



Report to: General Committee

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**SUBJECT:** Award of Proposal 029-R-10 2010 General Election –  
Tabulation and Online Voting Support & Services

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**RECOMMENDATION:**

- 1) That the Report entitled “Award of Proposal 029-R-10 2010 General Election – Tabulation and Online Voting Support & Services” be received; and,
- 2) That the contract for Request for Proposal 029-R-10 be awarded to the highest ranked and lowest priced bidder, Election Systems & Software in the amount of \$236, 619.35, inclusive of HST; and
- 3) That the award be funded from budget account 86 2700 850 (2010 General Elections); and
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

The purpose of this Report is to obtain Council approval to award the contract for Request for Proposal 029-R-10 to Election Systems & Software (ES & S). It is important to note that Council is required to pass a by-law authorizing online and optical scan vote tabulator platforms prior to June 1, 2010. This approval is being sought through the report “Approval of Alternative Voting Methods - 2010 Municipal Election” included in the May 3, 2010 regular General Committee agenda package.

**BACKGROUND:**

For the 2003 Municipal Election, the Town of Markham was among the first municipalities in Canada and first in Ontario to introduce an online voting option as part of the electoral process. In 2006, Markham again successfully utilized online voting. As a result of this experience, Markham is routinely approached by other municipalities, jurisdictions, agencies in Canada and across the world to share its online voting experience.

The next municipal election will take place on Monday, October 25, 2010. As in the previous two municipal elections, Markham is again interested in providing an on-line voting option during the Early Voting Period only. As part of the planning for the 2010 Municipal Election, Markham solicited proposals for (Part 1) rental, service, functional training and support of an optical scan vote tabulation system; (Part 2) deployment, service, functional training and support of an internet based voting platform (also referred to as the on-line voting system) for the upcoming election. Both on-line and optical scan vote tabulation systems help to further the following operational goals:

- Compliance with the Municipal Elections Act, 1996;
- Enhancing the efficiency of the voting process;
- Protecting and improving the integrity of the election process;
- Providing for greater access to independence in the voting process for persons with disabilities;
- Providing access to election information in various languages and in a manner sensitive to Markham's diverse cultures; and
- Ensuring certainty of results & efficient and effective operations support to maintain a high level of Town of Markham Customer service to electors.

In the 2006 Municipal Election, the tabulator and online voting proponent was required to provide (or be available to provide) training and support throughout the election process to both Town staff and to contracted temporary election officials as required. This included participation in equipment/system testing and verification; a "mock election" used to mimic the election process from the marking and tabulation of online and tabulator ballots to the upload and display of results; ongoing support to election administrators; information sessions to demonstrate technology to media and election candidates; attendance at training for contracted temporary election officials; and on-site support at early and regular voting opportunities.

In the 2006 Municipal Election, Dr. Henry Kim, Associate Professor of Information Technology at York University undertook an assessment of voting option risks. The assessment, along with an internal review of security and security information provided by the proponent formed the basis of the decision to move forward with online voting in Markham. Dr. Kim was again retained by Markham in 2010 to conduct a review of current literature and to propose security mitigation recommendations related to online voting for the upcoming Municipal Election. Dr. Kim's current work was consistent with the risk assessment undertaken in 2006 and his security mitigation recommendations will be implemented.

## **ANALYSIS & OPTIONS:**

### **PROPOSAL INFORMATION**

Advertised, place and date	ETN (Electronic Tendering Notice)
Bids closed on	March 3, 2010
Number picking up bid documents	4
Number responding to bid	2

### **PROPOSAL EVALUATION**

The evaluation team was comprised of staff from Legislative Services and Information Technology Services with Purchasing staff acting as the facilitator. The evaluation was based on pre-established evaluation criteria as identified in the Request for Proposal: 10% for Part 1a – Tabulation System minimum Requirements, 10% for Part 1b – Tabulation System Services & Support, 20% for Part 2a – Online Voting System minimum requirements, 20% Part 2b – Online Voting System Services and support minimum requirements, 10% for Meeting of General Requirements (including Company Profile, Value Added Services, Service Level Agreement (SLA) provision), and 30% for price, totaling 100% with resulting scores as follows:

<b>CONSULTANTS</b>	<b>TOTAL SCORE OUT OF 100</b>	<b>RANK</b>
<b>Election Systems &amp; Software</b>	<b>94.55</b>	<b>1</b>
Dominion Voting	90.38	2

The evaluation criteria included a number of dimensions focused on security, accessibility, functionality and cost (cost having the lowest threshold permitted in the Purchasing Bylaw). The criteria were developed following a review of similar recent Municipal Election RFPs. ITS staff researched and incorporated into the RFP a number of detailed technical requirements around security functionality, ease of use, ability to support a two step registration process, ability to leverage Voters List data on a real-time basis as well as overall voting data integrity. The technical requirements deck was peer reviewed both internally and externally by colleagues and Subject Matter Experts prior to release of the RFP.

Security criteria were based on system, voter and permission level-based administrator usage. At the application (Software) level, the vendor has demonstrated that their system sufficiently addresses such issues as denial of service attacks, re-creating the electronic vote/disaster recovery, vote tampering, virus attacks, preventing phishing/pop-ups which may influence the vote while voting at public desktops.

At the physical level, security of the physical facility has been confirmed as compliant by a recent 3rd party SAS70 audit of the data storage site.

Staff feel that the recommended vendor has exceeded the mandatory requirements as defined in the RFP and their similar experience most recently at Halifax Regional Municipality provides the credibility to instill confidence in their solution. Staff feel that the risk associated with advance internet voting using the solution provided by the recommended vendor is negligible and well within the threshold of risk with an understanding of Markham's needs based on the 2003 and 2006 Municipal Elections as well as an analysis of RFPs developed by other Canadian Municipalities of similar size and demographics (these included the City of Burlington and Halifax Regional Municipality). The requirements were developed for the RFP and subsequently went through an internal and external peer review process.

Prices ranged from \$236,619.35- \$275,502.99 (inclusive of HST), taking into account the total cost of ownership with the inclusion of the following provisions: Vote Tabulation System – its required service, training and support, and; Online Voting System – its required service, training and support.

Staff elected to invite the two highest ranked vendors to a Question & Answer/Product Demonstration session, as allowed for in the bid document. The interview panel was comprised of staff from Legislative Services and Information Technology Services with Purchasing staff acting as the facilitator. The interview was evaluated on pre-established questions and scoring criteria, with an additional 10% marks provided for the proponents.

<b>CONSULTANTS</b>	<b>OVERALL SCORE (CRITERIA AND INTERVIEW) OUT OF 110</b>	<b>RANK</b>
<b>Election Systems &amp; Software</b>	<b>103.55</b>	<b>1</b>
Dominion Voting	97.88	2

Election Systems & Software (ES&S), the lowest priced bidder, scored higher on the technical submission as well as in the Question & Answer Session, demonstrating a thorough understanding of the project and its requirements. In the area of on-line voting, ES&S showed particular experience and knowledge with many similar election implementations, having most recently delivered a highly successful by-election for Halifax Region in 2009 during which 75% of the total votes were cast on-line. Their proposal demonstrated to the Town's satisfaction that they have the ability to undertake the project and they have a strong understanding of the project deliverables, key issues and challenges.

#### **FINANCIAL CONSIDERATIONS AND TEMPLATE:**

Recommended Supplier	Election Systems & Software (Highest Ranked and Lowest Priced Bidder)	
Original Budget and Account #	\$ 1,141,642.00	86 2700 850 2010 General Elections
Current Budget Available	\$ 400,000.00	Budget allocated for Election system and software
Less cost of award	\$ 236,619.35	Price is inclusive of HST
Budget Remaining after this award	\$ 163,380.65	*

\*Remaining funds will remain in account number 86 2700 850 until project completion and be used for any outstanding requirements related to the Election

#### **ALIGNMENT WITH STRATEGIC PRIORITIES:**

Not applicable.

#### **BUSINESS UNITS CONSULTED AND AFFECTED:**

The Finance Department was consulted in the development of this report.