

# Merriman River Group

## Election Management Solutions



Matthew E. Fitch, Executive Director 888-450-VOTE • [www.merrimanriver.com](http://www.merrimanriver.com)

### AGREEMENT FOR SERVICES

1. Merriman River Associates, L.L.C. a Connecticut corporation, doing business as Merriman River Group and hereafter referred to as MRG, shall provide consulting and election services to the Palos Verdes Homes Association, Palos Verdes, CA and hereafter referred to as PVHA, effective upon execution and continuing through resolution of the PVHA Election, scheduled for January 14, 2025.
2. PVHA shall pay MRG a fee for consulting as itemized below, estimated at **\$27,875** based on per unit pricing, a membership headcount of 5,500, one notification mailing, one ballot mailing, one reminder postcard, and online/business reply mail voting. Unit pricing shall not change during the course of this agreement. Non-contract costs are listed in Section 3.
3. Costs outside of the estimate above shall include postage and handling, itemized and capped expenses, and any additional services requested by PVHA and performed by MRG that change the scope of the project and the agreement.
  - a. Postage and handling (P&H) shall be charged at the applicable first class rate and mailing house services for mailings, and Business Reply return postage for voted ballots.
  - b. Expenses outside of P&H shall not be incurred without advance approval of PVHA. Because the count is planned to be conducted at our Connecticut office, no additional expenses are envisioned
  - c. Additional services, if applicable, shall be contracted in writing and itemized under expenses.

4. The fee as described in Section 2 will be due and payable in three installments:
  - a. The first installment will be an administrative fee of **\$5500** an electronic voting fee of **\$3,000**, and a fee of **\$1.00 plus first class postage and handling per member for the printing and distribution of the notification mailing** that is due upon execution of this agreement.
  - b. The second installment will be a fee of **\$1.25 plus postage and handling per member for the ballot packages**, and is due prior to the ballot mailing.
  - c. The final installment will be a fee of **\$1.00 plus postage and handling per member who has not yet voted for the reminder postcard, \$2,000 for ballot processing, plus \$1.25 per voting member, plus reply postage**, including replacement ballot requests, and any approved expenses if applicable. This final bill is due upon receipt after the close of the election. As the amount of members for the second mailing is only estimated, all adjustments to actual costs will be contained in this final invoice. Regardless of whether voted ballots are opened and counted, Merriman River Group shall still be required to process the mail to record who has voted, and as such, the ballot processing charge shall apply even if the client opts not to count the ballots.
5. MRG will be responsible for the graphic design and printing of the ballot packaging. All printing and design will be approved by the PVHA designated representative. MRG will also be responsible for handling all replacement ballot requests.
6. Voted ballots will be returned to a Post Office box close to the count site within the control of MRG. At the close of tabulation, MRG will be responsible for the sealing and storing of election materials. MRG will also be responsible for the retrieval, sorting, logging, and counting of replacement ballots, and will provide an official report to PVHA.



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7. The following facets of the process may be observable: all facets of voting, the sealing of election materials and the transporting of same to the central count site, retrieval of ballots from the post office on election day, and all aspects of the counting. Other facets can be made observable upon request and approval of PVHA staff.
8. Each LOT in Palos Verdes Estates and Miraleste is entitled to ONE vote. If a LOT is owned by more than one person or an organization consisting of more than one person, that LOT is still entitled to only ONE vote. PVHA will provide a file of eligible voters to the Merriman River Group. PVHA shall be responsible for the accuracy of this list. If more than ONE ballot is submitted per LOT the first ballot processed (time stamped as received) will be the ballot that is counted. Electronic and mail-in ballots are processed as received. Ballots submitted to the PVHA office in a box supplied by Merriman River Group are processed after the start of the Annual Meeting. All voting methods will share a common server and only one ballot will be counted for each LOT. Once a ballot has been counted it cannot be voided.
9. MRG shall not disclose any Confidential Information, including, but not limited to, PVHA membership lists, member names, member addresses, or member electronic mail addresses, to any other entity or use such items for any purpose not expressly authorized by the PVHA, unless disclosure is made in response to, or because of, an obligation to any federal, state, or local governmental agency or court with appropriate jurisdiction, or to any person properly seeking discovery before any such agency or court. PVHA shall be given the ability to defend the confidentiality of its Confidential Information to the maximum extent allowable under the law prior to disclosure by MRG of such Confidential Information. MRG may show the Confidential Information covered by this Agreement, subject to the terms set forth in this Agreement, on a need-to-know basis only to individuals who will be involved in the creation and distribution of the nomination notices, including election rules, and election ballots. This includes only the individuals involved in the creation and distribution of such nomination notices, including election rules, and election ballots. Before showing the aforementioned individuals any Confidential Information, MRG will provide them a copy of this Agreement, secure their agreement to keep the Confidential Information confidential, and ensure that they understand the Confidential



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Information may not be disclosed or discussed for any reason other than for the creation and distribution of the nomination notices, including election rules, and election ballots.

**10.** MRG and PVHA agree to submit any disputes regarding performance and/or payment to binding arbitration as mediated by ADR Systems of America, with offices in California.

**11.** The project timeline is as follows:

|                  |                                                 |
|------------------|-------------------------------------------------|
| October 21, 2024 | Contract execution                              |
| October 21       | Postcard text and Mailing List from PVHA to MRG |
| October 3        | Envelope approval (done)                        |
| October 28       | Postcard Mailing                                |
| October 28       | Ballot approval                                 |
| November 7       | Ballot mailing, online goes live                |
| November 7       | Help and ballot requests begin                  |
| November 25      | First Mail pick-up                              |
| December 6       | Second Postcard                                 |
| January 3, 2025  | Ballot requests end                             |
| January 8        | Final Mail pick-up                              |
| January 8        | Mail processing                                 |
| January 8        | Help line closes                                |
| January 8        | Electronic voting closes                        |
| January 14       | Ballot tabulation if quorum is reached          |
| January 14       | Annual Meeting. Results announced by MRG        |



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**12.** Costs are as follows, with \$14,000 plus postage and handling due prior to the first notification mailing.

| Category                 | Rate    | Est. Units | Cost            |
|--------------------------|---------|------------|-----------------|
| Administrative Fee       | \$1     | 5500       | \$5,500         |
| Electronic Voting        | \$3,000 | 1          | \$3,000         |
| Notification Postcard    | \$1     | 5500       | \$5,500         |
| Ballot Mailing           | \$1.25  | 5500       | \$6,875         |
| Reminder Postcard        | \$1     | 4500       | \$4,500         |
| Return Ballot Processing | \$2,500 | 1          | \$2,500         |
| <b>TOTAL</b>             |         |            | <b>\$27,875</b> |

**Authorized Signatures:**

For Merriman River Group

Matthew E. Fitch  
*Print Name*

*Signature*



October 21, 2024  
*Date*

For PVHA

Christine McNamara  


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*Print Name*

*Christine McNamara*  


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*Signature*

10 / 21 / 24  


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*Date*



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