

Merced County

Project Documentation Package Staff Report

Summary

| Merced County | Amounts |
|----------------------------------------|----------------|
| Staff Recommended Funding Award Amount | \$1,056,294.37 |
| VMB Approved Allocation Amount | \$1,056,294.37 |
| 3:1 Matching Fund Amount | \$352,098.12 |
| Total Combined System Cost | \$2,687,643.00 |

Voting System:

Hardware: ES&S Model 100 Precinct Ballot Counters (Optical Scan) – 104 Units
ES&S AutoMARK Voter Assist Terminals (Optical Scan) – 104 Units

Traded-in

Equipment: iVotronic Terminals (DRE) – 446 Units
ES&S Model 650 High Speed Central Scanners (Optical Scan) – 2 Units

Vendor:

Elections Systems and Software, Inc. (ES&S)

Acquisition Schedule:

Merced County has secured its voting system equipment and this new equipment was implemented completely during the June 6, 2006 Primary Election.

Project Completion Date:

Merced County's project completion date was upon certification of the June 6, 2006 Primary Election.

Voter Verifiable Paper Audit Trail (VVPAT):

The VVPAT requirement does not apply to Merced County's Project Documentation Plan, as the system is a paper-based optical scan voting system.

Staff Report:

Merced County's Project Documentation Package meets the requirements for completeness. The ES&S Model 100 Optical Scan Units and ES&S AutoMARK Voter Assist Terminals are certified for use in California.

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Merced County began the process of upgrading its voting equipment in 2003. The county was cognizant that it did not want to implement a new voting system during a Presidential election cycle; therefore, in June of 2003 Merced County entered into a contract with ES&S to purchase new touch screen technology. The county purchased 446 iVotronic DRE units and 2 Model 650 High Speed Central Scanners. Merced County conducted an extensive voter outreach program to introduce the new voting system to its voters. The county held demonstrations at the Merced County Fair and other community events to promote the new voting system. The county projected that it educated approximately one-third of its voters before the equipment was deployed for the first time during their November 2003 UDEL election. Merced County asserted that the equipment was well received by the voters and was successfully used in five countywide elections.

Effective January 1, 2005, California state law required that all DRE voting systems receive federal qualification and include an accessible VVPAT by January 1, 2006, in order for the equipment to be certified and used in California. ES&S did not seek state approval for a printer for the iVotronic DRE units in time for the 2006 deadline. Therefore, Merced County's new DRE units were no longer permitted to be used, and as a result, the county was required to trade in the iVotronic and Model 650 units for equipment that would fulfill the state and federal accessibility requirements.

Pursuant to the requirements of the federal Voting Rights Act of 1965, Merced County was required to obtain pre-approval of both the Model 100s and AutoMARK equipment from the U.S. Department of Justice.

The Model 100s and the AutoMARK units were implemented completely during the June 6, 2006 Primary Election. Merced County believes that the deployment of the Model 100 optical scan units combined with the AutoMARK Voter Assist Terminals brought the county into compliance with the Help America Vote Act (HAVA) and the state accessibility requirements.

Merced County will only receive VMB payments once it has submitted detailed invoices for its certified voting equipment. Please note that the staff-proposed funding award is based upon allowable reimbursement under Proposition 41 only for voting equipment hardware and software. The election support services and other service charges listed in the Merced County contract with ES&S are not covered as reimbursable claims under Proposition 41.

Staff Recommendation:

It is our recommendation that Merced County's Project Documentation Plan be approved and a Funding Award letter be issued in the amount of \$1,056,294.37.