

Strange, Amy

From: Adam Ragan <Adam.Ragan@gastongov.com>
Sent: Monday, March 8, 2021 9:28 AM
To: Strange, Amy
Cc: Adams, Steve
Subject: [External] FW: Purchase of Voting Machines - HAVA Funds

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Hi Amy –

I received this email from our Purchasing Department. Is there any provision in 2 CFR §200 that speaks to voting machines being exempt from procurement guidelines? If not, do you have a sole source letter or something to the effect I can give to my Finance folks that would allow me to bypass the procurement process as required in 2 CFR §200?

Let me know your thoughts.

Thanks,
Adam

Adam Ragan, CERA
Director of Elections
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Gastonia, NC 28053

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From: Beth (Lois) Griffiths <Beth.Griffiths@gastongov.com>
Sent: Friday, March 5, 2021 1:56 PM
To: Adam Ragan <Adam.Ragan@gastongov.com>
Subject: RE: Purchase of Voting Machines

Hi Adam – thank you for the information.

I see **\$181,775 in 010-01-4170-0000-540001-21593** (F&E<5K: 2018 HAVA Election Grt).

- Will the entire amount be used for this purchase?
- Do you have a deadline to spend the funds?

The UG threshold for purchases of \$90,000 or more begins on page 17 of the UG Policy &

Procedures. \\gc.nc\gc_data\Inter-Departmental Data\Purchasing - UNIFORM GUIDANCE\UNIFORM GUIDANCE attachment 4-25-19.pdf

There are requirements elsewhere in the document that will apply, but these are the basics per this dollar threshold.
Grant would take precedence if grant requires anything more restrictive than UG.

Among the requirements are advertisement, affirmative steps (posting on HUB site), public opening, must receive 2 sealed bids in order to open (if less than 2 are received, must re-advertise and then if only 1 received, can open), BOC approval of award, etc.

Since you indicate there are only 2 vendors and only has the compatible equipment, this seems to be a logical situation to request sole source. However, sole source (page 25 of UG document) requires written Grantor approval and BOC approval (you'd get Grantor written approval first and attach that to the BA for BOC consideration). **Is there a Grant contact you could work with for a written sole source approval?** If not, there's no choice but to go through the UG Procurement process (which would be a long process since you might not get 2 bids on the first bid effort).

Let me know. thx! Beth

From: Adam Ragan <Adam.Ragan@gastongov.com>

Sent: Friday, March 5, 2021 11:45 AM

To: Beth (Lois) Griffiths <Beth.Griffiths@gastongov.com>

Subject: RE: Purchase of Voting Machines

Hi Beth –

I've attached our grant award notice. We will be using UG Procurement to the extent we can. Right now, there are only two vendors in the state of North Carolina that have certified voting equipment that we can choose from. Of those two vendors, only one has equipment that is compatible with the equipment and software we currently use. It's really a borderline sole source vendor situation.

Let me know your thoughts and how we should proceed. I'm in the early stages of getting approval from the State Board of Elections to switch out our ballot marking machines and I haven't even gotten to the bidding or contract stages yet.

Thanks,
Adam

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From: Beth (Lois) Griffiths <Beth.Griffiths@gastongov.com>

Sent: Friday, March 5, 2021 11:34 AM

To: Adam Ragan <Adam.Ragan@gastongov.com>

Subject: Purchase of Voting Machines

Hi Adam – I heard you on WFAE this morning! The piece mentioned using federal funds and hoping to purchase from the same company who originally provided the machines. Does your federal grant award/agreement include a specific exception to UG Procurement, or will you be following UG Procurement as typically required when any amount/type/source of federal funds is involved?

Thank you! Beth

Beth B. Griffiths

Purchasing and Contracts Manager

GASTON COUNTY

Finance Department

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