



### Legislation Details (With Text)

**File #:** 58760      **Version:** 2      **Name:** Authorizing the noncompetitive purchase of goods from Election Systems & Software, LLC

**Type:** Resolution      **Status:** Passed

**File created:** 12/18/2019      **In control:** Clerk's Office

**On agenda:** 1/21/2020      **Final action:** 1/21/2020

**Enactment date:** 1/27/2020      **Enactment #:** RES-20-00064

**Title:** SUBSTITUTE - A Resolution to authorize the noncompetitive purchase of goods from Election Systems & Software, LLC ("ESS") as a sole source provider of Voting Equipment for the City of Madison Clerk and amending the 2020 Adopted Operating Budget, transferring \$20,000 across majors within the Clerk's budget.

**Sponsors:** Satya V. Rhodes-Conway, Shiva Bidar, Barbara Harrington-McKinney, Keith Furman, Syed Abbas, Marsha A. Rummel, Paul E. Skidmore, Michael E. Verveer, Michael J. Tierney, Donna V. Moreland, Grant Foster, Sheri Carter, Sally Rohrer

**Indexes:**

**Code sections:**

**Attachments:** 1. Election Systems and Software LLC - Non-Competitive Selection Request

Date	Ver.	Action By	Action	Result
1/21/2020	2	COMMON COUNCIL	Adopt - 15 Votes Required	Pass
1/13/2020	2	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER	Pass
1/7/2020	1	COMMON COUNCIL	Refer	Pass
12/19/2019	1	Clerk's Office	Referred for Introduction	

**Fiscal Note**

The proposed resolution authorizes a non-competitive purchase from Election Systems & Software, LLC for \$148,400 for the purchase, shipping, and installation of 35 voting equipment units, carrying cases, and ballot boxes. The Clerk's 2020 Adopted Operating Budget includes \$127,400 for this purchase. This resolution also authorizes transferring \$20,000 from the Clerk's Supplies to Purchased Services budget to cover the cost of this equipment.

**Title**

SUBSTITUTE - A Resolution to authorize the noncompetitive purchase of goods from Election Systems & Software, LLC ("ESS") as a sole source provider of Voting Equipment for the City of Madison Clerk and amending the 2020 Adopted Operating Budget, transferring \$20,000 across majors within the Clerk's budget.

**Body**

WHEREAS, the Dane County Clerk has standardized the Voting Equipment used throughout Dane County and solely uses ESS Equipment, and

WHEREAS, The City of Madison already exclusively uses ESS Equipment because the City must use Voting Equipment that is compatible with equipment used by the Dane County Clerk, and

WHEREAS, because the City of Madison uses ESS Equipment, the City's Voting Equipment may be programmed by the Dane County Clerk, rather than by an outside contractor, and

WHEREAS, ESS Voting Equipment uses a proprietary software system that is not compatible with the Voting

Equipment of other manufacturers, and

WHEREAS, the City of Madison has a need to purchase 35 ESS ExpressVote BMD Voting Equipment units for elections to be held in 2020, at a cost of \$3,325.00 per unit; and

WHEREAS, the City of Madison also has a need for Carrying Cases for each of the 35 ESS Express Vote BMD Equipment units at a cost of \$175.00 per Carrying Case, along with a single Collapsible Ballot Box at a cost of \$600.00. Equipment Installation will cost \$105.00 for each unit and Shipping will cost \$1,225.00; and

WHEREAS, funds for the purchase these goods from ESS have been appropriated in the 2020 City of Madison Operating Budget, and

WHEREAS, for the reasons explained above and in the attached Noncompetitive Selection Request Form, ESS is the only vendor that can provide for the specific needs of the City of Madison;

WHEREAS, MGO 4.26(2) requires goods to be purchased using a competitive process approved by the Finance Director, and under the Finance Director's Purchasing Guidelines, Common Council approval is required to purchase goods of \$50,000 or more without a competitive process;

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the purchase of goods as described above.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the 2020 Adopted Operating Budget is amended to transfer \$20,000 from Supplies to Purchased Services within the Clerk's budget.