



Legislation Details (With Board Report)

**File #:** A 20-365      **Name:** Dominion Mobile Ballot Printing Agreement  
**Type:** BoS Agreement      **Status:** Passed - Elections' Office  
**File created:** 9/3/2020      **In control:** Board of Supervisors  
**On agenda:** 9/15/2020      **Final action:** 9/15/2020

**Title:** a. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to execute a non-standard Agreement with Dominion Voting Systems, Inc. to purchase a mobile ballot printing system, licenses and related services, beginning upon execution of the Agreement through December 31, 2025, for a total amount not to exceed \$25,350; and  
b. Accept the non-standard terms and conditions contained in the vendor’s contract pursuant to the recommendation of the Registrar of Voters.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Dominion Agreement & Exhibits Signed, 3. Item No. 32 Completed Board Order

Date	Ver.	Action By	Action	Result
9/15/2020	1	Board of Supervisors		

a. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to execute a non-standard Agreement with Dominion Voting Systems, Inc. to purchase a mobile ballot printing system, licenses and related services, beginning upon execution of the Agreement through December 31, 2025, for a total amount not to exceed \$25,350; and  
b. Accept the non-standard terms and conditions contained in the vendor’s contract pursuant to the recommendation of the Registrar of Voters.

**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 Dominion Voting Systems, Inc. to purchase a mobile ballot printing system, licenses and related services, beginning upon execution of the Agreement through December 31, 2025, for a total amount not to exceed \$25,350; and
- b. Accept the non-standard terms and conditions contained in the vendor’s contract pursuant to the recommendation of the Registrar of Voters.

**SUMMARY:**

The Monterey County Elections Department wishes to purchase mobile ballot printing equipment and licenses for the upcoming November Presidential Election and for future elections. The hardware and software together constitute a voting system which enables the Elections Department to efficiently provide ballots to voters and safeguard ballot supply levels during the early voting period through Election Day.

The total estimated cost through December 31, 2025 is \$25,350.

The proposed software Agreement is “non-standard” for the County with respect to warranties and indemnification provisions. It is the recommendation of the Registrar of Voters to approve the non-standard terms and conditions to conduct more efficient elections and provide greater access prior to the November 3,

2020 General Election.

Copies of the Agreement are on file with the Clerk of the Board.

DISCUSSION:

Pursuant to Executive Orders N-64-20 and N-67-20 and subsequent urgency legislation, in an effort to keep voters safe from the spread of COVID-19 all active voters will be issued a vote by mail ballot for the November 3, 2020 General Election and expanded in-person voting opportunities will be available. To comply, the Elections Department is opening a secondary early vote location 29 days before the Election. The mobile ballot printing equipment will facilitate issuing paper ballots at the early vote location and supplement additional ballots at the main office. An important factor in the purchase of this equipment is that the mobile ballot printing equipment and software is completely integrated with the Elections Department's current voting tabulation system.

OTHER AGENCY INVOLVEMENT:

The Agreement has been reviewed by the Auditor-Controller regarding fiscal provisions. The Agreement has been reviewed by County Counsel as to form, and contains non-standard provisions regarding limitations on warranty; limitations on the type of and amount of damages available to County in event of a breach of contract; County obligation to indemnify vendor for claims arising out of County data; and non-standard termination provisions.

FINANCING:

Voting system expenditures and offsetting grant revenues were already considered in the FY 21 Adopted Budget. There will be no additional cost to the County General Fund with this Board item.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Administration:

Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability and transparency.

Prepared by: Gina Martinez, Assistant Registrar of Voters, x1488

Approved by:

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Claudio Valenzuela x 1499  
Registrar of Voters

Attachments:

Proposed Dominion Agreement 2020