

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



**ITEM: 3.18
(ID # 11914)**

MEETING DATE:
Tuesday, May 05, 2020

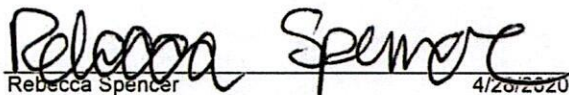
FROM : REGISTRAR OF VOTERS:

SUBJECT: REGISTRAR OF VOTERS: Voting System Replacement Contract 2018 Program, State Reimbursement Funds and Agreement No. 18G30133 AMDT #01; All Districts; [\$10,189,087.50]; Secretary of State Reimbursement 100%

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the attached amended standard agreement between the County of Riverside Registrar of Voters (ROV) and the Secretary of State (SOS) to receive and implement the Voting System Replacement Contract 2018 Program State Reimbursement funding listed in Attachment "Exhibit B-1"; and,
2. Authorize the ROV, or designee, to execute Agreement No. 18G30133 AMDT #01, and execute renewals and amendments in accordance with Board Policy A-30.

ACTION:Policy


Rebecca Spencer 4/20/2020

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: May 5, 2020
xc: ROV

Kecia R. Harper
Clerk of the Board

By: 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 1,977,237.65	\$1,443,151.40	\$ 10,189,087.50	\$6,768,698.45
NET COUNTY COST	\$ 1,977,237.65	\$1,443,151.40	\$ 10,189,087.50	\$6,768,698.45
SOURCE OF FUNDS: Secretary of State Reimbursement 100%			Budget Adjustment: No	
			For Fiscal Year: 18/19 – 21/22	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The purpose of this Agreement is to provide the counties within the State of California, as appropriated by Assembly Bill 1824, Chapter 38 (Stats 2018), (Voting System Replacement Contracts), pursuant to California Elections Code sections 19400 and 19402, administered by the Secretary of State; with state funds to reimburse counties for voting system replacement activities subject to the provisions of this Agreement and all requirements of state and federal law, regulations and procedures.

The ROV was previously awarded \$6,156,500 in State matching reimbursement funds to be used for Riverside County's participation in SOS-approved events associated with the Voting System Replacement Contract 2018 Program. The amount of the amended agreement was increased by \$4,032,587.50 for a total of \$10,189,087.50 in State matching reimbursement funds. Execution of the attached Agreement No. 18G30133 AMDT #01 will allow the ROV to seek the increased reimbursement of funds expended through June 30, 2022. A 3:1 or 75%:25% match of funds is required.

On February 27, 2019 California Secretary of State Alex Padilla provided notice of withdrawal of certification of voting systems not tested and certified to the California Voting System Standards. Riverside County may continue to use its current voting system until February 27, 2020. The following voting systems have been tested and certified to the California Voting System Standards:

- Dominion Voting Systems, Inc. – Democracy Suite 5.2 Voting System
- HART InterCivic, Inc. – Verity Voting 3.0.1 Voting System

Execution of this agreement is needed in order to request reimbursement from the State for leasing or purchasing one of the above certified voting systems.

Impact on Residents and Businesses

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

Implementing the Voting System Replacement Contract Program will provide the county with the ability to seek reimbursement of State matching funds on a 3:1 or 75%:25% match.

Additional Fiscal Information

On June 18, 2019, the Board of Supervisors approved the execution of Standard Agreement 18G30133 in the amount of \$6,156,500. Approval of Standard Agreement No. 18G30133 AMDT #01 will allow the County to seek the increased reimbursement of funds expended through June 30, 2022.

ATTACHMENTS:

ATTACHMENT. STANDARD AGREEMENT 18G30133 AMDT #01

ATTACHMENT. EXHIBIT B-1



Gregory V. Priarios, Director County Counsel 4/30/2020

CLERK'S COPY

to Riverside County Clerk of the Board, Stop 1010
 Post Office Box 1147, Riverside, Ca 92502-1147
 Thank you. 1 Pages

CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED

AGREEMENT NUMBER 18G30133	AMENDMENT NUMBER 01
REGISTRATION NUMBER:	

- This Agreement is entered into between the State Agency and Contractor named below:
 STATE AGENCY'S NAME
Secretary of State
 CONTRACTOR'S NAME
Riverside County
- The term of this Agreement is: February 1, 2019, or upon approval by Dept. of General Services, if required,
 Agreement is: whichever is later through June 30, 2022
- The maximum amount of this Agreement is: **\$ 10,189,087.50**
 Agreement after this amendment is: Ten million one hundred eighty-nine thousand eighty-seven dollars and fifty cents
- The parties mutually agree to this amendment as follows. All actions noted below are by this reference made a part of the Agreement and incorporated herein:
 - The amount of the Agreement is hereby increased by \$ 4,032,587.50 and shall not exceed \$ 10,189,087.50, which includes \$ 954,337.50 for election management system (EMS) specific funds.
 - The term of the Agreement is hereby extended through June 30, 2022.
 - Exhibit A – Scope of Work, Section E. Use of Funds. Item 9., is hereby added to the Agreement, as stated below:
9. The replacement or enhancement of a county Election Management System (EMS), used by the county to track voter registration or voter preference, including for example, a voter's vote-by-mail status. This shall not include maintenance and operations (M&O) expenses.
 - Exhibit B – Budget Detail and Payment Provisions, Item 7. Retroactive Payments, is hereby replaced in its entirety, as stated below:
7. Retroactive Payments
Counties may claim reimbursement for expenses and activities permissible under the terms of this Agreement that occur after April 29, 2015 and before June 30, 2022.
 - Exhibit D – Special Terms and Conditions, Section A. Auditing, Item 1., is hereby replaced in its entirety, as stated below:
 - Receipt of Voting System Replacement funds by County indicates agreement, to be reimbursed by the Secretary of State, by first providing matching funds spent on voting system replacement activities described in Exhibit A – Scope of Work, Section E – Use of Funds as follows:**
 - Counties with 50 or fewer precincts will require no match of funds.**
 - Counties with 51 or more precincts will require 3:1 or 75%:25% match of funds.**
 - Exhibit B-1 – Funding Detail, is hereby added to the Agreement and attached hereto.

Except as stated herein, all other terms and conditions shall remain the same.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

FORM APPROVED COUNTY COUNSEL
 BY: Suzanne M. Swartz DATE: 4-30-2020

CONTRACTOR		CALIFORNIA Department of General Services Use Only
CONTRACTOR'S NAME (If other than an individual, state whether a corporation, partnership, etc.) Riverside County		
BY (Authorized Signature) <u>[Signature]</u>	DATE SIGNED (Do not type)	
PRINTED NAME AND TITLE OF PERSON SIGNING		
ADDRESS 2724 Gateway Drive Riverside, CA 92507-0918		
STATE OF CALIFORNIA		
AGENCY NAME Secretary of State		
BY (Authorized Signature) <u>[Signature]</u>	DATE SIGNED (Do not type)	
PRINTED NAME AND TITLE OF PERSON SIGNING Cindy Halverstadt, Chief, Management Services Division		<input type="checkbox"/>
ADDRESS 1500 11 th Street, Sacramento, CA 95814		

MAY 05 2020 3.18

**EXHIBIT B-1
(Standard Agreement)**

FUNDING DETAIL

The allotted contract amount with both fiscal year (FY) allotments are not to exceed a total contract budget of **\$ 10,189,087.50** as shown in the table below:

Total Budget	
FY 18/19 – Existing Contract Amount for replacement/upgrade to County voting systems	\$ 6,156,500.00
FY 19/20 – Additional Funding for replacement/upgrade to County voting systems	\$ 3,078,250.00
FY 19/20 – Additional funding specifically for election management system (EMS) replacement	\$ 954,337.50
New Contract Amount	\$ 10,189,087.50



ALEX PADILLA | SECRETARY OF STATE | STATE OF CALIFORNIA
MANAGEMENT SERVICES | CONTRACT SERVICES

1500 11th Street, Room 460 | Sacramento, CA 95814 | Tel 916.653.5974 | Fax 916.653.8324 | www.sos.ca.gov

September 25, 2019

Riverside County
Attn: **Rebecca Spencer**
2724 Gateway Drive
Riverside, CA 92507-0918

RECEIVED
2019 SEP 26 PM 2:02
REGISTRAR OF VOTERS
COUNTY OF RIVERSIDE

Subject: Contract Number **18G30133 AMDT. #01 (Voting System Replacement)**

Please see the marked instruction/information below. If requested, please complete the following marked item(s) and return to the address stated below within ten (10) business days*:

- STD. 213, Standard Agreement with attached Exhibits.** Please acquire the appropriate original signature on the first page of the STD. 213, and the additional three single STD. 213's and return the originally signed agreement package to the address above. **Please Note: Fax, photocopies and signature stamps are not acceptable.** Therefore, please make sure the STD. 213's have been originally signed. A fully executed copy will be returned to you once the contract execution has been completed.
- STD. 213A, Standard Agreement Amendment with attached NEW Exhibit.** Please acquire the appropriate signature for the first page of the STD. 213A and the additional three (3) single STD. 213A's. **Please Note: Fax, photocopies and signature stamps are not acceptable. Therefore, please make sure all four (4) of the STD. 213A's have been originally signed.** A fully executed copy will be returned to you once the contract execution has been completed. **Please return the signed agreement amendment package to the following address (not returning the package this address will delay processing):**

Attn: Contract Services Unit
Secretary of State
1500 11th Street, Room 460
Sacramento, CA 95814

***IMPORTANT: If the signed agreement amendment package is not returned on or before June 1, 2020, this amendment may not be executed.**

- Along with the above referenced STD. 213A agreement amendment package, please **submit a copy of the resolution, order, motion, or ordinance of your local governing body (whichever is applicable for your County office),** which by law has granted the authority to enter into the proposed contract amendment, authorizing execution of the agreement.

Please Note: If the resolution (or other applicable document stated above) submitted with the originally executed contract also provides for the authority to enter into contract amendments, and DOES NOT INCLUDE any specific original contract dollar amount or contract term information, a copy of that same resolution (or other applicable document) should be sufficient for processing this agreement amendment request. Otherwise, a new resolution (or other applicable document) will need to be submitted accordingly. Please direct questions regarding this to the SOS Project Contact in your originally executed contract (Exhibit A – Scope of Work, Section C.).