



Memorandum

To: Sailaja Kurella, Acting Director
From: John Arntz, Director
Date: August 4, 2021
RE: Sole-Source Waiver Request Pursuant to Administrative Code Section 21.30(b), Contract Extension for Election Management System with DFM Associates

This memorandum documents the sole-source nature to extend the agreement with DFM Associates (Contract ID# 1000003564) to provide an election management system software (EMS) license, support and maintenance for 10 years, and increase the NTE by \$1,191,000 (for a total of \$3,892,253.9). A sole-source waiver was approved by OCA on May 25, 2011.

1. Explain why this is the only product or service that will meet the City's needs.

DFM's election management system software offers the best combination of functionality, reliability, quality, and support available and is certified by the Secretary of State for use in California. DFM's election management system, EIMS, is used by 42 of 58 California counties and is the primary election management system that operates with the Secretary of State's statewide voter registration database known as VoteCal, which connects and syncs all counties' registration records in real time.

The San Francisco Department of Elections implemented EIMS in 2011. During these 10 years, the City has expended multi-millions of dollars to obtain, implement, and continuously train City employees on the functionality of the software which has now been used successfully in 14 elections. Further, the Department's IT team, in collaboration with the Department's business process owners, has extended the functionality of DFM's EIMS with many in-house developed applications and digital services for internal and public use.

The cost to the City to uninstall the EIMS software, and then reinstall, develop and test processes, develop training materials, and retrain City employees on new EMS software would be cost prohibitive and extremely time consuming. Additionally, the Department would need to refactor, and, in many cases, rewrite in-house developed applications and digital services currently dependent on EIMS. The City would incur great cost should the Department move from the current EMS and voters would experience reduced services for multiple election cycles while the Department recreates public-facing tools. Continuing with with DFM's EIMS software product allows the City to continue providing some of the best-in-state services to San Francisco voters.

2. Why is this the only vendor or contractor that can provide the services or products?

DFM does not offer Enterprise License Agreements for its EIMS Software through resellers. The only way to obtain the full suite of DFM Software products and an Enterprise License Agreement is directly from DFM.

3. What steps were taken to verify that the goods or services are not available from another source?

Department of Elections Staff researched and confirmed with DFM that Enterprise License Agreements and the EIMS Software Suite are not available through resellers.

4. Explain what efforts were made to obtain the best possible price.

The Department of Elections received a pricing rate from DFM that is standard for counties with similar registered voter counts.

5. Why do you feel the price to be fair and reasonable?

The Department of Elections believes this price is fair and reasonable because it is the standard ELA pricing rate offered to other counties with similar registered voter counts.

6. How was this vendor chosen?

DFM has provided Enterprise Licensing for EIMS Software to the Department of Elections since 2011. Prior to 2011 the Department used another vendor's EMS and the software and services proved unsatisfactory. DFM's EMS provided more benefits to the Department's mission including features associated with redistricting that were occurring in 2011, and will again in 2022.

7. How long has the vendor been providing goods or services for your department?

DFM has provided its EIMS software to the Department of Elections since 2011.