

3A-1

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: December 7, 2009 [X] Consent [] Regular
[] Workshop [] Public Hearing
Submitted By: Administration
Submitted For: Supervisor of Elections

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: First Amendment to the Tri-Party Agreement with the Supervisor of Elections (SOE) and Runbeck Elections Services, Inc. (Runbeck) (R2008-0902) for Sentio ballot printing equipment.

Summary: As mandated by the Florida Legislature, the SOE converted to optical scan voting equipment in 2008. This conversion included printing ballots on demand for early and absentee voting. The Board entered into a four-year agreement (through May 2012) with Runbeck, an Arizona company, to lease ballot printing equipment and to purchase ballot forms and supplies. The SOE has re-negotiated certain terms in this agreement to include a fifth year at no charge and to decrease the "per ballot charge." Additionally, Runbeck will provide a credit of \$78,176 to be applied against future payments under this contract. The SOE anticipates the savings of this contract amendment to be more than \$470,000. Countywide (LSJ)

Background and Policy Issues: On May 20, 2008 the Board approved a tri-party agreement with the SOE and Runbeck for the use of the Sentio ballot printing system. This was necessitated by the State mandate to use an optical scan voting system, which required a ballot-on-demand printing system for early voting and absentee ballots. At that time, Runbeck was the sole provider of such ballot printing equipment in the State of Florida. The equipment cost for use of the Sentio ballot printing system is \$1,460,000 for a four year period and with an estimated \$970,000 for consumables during that time period. This amendment adds a fifth year to this agreement at no additional cost and reduces the cost of consumables for all remaining years of the contract. It also provides a credit of \$78,176 against a future invoice(s).

Attachments: Agreement

Recommended by: Susan Bucher 11/5/09
Supervisor of Elections Date

Approved By: [Signature] 11/5/09
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years:	2010	2011	2012	2013	2014
Capital Expenditures					
Operating Costs	(97,476)	(82,000)	(142,690)	(148,000)	
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	(97,476)	(82,000)	(142,690)	(148,000)	

ADDITIONAL FTE POSITIONS (Cumulative) _____

Is Item Included In Current Budget? Yes X No _____


Budget Account No: Fund 1172 Agency 180 Org. 1101 Object various

B. Recommended Sources of Funds/Summary of Fiscal Impact:

III. REVIEW COMMENTS

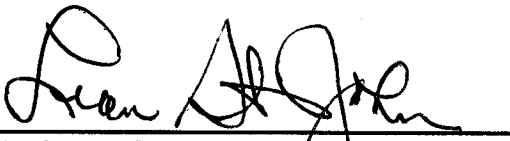
A. OFMB Fiscal and/or Contract Dev. and Control Comments:


 OFMB
 11-6-09
 SN 11/4/09
 CN 11/6/09


 Contract Dev. and Control
 E. Jones 11/6/09

This amendment complies with our review requirements.

B. Legal Sufficiency:


 Assistant County Attorney

At the time of our review, the Amendment was not executed.

C. Other Department Review:

 Department Director

**FIRST AMENDMENT TO USE AGREEMENT BETWEEN
PALM BEACH COUNTY, THE SUPERVISOR OF ELECTIONS, AND
RUNBECK ELECTION SERVICES, INC.
FOR SENTIO BALLOT PRINTING EQUIPMENT**

THIS AMENDMENT dated this _____ day of NOVEMBER, 2009, hereby amends the Use Agreement between Palm Beach County, the Supervisor of Elections, and Runbeck Election Services, Inc. for Sentio Ballot Printing Equipment (hereinafter "Use Agreement"), dated May 20, 2008 (Palm Beach County Board of County Commissioners Resolution No. R2008 0902) by and between Palm Beach County Board of County Commissioners (hereinafter "County"), the Palm Beach County Supervisor of Elections (hereinafter "Supervisor") and Runbeck Election Services, Inc. (hereinafter "Runbeck").

In consideration of the mutual promises contained herein, the County, Supervisor, and Runbeck agree to amend the Use Agreement as follows:

1. Paragraph 8 (B) of the Use Agreement, as well as the "price page" of Exhibit "A" to the Use Agreement, pages 7 and 8 are hereby amended as follows:
 - A. Exhibit "A", page 7 of the Use Agreement is hereby amended to reflect that the "payment schedule" shall be extended one (1) year from four (4) years, to add a fifth year, which will run from July 1, 2012 until June 30, 2013, for which the County and/or the Supervisor shall not be billed, or charged, for the use of the equipment which is the subject of this Use Agreement;
 - B. Exhibit "A", page 7 of the Use Agreement, "Payment Schedule" is hereby amended to reflect that a credit of \$78,176 on future payments to Runbeck shall be given to the County, which the County may apply to future payments while the contract is active.
 - C. Exhibit "A", page 8 of the Use Agreement is hereby amended to reflect that the cost of the "Ballot Service Fee" shall be amended to reflect the following ballot service fee revisions:

The following fees will be billed for each ballot sheet printed:

Absentee Ballot:

Printed at Palm Beach's Facility:

- With Color \$.44
- Black only \$.39

Printed at Runbeck Election Service's Facility:

- With Color \$.32
- Black only \$.27

****Shipped to Palm Beach County via ground transportation.**

Early Voting Ballot: \$.50
Precinct/Test Ballots: \$.40
Header/Trailer/Job Pages \$.10

- C. Exhibit "A", page 8 of the Use Agreement is hereby amended to reflect that the "end of contract options" provision shall reflect that this contract will terminate on June 30, 2013, unless otherwise extended or amended pursuant to the agreement of the parties.

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Agreement on behalf of the County and has hereunto set its hand the day and year above written.

WITNESS:

RUNBECK ELECTION SERVICES, INC.

Jacqueline Fentchauer

Print Name:

J Fentchauer
Signature

Kevin J. Bannon

Kevin J. Bannon
President & COO

WITNESS:

PALM BEACH COUNTY
SUPERVISOR OF ELECTIONS

Rachel A. West
Print Name:
Rachel A. West
Signature

Susan Bucher
Susan Bucher,
Supervisor of Elections

ATTEST:
Sharon R. Bock, Clerk and Comptroller

PALM BEACH COUNTY, a Political
Subdivision of the State of Florida

By: _____
Deputy Clerk

By: _____
Burt Aaronson, Chair
Board of County Commissioners

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: Leon St. John
Leon St. John,
Sr. Assistant County Attorney