



Approved as to Form and Legality

Date Adopted

Committee

Kaumzwell

July 17, 2019

Administrative

Salem County Counsel

RESOLUTION AWARDING A CONTRACT FOR PROCURING VOTING MACHINES AND SUPPORT SERVICES FOR THE COUNTY OF SALEM

WHEREAS, the Salem County Board of Elections has a need for Election Goods and Services, specifically voting machines, printers, software, scanners and support service for the County of Salem and desires to make purchases from **Dominion Voting Systems** of Cedar Grove, NJ; and

WHEREAS, the New Jersey Local Public Contracts Law, N.J.S.A. 40A-11-5 (l) allows the County to purchase goods and services necessary or required to prepare and conduct an election by foregoing the public bidding process; and

WHEREAS, pursuant to New Jersey State Law N.J.S.A. 19:44A-20.7, the County did not utilize a "Fair and Open" process in the selection of this entity, hence, **Dominion Voting Systems** has completed a Business Entity Disclosure Certificate and Political Contribution Disclosure Form stating that they have not made any reportable contributions to a political or candidate committee in the County of Salem in the previous year, and that the contract will prohibit them from making any contributions through the term of this agreement; and

WHEREAS, a copy of the project proposal dated June 13, 2019 and all supporting documents are on file in the office of the Purchasing Agent, 110 Fifth Street, in the County of Salem, New Jersey as required by law; and

WHEREAS, the Salem County Treasurer has certified that funding for this contract shall be encumbered in accordance with N.J.A.C. 5:30-5.4 and this agreement shall further be contingent upon the availability and appropriation of sufficient funds contained in the 2019 Budget of the County of Salem under the item Information Technology and Equipment (C-04-55-885-019-903).

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Salem as follows:

1. The Board of Chosen Freeholders of the County of Salem affirms the approval to purchase Election Materials for the County of Salem Board of Elections, subject to the approval of the County Solicitor, to **Dominion Voting Systems, 519 Pompton Avenue, Suite 302, Cedar Grove, NJ 07009** in the amount not to exceed \$866,285.00 (Eight Hundred Sixty Six Thousand, Two Hundred and Eighty Five Dollars and Zero Cents)
2. The contract is affirmed as being for a period of eight (8) years commencing, August 1, 2019 and terminating July 31, 2027 and shall be completed in full accordance with the terms and conditions of the agreement.
3. The Freeholder Director and the Clerk of the Board shall be authorized to execute said contracts.

[Signature]
 BENJAMIN H. LAURY, Freeholder Director
 Board of Chosen Freeholders

I hereby certify the foregoing to be a true resolution adopted by the Board of Chosen Freeholders of the County of Salem at its regular meeting of July 17, 2019.

[Signature]
 STACY PENNINGTON
 Clerk of the Board

RECORD OF VOTE

FREEHOLDER	AYE	NAY	ABSTAIN	ABSENT	RESOLUTION MOVED	RESOLUTION SECONDED
G. Ostrum, Jr.	✓					✓
C. Hassler	✓					
L. Ware	✓					
R.S. Griscom	✓				✓	
B. Laury	✓					

✓ Indicates Vote

Department Initials

Purchasing



CERTIFICATION OF AVAILABILITY OF FUNDS

NOTE TO COUNTY DEPARTMENTS: This form is to be prepared by each department entering into a contract with a vendor when a resolution is required to be adopted by the Board of Chosen Freeholders of the County of Salem.

This form must accompany the resolution, and must be submitted with the resolution to the Finance Officer for approval by the Finance Officer at least one week prior to the Freeholder meeting at which it will be presented for adoption.

The contract/agreement between the County and the vendor shall be further contingent upon availability and appropriation of sufficient funds for this purpose in the County's Temporary and Permanent Budget. *If grant funds are utilized, this contract/agreement is further contingent upon the grants funds availability during the appropriate grant period.*

I, **Kelly A. Hannigan**, Treasurer of the County of Salem, hereby certify in accordance with **Section 5:34-5 of the Local Public Contracts Guidelines and Local Public Contracts Regulations** that adequate funds for the contract listed below are available.

I further certify that the funds are contained in the **OFFICIAL BUDGET** of the County of Salem under the item listed below.

AMOUNT: \$866,285.00
ACCOUNT NAME: Information Technology and Equipment
ACCOUNT #: C-04-55-885-019-903
FOR: Procuring Voting Machines and Support Services
DATE: July 17, 2019
VENDOR: Dominion Voting Systems



Kelly A. Hannigan, Treasurer