

## **VOTER REGISTRATION SERVICES AND SUPPORT INTERGOVERNMENTAL AGREEMENT**

This agreement (the "Agreement") is for the provision of services by the **OFFICE OF THE SECRETARY OF STATE** (hereinafter referred to as the "SOS") in support of **COCHISE COUNTY, ARIZONA** (hereinafter referred to as the "County"). The SOS and County hereby agree as follows:

1. The SOS entered into an agreement by and between the State of Arizona and Election Services & Software, Inc. ("ES&S") dated March 1, 2016 for software and software maintenance services as well as a substantially similar agreement between the same parties dated July 1, 2017 (collectively the "ES&S Agreements"). Copies of the ES&S Agreements are attached as Exhibits One and Two.
2. The County utilizes the goods and services provided by the ES&S Agreements and the people of COCHISE County receive a substantial benefit as a result of the Recorder being able to utilize the goods and services provided by the ES&S Agreements.
3. The SOS and the County have mutually determined that the County's fair share of all costs associated with the ES&S Agreements is \$12,859.78 per fiscal year for services rendered in fiscal year 2017 and fiscal year 2018.
4. As the County has paid in full the amount invoiced for services rendered under the ES&S Agreements for fiscal year ending June 30, 2017, the SOS agrees to waive payment by the County for services rendered under the ES&S Agreements for fiscal year ending June 30, 2018.
5. The SOS and the County enter into this Agreement pursuant to A.R.S. §11-952. The services set forth in this Agreement will be provided in accordance with the Arizona Revised Statutes and the Arizona Administrative Code and good public administration practices.
6. All parties shall comply with Executive Order 75-5, as amended by Executive Order 2009-09, which mandates that all persons, regardless of race, color, religion, sex, age, national origin or political affiliation, shall have equal access to employment opportunities, and all other applicable State and Federal employment laws, rules and regulations, including the Americans with Disabilities Act. All parties shall take affirmative action to ensure that applicants for employment and employees are not discriminated against due to race, creed, color, religion, sex, national origin or disability.
7. All parties shall comply with A.R.S. §23-214, which requires verification of employment eligibility through the e-verify program; economic development incentives for those that comply and requirements for a list to be provided quarterly to the United States SOS listing those employers who have adhered to the requirements.
8. All charges and expenditures created by this Agreement are subject to the availability of funds and it is expected that, if necessary, appropriate adjustments will be made by mutually agreed upon and executed written amendment to this Agreement.
9. Consistent with the Memorandum of Understanding entered into between the parties on October 24, 2011, attached as Exhibit Three, the parties will continue to cooperate as provided therein, including through the parties' agreement to the provisions of the VSC Bylaws, the VRAZ-II Enhancement Process, the VRAZ-II County Advisory Committee, and the VRAZ-II Help Desk SLA, and any updates thereto.

10. The laws of the State of Arizona shall govern the construction and interpretation of this agreement.
11. This Agreement is subject to the provisions of A.R.S. § 38-511 relating to conflicts of interest and § 12-1518 relating to the use of arbitration. Venue for any dispute shall be in Phoenix, Arizona.
12. Any amendments, including all requests for additional services, shall be in writing and signed by both parties to this Agreement.
13. This Agreement is in effect from **July 1, 2017 to June 30, 2018.**

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date hereinbefore indicated.

**COCHISE COUNTY**

\_\_\_\_\_  
Ann English – Chairman  
Board of Supervisors

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Arlethe Rios – Clerk of the Board

APPROVED AS TO FORM AND WITHIN THE AUTHORITY OF THE COUNTY:

\_\_\_\_\_  
Britt Hanson – Deputy County Attorney

**STATE of ARIZONA**

\_\_\_\_\_  
Secretary of State  
Michele Reagan

DATE: \_\_\_\_\_

APPROVED AS TO FORM AND WITHIN THE AUTHORITY OF THE STATE:

\_\_\_\_\_  
Assistant Attorney General