



**MEMORANDUM  
OFFICE OF THE  
PLACER COUNTY CLERK – RECORDER –  
REGISTRAR OF VOTERS**

**TO:** Honorable Board of Supervisors  
**FROM:** Jim McCauley, Placer County Clerk – Recorder – Registrar of Voters  
**DATE:** August 1, 2006  
**SUBJECT:** Approve Purchase of HAVA Compliant, Accessible Voting Equipment

*Jim McCauley*

**Recommendation**

Approve purchase of 310 Help America Vote Act (HAVA) compliant and accessible touch screen voting machines and related costs; authorize the County Clerk – Recorder – Registrar of Voters to execute the resultant contracts, subject to County Counsel approval; and approve resolution authorizing County to enter into a reimbursement agreement with the State for HAVA Sect. 301 (voting systems compliance and accessibility) federal funds to offset touch screen equipment and system acquisition costs.

**Background**

In October 2001, the Board of Supervisors approved the County's purchase of 260 Diebold AccuVote optical scan tabulators for precinct and absentee ballot counting. In October 2003, the Board also approved purchase of 75 additional optical scan tabulators due to growth in voter registration and poll locations.

In October 2002, the federal Help America Vote Act of 2002 (HAVA) was enacted. This Act established requirements for provisional voting rights, new-voter registration identification requirements, statewide voter registration databases, procedures for military and overseas voters, federal certification of voting systems, and—under Sect. 301 of HAVA— for voting system accessibility. These latter requirements for accessible voting equipment, popularly referred to as “touch screen” voting equipment,<sup>1</sup> are the most visible of the various HAVA requirements and are intended to enable almost every voter, including voters with disabilities, to vote independently and confidentially. Specifically, at least one HAVA compliant, federally qualified, accessible voting machine is required at each polling location in the County for the next federal election in November, 2006.

Subsequent California legislation added requirements for a voter-verifiable paper audit trail (VVPAT) to all touch screen voting equipment purchased after January 1 of this year. This requirement was designed to address concerns about security of touch screen voting by ensuring that voters could review a paper record of their vote and that the paper record would be available as the permanent record of votes cast, in the manner of cast paper ballots. Additionally, California Secretary of State Bruce McPherson implemented rigorous requirements for voting systems certification which are attached for reference.

<sup>1</sup> The technical term for such equipment is Direct Record Electronic (DRE) voting equipment.

### **Analysis**

Due to the implementation of all the new requirements referenced above, California counties have been faced with very limited choices of federally qualified, State certified, HAVA accessible voting equipment with VVPAT printers.<sup>2</sup> Additionally, it is important to note that *all* of the approved touch screen systems are proprietary computer systems, subject to frequent system upgrades (technological obsolescence), significant staff and poll worker training requirements, and election deployment and poll security issues. Furthermore, the "perfect" touch screen voting system simply does not (yet) exist – one system may have more accessibility features or more security features than another system, but require more complex integration to be used with existing systems, or require duplicate ballot preparation, or be more costly for initial purchase or life-cycle costs, or a system might even be federally qualified but not certified for purchase in California.

Furthermore, in considering their choices, many California counties have desired to *integrate* rather than *replace* their existing polling place-based, optical scan voting equipment with new touch screen equipment. Counties, such as Placer, have wanted to preserve their optical scan equipment investment for cost reasons<sup>3</sup> and because the systems are already familiar to voters, are considered accurate for determining voter intent, provide an obvious, verifiable paper trail, can be counted quickly, and are also necessary in any event for the growing percentages of absentee voting experienced each election. Of course, the integration of different systems and technologies can be complex at best, but such integration issues – including the effort required to create multiple optical scan and touch screen ballot layouts - can be lessened when equipment is provided by the same vendor and/or when the different equipment can make use of common databases.

### **Recommendation**

Taking all of the relevant factors into consideration, and after careful review of each of the systems currently allowed for *new* acquisitions in California, including performance during the most recent statewide elections and input from representatives of the disabled community, the Placer County Clerk – Recorder – Registrar of Voters has determined that the Diebold AccuVote TSX touch screen voting units with integrated VVPAT printer module provides the best *combination* of cost, accessibility, security, and integration with the County's existing election equipment and system. Detailed contract terms are, however, still being developed and negotiated, pending your Board's approval of the purchase recommendation and County Counsel legal review and approval.

### **Criteria**

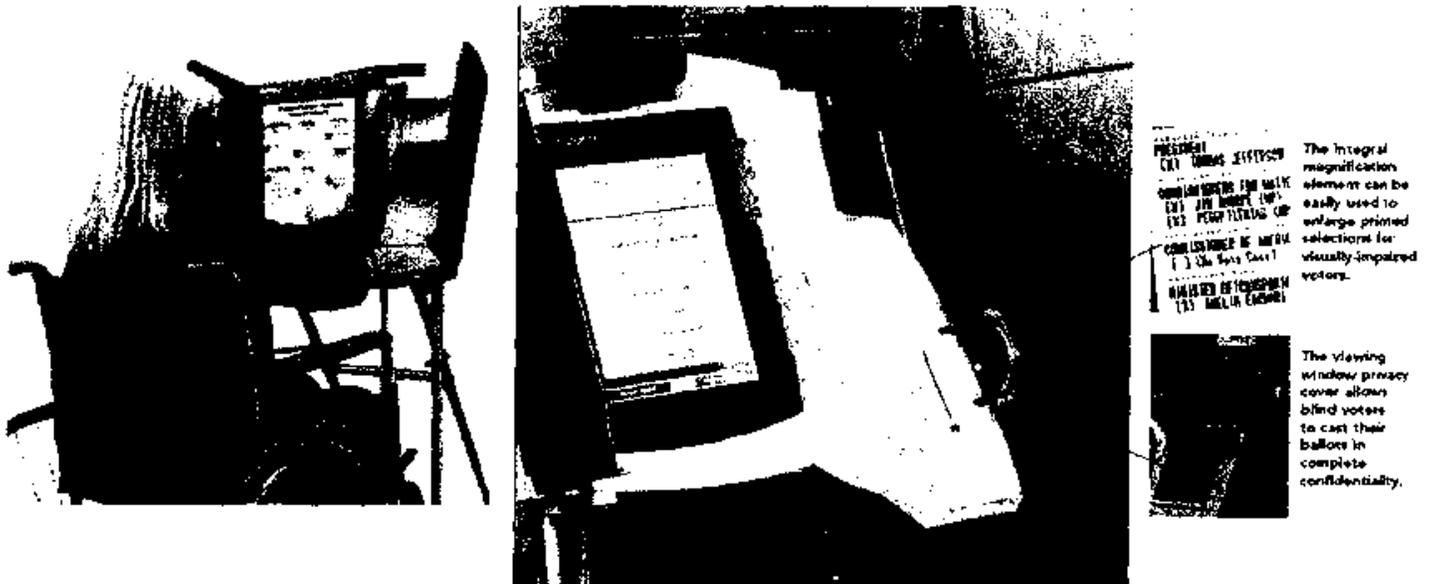
While the subject purchase recommendation is allowable under Sect. 1.3 (b) and (i) of the County's Purchasing Policy Manual, which exempts election supplies and data processing equipment, software, installation, maintenance and training from the competitive procurement process, the County Clerk did receive formal and informal cost proposals from all of the approved system vendors. Based on these proposals, the Diebold TSX units with VVPAT printer modules are the least costly for the County to acquire. Additionally, the TSX unit pricing as proposed for Placer is also less expensive than the current contract price for those

<sup>2</sup> Only four touch screen systems are actually approved for new voting systems purchases in California at present (see attachment).

<sup>3</sup> Going to all touch screen voting at the polls would increase the already considerable system costs from approximately \$1.7 million to an estimated \$8.5 million for Placer County.

units in several other states. As noted previously, agreement on final contract terms is still in process, but would be scheduled for completion in mid-August to allow adequate time for equipment delivery and acceptance testing, training, and outreach before programming is required for the November election (see attached timeline).

In addition to cost, other key features of the TSX (pictured below) that support this recommendation by the Placer County Clerk – Recorder – Registrar of Voters include:



- **Accessibility**

Visually-impaired and non-reading voters can use the audio available with the TSX to vote independently and in complete privacy. The size of the ballot text and the ballot target areas on the screen can be enlarged to 24 point type at any time during the voting process for voters with limited vision.

A viewing window privacy cover on the VVPAT printer allows blind voters to cast their ballots in complete confidentiality. A California approved magnification element for the VVPAT to enlarge printed selections for visually-impaired voters may be added in time for the November election.

The TSX can be set up on the attached, adjustable legs, on a table, or in a voting booth for wheelchair accessible voting and the TSX screen display angle can be adjusted for viewing from different heights.

A lightweight tethered keypad can be used by voters with limited dexterity. A "sip and puff" feature, for voter use by those persons who cannot physically mark a ballot or make voting selections from a touch screen, has also been developed and should be available in 2007.

The TSX can present ballots in a variety of different languages, including character languages, providing full language accessibility for voters. The VVPAT printer module also supports multiple languages.

Voters can return to the instruction page at any time during the voting process.

- **Accuracy**

The TSX provides write-in capability for voters in addition to touch selection for filed candidates and measures.

Over-voting (voting for more candidates than allowed for a race) is eliminated, as only the designated number of candidates can be selected for each race on the ballot. Voters can easily change their selections after the paper-based replica of the selections has been created by simply touching "reject ballot" on the touch screen. The VVPAT clearly indicates that the preceding selections on the printout are cancelled.

Under-voting (voting for fewer candidates than allowed for a race) is reduced, because the TSX offers a summary page once the voter has moved through the entire ballot, giving the voter an opportunity to verify choices and to vote in any race overlooked. Selections can be made or changed until the time the ballot is actually cast.

The VVPAT printer module provides a clear, accurate printout of each voter's selections, viewable through a transparent window in the unit. The selections displayed on the VVPAT print-out can be quickly and easily compared to the summary screen on the touch screen voting station, which lists each race and selection in the same order. The ability to simultaneously check selections against the summary screen simplifies and streamlines the voter's verification process.

- **Reliability**

The TSX and the attached VVPAT printer operate on standard 110-120 volt power. The TSX also has an internal battery backup in case of external power failure. The TSX battery backup can power the printer module as well.

The TSX with VVPAT printer was successfully used in eight California counties, including several much larger than Placer, during the June 6 Primary Election.

Diebold Elections Systems states that the retention capability of the VVPAT (thermal) paper is comparable to that of standard paper ballots.

- **Security**

The TSX is a stand alone voting station, not connected to the Internet, and in California, not used in wireless configurations that could be compromised by outsiders. Additionally to further increase security for Placer County, election results from votes cast on touch screen equipment will not be transmitted over the standard telephone network.

Every cast ballot is immediately encrypted and redundantly stored within the TSX voting station to secure ballot information. Electronic audit files provide a record of system activities.

A VVPAT paper record of each vote cast (without voter identification) is created and maintained in a locked enclosure. This allows voters to review their selections to assure that their intended votes have been correctly recorded. (Voters cannot remove the VVPAT record from the printer module canister.) The VVPAT records are also included in the mandated election canvass 1% manual recount.

- **Security, Cont'd.**

The voter card security key may be changed by the County for each election to increase security.

Additionally, to address persistent security concerns, the TSX (and the Diebold AccuVote OS) was subjected to a special expert security analysis that was independently commissioned by the California Secretary of State. The major recommendations of that study were subsequently incorporated into the Secretary of State's certification requirements for the TSX in February 2006, a copy of which is attached.

### **Fiscal Background**

- **State Funding**

In 2002, California voters passed Proposition 41, a \$200 million voting modernization bond measure to fund replacement of punch card voting throughout the state. The Act allows for a three to one reimbursement rate (\$3 of State money for every \$1 spent by the County)<sup>4</sup> for upgraded voting and ballot counting systems, such as Placer County's new optical scan system, as well as touch screen, HAVA compliant accessible voting equipment. The State Voting Modernization Board (VMB) allocated \$2,015,871 for Placer County's portion of the State bonds. Reimbursement from the Prop. 41 State funding was approved in two phases for Placer:

- Phase One, which is now complete, included upgrading the County's voting and vote counting system from punch card to optical scan equipment.
- Phase Two funding, of approximately \$501,000 from the County's remaining allocation of Prop. 41 funds, is approved to offset a portion of the new acquisition costs for touch screen equipment.

- **Federal Funding**

In addition to the State Prop. 41 bond funds, the State has received federal HAVA 301 funds for upgrading county voting systems. The HAVA 301 funds should provide Placer with an additional \$2.016 million<sup>5</sup> for accessible voting equipment, subject to your Board's approval of an agreement with the State to use the funds for touch screen equipment acquisition, as recommended. The federal funds may also be used to offset the County's remaining 25% share of cost under Prop. 41. Adoption of a resolution by your Board is required to allow the County to contract with the State for these HAVA 301 funds. These funds, when combined with the State funding outlined above, would fully offset the recommended touch screen purchase costs.

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<sup>4</sup> State Prop. 41 funding is limited to a maximum of \$3,000 for each touch screen voting device.

<sup>5</sup> The federal funds were allocated to counties on the same basis and in the same amounts as the State Prop. 41 funding.

**Fiscal Impact**

Based on current proposals, it is anticipated that purchasing 310 TSX voting units<sup>6</sup> with the required VVPAT, including system costs for various other recommended equipment, software, acceptance testing, training, vendor election support, related supplies, delivery costs, insurance and sales tax will total approximately \$1.725 million. A more detailed cost proposal is attached from Diebold for your Board's reference.

Additionally, the County recommends the purchase of appropriate, adjustable tables and chairs and/or voting booths for the touch screen units. The County and the disabled community believe these would prove more satisfactory and stable for using the touch screen units. It is also recommended that the County purchase extended warranties for the TSX units and other equipment. The current extended warranty cost for each TSX and VVPAT printer, after the initial 1<sup>st</sup> year warranty period, is \$75 annually.

As noted previously, the combined state and federal funds allocated to Placer County should fully offset the recommended touch screen equipment and system acquisition costs. The estimated \$1.725 million in costs and revenues will be included in the FY 2006-07 County Budget.

**Actions Requested**

It is therefore recommended that your Board approve the following requested actions:

- (1) Approve purchase of 310 Help America Vote Act (HAVA) compliant and accessible touch screen voting machines and related equipment, supplies and services at an estimated cost of \$1.725 million;
- (2) Authorize the County Clerk – Recorder – Registrar of Voters to execute the resultant contracts, subject to County Counsel approval;
- (3) Approve a resolution authorizing the County to enter into a reimbursement agreement with the State for HAVA Sect. 301 (voting systems compliance and accessibility) federal funds to offset touch screen equipment and system acquisition costs; and
- (4) Authorize the County Clerk-Recorder-Registrar of Voters to execute said agreement and related documents with the State, on behalf of the County, as set forth in the resolution.

Department staff will be available to discuss the recommended acquisition with your Board at the August 1, 2006 meeting.

**Attachments:**

Resolution Approving Application for HAVA Funds  
Sec'y. of State Certification Requirements  
HAVA Compliant Voting Systems Approved for County Purchase  
Placer County Proposed Touch Screen Implementation Timeline  
Sec'y. of State Feb. 2006 Diebold TSX Certification  
Detailed Touch Screen Equipment & System Cost Proposal

<sup>6</sup> The recommended 310 TSX units are based on:

- 271 est. voting precincts for Nov. 2006
- 17 est. 2007 & 2008 growth @ 3% annual population incr.
- 15 for reserve Election Day units @ 5% of est. voting precincts
- 7 for Cent. Election Admin., DeWitt FAB Lobby voting, tech. support, training and outreach
- 310 units recommended

# Before The Board Of Supervisors County Of Placer, State Of California

In the matter of:

Resol. No: \_\_\_\_\_

**A RESOLUTION APPROVING APPLICATION FOR FUNDS UNDER THE HELP AMERICA VOTE ACT (HAVA) OF 2002 AND AUTHORIZING THE COUNTY CLERK-RECORDER-REGISTRAR OF VOTERS, CHIEF ELECTION OFFICER OF THE COUNTY OF PLACER, TO EXECUTE AN AGREEMENT AND ALL DOCUMENTS WITH THE STATE OF CALIFORNIA FOR SAID FUNDS**

The following Resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held August 1, 2006 by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

\_\_\_\_\_  
Chairman, Board of Supervisors

Attest: \_\_\_\_\_

Clerk of said Board

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**WHEREAS**, the United States Congress has appropriated funding for the Help America Vote Act of 2002; and

**WHEREAS**, on October 29, 2002, President Bush signed the Help America Vote Act of 2002 (HAVA); and

**WHEREAS**, HAVA enacted requirements and funding for replacement of punch card voting machines, for statewide voter registration systems, for identification verification of new voters, for allowance of provisional voting, and for voting machine and polling place accessibility; and

**WHEREAS**, an important purpose of HAVA is to assure that all voters have both secret ballots and full access to the polls; and

**WHEREAS**, the California Secretary of State has been delegated the responsibility for the administration of the Help America Vote Act of 2002 funds, setting up necessary procedures for allocation of those funds; and

**WHEREAS**, said procedures established by the California Secretary of State require the County to certify by resolution, the approval of allocations(s) and contracts before submission of said applications(s) and contracts to the California Secretary of State;

**NOW, THEREFORE, BE IT RESOLVED** that the Placer County Board of Supervisors

1. Approves the filing and execution of application(s) and contract for financial assistance for the purpose of fulfilling duties and responsibilities to be funded from funds provided under the Help America Vote Act of 2002; and
2. Certifies that the County understands the assurances and certifications in the Application(s) or Contract(s); and
3. Certifies that the County has reviewed and understands the Funding Application(s) or Terms of the Contract(s); and
4. Appoints the Placer County Clerk-Recorder-Registrar of Voters, as the Chief Elections Officer of the County, or his designee to conduct all negotiations, execute and submit all documents, including but not limited to application(s), contract(s), payment request(s) and such other documentation, which may be necessary for the execution of the duties and responsibilities under the Help America Vote Act of 2002.

## **VOTING SYSTEM CERTIFICATION**

One of Secretary of State Bruce McPherson's top priorities is to usher California into a new era of voting system technology while ensuring the integrity of every vote cast. As federal requirements evolve and technology advances, he is committed to providing Californians with only the highest quality and most reliable voting systems available.

- ✓ Under the leadership of Secretary McPherson, no voting system will be certified for use in California unless it passes the most rigorous certification process in the nation. This process is designed to ensure security, reliability and usability.
- ✓ Secretary McPherson has for the first time outlined 10 clearly defined requirements for voting system certification in the state, including the nation's first "volume test." This test will ensure that any system used in California will withstand Election Day levels of activity prior to certification.
- ✓ Secretary McPherson has established strict security requirements that voting machines must comply with, and he will take any additional necessary steps to ensure a system is secure for use prior to certification.
- ✓ An essential component of the certification process is public input, and Secretary McPherson will continue to hold public hearings prior to certifying any new voting systems for use in California. The hearings have been, and will continue to be, conducted by members of the Secretary's executive staff and technical experts. All public input will be thoroughly reviewed and presented to Secretary McPherson as part of his decision-making process.
- ✓ In addition to putting in place rigorous certification requirements, Secretary McPherson has established a new Office of Voting Systems Technology Assessment to serve as a one-stop shop for vendors applying for system certification. He firmly believes the process must be rigorous, but that it should also be efficient and streamlined to best serve his partners, the county elections officials, and the voters of California.
- ✓ Secretary McPherson believes that supplying counties with certified systems in a timely manner is absolutely essential. However, he has been clear that only systems that meet these stringent requirements will be certified for use in California, because to do less would be a disservice to California's voters.

### **10 Voting System Certification Requirements:**

1. An application that includes proof of federal certification, (i.e. copies of the United States Election Assistance Commission [EAC] approved Independent Testing Authority [ITA] reports and certification number issued by the EAC).

2. All applications must include full documentation, including technical and operational specifications, operating and maintenance manuals, training materials, and copies of all promotional materials from the vendor.
3. Each system must have comprehensive use procedures applicable for use of the system in California elections in conformance with state law and Secretary of State guidelines for voting system use procedures.
4. Each vendor must establish a California County User Group and hold at least one annual meeting where all California users and Secretary of State staff are invited to attend and review the system and ensure voter accessibility.
5. In addition to depositing the source code in an approved escrow facility, each vendor must deposit a copy of the system source code and binary executables with the Secretary of State. The Secretary of State reserves the right to perform a full independent review of the source code.
6. Voting system vendors shall provide to the Secretary of State, on request, a working version of the components, including all hardware, software and firmware, of the voting system that is proposed for use in an election, for the purposes of analysis and testing. These components shall be maintained in working order by the vendor.
7. Multiple independently tested and certified voting systems may be used together to meet federal and state requirements so long as their interface is limited to exchange of aggregated vote totals and/or ballot layout.
8. Components of a certified voting system may not be combined with components of a previously but separately certified system without certification by the Secretary of State as an entirely new system.
9. The vendor for each system that utilizes paper ballots will be required to provide printing specifications for those ballots to the Secretary of State. The Secretary of State will certify printers to print ballots for each system based upon their demonstrated ability to do so. Vendors may not require exclusivity in ballot printing and must cooperate fully in certification testing of ballots produced by other ballot printers.
10. All systems will be subject to volume testing as defined by established Secretary of State standards prior to certification in California.

Status of Voting Systems

Last Updated: 4/21/06

Vendor	Voting System	Federal Testing Complete	Application Received	State Certification	Notes
DIEBOLD	GEMS/AV-OS/AV-TSX w/AVPM	YES	YES	YES (Conditional)	Click here to view Certification letter
ESS	Unity/M100/M650/Votronic w/VVPAT	NO	NO		Currently in federal testing
ESS	Unisyn EMS/InkaVote PBC	YES	YES	YES	Click here to view Certification letter
HART	eSlate e-Scan	YES	YES	YES NO	
SEQUOIA	WinEDS/Insight/400C/Edge w/VeriVote	YES	YES		
POPULEX	Digital Paper Ballot Voting System	YES	YES		Additional information requested from vendor
ESS	Automark	YES	YES	YES	

For a complete list of voting systems used in the November 8, 2005 Special Statewide Election by the counties, visit [http://www.ss.ca.gov/elections/sov/2005\\_special/sov\\_pref\\_pgx\\_voting\\_systems.pdf](http://www.ss.ca.gov/elections/sov/2005_special/sov_pref_pgx_voting_systems.pdf).

Federal requirements under HAVA section 301 (a)(3)(b) require one voting machine equipped for individuals with disabilities at each polling place

## **Help America Vote Act Accessible Voting Machine Compliance Plan For Placer County**

### **2005**

- |         |   |
|---------|---|
| Jul 2-8 | Vendor demonstrations at IACREOT conference, New York City      |
| Sep 27  | Voting system demonstration from Populex                        |
| Sep 28  | Voting system demonstration from Elections Systems and Software |
| Oct 4   | Voting system demonstration from Sequoia                        |

### **2006**

- |               |   |
|---------------|---|
| Jun 22        | Voting system demonstrations from Hart Intercivic and Diebold |
| Jul 3-8       | Vendor demonstrations at IACREOT conference, San Francisco    |
| Aug 1         | Selection of voting system by Board of Supervisors            |
| Aug 2-18      | Negotiate contract with selected vendor                       |
| Aug 2-31      | Develop training materials and technical support plan         |
| Aug 21-Nov 7  | Develop and implement voter education and outreach            |
| Sep 5-15      | Voting unit delivery and acceptance testing                   |
| Sep 18-Oct 13 | Election programming  |
| Oct 16-Nov 4  | Pollworker training   |
| Nov 7         | Election Day  |

# State of California

## SECRETARY OF STATE

### APPROVAL OF USE OF DIEBOLD ELECTION SYSTEMS, INC. DRE & OPTICAL SCAN VOTING SYSTEM

I, BRUCE McPHERSON, Secretary of State of the State of California, do hereby certify that:

1. *Diebold Election Systems, Inc.* of McKinney, Texas ("Vendor"), has requested approval for use in California elections of its GEMS software, version 1.18.24, AccuVote-TSX with AccuView Printer Module and Ballot Station firmware version 4.6.4, AccuVote-OS (Model D) with firmware version 1.96.6, AccuVote-OS Central Count with firmware version 2.0.12, AccuFeed, Vote Card Encoder, version 1.3.2, Key Card Tool software, version 4.6.1, and VC Programmer software, version 4.6.1, submitted on or about September 16, 2005.
2. The voting system described above has been federally qualified as evidenced by the federal independent Testing Authority reports and the assigned NASED Number # N-1-06-22-22-002, dated October 3, 2005.
3. The request for approval of the voting system as described in Paragraph 1, was considered at a duly noticed public hearing held November 21, 2005, at Sacramento, California.
4. Diebold Election Systems, Inc.'s GEMS software, version 1.18.24, AccuVote-TSX with AccuView Printer Module and Ballot Station firmware version 4.6.4, AccuVote-OS (Model D) with firmware version 1.96.6, AccuVote-OS Central Count with firmware version 2.0.12, AccuFeed, Vote Card Encoder, version 1.3.2, Key Card Tool software, version 4.6.1, and VC Programmer software, version 4.6.1, are hereby approved for use subject to the following terms and conditions:

- a. No additional software developed by the Vendor other than that specifically listed in this certificate shall be installed on a computer running GEMS version 1.18.24.
- b. No substitution or modification of the voting systems shall be made with respect to any component of the voting systems, including the Procedures, until the Secretary of State has been notified in writing and has determined that the proposed change or modification does not impair the accuracy and efficiency of the voting systems sufficient to require a re-examination and approval;
- c. The Secretary of State reserves the right, with reasonable notice to Vendor and to the counties using any of the voting systems, to modify the Procedures used with any of the voting systems and to impose additional requirements with respect to the use of any of the systems if the Secretary of State determines that such modifications or additions are necessary to enhance the accuracy, reliability or security of any of the voting systems. Such modifications or additions shall be deemed to be incorporated herein as if set forth in full;
- d. Any county using any voting system shall, prior to such use, file with the California Secretary of State a copy of its Election Observer Panel plan;
- e. The vendor agrees in writing to provide, and shall provide, to the Secretary of State, or to the Secretary of State's designee, within 30 (thirty) days of the Secretary of State's demand for such, a working version of the voting system, including all hardware, firmware and software of the voting system, as well as the source code for any software or firmware contained in the voting system, including any commercial off the shelf software or firmware that is available and disclosable by the vendor, provided that the Secretary of State first commits to the vendor in writing to maintain the confidentiality of the contents of such voting system or source code so as to protect the proprietary interests of the vendor in such voting system or source code. The terms of the commitment to maintain confidentiality shall be determined solely by the Secretary of State, after consultation with the vendor. The voting system shall not be installed in any California jurisdiction until the vendor has signed such an agreement. Any reasonable costs associated with the review of the source code for any software or

firmware contained in the voting system shall be born by the vendor;

- f. A final version of use procedures must be submitted to and approved by the Secretary of State prior to sale or use of the system in California. These procedures must include the following additional security measures:
- The elections official must reset the encryption key used for all AV-TSX units to change the key from the factory default setting prior to programming any units.
  - Each memory card shall have a permanent serial number assigned to it.
  - Each memory card must be programmed in a secured facility under the supervision of the registrar of voters/registrar of voters' staff. Once a memory card is programmed for the election, it must be immediately inserted into its assigned unit and sealed with a serialized, tamper-evident seal by the registrar of voters or the registrar's staff, and have its serial number logged into a tracking sheet designed for that purpose.
  - The county must maintain a written log that records which memory cards and which serialized tamper-evident seals are assigned to which units. Any breach of control over a memory card shall require that its contents be zeroed, in the presence of two election officials, before it can be used again.
  - On Election Day, prior to any ballots being cast on any unit, the integrity of the tamper-evident seal must be verified by the precinct officer before opening the compartment containing the memory card and unit power switch. The serial number of the seal must also be verified against the log provided the Precinct Inspector. This procedure must be witnessed by at least one other precinct officer or staff of the registrar of voters.
  - If it is detected that the seal has been broken prior to the unlocking of the compartment, or if there is a discrepancy between the log and the serial number, the discrepancy must be confirmed by one or more of the remaining members of the precinct board, documented, and immediately reported to the county elections official for the jurisdiction. The elections official shall immediately investigate and

determine appropriate action. If this potential breach occurs in a unit, the specific unit must undergo a full manual reconciliation of the electronic votes cast and captured on the memory card against the paper audit record for that unit.

- The county must maintain a written log that accurately records the chain of custody of each memory card and unit from the point of programming the memory card for use in the election through the time of completion of the official canvass.
  - Access to the GEMS server shall be tightly controlled and all persons having access to it at any time shall be pre-approved by the county elections official and noted in a log that details name, time, and purpose of access to the room in which the GEMS is housed.
  - If being used to meet the accessibility provisions of federal or state law, or if for any reason only one such unit is being used at the precinct, once one vote is cast on a TSX unit, the poll workers shall ensure that at least two more ballots are cast on the machine, even if not by a voter needing its accessibility components, in order to protect the privacy of the voter.
  - Any issues that arise relating to voting equipment shall be reported to the Secretary of State's Office of Voting Systems Technology Assessment on Election Day, including a complete description of the problem and how it has been resolved. The Secretary of State will provide a telephone number for this purpose.
  - Prior to certification of the official canvass of returns by the county, the county will provide a written report to the Secretary of State addressing any issues related to the implementation and operation of the voting system. The county will make available for inspection by staff of the Office of the Secretary of State the chain of custody logs and/or documents relating to the system's use in that election.
- g. The above additional security measures are conditions for use in the State of California.
- h. The county elections official must submit to the Secretary of State a plan for voter and poll worker education no later than 30 days prior to the election in which the system will be used. Training shall be conducted for all personnel, including poll workers, regarding proper treatment of memory cards and how to check for problems with seals.

as well as how to record any problems discovered and what to do if such problems arise.

- i. The Secretary of State reserves the right to monitor activities before, during and after the election at any precinct or registrar of voters' office, and may, at his or her discretion, conduct a random parallel monitoring test of voting equipment.
- j. Pursuant to this certification and by order of the Secretary of State, voting systems certified for use in California shall comply with all applicable state and federal statutes, regulations, rules and requirements, including, but not limited to, those voting system requirements set forth in the California Elections Code and the Help America Vote Act of 2002, and those requirements incorporated by reference in the Help America Vote Act of 2002, that are in effect as of the date of this (application, agreement, contract, etc). Further, voting systems shall also comply with all applicable state and federal voting system guidelines, standards, regulations and requirements that derive authority from or are promulgated pursuant to and in furtherance of the California Elections Code or the Help America Vote Act of 2002 or other applicable state or federal law when appropriate, that are in effect as of the date of this (application, agreement, contract, etc), including but not limited to, the 2002 Voting System Standards/Guidelines, developed by the Federal Election Commission and adopted by the Election Assistance Commission (EAC) and EAC Advisory 2005-004, dated July 20, 2005. This does not include future final court interpretations of existing state or federal law not in effect as of the date of this (application, agreement, contract, etc.).
- k. Voting system manufacturers and/or their agents shall assume full responsibility for any representation that a voting system complies with all applicable state and federal requirements as referenced above. In the event such representation is determined to be false or misleading, voting system manufacturers or their agents shall be responsible for the cost of any upgrade, retrofit or replacement, of any voting system or its component parts, found to be necessary for certification or to otherwise be in compliance.

- I. Any voting system purchased with funds allocated by the Secretary of State's Office shall meet all applicable state and federal standards, regulations and requirements, including, but not limited to, those voting system requirements as set forth in the California Elections Code and the Help America Vote Act of 2002 and those requirements incorporated by reference in the Help America Vote Act of 2002 that are in effect as of the date of this (application, agreement, contract, etc), including but not limited to, the 2002 Voting System Standards/Guidelines, developed by the Federal Election Commission and adopted by the Election Assistance Commission (EAC) and EAC Advisory 2005-004, dated July 20, 2005.



IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of California, this 17th day of February, 2006.

A handwritten signature in cursive script, appearing to read "Bruce McPherson".

BRUCE McPHERSON  
Secretary of State

Updated  
Price Proposal  
To Be Received

Placer County  
ADA Quote  
27-Jun-06

ITEM	QTY	DESCRIPTION	UNIT PRICE	EXTENSION
<b>Touch Screen Products</b>				
1	300	AccuVote-TSx Tabulator includes: Printer Ribbon/Paper Internal Battery Integrated Voting Booth Memory Device (includes 45 spares)	\$2,995.00	\$898,500.00
2	300	TSx Voter Verifiable Printer	\$350.00	\$105,000.00
3	0	TSx AccuVote Printer Module Case (4 per)	\$165.00	\$0.00
4	300	TSx AccuVote Printer Module Case (1 per)	\$115.00	\$34,500.00
<b>AccuVote-TSx Additional Supply Items</b>				
5	25	TSx Election Administrator Card	\$5.00	\$125.00
6	600	TSx Precinct Supervisor Card	\$5.00	\$3,000.00
7	25	TSx Election Security Key Card	\$5.00	\$125.00
8	1200	TSx Voter Cards (4 per unit)	\$2.95	\$3,540.00
9	300	ADA Keypad and Audio Headset	\$150.00	\$45,000.00
10	0	OS to TSx Memory Card Adapter	\$90.00	\$0.00
11	300	Spare VVPAT Security Canisters	\$12.50	\$3,750.00
12	300	Spare TSx Memory Device	\$135.00	\$40,500.00
13	250	Short TSx Power Cords 1.5 ft.	\$3.50	\$875.00
14	15	TSX Loopback Connector	\$12.75	\$191.25
15	600	Spare Paper Rolls	\$1.65	\$990.00
<b>AccuVote-TS Carts</b>				
16	0	TSx Warehouse Cart 4 unit	\$392.00	\$0.00
17	60	TSx Warehouse Cart 5 unit	\$372.00	\$22,320.00
18	0	TSx Warehouse Cart 6 unit	\$432.00	\$0.00
<b>Voter Card Creation Devices</b>				
19	0	Express Poll 4000 Polling Tablet with Database software Express Poll Stand with Voter Card Encoder Carry Case AC Adapter Internal Battery Memory Flash Card (512 MB) Voter Card Creation Software Only	\$2,250.00	\$0.00
20	0	Signature Pad	Included \$222.75	\$

21	0	Bar Code Reader		
22	0	Express Poll 4000 Software	\$108.00	\$
23	0	Express Poll 8 Port Memory Card Duplicator	\$250.00	\$0.00
24	0	Express Poll 24 Port Memory Device Duplicator	\$4,455.00	\$
25	0	Spare Express Poll Memory Device	\$14,950.00	\$0.00
			\$75.00	\$0.00
26	325	Voter Card Encoder (Spyrus)	\$395.00	\$128,375.00
<b>TSx Related Software</b>				
27	0	GEMS Application Software	\$150,000.00	\$0.00
28	1	Enhanced GEMS Security Key Card Tool Software	\$5,000.00	\$5,000.00
29	1	Early Voting VC Programmer Software	\$5,000.00	\$5,000.00
30	4	KCT/ Early Voting Voter Card Device	\$395.00	\$1,580.00
31	0	Digital Signature Server Security Software	\$5,000.00	\$0.00
32	300	TSx Application Software	\$100.00	\$30,000.00
<b>Server Hardware/Software</b>				
33	1	Voter Remote Envelope Scanner Server	\$2,400.00	\$2,400.00
51	1	Voter Remote ASP/Server	\$2,400.00	\$2,400.00
52	0	EMVnet H06	\$1,500.00	\$0.00
53	2	Voter Remote Envelope Scanner	\$1,299.00	\$25,980.00
54	2	Voter Remote Envelope Scanner Cables	\$395.00	\$790.00
55	1	EMV Memory Device Master Card Label Printer	\$499.00	\$499.00
56	365	Upgrade of Accessible to 2002 Standards	\$235.00	\$85,775.00
57	0	Windows Operating System Updates (2000)	\$3,400	\$0.00
<b>Support Services</b>				
<b>Project Management &amp; Training</b>				
58	1	- November 2006 Election Support for:	\$ 64,037.41	\$64,037.41
		Project Management and Support		
		Acceptance Testing		
		Staff Training		
		Election Programming Support		
		Audio Recording for TSx ADA		
	1	Early Voting Device Setup and Testing	\$3,500.00	\$3,500.00
		Election Day Support - November 2006		
	1	- 2007 Election Support	\$19,439.73	\$19,439.73
		Project Management and Support		
		Staff Training		
		Poll Worker Training Assistance		
		Election Programming Support		
		Optical Scan Programming		
		ADA Device Programming		
		Election Day Support		
59	0	TS Shipping Boxes for Return Shipping	\$0.00	N/A
60	0	TS Booth Boxes for Return shipping	\$0.00	N/A

61	Subtotal	\$: 537,668.39
62	Estimated Shipping/Insurance	\$25,900.00
63	Tax @ 2.25%	\$10,517.89
64	Subtotal	\$574,086.28

**Notes:**

- 1 Actual Shipping Costs will be billed.
- 2 DESI will not deliver products to California counties that are not federally qualified and state certified, without express authorization from the California Secretary of State's office. Any items listed in this quote not presently state certified, must complete certification prior to delivery.
- 3 Key Card Tool Software requires a annual software extended warranty (\$1,300)
- 4 Both AccuVote-OS and TSx Annual Software maintenance is \$5/unit.
- 5 This configuration assumes that the County would utilize the Voter Card Encoder for creation of ADA voter cards. This device stores up to 8 ballot types on a card. Should the County exceed 8 styles in a primary, the TSX unit itself can be used to code a voter access card for any voter of a minor party not covered by the 8 parties on the voter access card.
- 6 AccuVote-OS Hardware maintenance is \$95 per unit per year and is depot repair per the AV-OS Extended Warranty Agreement. AccuVote-TSX Extended Warranty is \$50 per unit annually after 1st year warranty for quantities of 500 or more units; \$60 per unit annually for quantity between 100 and 499; \$70 per unit annually for quantities between 10-99; \$95 per unit annually for quantities less than 10 units. (Effective March 1, 2008). The AccuVote-TSX Printer Module maintenance is \$25 annually, which covers the printer, circuit boards and housing components.
- 7 Express Poll 2000/4000 Card Creation software is \$10 per unit annually. If using full Express Poll electronic roster software it is \$25 per unit annually. Express Poll 2000 Hardware maintenance is \$45 per unit annually after 1st year warranty. Express Poll 4000 hardware maintenance is \$60 per unit annually after the 1st year warranty.
- 8 DESI has included the Vote Remote Scanners which will process incoming envelopes, encode a sequence number on absentee envelopes, capture the signature, and allow for an Automated Signature Verification process. This process was used by Los Angeles in November 2005 increasing efficiency during signature verification. Incoming envelopes will have a \$.20 per signature for capture and voter history update to DFM, and the Automated Signature Verification will be \$.10 per envelope.

