ I also acknowledge and understand that I may be subject to criminal prosecution for the willful falsification of information in this document. I, by the act of signing or typing my name below, hereby certify under penalty of perjury, under the laws of the State of Texas, the foregoing is true and correct.

Date: \_\_\_\_\_, 20\_\_

Signature\*: \_\_\_\_\_

*\* By typing your name, this is equivalent to a legal signature*

**NOTE: After a passage of time, an item or service may no longer qualify as a sole source purchase due to other similar items or services becoming available from other suppliers. Thus, all prior sole source determinations must be reapproved by the Williamson County Purchasing Department following completion of a new Sole Source Justification Request Process and satisfactory completion of such process must be noted on requisitions and purchase orders. The sole source term is generally aligned with the contract term. In certain cases, the Purchasing Agent may determine that the 14-day public posting in BidSync is not necessary. This depends on the circumstance of the particular item/service and the type of sole source.**



# QUOTE

- INVOICE -

Jennifer Favreau  
Williamson County  
P.O. Box 209  
Georgetown, TX 78627

Invoice # 12946  
October 1, 2019

Subject: VEMACS Support - 10/01/2019 - 09/30/2020

Item	Quantity	Description	Unit Price	Extended
1	10	Oracle license for VEMACS Support	\$100.00	\$1,000.00
2	1	Base VEMACS support fee	\$1,200.00	\$1,200.00
3	292,343	VEMACS per voter fee per schedule - 2017		\$65,181.16
4	1	Per Voter Surcharge at 8 percent of VEMACS per voter schedule fee	\$5,214.49	\$5,214.49
		<b>Total</b>		<b>\$72,595.65</b>

Due and payable upon invoice.

Thank you.

## New Address

10920 VIA FRONTERA, SUITE 110 • SAN DIEGO CA 92127 • 800.348.6832 • FAX: 858.674.6050



# QUOTE

- INVOICE -

Jennifer Favreau  
Williamson County  
P.O. Box 209  
Georgetown, TX 78627

Invoice # 12945  
October 1, 2019

Subject: BallotBoard License - 10/01/2019 - 09/30/2020

Item	Quantity	Description	Unit Price	Extended
1	1	Ballot Board License - Base Fee	\$20,000.00	\$20,000.00
2	292,343	Ballot Board License - Per Voter Fee	\$0.01	\$2,923.43
		<b>Total</b>		<b>\$22,923.43</b>

Due and payable upon invoice.

Thank you.

## New Address

10920 VIA FRONTERA, SUITE 110 • SAN DIEGO CA 92127 • 800.348.6832 • FAX: 858.674.6050



# QUOTE

- INVOICE -

Jennifer Favreau  
Williamson County  
P.O. Box 209  
Georgetown, TX 78627

Invoice # 12947  
October 1, 2019

Subject: VoteSafe Support - 10/01/2019 - 09/30/2020

Item	Quantity	Description	Unit Price	Extended
1	160	Field System Software Support	\$180.00	\$28,800.00
		<b>Total</b>		<b>\$28,800.00</b>

Due and payable upon invoice.

Thank you.

## New Address

10920 VIA FRONTERA, SUITE 110 • SAN DIEGO CA 92127 • 800.348.6832 • FAX: 858.674.6050



**VOTEC Corporation**

## **VOTEC System Warranty, Maintenance and Support Fees – 2017**

### ***Oracle Annual Support Fees***

These fees are charged to offset our support fees to Oracle Corporation. These fees are applicable starting with your first use of VEMACS as your production voter registration system. If additional licenses are purchased, the first year's Oracle support fees will be due along with the license fees for the new licenses.

Per named user per year	\$100	\$1,000 minimum (10 user minimum)
Unlimited user, single processor	\$5,000	

### ***VEMACS™ Annual Support Fees***

Fees for VEMACS warranty, maintenance, and support are based on a per customer fee plus a fee based on the number of active voters in the most recent November election preceding the first day of the contract year.

The per customer fee is \$1,200.

Voter Bracket	New	Cum
1 - 20,000	\$0.60	12,000
20,001 - 30,000	\$0.53	17,300
30,001 - 40,000	\$0.46	21,900
40,001 - 50,000	\$0.38	25,700
50,001 - 70,000	\$0.31	31,900
70,001 - 100,000	\$0.24	39,100
100,001 - 200,000	\$0.15	54,100
200,001 - 400,000	\$0.12	78,100
400,001 - 800,000	\$0.09	114,100
800,001 +	\$0.075	

The fees are cumulative. For example: the charge for a county of 25,602 active voters is:

12,000 (cumulative through 20,000 voters) + 5,602 X .53  
= \$12,000 + \$2,969.06 = \$14,969.06 (plus per customer \$1,200 + Oracle Fees)

### ***VoteSafe™ Software Annual Support Fees***

Support is charged annually at a rate of 20% of the original license price. Oracle fees will be additional unless Oracle has been licensed for VEMACS.

### ***Special Order Time and Materials***

Special order technical services are offered at \$210.00 per hour.

Fees are subject to change for service years starting after December 31, 2017.





**VOTEC Corporation**

June 19, 2019

Williamson County Elections  
301 S.E. Inner Loop, Suite 104  
Georgetown TX 78626

To whom it may concern:

VOTEC Corporation of San Diego, California is the originator and the sole owner of the VEMACS voter registration and election management software system used by Williamson County.

VOTEC is the originator and the sole owner of VoteSafe electronic pollbook software that integrates with VEMACS.

VOTEC makes these products available only directly to end user customers who are counties, cities, or states.

VOTEC has no distributors, agents nor any other individuals or entities with any authority to sell or service VEMACS.

VOTEC is the sole source for updates, upgrades and maintenance of the VEMACS software system.

VOTEC is the sole source for add-on software for the VEMACS software system. VOTEC's BallotBoard software is a VEMACS add-on available to Williamson County.

VOTEC is the only source for processing NCOA (National Change of Address) data into the VEMACS database in bulk.

VOTEC Corporation is the author and sole provider for all of these products, modules and maintenance.

Please contact me if further information is required.  
Sincerely,

A handwritten signature in black ink, appearing to read "Randy Propp".

Randy Propp  
Director of Operations, VOTEC Corporation



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## 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 RANDAL PROPP, who after being duly sworn on oath stated the following:

My name is RANDAL PROPP. My title is DIRECTOR OF OPERATIONS. 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: VENACS, BALLOT BOARD AND EARLY VOTING. I am the sole-source supplier of this item because: AUTHOR. 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 20<sup>th</sup> day of JUNE, 2019.

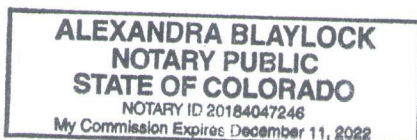
Randal Propp  
[Signature]

RANDAL PROPP DIRECTOR OF OPERATIONS  
[Printed Name] [Title]

SWORN TO AND SUBSCRIBED before me on June 20<sup>th</sup>, 2019, by Randal Propp.  
[Printed Name]

Alexandra Blaylock  
[Signature] Notary Public

State of Colorado  
My Commission expires on 12/11/2022





Christopher Davis  
ELECTIONS ADMINISTRATOR

June 10, 2019

Randy Barker  
Purchasing Agent  
Williamson County Purchasing  
901 S Austin Avenue  
Georgetown, TX 78626

Re: Letter of Recommendation – Sole Source Justification  
VOTEC Corporation

Mr. Barker,

Please consider this letter as my formal recommendation that Williamson County begin the sole source purchasing process for the VOTEC Election Management and Compliance System (VEMACS) including the Ballot Board Signature Verification Module and the VoteSafe electronic poll book software and maintenance.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'CJ Davis', followed by a small flourish.

Christopher J. Davis  
Elections Administrator  
Williamson County Elections

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

# Recorded statement of opening offers

SOLICITATION NAME: **SS VOTEC**

DATE & LOCATION OF OPENING: **Sep 2 2019 1:00 PM  
Georgetown**

LINKED LOTS: **—**

COMPANY NAME: **Williamson County**

ADDRESS: **100 Wilco Way, Suite P101  
TX 78626, Georgetown, US**

CONTACT PERSON: **Erica Smith**

JOB TITLE CONTACT PERSON:

SHORT DESCRIPTION: Williamson County, Texas intends to award a sole-source contract with VOTEC for the following item(s): **Ballot Board, VEMACS, and Votesafe along with the Maintenance and support of these licensed products and support of Oracle products used by VOTEC.**

**THIS IS NOT A REQUEST FOR COMPETITIVE PROPOSALS AND A SOLICITATION WILL NOT BE ISSUED.**

Interested parties must show clear and compelling evidence of competitive equivalency in order for alternative goods or services to be considered. Williamson County will review any information collected through this RFI to determine if offers of any equivalent goods or services meet the needs of the County. If it is concluded that additional suppliers of equivalent goods or services do exist, then a formal solicitation may follow.

If no affirmative responses are received by **2:00 P.M.** on September, **2nd** showing clear and compelling evidence of competitive equivalency to the items described herein, an award will be made without further notice. Oral communications are not acceptable in response to this notice.

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**PARTICIPATION:**

Interested Suppliers can view the full details of the Solicitation by clicking the **'PARTICIPATE'** button below.

Selecting the participate button does not obligate you to submit a response to this Solicitation but is necessary in order to view the details of this Solicitation.

**\*\*! I DON'T SEE A PARTICIPATE BUTTON \*\*!**

You must be on the <https://platform-us.negometrix.com> website in order to access Williamson County's Solicitation information.

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**SUPPORT**

Should you need assistance in using the software please contact the Negometrix Service Desk at:

Telephone: (724) 888-5294

Email: [servicedesk.us@negometrix.com](mailto:servicedesk.us@negometrix.com)

Or view the Negometrix 'Supplier Guide' located on the Help page.

**Technical Assistance (Mon - Fri: 8 am to 5 pm)**

SUPPLIERS

NAME SUPPLIER	ADDRESS
No offers submitted	

Signature:

\_\_\_\_\_

Erica Smith

Location:

\_\_\_\_\_

Date:

\_\_\_\_\_





Purchasing Department

9/04/19

Williamson County Commissioners Court

Re: Sole Source recommendation for VOTEC Corporation

Dear County Judge and Commissioners,

Recently our Elections Department made a request for a renewal contract with VOTEC Corporation for a modular election management platform used to manage voter registration. These items are currently in use and the Elections Department requests renewal of the sole source designation for **VOTEC Election Management and Compliance System (VEMACS)**. In addition, the Elections Department has purchased the **Ballot Board Signature Verification module** and seeks to renew their licensing for the **VoteSafe** product. **These services, support and maintenance are supplied only by VOTEC Corporation 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 their product / service is only available from their company
- A notarized Sole Source Affidavit completed by the supplier
- A price quote of requested items/services and amendment

**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

WILLIAMSON COUNTY  
512.943.1555 Fax 512.943.1632  
[randy.barker@wilco.org](mailto:randy.barker@wilco.org) [www.wilco.org](http://www.wilco.org)  
100 Wilco Way, Ste. P101  
Georgetown, Texas 78626