



JUSTIFICATION AND APPROVAL FOR ALLOWING AWARD OF CONTRACT WITHOUT COMPETITION

(Section A must be completed by the User Department and then submitted to the Department of Purchasing & Contract Compliance)

SECTION A

Department: Fulton County Department of Voter Registration & Elections

Department Contact: Dwight Brower

Description of Supplies/Services: Batteries for Express Poll Devices and the Direct Recording Electronic (DRE) voting machines.

Demonstration of Contractor's Unique Qualifications: The State of Georgia made the transition to a uniform voting system in 2002. Fulton County received federal funds (HAVA - Help America Vote Act) for 1,975 DRE (Direct Recording Electronic) voting units and ancillary end item components for this voting system. Diebold Corporation was the proprietary owner and manufacturer of this voting equipment in 2002. Diebold later sold manufacturing and proprietary ownership to Elections Systems & Software (ES&S). Fulton County purchased an additional 1,000 DREs increasing our inventory to 2,975 DRE units. Subsequent purchases we made because more modern, updated devices became available. We have 3,834 items in our inventory now, including Express Polls for checking in voters. All of those units require batteries for continuity of operations in the event of a power outage. Currently, the batteries for the express poll devices are custom manufactured for use in Express Poll products by ES&S with no other company in the market having the right to produce these products or having ownership of any of the intellectual property rights associated with these products. We respectfully request the use of a single vendor for the provider of all batteries associated with Fulton County's Direct Recording Electronic (DRE) voting machines and express poll (electronic poll book) devices.

(Section B must be completed by the Department of Purchasing & Contract Compliance)

SECTION B

MARKET SURVEY

Results of Market Survey

Date Public Notice posted on website: May 13, 2016

Date Public Notice closed: May 18, 2016

REVIEW OF OFFER(S)

Were any offers received (Y/N):

Number of offers received:

Respondents:

Date Offers submitted to User Department for review:

User Department review and recommendation:

Purchasing Agent review and recommendation:

CERTIFICATION

Having conducted a good faith review of source availability regarding the materials, goods and or services stipulated herein, subsequent to consultation with the County Manager and the recommendation of the User Department, it has been determined that there is only one source available for the required work, labor or service to be done or the supplies, materials, or equipment to be furnished, per the Fulton County Code of Ordinances §102-384, Award without competition.

I, Felicia Strong-Whitaker, Purchasing Director, certify that the facts and representations under my cognizance which are included in this justification and its supporting documentation which form the basis for this justification are complete and accurate.

Felicia Strong-Whitaker
Purchasing Director

Date

I, Richard Anderson, County Manager, certify that the facts and representations under my cognizance which are included in this justification and its supporting documentation which form the basis for this justification are complete and accurate.

Richard Anderson
County Manager

Date