

**DETERMINATION AND FINDINGS
FOR A
SOLE SOURCE CONTRACT**

AGENCY: The District of Columbia Board of Elections (BOEE)
CONTRACT NO: TBD
CAPTION: Voter Registration and Election Management Software and Maintenance
CONTRACTOR: Election Management Consulting Services (EMCS)

FINDINGS

1. AUTHORIZATION:

D.C. Official Code §2-354.04, 27 DCMR 1304, 1700, and 1701

2. MINIMUM NEED:

The District of Columbia Office of Contracting and Procurement, on behalf of The District of Columbia Board of Elections (BOEE) is in need of renewing election management software and support maintenance for the Board's Voter Registration Integrity System. Election Management Consulting Services (EMCS) is the originator of the source code for the current software and have been maintaining and enhancing it for the last eight years. EMCS is the only entity that has access to the source code and familiarity with the database structures of the integrity system.

The goal of the project is to continue to be in compliance with the National Voter Registration Act (NVRA) and the Help America Vote Act (HAVA), as well as help to minimize errors in the voter registration lists.

The period of performance is from the time of award through September 30, 2016.

3. ESTIMATED REASONABLE PRICE:

The estimated fair and reasonable price for the contract is \$146,000.00.

4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:

- A. Election Management Consulting Services (EMCS) is the originator of the source code for the current software and have been maintaining and enhancing it for the last eight years. EMCS is the only entity that has access to the source code and familiarity with the database structures of the integrity system.
- B. Public Notice of OCP's intent to award a sole source contract was posted to our website for 10 calendar days pursuant to the requirements of OCP Policy 3000. The new posting was submitted to OCP's website on July 7, 2016.
- C. Market research was conducted and Election Management Consulting Services (EMCS) was determined to be the only vendor capable of performing the integration services necessary to create a central repository for the body camera and interview room digital information. The Voter Registration Software offered by EMCS is existing software with BOEE under Contract no. DCPO-2011-C-0020.

5. CERTIFICATION BY AGENCY DIRECTOR:

I hereby certify that the above findings are true, correct and complete to the best of my knowledge and belief.

Date

Terri Strowl
Acting Executive Director
DC Board of Elections

6. CERTIFICATION BY CONTRACTING OFFICER:

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract was published in accordance with Section 404(c) of the District of Columbia Procurement Practices Reform Act (PPRA) of 2010 (D.C. Official Code §2-354.04) and that no response was received. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

Jeffrey A. Tisdale
Contracting Officer

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under Section 303, 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the Sole Source method of procurement.

Date

Sheila Mobley
Deputy Director