



DEAN C. LOGAN  
Registrar-Recorder/County Clerk

# ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

February 07, 2012

19 February 7, 2012

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

Dear Supervisors:

**APPROVE AMENDMENT NUMBER ONE TO AGREEMENT NUMBER 76314  
FOR CONSENT TO ASSIGNMENT AND DELEGATION OF RIGHTS FROM  
BOWE BELL + HOWELL COMPANY TO BELL AND HOWELL, LLC  
(All Supervisorial Districts) (3-Votes)**

**SUBJECT**

Request approval of Amendment Number One to Agreement Number 76314 for consent to assignment and delegation of rights from Bowe Bell + Howell Company to Bell and Howell, LLC.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Approve and instruct the Chairman to sign the attached Amendment Number One (Amendment) to Agreement Number 76314 (Agreement), effective upon Board approval, acknowledging the Board's written consent to assignment and delegation of authority from Bowe Bell + Howell Company (BBH), to Bell and Howell, LLC for maintenance and support services for the Registrar-Recorder/County Clerk's (RR/CC) Mail Sorting System.
2. Delegate authority to the Registrar-Recorder/County Clerk or designee to prepare and execute future amendments to the Agreement that do not materially affect the scope of work or sum of the Agreement, provided County Counsel approval is obtained prior to executing such amendment.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended action is to request your Board's written consent to the assignment of the Agreement from BBH to Bell and Howell, LLC for maintenance and support services for the RR/CC's Vote by Mail sorting system, and to delegate authority to the RR/CC to

execute amendments for non material changes. The sorting system was purchased to ensure the County's compliance with State law, AB 2770 (2007), which required that for any statewide election or special election to fill a vacancy in a congressional or legislative office, votes cast at the polling place, as well as votes cast by mail (VBM), shall be tabulated by election precinct. The Mail Sorting System software is proprietary and uniquely configured for RR/CC's needs. Approval of the recommended action will allow the RR/CC to provide uninterrupted VBM ballot sorting, thus continued compliance with AB 2770.

There is no financial impact to the County as a result of the assignment and delegation of rights and responsibilities of this contract to Bell and Howell, LLC.

### **Implementation of Strategic Plan Goals**

Goal 1: OPERATIONAL EFFECTIVENESS: Maximize the effectiveness of processes, structure, and operations to support timely delivery of customer-oriented and efficient public services. Approval of the recommendation will provide continued software and hardware maintenance and support services to ensure optimal efficiency in processing returned VBM ballots and ensure critical election legal deadlines are met.

### **FISCAL IMPACT/FINANCING**

The initial Agreement amount approved by your Board was \$747,877. The Agreement allows the RR/CC to execute amendments increasing the maximum contract sum by up to 20 percent of the original sum to provide for increases in the volume of VBM ballots processed. In the event of increased VBM volumes, system enhancements may be needed to increase the efficiency and productivity in VBM processing during the term of the Agreement, provided there is sufficient funding in the Department's budget. As of January 1, 2012, the Agreement amount balance is \$74,039 which is sufficient to cover the contract term which expires July 31, 2012.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

On July 31, 2007, your Board approved a three-year Agreement with Bowe Bell + Howell Company with two one-year and six month-to-month extension options for the purchase of an automated Mail Sorting System, as well as maintenance and support services. BBH configured and installed a Mail Sorting System designed with unique two-tier loading and stacking trays, critical to the RR/CC's finite physical space. Due to the design modification related to limited space, fewer staff were required for removing envelopes from the multiple stacking trays. The Mail Sorting System is also equipped with Jet Vision cameras which allow staff to verify VBM ballot envelope information.

RR/CC was notified of the changes to the BBH company structure on July 14, 2011. RR/CC requested and received the pertinent information necessary to evaluate Bell and Howell, LLC's capabilities to ensure they meet all County and contract responsibilities. RR/CC completed the evaluation and found Bell and Howell, LLC to be a responsible contractor.

The attached Amendment Number One provides for the assignment and delegation of the Agreement rights and responsibilities from Bowe Bell + Howell Company to Bell and Howell, LLC for the provision of maintenance and support to the Mail Sorting System, and for delegation to RR/CC to execute future amendments for non material changes. All other terms and conditions of the Agreement shall remain unchanged and in effect.

The Agreement does not include a Cost of Living Adjustment provision and is not subject to the

The Honorable Board of Supervisors

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Living Wage Program (County Code Chapter 2.201).

The Chief Information Office (CIO) has reviewed the Board letter and determined that because this recommended action does not include any technology related matters, no formal CIO Analysis is required. The Chief Executive Office has reviewed and approved this Board letter. County Counsel has reviewed this Board letter and approved the attached Amendment Number One as to form.


**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of the recommended Amendment will allow the RR/CC to receive uninterrupted maintenance and support services for the Mail Sorting System.

**CONCLUSION**

Upon approval of the recommended action, it is requested that the Executive Officer/Clerk of the Board return one adopted stamped copy of the approved Board letter to: Registrar-Recorder/County Clerk, 12400 Imperial Highway, Room 7201, Norwalk, CA 90650, Attention: Division Manager, Finance & Management.

Respectfully submitted,



DEAN C. LOGAN

Registrar-Recorder/County Clerk

DCL:EB:hwk

Enclosures

c: Chief Executive Office  
County Counsel  
Executive Officer, Board of Supervisors

**AMENDMENT NUMBER ONE**  
**TO AGREEMENT 76314**  
**FOR CONSENT TO ASSIGNMENT AND DELEGATION OF RIGHTS**  
**FROM BOWE BELL + HOWELL, COMPANY**  
**TO BELL AND HOWELL, LLC**

**AMENDMENT NUMBER ONE  
TO AGREEMENT 76314  
FOR CONSENT TO ASSIGNMENT AND DELEGATION OF RIGHTS  
FROM BOWE BELL + HOWELL COMPANY  
TO BELL AND HOWELL, LLC**

This Amendment Number One ("Amendment Number One") to Agreement Number 76314 ("Agreement") entered into on July 31, 2007 by and between the County of Los Angeles, a political subdivision of the State of California ("County") and Bowe Bell + Howell Company, a Delaware corporation ("BBH") for automated sorting machine equipment and maintenance and support to the Department of Registrar-Recorder/County Clerk, is hereby amended to assign the Agreement rights and responsibilities to Bell and Howell, LLC ("Contractor") this 7<sup>th</sup> day of February \_\_\_\_\_ 2012.

WHEREAS, Bowe Bell + Howell wishes to assign its rights and responsibilities under the Agreement to Bell and Howell LLC;

WHEREAS, pursuant to the assignment, Bell and Howell, LLC accepts all rights, responsibilities, duties, covenants and conditions required of Contractor under the terms of the Agreement;

WHEREAS, County found Bell and Howell, LLC capable of performing the services required under the Agreement and accepts the assignment from Bowe Bell + Howell;

WHEREAS, the changes to the Agreement are made pursuant to Paragraph 6.0 (Change Notices and Amendments) of the Agreement.

NOW THEREFORE, in consideration of the foregoing and mutual consent herein contained, said Agreement is amended as follows:

1. The County consents to the assignment of the Agreement, including all changes, amendments, and any and all other documents executed in relation thereto, to Bell and Howell, LLC.
2. The name "Bowe Bell + Howell" and any variation or form of the name, is hereby replaced with "Bell and Howell, LLC" wherever it may appear in the Agreement and any Attachments or Exhibits thereof and is henceforth "Contractor" with all the rights and responsibilities provided under the Agreement.
3. Exhibit D (Contractor Administration) of the Agreement is hereby deleted in its entirety and shall be replaced with a new Exhibit D (Revised November 15, 2011), a true and correct copy of which is attached hereto and incorporated herein by this reference.



**AMENDMENT NUMBER ONE  
TO AGREEMENT 76314  
FOR CONSENT TO ASSIGNMENT AND DELEGATION OF RIGHTS  
FROM BOWE BELL + HOWELL COMPANY  
TO BELL AND HOWELL, LLC**

IN WITNESS WHEREOF, the Board of Supervisors of the County of Los Angeles has caused this Amendment Number One to be subscribed by its Chairman and the seal of such Board to be hereto affixed and attested by the Executive Officer thereof, and Contractor has caused this Amendment to be subscribed through its duly authorized officer as of the day, month and year first above written. The persons signing on behalf of Contractor warrant under penalty of perjury that he or she is authorized to bind the Contractor.

I hereby certify that pursuant to Section 26123 of the Government Code, a copy of this document has been made.



**COUNTY OF LOS ANGELES**

SACHI A. HAMAI  
Executive Officer  
Clerk of the Board of Supervisors  
By [Signature]  
Deputy

[Signature]  
Chairman, Board of Supervisors  
**BELL and HOWELL, LLC**

ATTEST:

SACHI A. HAMAI  
Executive Officer-Clerk of the  
Board of Supervisors  
By [Signature]  
Deputy

[Signature]  
Signature  
Keith T Caslin  
Print Name  
Contract Manager  
Title  
80-0728837  
Tax ID Number

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN  
County Counsel  
By [Signature]  
Brandi Miles Moore  
Deputy County Counsel

**ADOPTED**  
BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

FEB 7 2012

[Signature]  
SACHI A. HAMAI  
EXECUTIVE OFFICER