



Monterey County

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Board Report

Legistar File Number: A 16-356

November 15, 2016

Introduced: 10/28/2016

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

- a. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to execute a non-standard Agreement with Democracy Live, Inc. to provide initial configuration and training, grant a license for use of LiveBallot software for accessible electronic voter guide and ballot delivery, and provide annual maintenance, hosting and support for the period retroactive to October 1, 2016 through December 31, 2020, for a total amount not to exceed \$50,000;
- b. Approve the non-standard terms and conditions contained in the vendor's contact pursuant to the recommendation of the Registrar of Voters; and
- c. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to execute one future Extension for no more than one (1) successive term of one (1) year which does not significantly impact the scope of work or exceed \$10,000 per additional year.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to execute a non-standard Agreement with Democracy Live, Inc. to provide initial configuration and training, grant a license for use of LiveBallot software for accessible electronic voter guide and ballot delivery, and provide annual maintenance, hosting and support for the period retroactive to October 1, 2016 through December 31, 2020, for a total amount not to exceed \$50,000;
- b. Approve the non-standard terms and conditions contained in the vendor's contact pursuant to the recommendation of the Registrar of Voters; and
- c. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to execute one future Extension for no more than one (1) successive term of one (1) year which does not significantly impact the scope of work or exceed \$10,000 per additional year.

SUMMARY/DISCUSSION:

This software maintenance and support Agreement with Democracy Live, Inc. provides ADA compliant services for the delivery of electronic ballots and hosting of an accessible voter guide. The California UOCAVA Consortium obtained a discount and the opportunity to test the software on a trial basis. The proposed Agreement establishes the contractor's terms for services that will be provided for the November 8, 2016 election, and any elections through 2020, to

cover annual license renewal, maintenance, support, web hosting and ballot delivery.

Elections requests retroactive approval to a start date of October 1, 2016 for the contractor's documents, which contain provisions that are not standard to the County. Negotiations to align some of the contractor's terms and conditions delayed the ability to present this item to the Board of Supervisors in September, as planned.

The total estimated cost for the Agreement period of October 1, 2016 to December 31, 2020 is \$50,000. If the additional potential extensions are issued, the total cost through 2021 will not exceed \$60,000.

A copy of the proposed Agreement is attached hereto and is on file with the Clerk to the Board.

OTHER AGENCY INVOLVEMENT:

The Agreement has been reviewed by the Auditor-Controller and Contracts Purchasing regarding terms and fiscal provisions. The Agreement has been reviewed by County Counsel as to form and by Risk Management as to indemnity and insurance, but they cannot approve due to non-standard terms and conditions.

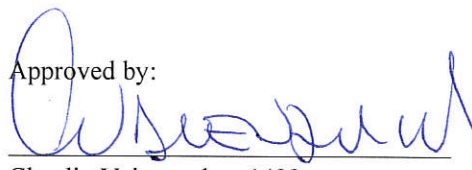
FINANCING:

Funding for this agreement was incorporated into Elections FY 2016-17 Budget Unit 8064. There will be no additional cost to the County General Fund associated with this recommendation.

Prepared by:


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Approved by:


Claudio Valenzuela x 1499
Registrar of Voters

Attachments:

Proposed Democracy Live Agreement 2016