



County of San Mateo

Inter-Departmental Correspondence

Department: ASSESSOR-COUNTY CLERK-
RECORDER-ELECTIONS

File #: 22-647

Board Meeting Date: 9/13/2022

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Mark Church, Chief Elections Officer & Assessor-County Clerk-Recorder

Subject: Adopt a Resolution Authorizing the Chief Election Officer to Execute Agreements with Essential Election Material Vendors

RECOMMENDATION:

Adopt a 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 November 8, 2022 Statewide General Election, with a term of September 13, 2022 through December 31, 2022, for an aggregate amount not to exceed \$2,400,000.00, and granting a waiver of the competitive bidding requirement for acquisition of these services pursuant to Section 2.83.050(e) of the San Mateo County Ordinance Code.

BACKGROUND:

The Registration & Elections Division (the "Elections Division") requires certain products and services on a regular basis in order to successfully conduct elections in San Mateo County. During elections, sudden changes in circumstance requiring significant adaptation within tight statutory deadlines are common. The upcoming November 8, 2022 Statewide General Election will require products and services from the vendors listed in Attachment A.

DISCUSSION:

California law recognizes that the procurement of elections-related materials is time-sensitive and requires flexibility, containing certain exceptions for procurement. For example, Elections Code section 14100 provides that "[t]he county elections official, in providing the materials required by this division, shall not be required to utilize the services of the county purchasing agent."

Attachment A of the resolution lists the vendors the Elections Division recommends as an eligible vendor pool along with the estimated contract amounts for each vendor. Quality of work, available organizational support, and experience with providing election services were some of the criteria used in the evaluation process. The not-to-exceed aggregate amount of \$2,400,000 will authorize the Chief Elections Officer, or designee(s), to execute agreements and associated amendments with the

vendors listed in Attachment A.

All agreements awarded through the master services agreement (MSA) process shall be reviewed by the County Attorney to ensure appropriate procurement practices are followed.

Each of the vendors listed on Attachment A provides services vital to the elections process.

- Precise Printing & Mailing prints and mails most of the public-facing materials that reach each and every voter in San Mateo County, including voter notification postcards required by the Voter's Choice Act, materials informing voters of changes to their district boundaries, voter address confirmation postcards, and outreach materials. As a local vendor based in South San Francisco, Precise has been able to respond in near real-time to issues that may arise in the printing and mailing of such materials and to offer the County efficient and cost-effective mailing solutions.
- Toppan Merrill typesets, prints, and binds the Sample Ballot and Voter Information Pamphlet, and provides the PDF version of these items for our voter lookup page. Toppan Merrill 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 statutorily-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 prints and mails every San Mateo County Official Ballot. K&H has been in business for over 100 years, 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.

The Elections Division recommends that the Board waive the requirement of competitive bidding for acquisition of these essential elections services pursuant to Section 2.83.050(e) of the San Mateo County Ordinance Code because the best interest of the County would be served without the necessity of competitive bidding. Each of these vendors has the background, resources, and proven expertise necessary to handle the uniquely complex and time-sensitive critical needs of the elections environment.

The County Attorney has reviewed and approved the Resolution as to form.

FISCAL IMPACT:

The term of the Resolution is September 13, 2022 through December 31, 2022. The total aggregate not to exceed amount is \$2,400,000. Total expenditures across all agreements will be monitored and managed by ACRE fiscal staff that support the Elections Division. Appropriations to cover the costs

of this agreement are included in the Assessor-County Clerk-Recorder's FY 2022-23 Adopted Budget and will be included in future budgets. These costs will be fully funded by reimbursements from jurisdictions and a transfer from Non-Departmental Services.