

RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION AUTHORIZING THE CHIEF ELECTION OFFICER, OR DESIGNEE(S), TO EXECUTE AGREEMENTS WITH EACH VENDOR LISTED IN ATTACHMENT A TO PROVIDE AS NEEDED ESSENTIAL ELECTION-RELATED MATERIALS FOR THE MARCH 5, 2024 PRESIDENTIAL PRIMARY ELECTION, WITH TERM OF NOVEMBER 14, 2023 THROUGH DECEMBER 31, 2024, FOR AN AGGREGATE AMOUNT NOT TO EXCEED \$2,500,000, AND GRANTING A WAIVER OF THE COMPETITIVE BIDDING REQUIREMENT FOR ACQUISITION OF THESE SERVICES PURSUANT TO SECTION 2.083.050(e) OF THE SAN MATEO COUNTY ORDINANCE CODE

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, the San Mateo County Registration & Elections Division (the “Elections Division”) works with a number of vendors for election materials, and often encounters sudden changes in circumstance requiring significant adaptations within tight statutory deadlines; and

WHEREAS, California law recognizes the unique nature of elections-related procurement, and the Elections Code sets forth certain exceptions to general county procurement requirements, including exempting election departments from having to utilize their respective county’s purchasing agent when procuring election-related materials; and

WHEREAS, the Elections Division has provided a list of vendors, listed in Attachment A, to fulfill the Division’s election-related needs for the term of November 14, 2023, through December 31, 2024 (the “Term”); and

WHEREAS, approval of this resolution would allow the Chief Elections Officer, or designee(s), to utilize a master services agreement (MSA) process to execute agreements with the vendors listed in Attachment A for essential elections-related services and supplies provided during the duration of the Term for an aggregate amount not to exceed \$2,500,000; and

WHEREAS, the Elections Division has existing agreements in place with certain of the listed vendors, and amendments extending said agreements are needed to ensure the continuing operational efficiency of the Elections Division; and

WHEREAS, each of the vendors listed on Attachment A provides services vital to the elections process, as follows:

- **Toppan Merrill** typesets, prints, binds, and mails the Sample Ballot and Voter Information Pamphlet, and provides the PDF version of these items for our voter lookup page, and has provided these essential services for over 40 years to elections offices across the state, including to the City and County of San Francisco and County of Santa Clara. As a vendor for the County, Toppan Merrill has demonstrated, with each election, an ability to meet all legally required timelines and is the only vendor in the area that maintains partnerships with three additional print facilities in case of printing emergencies, a critical resource for ensuring the delivery of accurate and timely voter materials.
- **K&H Integrity Communications (K&H)**, which has been in business for over 100 years, prints and mails San Mateo County Official Ballots. K&H serves as a vendor for counties throughout the State, including the County of Santa Clara and County of Los Angeles, and is certified by the Secretary of State pursuant to California Code of Regulations Section 20220, which

provides that no vendor shall print official ballots for use in a California election prior to certification by the Secretary of State. K&H provides a unique blend of unparalleled expertise and professionalism with a deep familiarity of both the County's specific ballot preparation processes and our local community, and has always been available around-the-clock during the ballot-mailing period to immediately answer questions and address issues that may arise

WHEREAS, based on the foregoing, the Elections Division recommends that the Board waive the requirement of competitive bidding for acquisition of essential elections services under the MSA because the best interest of the County would be served without the necessity of competitive bidding; and

WHEREAS, all agreements or amendments entered into with vendors listed on Attachment A through the MSA process shall be reviewed by the County Attorney, Risk Management, and/or Information Services Department, where applicable, to ensure appropriate procurement practices are followed.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Chief Elections Officer, or designee(s), is authorized to execute agreements with the vendors identified in Attachment A of this resolution, and/or to amend agreements now in place with said vendors, during the Term for an aggregate amount not to exceed \$2,500,000, and a waiver of the competitive bidding requirement is granted for acquisition of essential election services under the MSA pursuant to Section 2.83.050(e) of the San Mateo County Ordinance Code.

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