



**DEBRA BOWEN | SECRETARY OF STATE
STATE OF CALIFORNIA | ELECTIONS**

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July 6, 2007

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS (07090)

FROM: Chris Reynolds
Deputy Secretary of State, HAVA Activities

SUBJECT: HAVA Contracts

Read this memo carefully. It contains information that affects your county's HAVA Allotments.

As you know, the current HAVA contracts with your county that cover equipment and activities as outlined in HAVA Section 301 (Voting System Upgrade) and HAVA Section 261 (EAID) lapsed on June 30, 2007. We will not have new contracts in force until all of the following occurs:

- The Legislature passes and the Governor signs the 2007-08 budget;
- The HAVA spending plan is approved by the Legislature (pursuant to a 30-day approval process after the 2007-08 budget is adopted);
- New contracts are signed by your county and the Secretary of State; and
- The executed contracts are returned to your county.

Some counties may require new resolutions from their Board of Supervisors to enter into the new contracts.

Several counties have asked for clarification about how this situation affects current obligations under the contract that lapsed on June 30 and purchasing or other activities taking place after June 30. The simple answer is that purchases and activities that take place after the old contract lapsed and before the new contract takes effect will not be reimbursable. More specific information is listed below.

What CAN be reimbursed under the old contracts:

- Invoices from vendors for approvable goods or services dated prior to June 30, 2007.
- Services provided by county employees or contract employees (including consultants) with supporting time sheets prior to June 30, 2007.
- Invoices from vendors dated after June 30, 2007, (for approvable items) if accompanied by county documentation such as a purchase order or pages from a signed contract that show an effective obligation date prior to June 30, 2007.

What CANNOT be reimbursed under the old contracts:

- Goods or services ordered after June 30, 2007.
- Requests for reimbursement received by SOS after September 30, 2007.
- Invoices for labor (including consulting) that is performed after June 30 (unless such labor is part of a deliverable-based contract).
- Services provided by county employees after June 30, 2007.

Documentation that will be required for reimbursement under the NEW contracts:

- Invoices for approvable goods or services accompanied by a county purchase order or pages from a signed contract that show an effective obligation date after the date on which the new contract becomes effective.
- Items with purchase orders or contracts issued before the contract date, but held for delivery and invoicing after the contract date cannot be reimbursed.
- Time sheets for labor by county employees or contract employees showing that services were performed after the date on which the new contract becomes effective.

Updated versions of invoicing procedures for the old contracts are attached. If you have any questions regarding this process, please contact me at 916-651-7837 or Debbie O'Donoghue at 916-653-6173. Questions on specific invoices or procedures for processing invoices may be addressed to Kaye Kaufman at 916-653-9115.

Thank you.