

**COUNTY OF SONOMA
AGENDA ITEM
SUMMARY REPORT**

Clerk of the Board Use Only
Meeting Date **Held Until**
 / / / /
Agenda Item No: **Agenda Item No:**

Department: Clerk/Recorder/Assessor

() **4/5 Vote Required**

Contact:
Janice Atkinson

Phone:
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Board Date:
7/21/09

Deadline for Board Action:
7/21/09

AGENDA SHORT TITLE: Automated Vote by Mail System Contract

REQUESTED BOARD ACTION:

Authorize the County Clerk/Recorder/Assessor to execute an Agreement between the County of Sonoma and Böwe Bell+Howell, in the amount of \$710,330.16 for the purchase, installation and maintenance of an automated Vote By Mail Signature Verification and Sorting System.

Resolution authorizing budgetary adjustments to the FY 2009-10 final budget for the Registrar of Voters division the amount of \$1,715,414.00 (4/5ths vote required) Help America Vote Act and Proposition 41 Voting Modernization Act funding.

CURRENT FISCAL YEAR FINANCIAL IMPACT

<u>EXPENDITURES</u>		<u>ADD'L FUNDS REQUIRING BOARD</u>	
Estimated Cost	\$ 710,330.16*	Contingencies	\$
		(Fund Name:)	
Amount Budgeted	\$ 710,330.16*	Unanticipated Revenue	\$
		(Source:)	
Other Avail Approp.	\$	Other Transfer(s)	\$
(Explain below)		(Source:)	
Additional Requested:	\$ 0	Add'l Funds Requested:	\$

Explanation (if required): *This purchase will be funded by a combination of Voting Modernization and Help America Vote Act (HAVA) grant funds. As a result, staff is also requesting to approve the \$1.7 million budgetary adjustment for FY 09-10.

Prior Board Action(s):

June 16, 2009; Board approved the final FY 2009-10 budget

Alternatives - Results of Non-Approval:

The Registrar of Voters would not be able to utilize Help America Vote Act and Voting Modernization funds to automate Vote by Mail ballot processing requirements which are very labor intensive. Potential cost savings for extra help and overtime would not be realized. If budgetary adjustment is not approved, revenues to be received will not be reflected as a source to cover elections costs.

Background:

Since California Election Law changed in 2001 to allow any voter to apply for permanent vote by mail status, the percentage of eligible voters who cast their ballot by mail has steadily increased. In the June 2008 Primary election, 84% of all ballots cast were Vote by Mail (VBM, formerly known as absentee ballots), and in the May 2009 Special Statewide election 77% of all ballots cast were VBM. This total includes ballots from precincts that, due to the small number of registered voters (less than 250), are designated Mailed Ballot precincts.

In order to process the increased number of voted ballots returned by mail prior to election day, additional extra help staff and overtime is required. To verify that incoming vote by mail ballots are valid, signatures must be verified against registration records, and the valid ballots must be flagged into the elections information management system. Then, due to a change in law requiring vote by mail ballots to be tabulated by precinct, ballots must be sorted down to the correct precinct number (there can be up to 450 precincts in a county-wide election), before they are stored in preparation for counting on election day. The process is currently a labor intensive manual operation, requiring great attention to detail and accuracy.

Vote by Mail systems have been implemented by several counties throughout the state to reduce the amount of staff time required to process incoming ballots prior to election day and to improve accuracy and efficiencies. Implementation of such a system will save the Registrar of Voters office an estimated 500 staff hours in a major election and, more importantly, will significantly reduce the potential for sorting errors and free up staff to focus on other aspects of planning and conducting the election.

In April 2009, the Registrar of Voters issued a Request for Proposal (RFP) for Sonoma County to acquire an Automated Vote by Mail System, with the intention of having a system purchased, installed, tested and ready for implementation for the November General District Election. Barring any state or county-wide consolidations, it is anticipated that this will be a smaller election for local districts and agencies with approximately 24,000 registered voters. The smaller election will be optimal for implementation of the new processing system and procedures for the Vote by Mail workload.

Attachments: Resolution

On File With Clerk: Agreement for the purchase, installation and maintenance of a Vote by Mail Signature Verification and Sorting System

CLERK OF THE BOARD USE ONLY

Board Action (If other than "Requested")

Vote:

Background: (Continued)

Four vendors responded to the Automated VBM Sorting System RFP, including OPEX, Pitney Bowes, Böwe Bell + Howell (BBH), and NPI. A team of evaluators reviewed the proposed systems based upon the following criteria: overall compliance with and responsiveness to the RFP, experience and ability to perform the required tasks, vendor qualifications and references, ability to meet the requested time frame to complete the work, system cost, and acceptance of contract terms and conditions. The vendors were given an opportunity to meet with the evaluation team and demonstrate the qualifications of their systems. While it was not the least expensive proposal, the evaluation team rated the BBH response highest overall. Favored aspects of the BBH proposal include a comprehensive on call customer service program via phone, remote access 7/24/365, and acceptance of the County's contract terms and conditions with relatively few exceptions.

One of the responding vendors, Pitney Bowes, filed a protest letter with the County Purchasing Agent, asserting that the Pitney Bowes solution was less expensive than the BBH solution, and that referrals provided by BBH were for different systems than the one quoted in the response. The Purchasing Agent has completed his investigation on the merits of the protest. He has determined that although the pricing for the Pitney Bowes system, as presented in their response to the RFP, is less than the BBH system, the other bases for protest do not carry enough weight to change staff's recommendation to the Board. Additionally the review of the RFP process has satisfied staff and the Purchasing Agent that the selection process has been conducted diligently and fairly.

The costs associated with the purchase of a Vote by Mail Signature Verification and Sorting System will be reimbursed through a combination of section 301(a) of the Help American Vote Act (HAVA) funding and Proposition 41, Voting Modernization Bond Act of 2002 which requires a 25% match (to be paid from the HAVA funding). The total purchase of the BBH system will be \$710,330.16, including 5 years of full coverage service and maintenance agreements.

The resolution authorizing budgetary adjustments to the FY 2009-10 final budget for \$1,715,414.00 is requested to rebudget the balance of funds available from previously approved federal and state grant awards that were not rebudgeted in the 2009/10 final budget. The funds include the balance of HAVA Section 301 funds (\$1,254,364.68), Proposition 41 Voting Modernization Act funds (\$405,155.42), and HAVA Elections Assistance for Individuals with Disabilities (EAID) Section 261 Program funds (\$55,893.64). The remainder of these funds not utilized to purchase the VBM Sorting System will be available to reimburse eligible ongoing HAVA requirement costs, any new elections system improvement projects that may come up, and the costs of any new state or federal elections requirements that qualify for reimbursement. The HAVA contracts and funding are due to expire in 2010.

Recommendation:

It is recommended that the Board authorize the County Clerk/Recorder/Assessor to execute an Agreement between the County of Sonoma and Böwe Bell+Howell, in the amount of \$710,330.16 for the purchase, installation and maintenance of an automated Vote By Mail Signature Verification and Sorting System, and approve a resolution authorizing budgetary adjustments to the FY 2009-10 final budget for the Registrar of Voters division the amount of \$1,715,414.00, to appropriate the balance of state and federal grant funds.