



BOARD OF SUPERVISORS AGENDA ITEM REPORT
CONTRACTS / AWARDS / GRANTS

☐ Award ☒ Contract ☐ Grant

Requested Board Meeting Date: August 17, 2020

* = Mandatory, information must be provided

or Procurement Director Award ☐

***Contractor/Vendor Name/Grantor (DBA):**

Election Systems & Software LLC

***Project Title/Description:**

Election Voting System and Related Services

***Purpose:**

Amendment of Award: Master Agreement No. MA-PO-15-051, Amendment No. 03. This Amendment exercises the renewal option to extend the termination date to 09/01/2026 and adds \$1,500,000.00 for a cumulative not-to-exceed contract amount of \$4,098,212.00. Administering Department: Elections

***Procurement Method:**

Pursuant to Pima County Procurement Code 11.12.020, Competitive sealed proposals, on September 2, 2014, the Board of Supervisors approved an award of contract for an initial term of six (6) years in the amount of \$886,947.00 with one (1) six-year renewal option.

On May 17, 2016, the Board of Supervisors approved Amendment No. 01, which increased the contract amount by \$411,265.00 for a cumulative not-to-exceed contract amount of \$1,298,212.00.

On June 18, 2019, the Board of Supervisors approved Amendment No. 02, which increased the contract amount by \$1,300,000.00 for a cumulative not-to-exceed contract amount of \$2,598,212.00.

PRCUID: 134018

Attachment: Contract Amendment No. 03.

***Program Goals/Predicted Outcomes:**

Support for elections equipment and software.

***Public Benefit:**

Reduction in downtime and time needed to produce election results.

***Metrics Available to Measure Performance:**

Time reduction in election system provides more efficient performance.

***Retroactive:**

No.

To: COB 7-24-2020(1)

Vers: 13

Pgs: 4

Contract / Award Information

Document Type: _____ Department Code: _____ Contract Number (i.e., 15-123): _____
 Commencement Date: _____ Termination Date: _____ Prior Contract Number (Synergen/CMS): _____
☐ Expense Amount: \$* _____ ☐ Revenue Amount: \$ _____

***Funding Source(s) required:**

Funding from General Fund? ☐ Yes ☐ No If Yes \$ _____ % _____
 Contract is fully or partially funded with Federal Funds? ☐ Yes ☐ No
If Yes, is the Contract to a vendor or subrecipient? _____
 Were insurance or indemnity clauses modified? ☐ Yes ☐ No
If Yes, attach Risk's approval.
 Vendor is using a Social Security Number? ☐ Yes ☐ No
If Yes, attach the required form per Administrative Procedure 22-10.

Amendment / Revised Award Information

Document Type: MA Department Code: PO Contract Number (i.e., 15-123): 15-051
 Amendment No.: 03 AMS Version No.: 13
 Commencement Date: 09/02/2020 New Termination Date: 09/01/2026
 Prior Contract No. (Synergen/CMS): _____
☒ Expense or ☐ Revenue ☒ Increase ☐ Decrease Amount This Amendment: \$ 1,500,000.00
 Is there revenue included? ☐ Yes ☒ No If Yes \$ _____
***Funding Source(s) required:** General Fund
 Help America Vote Act Grant
 Funding from General Fund? ☒ Yes ☐ No If Yes \$ _____ % 80

Grant/Amendment Information (for grants acceptance and awards)☐ Award ☐ Amendment

Document Type: _____ Department Code: _____ Grant Number (i.e., 15-123): _____
 Commencement Date: _____ Termination Date: _____ Amendment Number: _____
☐ Match Amount: \$ _____ ☐ Revenue Amount: \$ _____

***All Funding Source(s) required:**

***Match funding from General Fund?** ☐ Yes ☐ No If Yes \$ _____ % _____
***Match funding from other sources?** ☐ Yes ☐ No If Yes \$ _____ % _____
***Funding Source:** _____

***If Federal funds are received, is funding coming directly from the Federal government or passed through other organization(s)?** _____

Contact: Troy McMaster, Procurement Officer Troy McMaster
 Department: Procurement Mary Jo Furphy
 Department Director Signature/Date: Bruce B. Johnson 7-22
 Deputy County Administrator Signature/Date: C. B. Wilber 7/22/2020
 County Administrator Signature/Date: _____
(Required for Board Agenda/Addendum Items)

Digitally signed by Troy McMaster
 DN: cn=Troy McMaster, o=Pima
 County, ou=Procurement
 email=troy.mcmaster@pima.gov, c=US
 Date: 2020.07.20 10:46:17 -0700

Division Manager: Ana Wilber
 Telephone: 520-724-8458
Digitally signed by Ana Wilber
 Date: 2020.07.20
 13:08:15 -0700

Pima County Department of Elections

Project: Elections Voting System and Related Services

Contractor: Election Systems & Software LLC
11208 John Galt Boulevard
Omaha, NE 68137
402-970-1107

Contract No.: MA-PO-15-051

Contract Amendment No.: Three (03)

| | | |
|---|---------------------------------|----------------|
| Orig. Contract Term: 09/03/2014 - 09/01/2020 | Orig. Amount: | \$ 886,947.00 |
| Termination Date Prior Amendment: 09/01/2020 | Prior Amendments Amount: | \$1,711,265.00 |
| Termination Date This Amendment: 09/01/2026 | This Amendment Amount: | \$1,500,000.00 |
| | Revised Total Amount: | \$4,098,212.00 |

CONTRACT AMENDMENT THREE

The parties agree to amend the above-referenced contract as follows:

1. Background and Purpose.

1.1. Background. On September 2, 2014, County and Contractor entered into the above referenced contract to provide Elections Voting System and Related Services.

1.2. On May 17, 2016, the contract was amended to increase the award by \$411,265.00 from \$886,947.00 to \$1,298,212.00. This increase was for additional equipment, software, and services.

1.3. On June 18, 2019, the contract was amended to increase the award by \$1,300,000.00 from \$1,298,212.00 to \$2,598,212.00. This increase was for an additional 300 voting machines.

1.4. Purpose. County wants to extend the contract and add the necessary funding for the continued maintenance and support provisions of this contract.

2. Term. The parties agree to renew the contract for an additional six-year term commencing on September 2, 2020 and terminating on September 1, 2026. If the commencement date is before the effective date of this amendment, the parties will, for all purposes, deem the amendment to have been in effect as of the commencement date.

3. Compensation and Payment. The parties agree to increase the contract amount by \$1,500,000.00. Pricing for maintenance and support services will be set forth in Exhibit A-2:

Pricing Summary (1 page), attached herein. County's total payments to Contractor under this contract, including any sales taxes, will not exceed \$4,098,212.00.

4. **Israel Boycott Certification.** Pursuant to A.R.S. § 35-393.01, if Contractor engages in for-profit activity and has 10 or more employees, and if this Contract has a value of \$100,000.00 or more, Contractor certifies it is not currently engaged in, and agrees for the duration of this Contract to not engage in, a boycott of goods or services from Israel. This certification does not apply to a boycott prohibited by 50 U.S.C. § 4842 or a regulation issued pursuant to 50 U.S.C. § 4842.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

All other provisions of the Contract not specifically changed by this Amendment remain in effect and are binding upon the parties.

PIMA COUNTY

Chairman, Board of Supervisors


Date

ATTEST

Clerk of the Board

Date

APPROVED AS TO FORM



Deputy County Attorney

Stacey Roseberry

Print DCA Name

7/16/2020

Date

ELECTION SYSTEMS & SOFTWARE



Authorized Officer Signature

Richard J. Jablonski

Printed Name and Title

07/14/2020

Date

Exhibit A-2: Pricing Summary (1 page)**Commencement Date: September 2, 2020**

| Description | Unit of Measure | Amount |
|--|------------------------|-----------------------|
| 6-DS850 Scanners & 10 Express Vote Units-Hardware and Firmware Maintenance Support Fees | Year | \$60,370.00 |
| 325-Express Vote Units-Hardware and Firmware Maintenance Support Fees | Year | \$56,875.00 |
| Election Day Support Services | Event | \$5,040.00 |
| Project Management | Day | \$1,835.00 |
| Training | Day | \$1,835.00 |
| Model DS850 (Includes Scanner, Steel Table/Cart, Start-up Kit, Dust 4 Cover, Reports, Printer, Audit Printer, Battery Backup, Two (2) Cables, Five (5) 8GB Thumb drives, Shipping & Handling, and Initial License Fee) | Each | \$123,620.00 |
| Total | | \$249,575.00 |
| Estimated Total for Six Year Term | | \$1,497,450.00 |