

BOARD OF BIDS AND CONTRACTS JULY 7, 2016

1. VOTING SYSTEM - ELECTIONS OFFICE

FUNDING - ELECTIONS OFFICE

(Request sent to seven vendors)

RFP #15-0078 Contract

	Hart InterCivic, Inc.	Everyone Counts, Inc.	Election Systems & Software, LLC
Hardware			
1. Voting Machines/Ballot Marking Devices (BMD) (ADA/HAVA compliant)			
A. Ea., 1-1000 units (900 est.)	\$4,193.00 \$3,773,700.00*	\$1,085.00 \$9,765,000.00*	\$3,420.00 \$3,078,000.00*
B. Ea., 1001-2000 units	\$4,193.00	\$1,065.00	\$3,320.00
C. Ea., 2001-3000 units	\$4,193.00	\$1,050.00	\$3,190.00
D. Ea., 3001+ units	\$4,193.00	\$1,030.00	\$3,050.00
2. Precinct Tabulation Machines			
A. Ea., 1-300 units (200 est.)	\$4,826.00 \$965,200.00*	\$3,500.00 \$700,000.00*	\$5,522.00 \$1,104,400.00*
B. Ea., 301-500 units	\$4,826.00	\$3,435.00	\$5,394.00
C. Ea., 501-700 units	\$4,826.00	\$3,375.00	\$5,195.00
C. Ea., 700+ units	\$4,826.00	\$3,315.00	\$4,880.00
3. Central Counter			
A. Each, single (single est.)	\$60,219.00*	\$10,400.00*	\$108,900.00*
B. Ea., 2-4 units	\$60,219.00	\$10,220.00	\$108,900.00
C. Ea., 5+ units	\$60,219.00	\$10,040.00	\$98,900.00
Estimated Subtotal-Hardware	\$4,799,119.00*	\$1,686,900.00*	\$4,291,300.00*
Software			
4. Licensing Fees (at implementation)	\$109,807.00	\$270,000.00	\$41,845.00
Implementation			
5. Estimated System Implementation	\$2,000.00/day**	\$88,400.00	\$28,725.00
Training			
6. Estimated Training Services	included in implementation	included in implementation	\$11,025.00
Total estimated initial purchase (Hardware, Software, Implementation and Training)	\$4,914,926.00	\$2,045,300.00	\$4,372,895.00
Maintenance and Support			
7. Annual, Hardware Maintenance and Support (years 2-10, estimated)	\$314,450.00/yr. \$2,830,050.00	per unit cost, no pricing provided	\$212,530.00/yr. \$1,912,770.00
Annual, Software Support (years 2-10, estimated)	\$23,350.00/yr. \$210,150.00	\$270,000.00/yr. \$2,430,000.00	\$41,845.00/yr. \$376,605.00
8. Estimated 9 years Maintenance and Support Subtotal	\$3,040,200.00	\$2,430,000.00	\$2,289,375.00
Total estimated 10 year cost (not including initial peripheral purchase)	\$7,955,126.00	\$4,475,300.00	\$6,662,270.00

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	Clear Ballot	Henry M. Adkins & Son, Inc.	Election Source
Hardware			
1. Voting Machines/Ballot Marking Devices (BMD) (ADA/HAVA compliant)			
A. Ea., 1-1000 units (900 est.)	\$4,500.00 \$4,050,000*	\$3,510.00 \$3,159,000*	\$4,235.00 \$3,811,500.00*
B. Ea., 1001-2000 units	\$4,300.00	\$3,510.00	\$4,235.00
C. Ea., 2001-3000 units	\$4,100.00	\$3,510.00	\$4,235.00
D. Ea., 3001+ units	\$3,900.00	\$3,510.00	\$4,235.00
2. Precinct Tabulation Machines			
A. Ea., 1-300 units (200 est.)	\$6,000.00 \$1,200,000.00*	\$4,990.00 \$998,000.00*	\$6,500.00 \$1,300,000.00*
B. Ea., 301-500 units	\$5,700.00	\$4,990.00	\$6,500.00
C. Ea., 501-700 units	\$5,400.00	\$4,990.00	\$6,500.00
C. Ea., 700+ units	\$5,100.00	\$4,990.00	\$6,500.00
3. Central Counter			
A. Each, single (single est.)	\$32,578.00*	\$45,300.00*	\$45,000.00*
B. Ea., 2-4 units	\$29,062.00	\$45,300.00	\$45,000.00
C. Ea., 5+ units	\$28,515.00	\$45,300.00	\$45,000.00
Estimated Subtotal-Hardware	\$5,282,578.00*	\$4,202,300.00*	\$5,156,500.00*
Software			
4. Licensing Fees (at implementation)	\$256,741.00	\$52,886.00	\$500,000.00
Implementation			
5. Estimated System Implementation	\$81,460.00	\$41,012.50	Dependent on needs, no cost provided
Training			
6. Estimated Training Services	\$52,100.00	\$23,710.00	\$1,800.00/day plus expenses**
Total estimated initial purchase (Hardware, Software, Implementation and Training)	\$5,672,879.00	\$4,319,908.00	\$5,661,900.00***
Maintenance and Support			
7. Annual, Hardware Maintenance and Support (years 2-10, estimated)	\$180,000.00/yr. \$1,620,000.00	\$182,350.00/yr. \$1,641,150.00	\$492,500.00/yr. \$4,432,500.00
8. Annual, Software Support (years 2-10, estimated)	\$64,189.00/yr. \$577,701.00	\$108,936.00/yr. \$980,424.00	\$500,000.00/yr. \$4,500,000.00
Estimated 9 years Maintenance and Support Subtotal	\$2,197,701.00	\$2,621,574.00	\$8,932,500.00
Total estimated 10 year cost (not including initial peripheral purchase)	\$7,870,580.00	\$6,941,482.00	\$14,594,400.00

On the recommendation of Kimberly Evans, on behalf of the Elections Office, Jennifer Dombaugh moved to **accept the proposal from Election Systems & Software, LLC for an estimated initial purchase of \$4,372,895.00 plus nine (9) years of maintenance and support for \$2,289,375.00 and an initial negotiated peripheral purchase of \$1,179,300.00 for a total estimated 10 year cost of \$7,841,570.00 and establish contract pricing for hardware, software, maintenance and support and establish unit pricing for system consumables/maintenance supplies/ADA peripherals (on file with Purchasing) for 10 years.** Sara Jantz seconded the motion. The motion passed unanimously.

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A review committee comprised of Tabitha Lehman - Election Commissioner, Sandra Gritz - Chief Deputy Election Commissioner; Sedgwick County, Bruce Newby - Election Commissioner, Kimberly Strauss-Rivera, Program Coordinator for Election Systems, Joshua King - Program Coordinator for Election Technology; Wyandotte County, Andrew Howell - Election Commissioner, Mark Stock - Assistant Election Commissioner, Edith Zarger - Election Systems Specialist, Michelle Bicknell - Assistant Election Systems Specialist; Shawnee County, Brian Newby - Former Election Commissioner, Jessica White - Former Assistant Election Commissioner; Johnson County and Kim Evans - Sedgwick County Purchasing Department reviewed the proposals. Election staff from all four counties met and scored proposals based on the metrics delineated in the Request for Proposal.

Election Systems & Software, LLC and Henry M. Adkins and Son, Inc. were selected for two rounds of demonstrations based on their evaluation scores. The first round of demonstrations were private demonstrations for staff only and took place in Topeka, Kansas. These demonstrations were to cover security and policy aspects of the systems for staff to evaluate. The second round of demonstrations were individually scheduled in each jurisdiction for public involvement. The Sedgwick County Elections Office announced the public demonstrations and personally invited county staff, commissioners, poll workers, and representation from the ADA community. The participants were able to use both systems in a mock election and provide feedback on the ease of use of the systems. This feedback was used as a tool for ascertaining the level of satisfaction from the community, but was not part of the overall scoring of each proposal.

The county's current fleet of voting equipment was purchased in the 2005-2006 timeframe. The technology of the voting system hardware is out of date and can only be purchased as refurbished units. The software requires use of Window XP which is no longer supported by Microsoft or Sedgwick County creating a security risk. Memory devices in the current fleet of voting equipment are not capable of handling the numbers of ballot styles and candidates necessary to provide efficient elections as the number of registered voters in Sedgwick County continues to increase.

Sedgwick County currently has 614 touch screen voting machines which is severely inadequate for the 280,000 registered voters served. Rather than purchasing more outdated equipment, the county desires to upgrade and become more accessible and transparent in the process. The county seek to replace the current system with a paper based voting model that will facilitate greater transparency and trust from the voters, while gaining efficiencies in the voting process. The county expects many efficiencies to be created with the new system, including shorter lines at the polls and more expeditious reporting of results on election night.

This Request for Proposal was prepared and released by Sedgwick County as a lead agent for the other three large counties in Kansas. Each county is responsible for individual approval and execution of contracts. Shawnee County has already executed a contract and will be rolling out their new system this Fall.

The initial peripheral purchase are items to enhance voter experience and provide more efficient poll operations, this total includes items that were negotiated with ES&S after the final vendor selection was made.

Note - This contract includes a volume pricing provision. The first county to purchase hardware will pay the initial unit pricing, if the next county to purchase equipment pushes the quantity into the next volume discount tier, the first county will receive a rebate of the difference paid on the number of units they purchased as of February 1st on the subsequent year.

Definitions -

ADA - Americans with Disabilities Act

HAVA - Help America Vote Act of 2002 - requires each polling location have at least one voting system accessible to individuals with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation as for other voters.

*Hardware costs are estimated based on the base unit cost proposed and the number of units being purchased by the Elections Office (estimated purchase of 900 BMD's, 200 Tabulators and 1 Central Count).

**Estimated three (3) days for calculating the estimated costs.

***Plus implementation expenses.

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Tim Kaufman asked for an explanation as to why the solution offered by Everyone Counts was not pursued as they offered a much lower price. Tabitha Lehman-Elections Commissioner explained that they had not gone through the testing and certification process offered at the Federal and State levels for voting equipment. These certifications are required by the State of Kansas for any equipment used for voting which therefore precluded them from being considered. Everyone Counts has not sold or used any of its voting equipment to any other jurisdiction in the United States. The only voting they have conducted has been online for things such as Grammy Awards. Their equipment also had modems and required an internet connection which poses a significant security risk as well. Due to these reasons, Everyone Counts was not considered a viable option for the counties.

Beth Clarkson, concerned member of the public and voting citizen in Sedgwick County, has serious concerns with the automated equipment currently used, also supplied by ES&S. Beth asked what the estimated cost and labor would be to hand count voter marked ballots and how that compares to the automated equipment. Tabitha Lehman states that Federal law does not allow paper counts only and requires at least one automated machine at every polling location. Tabitha stated that the Elections Office could do a majority paper count as Shawnee County has done in the past, however no estimates are known as to the time or cost involved using this method as it has never been considered in Sedgwick County.

Sara Jantz stated - as a reminder to the audience, that this meeting is to ensure that purchasing procedures are being adhered to, not to ascertain whether or not the system is the best suited for an election. Tabitha stated that this system will give the Elections staff an actual paper ballot for every vote counted in the case of a recount or audit, then a physical ballot would be available for every vote counted for a hand count.

Beth Clarkson stated - that she had asked to be notified by Election Commissioner Lehman when the selection committee would meet and asked why she was not notified.

Sara Jantz reminded Ms. Clarkson that this meeting is to review and discuss the purchase of this system, Ms. Clarkson stated that she understood, but would like to know why she was not notified of selection committee meetings and why the county chose to recommend the award to ES&S and not Henry M. Adkins & Son, Inc. Ms. Clarkson stated that she did not have any other opportunity to ask her questions.

Misha Jacob-Warren-Assistant County Counselor stated - that Bid Board is a public meeting and that Ms. Clarkson has the right to attend the meeting and ask questions, however her questions can be addressed when this item goes in front of the Board of County Commissioners. Misha also stated that at this time, this meeting (Bid Board) is not a dialogue for Commissioner Lehman to answer questions as to why Ms. Clarkson was not notified of selection committee meetings and that she will have the opportunity to ask those questions next Wednesday at 9:00 a.m. in the same room.

David Spears commended Tabitha and everyone involved in the RFP process stating the number of people on the committee was very impressive and that it could not be disputed what the qualified people would recommend.

Tabitha Lehman stated for the record that since Shawnee County has already purchased equipment, it is already known that Sedgwick County's expenditure will be less than what is shown on the table. Also, one of the reasons that ES&S was selected is that they are willing to buy back the old voting equipment, which provides confidence to the Elections Office that equipment will be disposed of properly and not fall into the wrong hands. This will also give the county nearly \$175,000.00 discount on the new equipment being purchased. Tabitha mentioned that there was great thought and care put into the RFP and that the draft version was sent to the U.S. Election Assistance Commission and received very positive feedback on an excellent RFP and an excellent process. This RFP was also written so that any other jurisdiction in the State of Kansas could benefit from this pricing. This process has saved Sedgwick County and many other jurisdictions valuable time as opposed to each jurisdiction procuring their own equipment separately. The high level of expertise from leading counties in the state also contributed to a very successful process. Tabitha thanked Mr. Spears and stated that her and the group appreciate the acknowledgement.