

COMMITTEE OF THE WHOLE - DECEMBER 1, 2009

CONTRACT AWARD - RFP09-350 **THE LEASE OF AN ELECTRONIC TABULATION SYSTEM**

Recommendation

The City Clerk in consultation with the Director of Purchasing Services, recommends:

1. That the contract for RFP09-350 for the Lease of an Electronic Tabulation System for the City of Vaughan be awarded to the firm Dominion Voting Systems Corp. in the amount of \$298,800.00, excluding GST and PST for each of the 2010 and 2014 General Municipal Elections (including free tabulator rental for any intervening by-elections).
2. That the Mayor and City Clerk be authorized to sign the contract and necessary documents.

Contribution to Sustainability

N/A

Economic Impact

In response to a request for the provision of optional pricing for the 2014 election as well as the 2010 election, the vendor has offered a five-year contract which provides the City with the 2014 system at the same price as the 2010 system, any substituted devices in 2014 at the 2010 rates, and free rental of tabulators for any intervening by-elections. Each of the two elections will therefore cost \$298,800, with payments being made over the five year term of approximately \$120,000 per year, plus taxes. Supplies will be purchased in the year of the election. The estimated cost of leasing falls within approved budget limits and the current rate of contribution to the election reserve account, with no additional impact on the 2010 operating budget.

Taking advantage of the five-year contract has the following benefits:

- The 2014 election system is provided at the same price as the 2010 election, so long as it remains similar in scope;
- Tabulator rental is free for any by-elections which may occur within the five years;
- The tabulator equipment to be provided in 2014 will be the then current version of the equipment that the vendor supplies.
- If the City chooses a different type of the vendor's equipment in 2014 (for example for internet voting), the 2010 prices for that equipment will apply and the City will either supplement its payment or receive a rebate, depending on the relative cost of the chosen equipment as compared to an election based on distributed tabulators;
- If the City chooses an election method for 2014 which the vendor does not provide, or if the City returns to a manual count, the City may cancel the portion of the contract that relates to the 2014 election.

Communications Plan

The Request for Proposal (RFP09-350) was released on September 17, 2009 and advertised on the Electronic Tendering Network (ETN - Bidingo.com), the City Web page and the Ontario Public Buyer's Association website, with a closing date of October 21, 2009.

Purpose

The purpose of this report is to obtain Council approval to award the contract for RFP09-350 the Lease of an Electronic Tabulation System for the City of Vaughan.

Background - Analysis and Options

The traditional method of voting in municipal elections is by in-person voting on Election Day and at Advance Voting locations. Eligible electors appear in person, provide proof of identity, and are provided with a paper ballot which they mark in secrecy.

It is recommended that the City of Vaughan employ the use of decentralized vote tabulators (at least one at each poll) to count these votes in a manner which best protects a voter's right to vote while ensuring speedy and accurate tabulation of results.

As is the case with every aspect of the conduct of the election, the Clerk in employing the use of vote tabulators will keep mind the primary obligation to deliver a proper and fair election in accordance with the prescriptive provisions set out in the *Municipal Elections Act* and the following set of principles:

1. The integrity of the process should be maintained throughout the election;
2. The secrecy and confidentiality of the individual votes is paramount;
3. The election should be fair and non-biased;
4. The election should be accessible to the voters;
5. There be certainty that the results of the election reflect the votes cast;
6. Voters and candidates should be treated fairly and consistently within a municipality; and,
7. A proper majority vote decides the election by ensuring, so far as reasonably possible, that valid votes be counted and invalid votes be rejected.

The City Clerk is proposing the use of the vote tabulation system being offered by Dominion Voting Systems Corp. ("DVS"). In responding to the City's RFP, DVS has indicated its understanding of the City's objectives by identifying as its own service delivery theme "Access and Accuracy with Dignity and Integrity". Its vision is to provide a barrier free election, empowering voters to exercise their franchise either on Election Day or during the advance voting period, with the provision of accurate, auditable results in a timely fashion. There is clear alignment between the objectives and approach of DVS and the City Clerk's objectives in delivering an election which meets the high expectations of Vaughan's voting public.

Key issues arising from 2006 Election

In configuring and deploying the tabulation voting system, the City Clerk will be taking into account the controversies associated with the 2006 general municipal election, and in particular:

a) Accuracy and Accountability

The City will employ the use of DVS's ImageCast Precinct Tabulator which employs high-resolution digital scanning of each ballot. As each ballot is scanned, the voter's mark for each office is compared to a threshold standard so that each ballot at each poll will be tabulated to the same standard. An appropriate threshold standard, based on the City's 'fill in the arrow' ballot design, will be developed with the assistance of DVS.

Once the threshold standard is set, the tabulator will be set to identify marginal marks. In real-world voting scenarios, voters will with some frequency place a mark which is not 'ideal'. The ImageCast system employs an 'Ambiguous Zone' which identifies marks which fall close to the threshold standard. The result is that when a voter attempts to cast a ballot containing a marginal mark, the unit will notify the voter of the problem and ask that the voter clarify his or her intent. All

marginal marks are therefore dealt with at the voting location, with the voter having the opportunity to clarify their intention, and accept or reject the ballot before it is counted.

In addition, the ImageCast system can be configured to “voter-verifiable” mode, in which case the onboard LCD screen shows a vote summary displaying the machine’s interpretation of the votes on the ballot before the ballot is ‘counted’ and dropped into the ballot box. The City Clerk will be testing the voter-verifiable system through the course of election planning and will configure the system, at a minimum, to indicate over-voted ballots and completely blank ballots. If through testing it is determined that an ‘always-on’ voter verifiable mode will not result in voter confusion or inordinate delays, every voter will automatically be given the opportunity to view how their ballot has been recorded by viewing the LCD screen. An alternative will be to engage the mode only for voters who ask for it.

b) Timely Results Reporting

The DVS system includes a real-time vote results module which reports results on the internet, and which can be projected on public display screens, fed to local television stations, and displayed on the City web site. The report display can be made interactive, allowing web site users to click on contests and geographic areas of interest to them.

In 2006, each tabulator was brought to the Vaughan Civic Centre, the memory cards removed, and the card information uploaded into the vote compilation system provided by DVS. To supplement that process in 2010, the tabulator operators at each voting location will call in results from that location to a call centre to be established at the election headquarters. Results from advance polls will be uploaded as the calls come in from Election Day polls. As a result, speedy and verifiable results will be available on election night.

c) Vote Anywhere Advance Voting / Accessible Voting

In a future report, the City Clerk will be recommending dates and times for Advance Voting Week, once the provisions that relate to municipal elections in Bill 212, being “An Act to promote good government by amending or repealing certain Acts and by enacting two new Acts,” are finalized and adopted.

Once established, voters will be able to attend at any Advance Voting location and cast their votes regardless of whether the advance poll is located in the ward in which they live. This will be achieved through the use of an electronic voters list which provides a secure method to strike voters off the list in such a way that they are unable to vote at any other location. At each location, ballots will be printed on demand, so that all ballot faces will be available at every advance vote location.

Accessible Voting Marking Devices will be available at the advance vote locations, which will allow voters to use an audio accessible voting Ballot Marking Device (which supports multiple languages). The Ballot Marking device allows voters who cannot negotiate a paper ballot to generate a marked human- and machine-readable ballot, indistinguishable from a ballot marked by hand by any other voter. The generated ballot is scanned by the tabulator, thereby presenting an equal voting experience for all voters. Accessible Voting Marking Devices will be redeployed at polls established at seniors’ residences throughout the municipality.

Procurement Process

The Request for Proposal (RFP09-350) was released on September 17, 2009 and advertised on the Electronic Tendering Network (ETN - Bidingo.com), the City Web page and the Ontario Public Buyer’s Association website, with a closing date of October 21, 2009.

Two Firms picked up RFP documents. One addendum was subsequently issued to provide technical clarification to the proponents. Only One proposal from Dominion Voting Systems Corp. was received upon closing of the bid.

The evaluation committee consisted of City staff from various departments, with the Purchasing Services Department facilitating and monitoring the evaluation process. The proposal submissions was evaluated against following criteria provided in the RFP document.

PHASE I. Proposal submission was evaluated and scored according to the following criteria:

ITEM	EVALUATION CRITERIA	EVALUATION POINTS
1	EQUIPMENT AND METHODOLOGY DESCRIPTION	10
2	EQUIPMENT AND METHODOLOGY COMPLIANCE	35
3	EQUIPMENT TECHNICAL COMPLIANCE	20
4	PROJECT COSTS	25
5	RELEVANT EXPERIENCE	10
	TOTAL	100

PHASE II. Proponent meeting the phase I criteria was asked to provide the evaluation committee with an equipment demonstration in support of their proposal to exhibit and demonstrate the information contained therein and further scored according to the following criteria:

ITEM	EVALUATION CRITERIA	EVALUATION POINTS
1	Functionality.	20
2	Ease of use, user friendliness.	15
3	Operational performance.	15
	TOTAL	50

The Committee determined the Dominion Voting Systems Corp. proposal submission to be an acceptable scorer throughout the evaluation process and was identified as suitable and qualified to carry out the contract.

Relationship to Vaughan Vision 2020/Strategic Plan

The proposed initiative is consistent with the following elements of Vaughan Vision 2020:

1. Service Excellence – Demonstrate Leadership and Promote Effective Governance
2. Service Excellence – Pursue Excellence in Service Delivery
3. Management Excellence – Enhance Productivity, Cost Effectiveness and Innovation

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

N/A

Conclusion

Based on the evaluation of the proposal received, it is recommended that a contract for the Lease of an Electronic Tabulation System for the City of Vaughan be awarded to the firm Dominion Voting System Corp. in the amount of \$298,800.00, excluding GST and PST for each of the 2010 and 2014 General Municipal Elections, including free tabulator rental for use in by-elections which may occur in intervening years.

Attachments

N/A

Report prepared by:

Jeffrey A. Abrams, City Clerk

Respectfully submitted,

Jeffrey A. Abrams
City Clerk