

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DONNA CURLING, *et al.*

Plaintiffs,

v.

BRAD RAFFENSPERGER, *et al.*,

Defendants.

CIVIL ACTION

FILE NO. 1:17-cv-2989-AT

**STATE DEFENDANTS' SUPPLEMENTAL NOTICE REGARDING NEW
ELECTION SYSTEM VENDOR CONTRACT**

State Defendants submit this supplemental notice to provide the Court with additional information regarding Solicitation No. 47800-SOS0000037 - Statewide Voting System (the "Solicitation"), by which the State intends to purchase a new voting system that creates a voter-verifiable paper ballot using ballot-marking devices ("BMDs") as provided in 2019-2020 Georgia House Bill 316. This new system will replace the entirety of the existing DRE system, including the GEMS servers, DREs, and ExpressPoll units.

As the Court is aware, a Notice of Intent to Award ("NOIA") for the Solicitation was issued on July 29, 2019 naming Dominion Voting Systems, Inc. as the successful offeror. Under Section 6.2.2.1 of the Georgia Procurement Manual ("GPM"), a final Notice of Award ("NOA") may not be issued until 10 days have

passed from the publication of the NOIA. This period has now expired, and no protest was received by the State. Accordingly, the Secretary of State's Office and Dominion will not be burdened by a protest during implementation of the BMDs and HB316. A true and correct copy of the NOA issued today, August 9, 2019, is attached hereto as Exhibit A.

In addition, the Secretary of State has certified that the Dominion Voting System procured pursuant to the Solicitation meets all applicable provisions of the Georgia Election Code and the Rules of the Secretary of State. A true and correct copy of Certification of the Dominion Voting System for Georgia issued today, August 9, 2019, is attached hereto as Exhibit B.

Respectfully submitted this 9th day of August, 2019.

/s/ Vincent R. Russo
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Counsel for State Defendants

CERTIFICATE OF COMPLIANCE

Pursuant to L.R. 7.1(D), the undersigned hereby certifies that the foregoing **STATE DEFENDANTS' SUPPLEMENTAL NOTICE REGARDING NEW ELECTION SYSTEM VENDOR CONTRACT** has been prepared in Times New Roman, 14 pt., a font and type selection approved by the Court in L.R. 5.1(B).

/s/ Vincent R. Russo
Vincent R. Russo
Georgia Bar No. 242628

CERTIFICATE OF SERVICE

I hereby certify that I filed the foregoing **STATE DEFENDANTS' SUPPLEMENTAL NOTICE REGARDING NEW ELECTION SYSTEM VENDOR CONTRACT** with the Clerk of Court using the CM/ECF system, which will automatically send counsel of record e-mail notification of such filing:

This 9th day of August, 2019.

/s/ Vincent R. Russo
Vincent R. Russo



NOTICE OF AWARD

Form must be posted to GA Procurement Registry (GPR)

Solicitation Title/Event Name: Statewide Voting System

Solicitation No/Event ID: 47800-SOS0000037

Solicitation Close/Event End Date: April 23, 2019

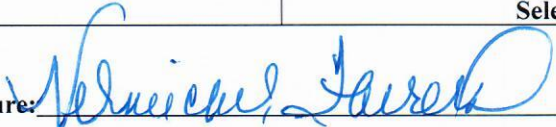
Notice of Award Posting Date: August 9, 2019

Issuing Officer: Verneicher Favors

Issuing Officer Contact Information: vfavors@sos.ga.gov

The State has awarded a contract to the successful offeror(s). Although the State will provide the reason(s) an offeror was not successful in accordance with Georgia law, please note that the reasons listed below beside the names of the unsuccessful offeror(s) should not be interpreted as an exhaustive list. NOTE: In the event any of the following is applicable, then all identified award amounts (if any) are estimates only: (1) this is an open agency contract and/or (2) the state entity has identified primary/secondary awardees. Please reference the Georgia Procurement Manual for the supplier protest process updated May 18, 2018: <http://doas.ga.gov/state-purchasing/law-administrative-rules-and-policies>

SUCCESSFUL OFFEROR(S)	AWARD AMOUNT
Dominion Voting Systems, Inc	Fixed Contract Amount \$106,842,590.80
	Select One
	Select One
	Select One
UNSUCCESSFUL OFFEROR(S)	REASONS
Election Systems & Software	Not Highest Scoring Proposal (for RFP only)
Smartmatic USA Corporation	Not Highest Scoring Proposal (for RFP only)
	Select One
	Select One
	Select One
	Select One
	Select One
	Select One
	Select One
	Select One
	Select One
	Select One
	Select One

Authorized Signature: 

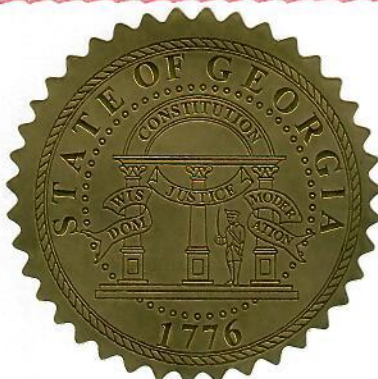


OFFICE OF SECRETARY OF STATE

I, Brad Raffensperger, Secretary of State of the State of Georgia, do hereby certify that

the Dominion Voting System (EAC Certification Number DVS-DemSuite5.5-A), consisting of the Democracy Suite 5.5-A Election Management System Version 5.5.12.1, EMS Adjudication Version 5.5.8.1, ImageCast X Prime (ICX BMD) Ballot Marking Device Version 5.5.10.30, ImageCast Precinct (ICP) Precinct Scanning Device Version 5.5.3-0002, and ImageCast Central (ICC) Central Scanning Device Version 5.5.3-0002, manufactured by Dominion Voting Systems, Inc., 1201 18th Street, STE 210, Denver, Colorado 80202, has been thoroughly examined and tested and found to be in compliance with the applicable provisions of the Georgia Election Code and Rules of the Secretary of State, and as a result of this inspection, it is my opinion that this kind of voting system and its components can be safely used by the electors of this state in all primaries and elections as provided in Chapter 2 of Title 21 of the Official Code of Georgia; provided however, that I hereby reserve my opinion to reexamine this voting system and its components at anytime so as to ensure that it continues to be one that can be safely used by the voters of this state.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at the Capitol, in the City of Atlanta, this 9th day of August, in the year of our Lord Two Thousand and Nineteen and of the Independence of the United States of America the Two Hundred and Forty-Fourth



Brad Raffensperger
Brad Raffensperger, Secretary of State