

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

803



**FROM:** Registrar of Voters

**SUBMITTAL DATE:**  
February 23, 2016

**SUBJECT:** Approval of the Sole Source Purchase of Refurbished 400C Optech Ballot Scanners. All Districts; [\$228,000]; Department Budget.

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the purchase of four (4) refurbished Optech 400C Ballot Scanners from Dominion Voting Systems for a total of \$228,000 without seeking a competitive bid; and
2. Approve and direct the Auditor-Controller to make adjustments to appropriations in the amount of \$228,000 as outlined in Attachment A.

**BACKGROUND:**

**Summary**

The Registrar of Voters is recommending the purchase of four (4) Optech 400C Scanners to expedite the processing of vote by mail ballots and election night vote counting.

The department's current inventory of 13 scanners is not comparable to other counties using the same system. For example, San Bernardino County has an inventory of 16 Optech Ballot Scanners and Santa Clara County has an inventory of 18 Optech Ballot Scanners. Both counties have less registered voters than Riverside County. Additional counting scanners will also provide sufficient back-up in the event of machine failure.

*Rebecca Spencer*  
Rebecca Spencer  
Registrar of Voters

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 228,000	\$ 0	\$ 228,000	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$	\$	\$	\$	

<b>SOURCE OF FUNDS:</b> Department Budget	<b>Budget Adjustment:</b> Yes
	<b>For Fiscal Year:</b> 2015/16

**C.E.O. RECOMMENDATION:**

APPROVE  
*Imelda Delos Santos*  
BY: \_\_\_\_\_  
Imelda Delos Santos

**County Executive Office Signature**

**MINUTES OF THE BOARD OF SUPERVISORS**

FISCAL PROCEDURES APPROVED  
PAUL ANGULO, CPA, AUDITOR-CONTROLLER  
BY: *[Signature]* 2/24/16  
Susana Garcia-Bocanegra

Departmental Concurrence

Purchasing & Fleet Services: *[Signature]*  
Teresa Summers, Assistant Director

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.: \_\_\_\_\_ District: All Agenda Number: \_\_\_\_\_

3-12

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**  
**FORM 11: Approval of the Sole Source Purchase of Refurbished 400C Optech Ballot Scanners. All Districts;**  
[\$228,000]; Department Budget.  
**DATE: February 23, 2016**  
**PAGE: 2 of 2**

**BACKGROUND:**

**Summary (continued)**

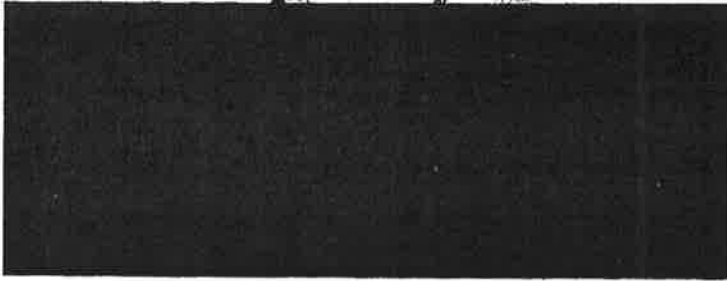
The vendor no longer produces Optech scanners, but has secured four (4) refurbished Optech 400C Ballot Scanners which are available at a reduced cost. Dominion Voting System is the sole provider of these scanners, which are also certified for use by the California Secretary of State. No other ballot scanners will operate with Riverside County's voting system.

**Impact on Citizens and Businesses**

The purchase of four (4) Optech 400C Scanners will expedite the processing of vote by mail ballots and election night vote counting.

**ATTACHMENT A. BUDGET ADJUSTMENT**

Decrease Appropriation:	
10000-1700100000-527380 Elections	\$228,000
Increase Appropriation:	
10000-1700100000-546160 Equipment - Other	\$228,000



PURCHASING AND FLEET SERVICES  
 LISA BRANDL  
 DIRECTOR  
 PURCHASING  
 SUPPLY  
 CENTRAL MAIL  
 PRINTING  
 FLEET

Date: February 18, 2016

From: Rebecca Spencer Department/Agency: Registrar of Voters  
 (Director or designee)

To: Board of Supervisors/Purchasing Agent

Via: Purchasing Agent

Subject: Sole Source Procurement; Request for Refurbished Optech 400C 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. **Supplier being requested:** DOMINION VOTING SYSTEMS
2. **Supply/Service being requested:** Purchase Four (4) Refurbished Optech 400C Ballot Scanners from DOMINION VOTING SYSTEMS.
3. **Alternative suppliers that can or might be able to provide supply/service and extent of market search conducted:** There are no other compatible products currently being offered by another vendor. DOMINION VOTING SYSTEMS is the sole manufacturer of voting equipment compatible with the Registrar of Voters State certified voting system equipment.
4. **Unique features of the supply/service being requested from this supplier, which no alternative supplier can provide** (if proprietary software or machinery, hardware, please provide a supporting letter from the manufacturer): Riverside County owns and uses a voting system manufactured by DOMINION VOTING SYSTEMS. The voting system requires the use of 400C Optech Ballot Scanners to count paper ballots. No other ballot scanners are compatible with this voting system. The 400C Optech Ballot Scanners are certified for use by the California Secretary of State.
5. **Reasons why my department requires these unique features and what benefit will accrue to the county:** Ballots cast by Riverside 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 13 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.
6. **Price Reasonableness including purchase price and any ongoing maintenance or ancillary costs from the supplier:** The vendor no longer manufactures Optech scanners. The unit price of refurbished Optech 400C Ballot Scanners is less than the purchase price of new scanners. The price quote has been verified against a previous purchase of refurbished 400C Optech Scanners in 2011.

FY Information	Description
Amount \$ <u>228,000</u>	FY: <u>2015/2016</u> <u>One-Time Purchase</u>

**Grand Total: \$ 228,000**

7. **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, moving forward does not further obligate the county.

8. **Period of Performance:** Delivery of 400C Ballot Scanners no later than April 1, 2016.

From N/A to N/A

Is this an annually renewable contract: Yes or No

Is this a multi-year contract (Fixed term): Yes or No

If yes, do you have a 30 day termination clause: Yes or No

(Please include the agreement and any amendments)

*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.)*

If a contract is included with this sole source, please attach the contract.

9. **Projected Board of Supervisor Date:** 3/8/16

10. **Department PCS/Buyer Review Initials:** RS

<u>Rebecca Spencer</u>	<b>Rebecca Spencer</b>	<u>2/18/16</u>
<b>Department Head Signature</b>	<b>Print Name</b>	<b>Date</b>

Purchasing Department Comments:

<u>Approve</u>	Approve with Condition/s	Disapprove
Not to exceed: \$ <u>228,000.00</u>	<u>One time</u>	Annual Amount through _____
<u>Ann Brandl</u>	<u>2/19/16</u>	<u>16-461</u>
<b>Purchasing Agent</b>	<b>Date</b>	<b>Approval Number</b> (Reference on Purchasing Documents)

DOMINION  
VOTING



Riverside County California  
Rebecca Spencer, Registrar of Voters

Date: August 25, 2015

DESCRIPTION	QTY	UNIT PRICE	EXTENSION
<b>Central Tabulator</b>			
<i>Pre Owned 400-C</i>	4	\$55,000	\$220,000
<i>Units are as is, no additional warranty past 90 days</i>			
<b>Set Up, Preventative Maintenance and CA Compliance</b>	4	\$1,000	\$4,000
<b>Sub-Total:</b>			<b>\$224,000</b>
<b>Shipping</b>			
<i>Estimated Shipping</i>	1	\$4,000	\$4,000
<b>Sub-Total**:</b>			<b>\$4,000</b>
<b>Total</b>			<b>\$228,000</b>

This quote is valid for 90 days and subject to change for scope and configuration updates.  
All Shipping Costs to be Invoiced separately to customer