

County of Lassen

Julie M Bustamante
COUNTY CLERK-RECORDER
REGISTRAR OF VOTERS
CLERK OF THE BOARD OF
SUPERVISORS



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Office of the County Clerk-Recorder

Date: May 12, 2020

TO: David Teeter, Chairman
Lassen County Board of Supervisors

FROM: Julie Bustamante, County Clerk-Recorder
Registrar of Voters

SUBJECT: Replacement of Lassen County Voting System

DISCUSSION:

As you may be aware, the California Secretary of State (SOS) issued a Notice of Withdrawal of Certification and Conditional Approval of Voting Systems not certified to the California Voting Systems Standards (CVSS). The GEMS (Global Election Management System) that Lassen County has used for the past 20 years to create and tabulate ballots fell into this category and was decertified effective August 27, 2019.

Because of various reasons, Lassen County was granted an extension and allowed to use our GEMS system for the March 3, 2020, Presidential Primary Election, but the SOS is requiring all counties to have a new CVSS in place for the November General Election.

There are currently only three companies with systems certified available. My staff and I have researched these systems and have attended numerous demonstrations. It was determined that ES&S is the best fit for our county at the best price.

There is sufficient funds in the 2019/20 Election budget to make this purchase, and the money we spend will be reimbursed with State and Federal Help America Vote Act (HAVA) funds allocated to Lassen County.

We are requesting a onetime deviation from the County Purchasing Policy because we do not have sufficient time to initiate and complete a formal Request for Proposal (RFP). We need to install, program and train on a new system as soon as possible to be ready for the November Election, which process has already begun.

The purchase agreements have been reviewed and approved as to Form by Lassen County Counsel Burns.

BACKGROUND:

On 2/27/2019 the California Secretary of State (SOS) withdrew certification of all voting systems that were not certified to California Voting System Standards (CVSS). The GEMS we have been using and supported by Election Systems & Software (ES&S) was withdrawn from certification, effective August 27, 2019.

Lassen County was granted an *Extension of Use* because of the fact my office was required to conduct five unplanned elections in less than a year, we had to relocate the entire office immediately following the November 5, 2019, Assembly District 1 General Election and before the end of the year (which was also the beginning of the March 3, 2020, Presidential Primary Election process).

AVAILABLE VOTING SYSTEMS:

There are currently three companies who have CVSS available to choose from: Dominion, HART InterCivic, and ES&S. My staff and I researched all three systems, scheduled demonstrations, requested quotes in 2019.

<u>Preliminary Quotes:</u>	<u>Date:</u>	<u>Amount:</u>
ES&S -Election Voting System (EVS) 6.0.4.2	5/3/2019	\$229,060
Dominion - Democracy Suite 5.2	7/1/2019	\$270,625
HART InterCivic - Verity Voting 3.0.1	7/31/2019	\$235,526

(All quotes are based on the need for 12 units.)

We also reviewed the RFP from Amador County and Sales Order Agreement from Modoc County. In doing so we concluded that the ES&S EVS is the best fit (and price) for Lassen County.

HAVA FUNDING:

On August 29, 2019, the SOS announced that new State and Federal Help America Vote Act (HAVA) funding was available. Lassen County was allocated \$107,500 for Voting System Replacement at that time with a dollar for dollar county match requirement (Agreement #18G30118).

On September 23, 2016, Lassen County entered into a Standard Agreement with the SOS in the amount of \$132,862 for HAVA Section 301 Voting Systems Program and Certification of HAVA Title III Compliance. (Federal funds administered by the US Elections Administration Commission (EAC) to assist or reimburse the County for complying with the Help America Vote Act of 2002.) I was informed by the SOS that these funds can be used for the dollar for dollar match.

On June 11, 2019, the Lassen County Board of Supervisors adopted Resolution No. 19-028 authorizing the County to enter into an agreement with the SOS for funds to be used for voting system replacement. Anticipating this purchase, \$259,500 was allocated in the Election Fund/Budget Unit No. 100-0392.

Amador County began a formal RFP in July 2019 (attached), and chose ES&S for their system in September 2019. They used the new system during the March 3, 2020, Primary Election, and are very pleased with the product.

We need to install, program and train on a new system as soon as possible for a successful November Election. ES&S has prepared a timeline which begins in May (attached).

If you have any questions or concerns please do not hesitate to contact me.

Sincerely,

Julie M. Bustamante

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ATTACHMENTS:

2/27/2019	SOS Decertification
3/29/2019	Deadline for Extension Request
4/5/2019	Extension Request
10/18/2019	ES&S Certification from SOS
(3)	Preliminary Quotes
Amador RFP	
Amador and Modoc Quotes	
ES&S Time Line	