

DIMS (Data Information Systems Management) Contract
A sole source agreement awarded to DIMS on 2/10/2007
For \$4,116,250 for an initial 5 year period with 3 one-year
extension options.

THE PURPOSE of this contract is maintenance and support of VIMS (voter information database system) for LA County elections.

“VIMS is a voter registration database which contains all of the information for the County’s 5.5 million registered voters. (4 million active and 1.5 million inactive voters.) VIMS forms the basis for establishing and maintaining the precincting of voters, the absentee voter system, verifying petitions and maintaining poll workers and voting location files. VIMS is not involved in the tabulation of ballots.”

(p.2. PURPOSE/JUSTIFICATION HAVE... ACTION)

ANALYSIS by Robin Gibson, LA Election Protection Task Force:

The page numbers referred to are the actual document page numbers.

Pages 1 par 1 Establishes Diebold as sole source.

“Sole source, continuation of existing contract, wholly owned by Diebold, fully funded by the County.”

QUESTION: When was the last time anyone in the County took a look at the Diebold Corporation. This is a company that has earned a reputation for flawed, unreliable product.

Page 2 par 4 Why is this contract without any other bidders?

“...to ensure uninterrupted operation and continuation of maintenance and support services of the County’s successful Voter Information Management System, initially purchased and installed in 1998.”

QUESTION: Was VIMS “successful” in 2008? What about the thousands of voters thrown off the rolls or with changed party affiliations?

Pg 2 par 4

“...the County’s 5.5 million registered voters...”

Ballots Cast/Turnout	2,083,509
Absentee Total	472,770
Registration	3,951,957

% Ballots Cast/Turnout	52.72
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February 5, 2008 - Los Angeles County Presidential Primary Election

Above is a listing on the lavote.net site gives the number of registered LA County voters at less than 4 million.

Page 3, para 3

“the annual maintenance cost of the previous system was \$1.05 per registered voter compared with \$.07 per registered voter of the replacement VIMS system provided by DIMS.”

We would like to see evidence of this claim, set forth above.

Pg 4 para 1 & 4

DIMS is the only authorized provider of the proprietary software. DIMS owns it and only DIMS can service it.

CIO analysis

Pg 3, par 1

“Alternatives considered:

None. The incumbent Contractor owns the proprietary software responsible for Vim’s functionality and is the only authorized provider.”

This looks to be a catch-22. DIMS owns the software, so LA County is obligated to use them? (Some current registrars, who choose to maintain the integrity of their elections, purchase election products of this type, then prohibit the entrance of any Diebold technicians ever into the election buildings, because it is widely known that backdoor entrances exist into all Diebold software and hardware.)

Pg 3, par 2

“Project Risks:

Key project risks include ensuring that:

DIMS continues to provide the appropriate levels of service.”

What ARE the appropriate levels of service? When are there too many voters dropped off the registered voter rolls? Too many DTS voters disenfranchised because of bad ballot design?

DIMS CONTRACT:

Pg7 Par 2.2

“County Project Manager Responsibilities include: inspecting any and all tasks, deliverables, goods, services, or other work provided by and or on behalf of the Contractor.”

The Project Manager should have foreseen the bad ballot design.

Page 17 Par 9.1

“Deficiencies shall mean and include, as applicable to any Work provided by on or on behalf of Contractor to County: any malfunction error, or defect in the design, development or implementation of Work...”etc

The bubble ballot design is one good example, among several, of deficient work from this company.

Pg 33 Par 23

The County or its agent will reevaluate the Contractor’s performance under this agreement on not less than an annual basis.

Where are these reports?

Pg 42-43 Par 37.2 and 37.3

Chapter 2.202 of the County Code

“...if the County acquires information concerning the performance of the “contractor on this or other contracts that indicate that the contractor is not responsible. the County may debar the Contractor from bidding, or proposing on or being awarded, and/or performing work on County contracts contracts for a specified period of time...”

“Kevin Shelley, the SOS of CA banned Diebold machines in 2004 in four counties. He took the additional step of requesting the Attorney General to investigate criminal and civil actions against Diebold in this matter based on what he called “fraudulent actions by Diebold.”

These actions were detailed in a report issued April 20 by the Secretary of State’s office. The report indicated Diebold’s persistent and aggressive marketing led to installation in a number of counties of touch screen systems that were neither tested, qualified at the federal level, nor certified at the state level – and that Diebold then lied about it to Secretary of State officials.”

http://www.sos.ca.gov/executive/press_releases/2004/04_030.pdf

Exhibit A**Pg3****Subtask 1.3 HELP DESK STATUS REPORTS**

“Each problem reported to the Help Desk shall be tracked by the contractor until it has been resolved. Contractor shall make available reports...”

These status reports, which are in the Contractor’s possession, should be examined and made public. The massive problems of the Feb. 2008 Presidential Primary need to be addressed.

Exhibit A**Pg 3-4 Par 2.1**

“Automated Ballot Layout System produces the layout of official and sample ballot pages.”

It appears that DIMS designed the double bubble ballot and the sample ballots with the incorrect polling addresses, and possibly played a role in the chaotic precincting...

Exhibit A**Pg5 Subtask 2.3**

“The County intends to replace it (the current Election Tally system) with a vendor developed system.”

It appears that Conny McCormack and perhaps the interim RR of LA County had/have plans to substitute the current tally system with a new Diebold system. Why then, did LA County spend 25 million dollars to purchase the Inkavote PBRs last year? And the last thing any County should want is a Diebold tabulating system.

Subtask 2.4

“Transactions sending and receiving data to and from Sacramento’s CALVOTER system..shall be developed and implemented by the contractor.”

This must be looked into, because so many Los Angeles voters were removed from rosters, and party affiliations were changed this past election.

Subtask 2.5

“... Contractor has tested the interfaces to ensure that they function and integrate properly and Contractor and certified so in writing...”

Diebold tests its own election system and certifies it is working properly. No one outside of Diebold does any testing on the system. Diebold regulates itself.

END