



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Clerk-Recorder-Assessor  
**Department No.:** 062  
**For Agenda Of:** 8/18/2020  
**Placement:** Administrative  
**Estimated Time:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** 4/5

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**TO:** Board of Supervisors

**FROM:** Department Joseph E. Holland, County Clerk, Recorder, and Assessor  
Director(s)  
Contact Info: Elaina Cano, Elections Division Manager, 805-696-8953

**SUBJECT:** Amendment to the Voting System and Services Agreement with Dominion Voting Systems, Inc.

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**County Counsel Concurrence**

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

- a) Approve, ratify and authorize the Chair to execute a First Amendment to the Voting System and Services Agreement with Dominion Voting Systems, Inc. (Agreement) for the purchase of an 821D HiPro InterScan ballot scanner and ImageCast Central (HSS-ICC) workstation, software, support and training; to add election ballot definition and services pricing for all elections; to increase the not-to-exceed amount from \$1,600,000 to \$2,400,000; and to update the Pricing and Payment Schedule which includes additional annual software license fees and optional hardware warranty extensions; and
- b) Authorize the County Clerk-Recorder-Assessor, or designee, to approve and sign amendments to the components and services of the Agreement, with the concurrence of County Counsel, Auditor-Controller and Risk Management, if the total cost of the amendments does not exceed 10% of the Agreement's not-to-exceed amount; and
- c) Approve Budget Journal Entry No. 0007181 to increase equipment capital asset appropriations for Fiscal Year 2020-21 by \$212,210 in the Department of Clerk-Recorder-Assessor Fund 0001 (4/5 Vote Required); and

- d) Determine pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(5) that the above actions are not a project subject to CEQA review because the actions consist of organizational and administrative activities of governments that will not result in direct or indirect physical changes in the environment.

**Summary Text:**

The County Clerk-Recorder-Assessor is seeking to purchase an 821D HiPro Interscan ballot scanner and ImageCast Central (HSS-ICC) workstation that is certified by the State of California, meets the California Voting System Standards (CVSS) and State and Federal laws, and is used for high-speed centralized scanning and counting of paper-based ballots, along with election ballot definition setup services, license and warranty.

**Background:**

On October 1, 2019, the County Board of Supervisors approved a contract with Dominion Voting Systems, Inc. (Dominion) for the purchase of a new voting system. Dominion's Democracy Suite® Voting System included software to manage the creation of the election, design of the ballot, tally and report results, review and adjudicate ballots, test, audit, and review ballots. This voting system has provided increased operational efficiencies by offering integration with various components and increasing the speed of adjudication and tabulation of ballots.

In conjunction with the current Democracy Suite® Voting System, the 821D HiPro InterScan ballot scanner and ImageCast Central (HSS-ICC) workstation is used for high-speed centralized scanning and counting of paper ballots. With an increase to voter registration and turnout, this scanner will be an additional asset to the current voting system, as it has a speed to process up to 20,000 ballots in approximately 2 hours.

In addition, Dominion will prepare the Election Ballot Definition Setup Services for the first two elections the County requires at no additional charge to the County. These services include but are not limited to defining project parameters and assigning templates, defining ballot structures, creating proofing and test ballots, creating PDF files of the official ballots that are full-sized, press-ready ballot artwork, preparing audio content in all required languages, and creating election files and the security keys for the ImageCast®.

The increased not-to-exceed amount also accounts for costs pertaining to any known odd-year elections and special elections that occur every four years as well any unknown special elections that may occur during the life of the contract.

This new scanning system will be initially deployed during the November 3, 2020, Presidential General Election.

**Performance Measure:**

N/A

**Contract Renewals and Performance Outcomes:**

N/A

**Fiscal and Facilities Impacts:**

Budgeted: No, Budget Revision No. 0007181 will increase equipment capital asset appropriations by \$212,210 to cover the acquisition cost. The cost will be covered entirely by Federal and State grant funds.**Fiscal Analysis:**

<b><u>Funding Sources</u></b>	<b><u>Current FY Cost</u></b>	<b><u>Year One Cost</u></b>	<b><u>Total One-Time Project Cost</u></b>
General Fund		\$ 19,701.25	
State	\$ 106,104.36		\$ 106,104.36
Federal	\$ 106,104.37		\$ 106,104.37
Fees			
Other:			
<b>Total</b>	<b>\$ 212,208.73</b>	<b>\$ 19,701.25</b>	<b>\$ 212,208.73</b>

**Narrative:**

The cost of this Amendment is \$231,909.98, which includes the cost of the additional voting system equipment and software, election ballot definition setup services, support, and training. The additional annual Software License and Hardware Maintenance Warranty costs begin on the second year (FY 2021-22) and will be \$19,701.25 with annual increases not to exceed 3%. The cost has been calculated through the term ending December 31, 2028, and is included in the not-to-exceed amount of \$2,400,000. Election Services provided by Dominion after the first two elections, which are included, would be funded by the General Fund and would be included in the cost billed to the jurisdictions consolidated with the election.

**Funding Match Requirement:**

The \$212,208.73 equipment acquisition cost of this Amendment will be covered by a combination of Help America Vote Act (HAVA) 301 Grant funding and California State Voting System Replacement Grant funding, neither of which has a local match requirement.

**Key Contract Risks:**

This contract was determined to be medium risk by the Clerk-Recorder-Assessor’s office. The factors reflecting high risk include: 1) a contract exceeding \$500,000 and 2) a contract that is mission critical. The factors reflecting medium risk include: 1) a fixed price contract, 2) a contract of moderate complexity, 3) a competitive acquisition with a limited number of bidders, and 4) a new contractor for the County.

**Staffing Impacts:**

**Legal Positions:**  
N/A

**FTEs:**  
N/A

**Special Instructions:**

Please forward a copy of the minute order and three original copies of the fully executed contract to the Santa Barbara County Elections Office.

**Attachments:**

Attachment A - First Amendment to the Voting System and Services Agreement

Attachment B - Voting System and Services Agreement

Attachment C - Budget Revision Request No. 0007181

**Authored by:**

Elaina Cano

**cc:**

Joe Holland