

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: February 18, 2025

SUBJECT: Sole Source of Election Equipment

PRESENTER: Summer P Heatherly, Director of Elections

ATTACHMENTS: Vendor Proposal
N.C.G.S. 143-129 (e)(6)

SUMMARY OF REQUEST:

The Board is requested to approve the attached proposal and authorize staff to proceed with the procurement of (5) ES&S DS200 Voting Tabulators via the sole source exceptions as allowed under N.C.G.S 163-165.8. As a sole source contract with State and County government, approval of this agreement by the Board of Commissioners is required.

The sole proposal was received from ES&S for a total pre-tax price of \$38,125. ES&S equipment is the only system currently owned and authorized to be utilized for County elections. As a result, the purchase of this equipment will ensure maintenance conformity, equipment interoperability, and standardized training and use by the public.

The funding for this purchase was approved in the FY2026 budget for capital equipment, in the amount of \$37,305 and contracted services in the amount of \$1,775.

BOARD ACTION REQUESTED:

The Board is requested to accept the sole proposal from ES&S and authorize Henderson County staff to proceed with the purchase of (5) ES&S DS200 Voting Tabulators in the amount of \$38,125 pretax using the sole source exceptions as allowed under N.C.G.S 163-165.8.

Suggested Motion:

I move the Henderson County Board of Commissioners to accept the sole proposal from ES&S and authorize Henderson County staff to proceed with the purchase of (5) ES&S DS200 Voting Tabulators in the amount of \$38,125 pretax using the sole source exception as allowed under N.C.G.S 163-165.8.

Henderson County, NC
Purchase Proposal Quote

Submitted by Election Systems & Software

Quote Date: 2/5/2026

Quote Valid Through: 3/7/2026

Purchase Solution Includes:

Quantity	Item Description	Unit Price	Extended Price
Tabulation Hardware			
DS200 Poll Place Scanner and Tabulator:			
5	DS200 (Includes Internal Backup Battery, Plastic Ballot Box with Removable Carrying Case, Paper Roll and One (1) 4GB Thumb Drive)	\$6,820.00	\$34,100.00
Services			
X	Tabulation Equipment Installation	\$2,250.00	
X	1 Year Hardware and Software Warranty	Included	
X	Estimated Shipping and Handling	\$1,900.00	
X	Customer Loyalty Discount	(\$1,900.00)	
Total Purchase Solution			<u>\$36,350.00</u>
Purchase Payment Terms			
Amount due within thirty (30) calendar days of contract execution:			\$36,350.00

Annual Post-Warranty License and Maintenance and Support Fees
(Fees are Based Upon a 1-Year Customer Commitment to Subscribe to the Following Services)
Annual Post-Warranty Hardware Maintenance and Support Fees:

5	HMA DS200 - Extended Warranty with Annual Maintenance	\$250.00	\$1,250.00
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Annual Post-Warranty Firmware License and Maintenance and Support Fees:

5	Firmware License - DS200	\$105.00	\$525.00
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Total Annual Post-Warranty License and Maintenance and Support Fees
\$1,775.00
Footnotes:

1. This quote is an estimate and is subject to final review and approval by both ES&S and the Customer.
2. Any applicable (City & State) sales taxes have not been included in pricing and are the responsibility of the customer.
3. Subject to state, municipal, jurisdictional, provincial or territory laws to the contrary, the above pricing information is confidential, proprietary and trade secret information of ES&S and is intended only for the use of the individual or entity to which the document is directed to. This information may not be disclosed or reproduced either publicly or to any other individual or entity without the prior written authorization of ES&S.
4. The quantity of service days reflects a reasonable estimate for implementation and selected ongoing election services. Quantities may change depending on specific Customer needs.
5. Annual Software License, Maintenance and Support Services for the Electionware Software quoted above will be invoiced upon expiration of Customer's current Software License Maintenance and Support Services Agreement.

(6) Purchases of apparatus, supplies, materials, or equipment when: (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration. Notwithstanding any other provision of this section, the governing board of a political subdivision of the State shall approve the purchases listed in the preceding sentence prior to the award of the contract.

In the case of purchases by hospitals, in addition to the other exceptions in this subsection, the provisions of this Article shall not apply when: (i) a particular medical item or prosthetic appliance is needed; (ii) a particular product is ordered by an attending physician for his patients; (iii) additional products are needed to complete an ongoing job or task; (iv) products are purchased for "over-the-counter" resale; (v) a particular product is needed or desired for experimental, developmental, or research work; or (vi) equipment is already installed, connected, and in service under a lease or other agreement and the governing body of the hospital determines that the equipment should be purchased. The governing body of a hospital shall keep a record of all purchases made pursuant to this subdivision. These records are subject to public inspection.