



**Contra
Costa
County**

To: Board of Supervisors
From: Joseph E. Canciamilla, Clerk-Recorder
Date: April 25, 2017

Subject: Contract Renewal for Hardware and Software License and Maintenance of Voting System

RECOMMENDATION(S):

APPROVE and AUTHORIZE the County Clerk-Recorder, or designee, to execute a contract with Election Systems & Software, LLC (ES&S) in an amount not to exceed \$50,000 for the license of elections software, and to provide hardware and software maintenance services and support for the County's voting system for the term of January 1, 2017 through December 31, 2018.

FISCAL IMPACT:

The cost of this contract was anticipated and is included in the Department's 2016-2017 budget. (100% General Fund)

BACKGROUND:

In accordance with the Federal Help America Vote Act (HAVA) of 2002, Contra Costa County is required to have a voting system in place that allows voters with physical and/or visual impairments to vote confidentially and unassisted. The Board of Supervisors approved the initial purchase, licensing, and support of the ES&S voting system on January 11, 2005. The proposed contract provides for the licensing, maintenance, and support required to continue to use the voting system.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **04/25/2017** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: April 25, 2017

David Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Scott O. Konopasek,
925-335-7808

By: Rolanda Hartfield, Deputy

cc:

Under the terms of the contract, the County is obligated to indemnify ES&S for third party claims arising out of misuse of the software or County's election not to receive hardware of software support services from ES&S.

CONSEQUENCE OF NEGATIVE ACTION:

Licensing is required to use the HAVA compliant voting system. Without it, the County would not be able to produce, print, and count ballots. Without maintenance and support, the voting system would not be maintained and it would void equipment warranties.