

611

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Registrar of Voters

SUBMITTAL DATE:
October 3, 2011

SUBJECT: Approval of the Sole Source Purchase of Refurbished 400C Optech Ballot Scanners

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the purchase of five (5) refurbished Optech 400C Ballot Scanners from Dominion Voting Systems for a total of \$330,060 without seeking a competitive bid, and;
- 2) Approve and direct the Auditor-Controller to make adjustments to appropriations in the amount of \$330,060 as outlined in Attachment A.

BACKGROUND: On June 28, 2011 the Registrar of Voters presented her 90-day top to bottom review of the Registrar of Voters operation which included a recommendation to purchase four (4) Optech 400C Scanners to expedite the processing of vote by mail ballots and election night vote counting.

(Continued on page 2)

Attachment


Kari Verjil
Registrar of Voters

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 330,060	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 330,060	Budget Adjustment:	Yes
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2011/12

SOURCE OF FUNDS: Fund 31540	RDA Capital Improvements	Positions To Be Deleted Per A-30	<input type="checkbox"/>
		Requires 4/5 Vote	<input checked="" type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

BY: 
Stephanie Persi

FISCAL PROCEDURES APPROVED
 PAUL ANGULO, CPA, AUDITOR-CONTROLLER
 BY: 
 SAMUEL WONG

ATTACHMENTS FILED
 Dep. Clerk of the Board
 Per Exec. Ofc.:

Policy
 Policy
 Consent

BACKGROUND: (continued)

The department's current inventory of six (6) scanners is not comparable to other counties of the same size using the same system. For example, San Bernardino and Santa Clara Counties have an inventory of 14 Optech Ballot Scanners. Additional counting scanners will also provide sufficient back-up in the event of machine failure.

The vendor no longer produces Optech scanners, but has secured five (5) refurbished Optech 400C Ballot Scanners which are available at a reduced cost. Dominion Voting Systems is the sole provider of these scanners, which are also certified for use by the Secretary of State. No other ballot scanners will operate with Riverside County's voting system.

This purchase was authorized in the Final-Adopted Budget for FY 10/11, yet the purchase was not completed and the funds were not expended within that fiscal year. With a secured quote in place from Dominion Voting Systems, the Registrar of Voters is prepared to purchase the refurbished equipment at a significant savings.

Delivery: The equipment will be delivered to the Registrar of Voters no later than February 1, 2012. A Dominion technician will oversee delivery and setup of the equipment to ensure that the equipment is working properly and in accordance with specifications.

License: Registrar of Voters will be granted a non-exclusive, non-transferrable license to use the Dominion Software associated with the equipment. The license allows customer to use and copy the Dominion Software (in object code only) solely for the purposes of defining and conducting elections and tabulating and reporting election results.

Warranty: The equipment will be "as is" without warranty. Registrar of Voters acknowledges the equipment has been fully demonstrated and tested to its satisfaction.

Price Reasonableness: The pricing offered by Dominion Voting Systems for each refurbished unit is 40 percent less than the cost of building new equipment. The unit cost for one refurbished unit is \$60,000.00 compared to \$100,000.00 for a new unit. The price quote has been verified as reasonable by contacting another county that recently purchased refurbished 400C Optech Ballot Scanners.

Space:

The current space will be reorganized during elections to accommodate the additional machines. The machines will then be stored in the warehouse until such time that a permanent solution can be revisited.

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Purchase Refurbished Optech 400C Scanners
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Attachment A

Increase Appropriations:	
31540-1100100000-551000 Operating Transfers Out	\$330,060.00
Anticipated Use of Fund Balance:	
31540-1100100000-321158 Rst for RDA Capital Improvements	\$330,060.00
Increase Estimated Revenue:	
10000-1700100000-790500 Operating Transfers In	\$330,060.00
Increase Appropriations:	
10000-1700100000-546160 Equipment - Other	\$330,060.00



Date: 7/27/2011

To: Kari Verjil
Registrar of Voters
Riverside County, CA

From: Steven Bennett
Regional Sales Manager
Dominion Voting Systems

Subject: Refurbished 400C Optech Scanners

ITEM	QTY	DESCRIPTION	UNIT PRICE	EXTENSION
1	5	<i>Refurbished 400C Optech Scanners</i>	\$60,000.00	\$300,000.00
2	1	<i>Implementation/CA Compliance</i>	\$4,000.00	\$4,000.00
3			\$0.00	\$0.00
			\$0.00	\$0.00
		Total of Equipment and Services		\$304,000.00
		Sales Tax	7.75%	\$23,560.00
		Shipping (Ground)		\$2,500.00
		Total Estimated Investment		<u>\$330,060.00</u>

This quote is valid for 60 days and subject to change for scope and configuration updates.
Equipment will not be delivered without state certification or written permission by applicable state

Date: August 29, 2011

From: Kari Verjil Department/Agency: Registrar of Voters

To: Board of Supervisors/Purchasing Agent

Via: Purchasing Agent

Subject: Sole Source Procurement; Request for Refurbished Optech Ballot Scanners

The below information is provided in support of my Department requesting approval for a sole source. Outside of a duly declared emergency, the time to develop a statement of work or specifications is not in itself justification for sole source.

1. **Supply/Service being requested:** Purchase Five (5) Refurbished Optech 400C High Speed Ballot Scanners
2. **Supplier being requested:** Dominion Voting Systems (Formerly Sequoia Voting Systems)
3. **Alternative suppliers that can or might be able to provide supply/service:** None. The ROV State certified voting system equipment from other sources is not compatible.
4. **Extent of market search conducted:** None. Dominion Voting Systems is the sole manufacturer of voting equipment compatible with Riverside County's voting system. A 2007 competitive bid for the same equipment supports this request for sole source procurement. Additionally, this is a State certified system which cannot be provided by any another source.
5. **Unique features of the supply/service being requested from this supplier, which no alternative supplier can provide:** The County owns and uses a voting system manufactured by Dominion Voting Systems. The voting system requires the use of 400C Optech Scanners to count paper ballots. No other ballot scanners are compatible with this voting system. The 400C Optech Scanners are certified for use by the Secretary of State.
6. **Reasons why my department requires these unique features and what benefit will accrue to the county:** Ballots cast by the County's voters are required to be counted accurately and efficiently. Restrictions placed on voting systems by the state continue to provide a challenging election situation for the Registrar of Voters. The department's inventory of six ballot scanners is not sufficient for counting ballots in a timely manner. The Board of Supervisors is aware additional ballot scanners are recommended to increase the speed of counting vote by mail ballots and polling place ballots on Election Night.

Registrar of Voters

Sole Source Procurement; Request for Refurbished Optech Ballot Scanners

7. **Price Reasonableness:** The unit price of refurbished scanners is 40 percent less than the purchase price of new scanners. The price quote has been verified as reasonable by contacting another county that recently purchased refurbished 400C Optech Scanners.
8. **Does moving forward on this product or service further obligate the county to future similar contractual arrangements or any ongoing costs affiliated with this sole source? (Maintenance, support, or upgrades, if so, please explain).** NO
9. **Period of Performance:** Delivery not later than April 1, 2012

(Provide a defined period of performance. Please note multi-year terms require Board approval, unless renewable in one year increments and the Purchasing Agent approves the terms.)



Department Head Signature 9-20-11
Date

Purchasing Department Comments:

Approve Approve with Condition/s Disapprove



Purchasing Agent 9-22-11
Date

Approval # 12-221



MEMORANDUM

Registrar of Voters Office
Kari Verjil
Registrar of Voters

October 17, 2011

TO: Executive Office
FROM: 
RE: Space Plan for Optec Ballot Scanners

The Registrar of Voters (ROV) is preparing for the 2012 Presidential Election cycle. Approval to purchase five ballot scanners is anticipated to occur shortly. Additional space at the Registrar of Voters current location is necessary for the extra equipment.

The ROV shares office space with the Assessor-County Clerk-Recorder. The Assessor has offered the ROV temporary use of archive space to assist with space issues for the 2012 Presidential Election Cycle. However, the cost to use the archive space is substantial and a lower cost solution has been identified.

ROV space plan for Ballot Scanners:

- Utilize the community room located at the Registrar of Voters current location for five vote scanners.
- The community room provides approximately 3,000 sq. ft. of space and will require minor electrical modifications. Public viewing of the vote counting process will be available.
- The equipment will be moved from the community room to the ROV warehouse after election certification.