



**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

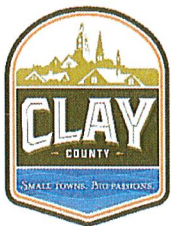
Alexandra Compere
District 2

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



October 10, 2023

Maria Matthews, Director
Division of Elections
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, FL 32399-0250

Dear Ms. Matthews:

Please be advised that during its Board meeting on October 10, 2023, the Board of County Commissioners of Clay County, Florida (the County), approved the single/sole source purchase by the County from Elections Systems & Software, Inc. (ES&S), of certain voting equipment and software described in the Sales Order Agreement attached hereto as Exhibit A (the ES&S Voting Equipment/Software). The ES&S Voting Equipment/Software comprises elements of the voting system manufactured and sold exclusively by ES&S that is subject to the Division's pending voting system certification when completed.

The existing voting system utilized by the County's Supervisor of Elections is manufactured and sold by ES&S. The new system will comprise of one hundred and twelve (112) DS300 optical scan voting machines, two DS950 high speed absentee ballot tabulators, one (1) DS850 high speed absentee ballot tabulators, and sixty-five (65) of the ES&S Expressvote Universal Voting System ensuring the County's compliance with ADA voter accessibility requirements which form the backbone of the County's voting system. The entire system is operated and integrated through the ES&S ElectionWare software, which is compatible with the ES&S Voting Equipment/Software.

The ES&S DS200 Ver 1. has reached its end of life, thus, the ES&S DS300 is to be acquired as its replacement. Purchasing the ES&S Voting Equipment and ElectionWare Software will accomplish the most cost-effective and economical solution for maintaining and upgrading the County's voting system because it will permit the continued use of the existing DS850 equipment and will avoid the substantial investment of time and money that would be necessary to acquire new tabulation software and provide any necessary training.

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/software 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.

This notification and the information provided herein are given to comply 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.

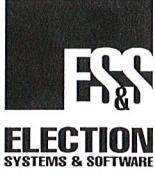
Please do not hesitate to contact our office should you have any questions.

Sincerely,

Betsy Condon, Chairman
Clay County Board of County Commissioners

Enclosure (1)
Cc: Hon. Chris H. Chambless, Supervisor of Elections (w/encl.)

EXHIBIT A



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

Sales Order Agreement

1st Election Date: To be Agreed Upon by the Parties

Estimated Delivery Date: November 2024

Customer Contact, Title: Chris Chambless - Supervisor of Elections

Phone Number: 904-284-6350

Customer Name: Clay County, Florida

Fax Number: 904-529-1191

Type of Sale: NEW
 Type of Equip: NEW REFURBISHED

Bill To:
Clay County, Florida
Chris Chambless - Supervisor of Elections
P.O. Box 337
Green Cove Springs, FL 32043

Ship To:
Clay County, Florida
Chris Chambless - Supervisor of Elections
500 N. Orange Avenue
Green Cove Springs, FL 32043

	<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>	<u>Total</u>
1	DS300	DS300 Poll Place Scanner and Tabulator: Model DS300 Scanner with Internal Backup Battery, Paper Roll, and One (1) Standard 4GB Memory Device	112	\$5,995.00	\$671,440.00
2	DS300	Ballot Box with Power Supply and AC Cord	112	\$955.00	\$106,960.00
3	DS950	Model DS950 High-Speed Scanner and Tabulator: Model DS950 Scanner with Steel Table, Start-up Kit, Dust Cover, Reports Printer, Battery Backup, USB Cable, and Two (2) Standard 8GB Memory Devices	2	\$133,100.00	\$266,200.00
4	DS300	Equipment Installation	112	\$125.00	\$14,000.00
5	DS950	Equipment Installation	2	\$1,650.00	\$3,300.00
6	Services	Project Management Day	1	\$1,975.00	\$1,975.00
7	Trade-In Allowance	Equipment Being Traded-In by Customer Includes: 102 - Model DS200 Scanner 102 - Model DS200 Ballot Box 1 - Model DS850 Scanner	1	(\$140,000.00)	(\$140,000.00)
8	Shipping	Shipping & Handling	1	\$19,100.00	\$19,100.00
Order Total					\$ 942,975.00

Freight Billable: yes no

 Gene Seets
 Regional Sales Manager

 Customer Signature Date

 V.P. of Finance Date

 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.

Payment Terms

\$471,487.50 of Order Total due Forty-Five (45) Calendar Days after the later of (a) Equipment Delivery, or (b) Receipt of Corresponding ES&S Invoice.

\$471,487.50 due upon Completion of Acceptance Testing.

Invoices are due net 45 from receipt of invoice.

Note 1: Any applicable state and local taxes are not included, and are the responsibility of the Customer.

Warranty Period (Years):

One (1) Year From Equipment Delivery

SEE GENERAL TERMS