



DATE: 4/11/24

TO: Robert Gleason, Director, Purchasing Division

THRU: Domenic DiLullo, Chief Information Officer

FROM: Keith A. Wolf, Information Systems Administrator

PROJECT TITLE: DocuSign Signature and Workflow Processing

REQUISITION NO. TBD

SOURCE/BRAND NAME: DocuSign, Inc.

## SOLE SOURCE/SOLE BRAND/ONLY ONE REASONABLE SOURCE REQUEST

- SOLE SOURCE                       SOLE BRAND                       ONLY ONE REASONABLE SOURCE

I. REQUEST: Provide a description of the features of the product/service or Scope of Work.

DocuSign provides a secure, Cloud based service for electronic signature processing. DocuSign as an established business process throughout Agencies provides a custom portal for Broward. This site allows the Enterprise Technology Services Division to apply proper safeguards and policy statements surrounding the use of DocuSign. Agencies use DocuSign to process forms with external entities capturing legally binding signatures for contracts, Telehealth, and County service agreements. This subscription offers the highest levels of security certified for use under HIPAA, PCI, SOC 1 Type 2, SOC 2 Type 2 and SAFE-BioPharma. With the use of DocuSign, agencies have created specific business processes in support of e-government eliminating paper forms, walk-in customer requirements, and template batch processing for large event participation.

II. JUSTIFICATION: Please check all boxes that describe your reason(s) for determining that only one source or brand is reasonably available.

### Sole Source/Uniqueness

- Proprietary Item - this vendor/source has the only rights to provide this service or commodity. A letter from the manufacturer or authorizing entity is included in this request.
- Technology Improvements - updates or upgrades to an existing system, software, software as a service (SaaS), hardware purchases.
- Engineering Direction - engineering drawing or specification identifies product; "no substitutes or equivalents will be acceptable."
- Only qualified supplier - reliability and maintainability of the product or service would be degraded unless specified supplier is used; may void warranty. This request includes a copy of the current warranty information.

Other/or Additional information - the County requires this sole source purchase for the following reasons.

**Business Case (Only One Reasonable-Source<sup>1</sup> or Only One Reasonable Brand)**

- Operational Compatibility - replacement parts from alternate suppliers are not interchangeable with original part and causes equipment incompatibility. Previous findings and/or documentation is included with this request.
- Ease of Maintenance - maintenance or retooling prohibits competition. Section III, Comparative Market Research includes estimated costs associated with changing current source and/or brand.
- Follow-On - potential for continued development or enhancement with same supplier and eliminates costs incurred by using different supplier. Section III, Comparative Market Research includes estimated costs for replacing current or existing system.
- Complies with existing community and safety standards, and/or laws, rules, and regulations.
- Other/or additional information - using this only one reasonable source, only one reasonable brand purchase benefits the County for the following reasons:

Highly integrated into Agency processes, DocuSign provides a wide array of application use to the lines of business. DocuSign remains the only solution that offers native mobile apps for all major platforms: IOS, Android, and Windows operating systems to ensure the easiest and fastest sending and signing experience. Use of DocuSign by external customers requires no special training or expense to conduct the execution of agreements with the County. Adobe E-Sign as a direct competitor has been tested by ETS and the Water and Wastewater services Division who both chose the unique functionality of DocuSign as the product brand serving the best interest of the County.

III. COMPARATIVE MARKET RESEARCH: Provide a detailed source or market analysis for justification of sole source/brand or most reasonable source (attach extra sheets as needed).

Estimated project value: \$1,050,000 Contract length (if applicable): Five-Years

Has this commodity or service been previously provided to the County?  Yes  No

If yes, provide the following and attach any supporting documentation (e.g., previous approved memoranda):

Vendor name and date Carahsoft Technology Method of Procurement Sole Brand/Source

What is the current contract (Procurement Catalog) or purchase order number? TEC2121258G1\_1

Expenditures to date: FY20-FY24 \$552,421

Will this procurement utilize any local/state/federal grant funding?  Yes  No

If yes, attach any supporting documentation (e.g., grant agreement).

If this is a sole brand, is there an "authorized" dealers/resellers list?  Yes  No

If yes, provide the manufacturer's "authorized" dealers/resellers list.

<sup>1</sup> Commonly known as Most Reasonable Source

Cost/Benefit Analysis: What would the cost be to utilize an alternate vendor or source? This explanation should include the savings and/or additional costs to the County by not using the preferred vendor or source. Attach additional sheets if needed.

As a heavily customized and versatile product, DocuSign provide e-signature capability significantly reducing the need for citizens to visit a County location. The highly secure portal of the County provides full transactional tracking of a document, robust workflow practices saving an estimated \$36 per agreement /consent by reducing hard costs and employee productivity. Seamless integration with disparate applications allows for improved overall benefits to public service building upon existing systems with enhances signature process. Replacement of DocuSign with a competitor product is expected to degrade functionality and becomes a long-term design and build phase to accomplish a replacement system. The costs associated with procurement, development, and a retraining of county staff amounts to increases in

CERTIFICATION: I have thoroughly researched the sole source, sole brand, only one reasonable source, or only one reasonable brand justification and fully understand the implications of Section 838.22 of the Florida Statutes:

(2) "It is unlawful for a public servant or a public contractor who has contracted with a governmental entity to assist in a competitive procurement to knowingly and intentionally obtain a benefit for any person or to cause unlawful harm to another by circumventing a competitive solicitation process required by law or rule through the use of a sole-source contract for commodities or services".

(5) "Any person who violates this section commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084".

Keith A. Wolf



Digitally signed by KEITH WOLF  
Date: 2024.04.12 15:30:57 -04'00'

4/12/24

REQUESTOR/EVALUATOR (PRINT)	REQUESTOR/EVALUATOR (SIGN)	DATE
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Domenic S. DiLullo, Jr.

Domenic DiLullo

Digitally signed by Domenic DiLullo  
Date: 2024.04.12 15:36:48 -04'00'

4/12/24

DEPT/DIV DIRECTOR OR  
DESIGNEE (PRINT)

DEPT/DIV DIRECTOR OR DESIGNEE  
(SIGN)

DATE

**PURCHASING DIVISION USE ONLY**

The Purchasing Agent has reviewed the request and has completed the required due diligence per the Procurement Code Section(s) 21.25 and 21.26. The Purchasing Agent recommends the following:

- |                                                     |                                                |                                                                        |                                 |
|-----------------------------------------------------|------------------------------------------------|------------------------------------------------------------------------|---------------------------------|
| <input type="checkbox"/> Sole Source                | <input checked="" type="checkbox"/> Sole Brand | <input type="checkbox"/> Only One Reasonable Source/Brand <sup>2</sup> | <input type="checkbox"/> Reject |
| <input type="checkbox"/> Authorization to Negotiate | <input type="checkbox"/> Standardization       | <input type="checkbox"/> Board Award                                   |                                 |

**Attachments**

- |                                                             |                                                          |
|-------------------------------------------------------------|----------------------------------------------------------|
| <input checked="" type="checkbox"/> Request for Information | <input type="checkbox"/> Previous Approved Documentation |
| <input type="checkbox"/> Vendor Letter                      |                                                          |

<sup>2</sup> As per Florida Statute 287.057(3)(c), FLL projects valued ≥\$325,000 require 15 business day posting of intended sole source designation

Additional Information (e.g., Number, opening date, # of responses, Agency reviewed yes/no):

Purchasing Agent recommends approval of Sole Brand Designation for the Procurement of DocuSign Software Services. This software is used through Broward County to certify electronic signature, workflow approval processing, and various DocuSign offerings to enhance the functionality for County Agencies. DocuSign provides a secure, Cloud based service for electronic signature processing. DocuSign as an established business process throughout Agencies provides a custom portal for Broward County. This site allows the Enterprise Technology Services Division to apply proper safeguards and policy statements surrounding the use of DocuSign. Agencies use DocuSign to process forms with external entities capturing legally binding signatures for contracts, Telehealth, and County service agreements. This subscription offers the highest levels of security certified for use under HIPAA, PCI, SOC 1 Type 2, SOC 2 Type 2 and SAFE-BioPharma. With the use of DocuSign, agencies have created specific business processes in support of e-government eliminating paper forms, walk-in customer requirements, and template batch processing for large event participation. DocuSign remains the only solution that offers native mobile apps for all major platforms: IOS, Android, and Windows operating systems to ensure the easiest and fastest sending and signing experience. Use of DocuSign by external customers requires no special training or expense to conduct the execution of agreements with the County. A Request for Information (RFI) was posted on 04/24/2024 to determine if there were other solutions in the market able to provide the requested services and products. The RFI closed on 05/01/2024 with one Vendor posting a response, advising that they are authorized resellers of DocuSign Software Services.

Purchasing Agent Signature:

Reviewer Title: Purchasing Manager

**Jose Solis**  
Digitally signed by Jose Solis  
Date: 2024.05.10 15:36:29 -04'00'

Reviewer Signature: **LEAHANN LICATA**  
Digitally signed by LEAHANN LICATA  
Date: 2024.05.10 15:38:03 -04'00'

**APPROVAL AUTHORITY**

APPROVED       DISAPPROVED

REASON/SUGGESTED ACTION (IF DISAPPROVED):

Title: Director of Purchasing

Signature: **Constance Mangan**  
Asst. Director, on behalf of  
Digitally signed by Constance Mangan, Asst. Director, on behalf of  
Date: 2024.05.15 11:08:03 -04'00'

## **Solicitation TEC2128484F1**

### **Sole Brand Designation Notice - DocuSign Software Services**

**Bid Designation: Public**



**Broward County Board of County Commissioners**

## Bid TEC2128484F1

### Sole Brand Designation Notice - DocuSign Software Services

Bid Number **TEC2128484F1**  
Bid Title **Sole Brand Designation Notice - DocuSign Software Services**

Bid Start Date **Apr 24, 2024 3:03:08 PM EDT**  
Bid End Date **May 1, 2024 2:00:00 PM EDT**  
Question &  
Answer End Date **Apr 29, 2024 2:00:00 PM EDT**

Bid Contact **Jose Solis**  
**Purchasing Agent**  
**Purchasing Division**  
**954-357-6394**  
**JSolis@broward.org**

Bid Contact **Leahann Licata**  
**954-357-6082**  
**llicata@broward.org**

Bid Contact **Vanessa Siedenburg**  
**Purchasing Agent**  
**Purchasing**  
**954-357-6963**  
**VSiedenburg@broward.org**

Contract Duration **Not Applicable**  
Contract Renewal **Not Applicable**  
Prices Good for **Not Applicable**

Bid Comments

#### **NOTICE OF INTENT TO DESIGNATE SOLE SOURCE OR SOLE BRAND**

The Division of Purchasing is publishing this notice pursuant to the Broward County Procurement Code section, 21.26, Sole Brand. The Purchasing Division intends to award a contract without competition if it is determined to be in the best interest of the County

#### **DETERMINATION OF OTHER INTERESTED VENDORS**

The intent of this notice is to determine if there are any other interested and qualified vendors that meet the specifications of this notice. Any such vendor must submit the following information:

1. The name of the interested party; and
2. A detailed explanation consisting of any or all documentation showing that there are other competing sources for the identified goods or services herein.

Regardless of any prior communications with the Division of Purchasing, all vendors interested in responding to

**this notice must submit a response to this posting containing complete responses to all of the information requested above.**

**Any questions regarding this notice may be obtained through the Division of Purchasing during this publication period. No action is required if you agree with this notice.**

**If after the public notice period, the Division of Purchasing determines that there are other interested and qualified vendors that meet the specifications of this notice, the Division of Purchasing will not award a contract pursuant to this notice.**

**If after the public notice no valid submission have been received, Broward County, or designee, may award a contract to the identified vendor without competition.**

**Please read the entire form very carefully before responding to this notice.**

**THIS REQUEST FOR INFORMATION (RFI) IS INTENDED TO ASCERTAIN WHETHER THE COMMODITY OR SERVICE SPECIFIED BELOW IS CURRENTLY ONLY AVAILABLE FROM AN ONLY ONE SOURCE, ONLY REASONABLE SOURCE OR SOLE BRAND.**

**THIS IS NOT A REQUEST FOR PRICING OR A COMMITMENT TO PURCHASE.**

**THE DIRECTOR OF PURCHASING SHALL CONSIDER SUCH SUBMITTALS AND NOTIFY ALL SUBMITTING VENDORS OF THE DECISION WHETHER TO DESIGNATE A SOLE SOURCE, ONLY REASONABLE SOURCE OR SOLE BRAND, WHICH DECISION SHALL NOT BE SUBJECT TO OBJECTION, PROTEST OR APPEAL UNDER THE BROWARD COUNT PROCUREMENT CODE.**

Broward County is seeking to procure DocuSign Software Services from DocuSign , Inc., for certified electronic signature, workflow approval processing, and various DocuSign offerings to enhance the functionality for County Agencies. DocuSign provides a secure, Cloud based service for electronic signature processing. DocuSign as an established business process throughout Agencies provides a custom portal for Broward County. This site allows the Enterprise Technology Services Division to apply proper safeguards and policy statements surrounding the use of DocuSign. Agencies use DocuSign to process forms with external entities capturing legally binding signatures for contracts, Telehealth, and County service agreements. This subscription offers the highest levels of security certified for use under HIPAA, PCI, SOC 1 Type 2, SOC 2 Type 2 and SAFE-BioPharma. With the use of DocuSign, agencies have created specific business processes in support of e-government eliminating paper forms, walk-in customer requirements, and template batch processing for large event participation. DocuSign remains the only solution that offers native mobile apps for all major platforms: IOS, Android, and Windows operating systems to ensure the easiest and fastest sending and signing experience. Use of DocuSign by external customers requires no special training or expense to conduct the execution of agreements with the County.

**Item Response Form**

Item **TEC2128484F1--01-01 - Sole Brand Designation - DocuSign Software Services**

Quantity **1 each**

Prices are not requested for this item.

Confirm you are trained & authorized DocuSign Software provider - Yes/No

Confirm Itmes 1-2 questions above are attached

Delivery Location **Broward County Board of County Commissioners**

IT0023  
ETS - GCW  
GOVT CENTER WEST  
ONE UNIVERSITY DRIVE SUITE 300B  
PLANTATION FL 33324-2038

**Qty 1**

**Description**

DocuSign services from DocuSign, Inc. for certified electronic signature, workflow approval processing, and various DocuSign offerings to enhance the functionality for County Agencies.



## Broward County Scope of Services

### A. Scope:

This solicitation is to establish a contract to obtain DocuSign services from DocuSign, Inc. for certified electronic signature, workflow approval processing, and various DocuSign offerings to enhance the functionality for County Agencies.

The solicitation seeks the features available under the "Advanced Solutions" plan offered by DocuSign. The vendor will provide pre-sales support to assist with the identification of services for enhancing forms processing, contractual document workflow, and integration of DocuSign services into the business process of agencies by use of DocuSign services.

#### Process for Purchases:

1. County will request from the awarded vendor a quotation, specifying the services and quantities of transactional signature containers, commonly referred to as "Envelopes".
2. Vendor shall provide a responsive price, no later than five (5) calendar days, indicating current MSRP; the provided discount percentage, and sale prices (which must be no less than percent discount offered for this contract).
3. Upon review and approval of the quote, County will issue a Purchase Order.

### B. Price:

Pricing shall be a percentage discount off the then-current open market pricing at the time of the quotation, verifiable through the DocuSign publicly available U.S. Manufacturer's Suggested Retail Price list.

Vendor shall provide pricing in the form of a Minimum Percentage Discount Off Manufacturer's Suggested Retail Price (MSRP) for each group. Minimum Percentage Discounts utilize the nearest whole number (e.g., 70%).

Vendor price quotations shall be at least the quoted Minimum Percentage Discount Off MSRP for the duration of the awarded contract's term. If DocuSign offers any temporary special pricing or incentives during the contract period whether temporary or permanent, Vendor shall make the special pricing or incentives available to the County under the contract terms.

Vendor may increase the Minimum Percentage Discount Off MSRP or lower the MSRP, resulting in a lower cost to the County, during the contract term. Vendor may not decrease the Minimum Percentage Discount Off MSRP.

During the contract term, the County may request additional discounts (beyond the awarded contract discount percentage) from the vendor for any single order or combined orders comprising a single quotation exceeding a dollar value of \$150,000. If the vendor cannot offer additional discounts for large, single quotations, the County, at its sole discretion, may choose to issue a separate solicitation for large requests.

### C. Specifications and Requirements:

This is a solicitation for DocuSign specifications only. No substitutions allowed. Any items delivered shall be the same product as per quotation and County issued purchase order.

**D. Vendor Responsibilities:**

1. Letter of Authorization from Original Equipment Manufacturer: Vendor must be an Authorized Reseller for DocuSign Software Subscription Services and associated product additions. As DocuSign's authorized Vendor, Vendor shall include with its response a written, dated statement on DocuSign letterhead and signed by an individual authorized to bind DocuSign, that states that Vendor is an Authorized Reseller of the Original Software Manufacturer's product line as it relates to the solicitation's scope, and remains authorized throughout the contract. If not provided with submittal, the Vendor must submit within three (3) business days of County's request. Failure to fully comply within stated timeframes may classify the Vendor as nonresponsive.
2. The Vendor submitting the offer bears the sole responsibility to deliver in a timely manner and deliver ordered quantities to fulfill the contract requirements.
3. Vendor Capacity/Delivery: Vendor must possess the ability to directly interface with the manufacturer for registry of all software subscriptions and support plans. Vendor may not utilize a business-to-business alternative reseller to fulfill orders.
4. The vendor must maintain staff authorized to perform pre-sales consultation services on product purchases for all DocuSign product offerings.
5. Warranty, Support, and Maintenance: The vendor shall provide the County Pre-Sales support and consultation on product selection by either telephone, website, or chat, to receive and respond to County inquiries. Support required from Vendor includes the following:
  - a. Account Representative. The vendor shall provide, during the term of the Agreement, a representative (Key Personnel) who will be able and authorized to quote, recommend, and resolve all account-related issues.
  - b. Account Engineer. The vendor shall make available a pre-sales account Engineer (Key Personnel) to assist County Agencies with identifying DocuSign branded solutions and consult on existing production software enhancements and quantities required for the Agency solution.
  - c. Dedicated Website. The Vendor shall provide a web-based portal for County Agencies to request quotes, order status, and invoice retrieval. This site shall provide a means to display software specifications, SKU or Part numbers, and generation of quotes.
  - d. Emergency Procurement. Vendor shall provide emergency contact information for preparing high-priority orders of equipment herein requested under the terms and specifications of this contract. During times of declared State of Emergency enacted by Federal, State or County government for the local geographic area serving this contract, Vendor shall make staffing available as required for order processing and provide an elevated priority for order creation and shipping per specifications. County requires

the Vendor to process such orders under disaster and post recovery situations, where County established procurement processes may revert to manual operations/manual purchase orders.

- e. Delivery: All order confirmations as indicated by Purchase Order as per the related quotation, shall process within twenty-one (21) calendar days after receipt of Purchase Order. "Delivered complete as ordered" refers to all items as quoted and processed as an order. Complete delivery requires DocuSign product registration on the Manufacturers customer web portal as indicated on the Purchase Order.
- f. If circumstances beyond the control of the Vendor result in a late delivery, it is the responsibility and obligation of the Vendor to notify the contact listed on the purchase order, in writing, immediately upon determining delay of shipment. The written notification shall indicate the anticipated delivery dated.

**E. Vendor Evaluations:**

Broward County performs periodic vendor evaluations for all procurement contracts. As part of this evaluation, Agencies provide input, including but not limited to:

1. Device Delivery Time: Vendor shall process County purchase orders and deliver ordered items in a timely manner. Device Delivery Time is the number of calendar days between Vendor's receipt of a valid request for the DocuSign products and the delivery date for the requested software subscriptions and licensing.
2. Evaluation of vendor order accuracy: (i.e. software delivered matches purchase order, accurate order confirmation on manufacturers web portal, etc.) and correct invoices (i.e. invoice matches the purchase order, including quantity, price, etc. Vendor shall invoice per County purchase order, and not by individual components.

## Question and Answers for Bid #TEC2128484F1 - Sole Brand Designation Notice - DocuSign Software Services

### Overall Bid Questions

There are no questions associated with this bid.

Question Deadline: Apr 29, 2024 2:00:00 PM EDT

**Bid Tabulation Packet  
for  
Solicitation TEC2128484F1**

**Sole Brand Designation Notice - DocuSign Software  
Services**

**Bid Designation: Public**



**Broward County Board of County Commissioners**

### Bid #TEC2128484F1 - Sole Brand Designation Notice - DocuSign Software Services

Creation Date **Apr 23, 2024**


End Date **May 1, 2024 2:00:00 PM EDT**

Start Date **Apr 24, 2024 3:03:08 PM EDT**

Awarded Date **Not Yet Awarded**

TEC2128484F1--01-01 Sole Brand Designation - DocuSign Software Services					
Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
AlxTel, Inc.	First Offer -	1 / each		Y	
<b>Product Code:</b> <b>Agency Notes:</b>			<b>Supplier Product Code:</b> <b>Supplier Notes: Confirm you are trained &amp; authorized DocuSign Software provider - Yes/No: Yes</b> <b>Confirm Itmes 1-2 questions above are attached: Authoroized DocuSign Reseller</b>		

#### Supplier Totals

<b>f AlxTel, Inc.</b>	<b>\$0.00</b>
Bid Contact <b>Alaa Negeda</b> <b>negeda@alxtel.com</b> <b>Ph 240-293-4629</b>	Address <b>8403 Colesville Road Suite 1100</b> <b>Silver Spring, MD 20910</b>
<b>Agency Notes:</b>	<b>Supplier Notes:</b> Head Atatch: 

\*\*

## AlxTel, In

Bid Con **Alaa Negeda**  
**negeda@alxtel.com**  
**Ph 240-293-4629**

Address **8403 Colesville Road Suite 1100**  
**Silver Spring, MD 20910**

Item #	Line Item	Notes	Unit Price	Qty/Unit	Total Price	Attach	Docs
TEC2128484F1--01-01	Sole Brand Designation - DocuSign Software Services	<b>Supplier Product Code:</b> <b>Confirm you are trained &amp; authorized DocuSig Software provider - Yes/No:</b> Yes <b>Confirm Items 1-2 questions above are attached:</b> Authorized DocuSign Reseller	First Offer -	1/each			Y

Supplier Total **\$0.00**