

File No. 111153

Committee Item No. 10

Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee

Date: November 16, 2011

Board of Supervisors Meeting

Date \_\_\_\_\_

#### Cmte Board

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/>            | <input type="checkbox"/> | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/> | Legislative Digest                           |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Budget & Legislative Analyst Report          |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ethics Form 126                              |
| <input type="checkbox"/>            | <input type="checkbox"/> | Introduction Form (for hearings)             |
| <input type="checkbox"/>            | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/> | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Subcontract Budget                           |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Application                                  |

#### OTHER

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Completed by: Victor Young

Date: November 10, 2011

Completed by: Victor Young

Date: \_\_\_\_\_

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

1 [Contract Extension - Voting System - Not to Exceed \$4,529,600]

2  
3 **Resolution approving an amendment to the existing contract between the City and**  
4 **County of San Francisco, through its Department of Elections, and Dominion Voting**  
5 **Systems for an amount not to exceed \$4,529,600 and to extend the term of the contract**  
6 **through December 11, 2013 [or December 11, 2016].**

7  
8 WHEREAS, In December 2007 the City entered into a contract with Sequoia Voting  
9 Systems, Inc. (Sequoia) for the purchase of new voting equipment and voting services  
10 (Contract), as approved by the Board of Supervisors under Resolution No. 654-07; and

11 WHEREAS, The term of the Contract is four years, from December 11, 2007 to  
12 December 11, 2011, with two options for the City to renew for one year each; and

13 WHEREAS, The total cost of the original Contract was \$12.65 million, of which \$8.46  
14 million was payment for voting equipment and \$4.18 million was payment for voting services;  
15 and

16 WHEREAS, The City used \$5.8 million in Help America Vote Act (HAVA) and  
17 Proposition 41 funds to purchase the new voting equipment; and

18 WHEREAS, In January 2008, the City and Sequoia amended the contract to state that  
19 the City would pay Sequoia \$1.13 million instead of transferring the City's old voting machines  
20 to Sequoia, as approved by the Board of Supervisors under Resolution No. 65-08; and

21 WHEREAS, Dominion Voting Systems, Inc., acquired substantially all of the assets of  
22 Sequoia on June 4, 2010, and assumed Sequoia's contract with the City; and

23 WHEREAS, City desires to exercise its two one-year options to extend the Contract  
24 through December 11, 2013, at a cost of \$2.26 million; or

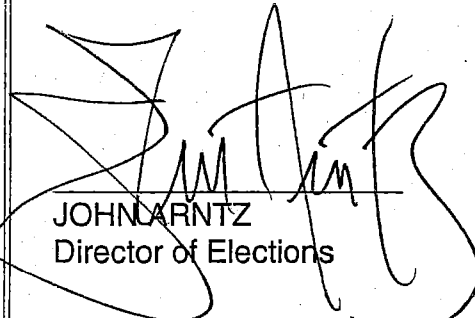
1           WHEREAS, City desires to exercise its two one-year options to extend the Contract  
2 through December 11, 2013, and City and Dominion desire to amend the Contract to provide  
3 for an additional three-year extension through December 11, 2016, at a total cost of \$4.53  
4 million; and


5           WHEREAS, Under these extensions, Dominion would continue to provide voting  
6 services at the rates in effect for 2007-2011 and City would not be required to purchase new  
7 voting machines; now, therefore, be it

8           RESOLVED, That in accordance with Charter Section 9.118(b), the Board of  
9 Supervisors hereby approves an amendment to the Contract, a copy of which amendment is  
10 on file with the Clerk of the Board in File No: 111153 and is incorporated in this resolution  
11 by reference, to extend the Contract through December 11, 2013 [or December 11, 2016]; be  
12 it

13           FURTHER RESOLVED, That the Board authorizes the Director of Elections to execute,  
14 on behalf of the City, this amendment to the Dominion Contract and enter into any  
15 modifications of the Dominion Contract that the Director determines in consultation with the  
16 City Attorney, are in the best interests of City, are necessary and advisable to effectuate the  
17 purpose of the Contract or this Resolution, and are in compliance with all applicable laws,  
18 including the City's Charter and applicable City Ordinances.

19  
20 RECOMMENDED:

21  
22  
23  
24   
25  
JOHN ARNTZ  
Director of Elections

  
BEN ROSENFELD  
Controller

Director of Elections  
**BOARD OF SUPERVISORS**



**Item 10**  
**File 11-1153**

**Department(s):**  
Department of Elections

### **EXECUTIVE SUMMARY**

#### **Legislative Objectives**

- The proposed resolution would approve an amendment to an existing agreement between the City, through the Department of Elections, and Dominion Voting Systems to either (a) exercise the two existing one-year options in order to extend the term of the existing agreement through December 10, 2013, for an additional cost of \$2.26 million; or (b) exercise the two existing one-year options, and further extend the agreement by an additional three years, or through December 11, 2016, for an additional cost of \$4.53 million.

#### **Key Points**

- On December 11, 2007, based on the results of a competitive RFP process, the Board of Supervisors approved the award of a not-to-exceed \$12,650,233 agreement between the Department of Elections and Sequoia Voting Systems, Inc. for the purchase of a new voting system and the provision of associated voting services for the four-year period from December 11, 2007 through December 10, 2011, with two one-year options to extend the agreement, through December 10, 2013 (File 07-0040; Resolution 654-07).
- On June 4, 2010, Sequoia Voting Systems, Inc. was acquired by Dominion Voting Systems, Inc.

#### **Fiscal Impact**

- All of the additional Dominion Voting System Inc costs would be paid with General Fund revenues, subject to appropriation approval by the Board of Supervisors in future years.

#### **Policy Considerations**

- Although the existing agreement does not provide for more than two one-year options to extend, the Department of Elections is requesting an extension of the existing agreement for five years without undergoing a new competitive RFP process because: (a) the last time the Department of Elections issued a RFP for a new voting system, it took over two and a half years to complete, (b) the Department of Elections does not anticipate having additional funds to secure new voting equipment, (c) there are no new voting systems currently available, (d) only one vendor offers Ranked Choice Voting options, which is the City's current Dominion Voting Systems contractor, and (e) the existing four year agreement with two one-year options, or a total of six years, is extremely short and unique to San Francisco for a voting system.

#### **Recommendations**

##### **1. Regarding the proposed amendment to exercise the two one-year options:**

- Amend the proposed resolution's title to delete "for an amount not to exceed \$4,529,600 and to extend the term of the contract through December 11, 2013 [or December 11, 2016]" and replace this language with "for an amount not to exceed \$2,264,800 and to extend the term of the contract through December 10, 2013".
- Amend the proposed resolution on page 1, line 24 to delete "at a cost of \$2.26 million" and insert "at a cost not-to-exceed \$2,264,800".
- Approve the proposed resolution, as amended, in order to exercise the two one-year options to extend the term through December 10, 2013, for an additional cost of \$2,264,800.

2. Regarding the alternative proposed amendment to exercise the two one-year options and further extend the agreement by three additional years:

- Amend the proposed resolution's title to delete "for an amount not to exceed \$4,529,600 and to extend the term of the contract through December 11, 2013 [or December 11, 2016]" and replace this language with "for an amount not to exceed \$5,910,700 and to extend the term of the contract through December 10, 2016".
- Amend the proposed resolution on page 2, lines 3 and 4 to delete "at a total cost of \$4.53 million" and insert "at a cost not-to-exceed \$5,910,700".
- Continue the proposed resolution to the next meeting of the Budget and Finance Committee, in accordance with the City Attorney's recommendation.
- Approval of the alternative proposed amendment, as amended, to both exercise the two one-year options and extend the agreement by an additional three years is a policy decision for the Board of Supervisors because the additional three years were not provided for in the existing agreement, as previously approved by the Board of Supervisors.

## MANDATE STATEMENT/ BACKGROUND

### Mandate Statement

In accordance with Charter Section 9.118(b), City agreements with anticipated expenditures of \$10,000,000, or more or amendments to such City agreements with anticipated expenditures of more than \$500,000 are subject to approval by the Board of Supervisors.

### Background

On December 11, 2007, based on the results of a competitive Request for Proposal (RFP) process, the Board of Supervisors approved the award of a not-to-exceed \$12,650,233 agreement between the Department of Elections and Sequoia Voting Systems, Inc. for the purchase of a new voting system and the provision of associated voting services for the four-year period from December 11, 2007 through December 10, 2011, with two one-year options to extend the agreement, through December 10, 2013 (File 07-0040; Resolution 654-07).

Table 1 below summarizes the sources and uses of the funds totaling \$12,650,233 to purchase the City's new voting equipment, including hardware and software, installation, training, warehouse improvements, election services, maintenance and license fees under the original agreement between the Department of Elections and Sequoia Voting Systems, Inc.

**Table 1: Sources and Uses of Funds for the Original Agreement**

<u>Source of Funds</u>	
Help America Vote Act (HAVA) (Federal Funds)	\$ 1,950,235
Proposition 41 (State Funds)	3,544,110
General Fund	7,155,888
<b>Total Funding Sources</b>	<b>\$12,650,233</b>
<u>Use of Funds</u>	
Voting Equipment, Software, Training and Outreach	\$ 9,094,933
Trade-in of City's Existing Voting Equipment	(1,130,000)
Warehouse Capital Improvements	542,000
Election Services (\$497,400 x 6 elections <sup>1</sup> )	2,984,400
Maintenance and License Fees (\$386,300 x 3 years) <sup>2</sup>	<u>1,158,900</u>
<b>Total Funding Uses</b>	<b>\$ 12,650,233</b>

As shown in Table 1 above, as part of the \$12,650,233 agreement approved in December of 2007 with Sequoia Voting Systems, Inc. the City was to receive a \$1,130,000 credit by trading in the City's previous voting equipment. However, on February 12, 2008, the Board of Supervisors approved a settlement of a lawsuit (File 08-0123; Ordinance No. 18-08) between the City and Election Systems and Software, Inc. (ES&S), the City's previous voting equipment contractor prior to Sequoia Voting Systems, Inc. for ES&S to pay the City a net amount of \$3,457,865, in exchange for the City returning all of the previous voting equipment back to ES&S. As part of that lawsuit settlement, the Board of Supervisors approved a first amendment to the agreement with Sequoia Voting Systems, Inc. to pay Sequoia an additional \$1,130,000 from the lawsuit settlement proceeds received from ES&S, instead of transferring the City's old voting machines to Sequoia (Resolution No. 65-08).

On June 4, 2010, Sequoia Voting Systems, Inc. was acquired by Dominion Voting Systems, Inc., such that Dominion Voting Systems, Inc. has assumed the existing agreement with the Department of Elections and has continued to provide voting services for the City.

## DETAILS OF PROPOSED LEGISLATION

As noted above, the existing \$12,650,233 agreement between the Department of Elections and Dominion Voting Systems, Inc. (formerly Sequoia Voting Systems, Inc.) extends for four years from December 11, 2007 through December 10, 2011, and

<sup>1</sup> Elections services are provided for six elections including two elections in 2008, one election in 2009, two elections in 2010 and one election in 2011.

<sup>2</sup> Only three years of Maintenance and License Fees were charged, under the subject four-year agreement, because there were no Maintenance and License Fees charged for the first year of the agreement.

includes two one-year options to extend the agreement, through December 10, 2013. The proposed resolution provides two alternative amendments to the existing agreement with Dominion Voting Systems, Inc.

Under the first alternative, the proposed resolution would approve an amendment to the existing agreement between the Department of Elections and Dominion Voting Systems, Inc. to exercise the two existing one-year options in order to extend the term of the existing agreement through December 10, 2013, for an additional cost of \$2.26 million in order for Dominion Voting Systems, Inc. to continue to provide the Department of Elections with (a) election services, that includes ballot layouts, logic and accuracy testing of the voting equipment and certification of the election results, and (b) maintenance and license agreements in order to maintain the equipment and operate the voting systems.

Under the second alternative, the proposed resolution would approve an amendment to the existing agreement between the Department of Elections and Dominion Voting Systems, Inc. to (a) exercise the two existing one-year options, and (b) further extend the agreement by an additional three years, or through December 10, 2016, for an additional cost of \$4.53 million in order for Dominion Voting Systems, Inc. to continue to provide the Department of Elections with election services and maintenance and license agreements.

## **FISCAL IMPACTS**

Table 2 below, provided by Mr. John Arntz, the Director of the Department of Elections, provides a summary breakdown of the total \$12,650,233 in costs that were incurred by the City each year under the existing agreement through December 10, 2011, when the current agreement with Dominion Voting Systems expires.



**Table 2: Expenditures Made by the Department of Elections Under the Existing Dominion Voting Systems Agreement**

	2007	2008 (two elections)	2009 (one election)	2010 (two elections)	2011 (one election)	Total
Hardware and Software	\$4,000,000	\$2,905,933				\$6,905,933
Installation and Training		999,000				999,000
Outreach		60,000				60,000
Warehouse Improvements	542,000					542,000
Election Services		994,800	497,400	994,800	497,400	2,984,400
Maintenance and License Agreements			386,300	386,300	386,300	1,158,900
<b>Total</b>	<b>\$4,542,000</b>	<b>\$4,959,733</b>	<b>\$883,700</b>	<b>\$1,381,100</b>	<b>\$883,700</b>	<b>\$12,650,233</b>

Under the first alternative, the proposed resolution would exercise the two one-year options under the existing agreement with Dominion Voting Systems, Inc. to extend the term of the existing agreement, that currently is scheduled to terminate on December 10, 2011, through December 10, 2013, for an additional cost of \$2,264,800 (the proposed resolution states \$2.26 million), as shown in Table 3 below.

**Table 3: Proposed Expenditures Under the Two-Year Option to Extend the Dominion Voting Systems Agreement**

	2012 (two elections)	2013 (one election)	Total
Election Services	\$994,800	\$497,400	\$1,492,200
Maintenance and License Agreements	386,300	386,300	772,600
<b>Total</b>	<b>\$1,381,100</b>	<b>\$883,700</b>	<b>\$2,264,800</b>

Although Table 3 above identifies total additional costs of \$2,264,800, the Budget and Legislative Analyst notes the proposed resolution currently specifies additional total costs of \$2.26 million for this two-year option to extend. Therefore, the Budget and Legislative Analyst recommends that the proposed resolution be amended on page 1, line 24 to delete "at a cost of \$2.26 million" and insert "at a cost not-to-exceed \$2,264,800".

All of these costs under the proposed two-year extension period are anticipated to be paid with the Department of Elections General Fund revenues, subject to appropriation approval by the Board of Supervisors in the FY 2012-2013 and FY 2013-2014 budgets.

Under the second alternative, the proposed resolution would exercise both the existing two one-year options through December 11, 2013, and also, without undergoing a new

competitive RFP process, further extend the existing agreement for an additional three years, or through December 10, 2016, for a total additional cost of \$5,910,700, as shown in Table 4 below.

**Table 4: Proposed Expenditures for the Alternative Which Includes the Existing Two-Year Option to Extend and Further Extends the Agreement by an Additional Three Years Under the Dominion Voting Systems Agreement**

	2012 (two elections)	2013 (one election)	2014 (two elections)	2015 (one election)	2016 (two elections)	Total
Election Services	\$994,800	\$497,400	\$994,800	\$497,400	\$994,800	\$3,979,200
Maintenance and License Agreements	386,300	386,300	386,300	386,300	386,300	1,931,500
<b>Total</b>	<b>\$1,381,100</b>	<b>\$883,700</b>	<b>\$1,381,100</b>	<b>\$883,700</b>	<b>\$1,381,100</b>	<b>\$5,910,700</b>

Although Table 4 above identifies total additional costs of \$5,910,700, the Budget and Legislative Analyst notes the proposed resolution currently specifies additional total costs of \$4.53 million for this second alternative request to extend the agreement by a total of five years. Therefore, the Budget and Legislative Analyst recommends that the proposed resolution be amended on page 2, lines 3 and 4 to delete "at a total cost of \$4.53 million" and insert "at a cost not-to-exceed \$5,910,700".

All of these additional costs are anticipated to be paid with General Fund revenues, subject to appropriation approval by the Board of Supervisors in the Department of Elections budgets in future years.

As shown in Tables 2, 3 and 4 above, under both the proposed two year extension and five year extension, the cost for Election Services would remain at the same rate of \$497,400 per election as currently charged by Dominion Voting Systems, Inc. in the existing 2007 through 2011 agreement as shown in Table 2 above. Similarly, the annual Maintenance and License Agreement costs under both the proposed two year extension and five year extension would remain at the same \$386,300 per year (see Tables 2, 3 and 4 above) as under the existing agreement.

## **POLICY CONSIDERATIONS**

The proposed resolution provides two alternative amendments: (a) an amendment to exercise the two one-year options under the existing agreement with Dominion Voting Systems, Inc. in order to extend the term of the existing agreement through December 10, 2013, for an additional cost of \$2,264,800, or (b) an amendment to both exercise the two one-year options and further extend the agreement by an additional three years, or through December 10, 2016, for an additional cost of \$5,910,700. However, as noted above, the existing agreement only provides for the first alternative, to exercise the two one-year options.

Although the existing agreement does not provide for more than two one-year options to extend, Mr. Arntz advises that he is requesting approval of the second alternative amendment to enable the existing agreement to be extended for five years, without undergoing a new competitive Request for Proposal (RFP) process, because: (a) the last time the Department of Elections issued a RFP for a new voting system, the RFP process took over two and a half years to complete, (b) the Department of Elections does not anticipate having additional funds to secure new voting equipment, (c) there are no new voting systems currently available, (d) only one contractor offers Ranked Choice Voting options, which is the City's current contractor, Dominion Voting Systems, and (e) the existing four year agreement with two one-year options, or a total of six years, is extremely short and unique to San Francisco for a voting system.

The Budget and Legislative Analyst also notes that the existing language in lines 5 and 6 of the title of the proposed resolution that states: "for an amount not to exceed \$4,529,600 and to extend the term of the contract through December 11, 2013 [or December 11, 2016]" should be deleted. If the Board of Supervisors approves the first alternative, lines 5 and 6 of the title of the proposed resolution should be amended to state "for an amount not to exceed \$2,264,800 and to extend the term of the contract through December 10, 2013" for the two-year option. If the Board of Supervisors approves the second alternative, lines 5 and 6 of the title of the proposed resolution should be amended to state "for an amount not to exceed \$5,910,700 and to extend the term of the contract through December 10, 2016" for the five-year option.

Ms. Cheryl Adams of the City Attorney's Office advises that if the Board of Supervisors approves the second alternative to extend the existing agreement for a total of five years, which will require increasing the amount that is to be included in the proposed resolution from \$4,529,600 to \$5,910,700 as noted above, the proposed resolution would require additional public comment, such that the proposed resolution would need to be continued.

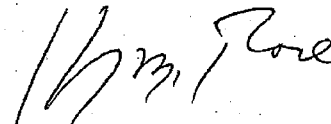
## RECOMMENDATIONS

1. Regarding the first alternative to amend the existing agreement to exercise the two one-year options:

- Amend the proposed resolution's title to delete "for an amount not to exceed \$4,529,600 and to extend the term of the contract through December 11, 2013 [or December 11, 2016]" and replace this language with "for an amount not to exceed \$2,264,800 and to extend the term of the contract through December 10, 2013".
- Amend the proposed resolution on page 1, line 24 to delete "at a cost of \$2.26 million" and insert "at a cost not-to-exceed \$2,264,800".
- Approve the proposed resolution, as amended, in order to exercise the two one-year options to extend the term through December 10, 2013, for an additional cost of \$2,264,800.

2. Regarding the second alternative to amend the existing agreement to exercise the two one-year options and further extend the agreement by three additional years:

- Amend the proposed resolution's title to delete "for an amount not to exceed \$4,529,600 and to extend the term of the contract through December 11, 2013 [or December 11, 2016]" and replace this language with "for an amount not to exceed \$5,910,700 and to extend the term of the contract through December 10, 2016".
- Amend the proposed resolution on page 2, lines 3 and 4 to delete "at a total cost of \$4.53 million" and insert "at a cost not-to-exceed \$5,910,700".
- Continue the proposed resolution to the next meeting of the Budget and Finance Committee, in accordance with the City Attorney's recommendation.
- Approval of the second alternative proposed amendment, as amended, to both exercise the two one-year options under the existing agreement and extend the agreement by an additional three years, is a policy decision for the Board of Supervisors because the additional three years were not provided for in the existing agreement, as previously approved by the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Chu  
Supervisor Mirkarimi  
Supervisor Kim  
President Chiu  
Supervisor Avalos  
Supervisor Campos  
Supervisor Cohen  
Supervisor Elsbernd  
Supervisor Farrell  
Supervisor Mar  
Supervisor Wiener  
Clerk of the Board  
Cheryl Adams  
Controller  
Rick Wilson

**CITY AND COUNTY OF SAN FRANCISCO**  
OFFICE OF CONTRACT ADMINISTRATION  
PURCHASING DIVISION

**SECOND AMENDMENT**

THIS AMENDMENT (this "Amendment") is made as of \_\_\_\_ day of \_\_\_\_\_ 2011 (the "Effective Date"), in San Francisco, California, by and between Dominion Voting Systems, Inc. ("Contractor" or "Dominion"), and the City and County of San Francisco, a municipal corporation ("City"), acting by and through its Director of the Office of Contract Administration.

**RECITALS**

WHEREAS, City and Sequoia Voting Systems, Inc. ("Sequoia") entered into an agreement dated December 11, 2007 between Sequoia and City (the "Agreement"); and

WHEREAS, City and Sequoia entered into the First Amendment to the Agreement on January 18, 2008; and

WHEREAS, Dominion acquired substantially all of the assets of Sequoia on June 4, 2010, and Sequoia assigned and Dominion assumed all of Sequoia's right, title and interest in and to the Agreement and all of Sequoia's duties and obligations thereunder, and the City consented to this assignment and assumption; and

WHEREAS, City and Contractor desire to modify the Agreement on the terms and conditions set forth herein;

NOW, THEREFORE, Contractor and the City agree as follows:

1. **Modifications to the Agreement.** The Agreement is hereby modified as follows:
  - a. **Section 3.** Section 3, entitled "Term of the Agreement," is hereby amended in its entirety to read as follows: "The term of this Agreement shall be six (6) years, from December 11, 2007 to December 11, 2013."
  - b. **Section 10(A).** Section 10(A), entitled "Fixed Price," is hereby amended in its entirety to read as follows: "In consideration for the services rendered under this Agreement and for the rights in the Hardware and System Software granted hereunder, the City shall pay to Contractor the amount set forth in Appendix C (Deliverables) in accordance with the Payment Schedule attached hereto and fully incorporated herein as Appendix F (Payment Schedule). In no event shall the amount of this Agreement exceed Sixteen Million Forty Five Thousand and Thirty Three and 25/100 Dollars (\$16,045,033.25). Compensation shall be due and payable within thirty days of the date of Contractor's invoice. All payments from City to Contractor shall be made via wire transfer in accordance with written wire instructions provided by the Contractor."
  - c. **Section 24-1(a)(iv).** Section 24-1(a)(iv), under "Surety Bonds," is hereby amended in its entirety to read as follows: "During the period of January 1, 2011 to January 1, 2014, the sum of Five Hundred Thousand and 00/100 (\$500,000.00) dollars, which Bond shall be surrendered to Contractor by City upon the expiration date of January 1, 2014."

d. **Appendix F.** Appendix F, entitled "Payment Schedule (First Amendment)," is hereby amended to add a section entitled "Summary Payment Schedule 2012-2013," attached hereto and fully incorporated herein, to reflect the City's exercise of its options to extend the term of the Agreement through December 11, 2013. This amended payment schedule shall be known as "Payment Schedule (Second Amendment)."

2. **Legal Effect.** Except as expressly modified by this Amendment, all of the terms and conditions of the Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, Contractor and City have executed this Amendment as of the date first referenced above.

**CITY**

Recommended By:

Signature

John Arntz  
Director of Elections

**CONTRACTOR**

**Dominion Voting Systems, Inc.**  
City Vendor Number: 83370

By

Signature

John Poulos, President and CEO

Approved to Form:

DENNIS J. HERRERA  
City Attorney

By

Mollie Lee, Deputy City Attorney

Approved:

Naomi Kelly  
Director of Office of Contractor Administration  
Purchase

Addition to Appendix F Payment Schedule  
 San Francisco Purchase Agreement Second Amendment  
 \_\_\_\_ day of \_\_\_\_\_ 2011

**Summary Payment Schedule 2012-2013**

Summary Payment Schedule	2012	2013	Total
Election Services	994,800.00	497,400.00	1,492,200.00
Maintenance and License Fees	386,300.00	386,300.00	772,600.00
<b>Total</b>	<b>1,381,100</b>	<b>883,700</b>	<b>2,264,800.00</b>

\*\*\*Election Service, License Fees, and Maintenance Fees for 2012 and 2013 are based on per election service charges detailed in Appendix C-1 Election Services and C-2. If the City conducts additional elections during these years in addition to the number of elections included in that year's aggregate total, additional charges shall apply. The following elections are included the pricing shown above:

2012 – Consolidated Statewide Primary Election

2012 – Consolidated General Election

2013 – General Municipal Election

Election Services are payable based on completion of tasks defined in the "Election Services Payables" table in this Appendix F.

**FORM SFEC-126:**  
**NOTIFICATION OF CONTRACT APPROVAL**  
(S.F. Campaign and Governmental Conduct Code § 1.126)

<b>City Elective Officer Information</b> <i>(Please print clearly.)</i>	
Name of City elective officer(s): Members, Board of Supervisors	City elective office(s) held: Members, Board of Supervisors
<b>Contractor Information</b> <i>(Please print clearly.)</i>	
Name of contractor: <b>Dominion Voting Systems, Inc.</b>	
<i>Please list the names of (1) members of the contractor's board of directors; (2) the contractor's chief executive officer, chief financial officer and chief operating officer; (3) any person who has an ownership of 20 percent or more in the contractor; (4) any subcontractor listed in the bid or contract; and (5) any political committee sponsored or controlled by the contractor. Use additional pages as necessary.</i> Dominion voting systems, Inc. is a wholly owned (100%) subsidiary of Dominion Voting Corporation. John Poulos is the CEO and President and Sole Member of the Board of Directors.	
Contractor address: 1201 – 18 <sup>th</sup> Street, Suite 210, Denver, CO 80202	
Date that contract was approved: <i>(By the SF Board of Supervisors)</i>	Amount of contract: \$12,650,000
Describe the nature of the contract that was approved: Purchase of voting system and related services	
Comments:	

This contract was approved by (check applicable):

the City elective officer(s) identified on this form

a board on which the City elective officer(s) serves: San Francisco Board of Supervisors  
Print Name of Board

the board of a state agency (Health Authority, Housing Authority Commission, Industrial Development Authority Board, Parking Authority, Redevelopment Agency Commission, Relocation Appeals Board, Treasure Island Development Authority) on which an appointee of the City elective officer(s) identified on this form sits

Print Name of Board

<b>Filer Information</b> <i>(Please print clearly.)</i>	
Name of filer: Angela Calvillo, Clerk of the Board	Contact telephone number: ( 415 ) 554-5184
Address: City Hall, Room 244, 1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102	E-mail: Board.of.Supervisors@sfgov.org

Signature of City Elective Officer (if submitted by City elective officer)

Date Signed

Signature of Board Secretary or Clerk (if submitted by Board Secretary or Clerk)

Date Signed