



CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF ELECTIONS

**ADDENDUM #1
ISSUED ON May 13, 2005**

REQUEST FOR PROPOSALS FOR A NEW VOTING SYSTEM RFP#NVS0305

- 1) Please add and substitute the following Addendum language, dated May 13, 2005, for Section II, Scope of Work, Part B, Pilot Program of RFP# NVS0305.
- 2) Please remove the following Addendum language, dated May 13, 2005, for Section III, Submission Requirements, Part B, Format and Content of Proposals of RFP# NVS0305.
- 3) Please substitute the following Addendum schedule, dated May 13, 2005, for Section V, Schedule, Part B, Schedule of RFP# NVS0305.

Any proposal that does not include this signed addendum may be rejected as non-responsive.

All other specifications, terms and conditions remain unchanged.

ADDENDUM NO. 1
TO REQUEST FOR PROPOSALS
FOR A NEW VOTING SYSTEM

The following changes are made to the Request for Proposals for a New Voting System. Additions are underlined, and deletions are in ~~strikethrough~~ text.

1. Part II, Scope of Work, B) The Pilot Program, is hereby amended to read as follows:

The Pilot Program

No more than three Pilot Proposers chosen in the Initial Selection Process will participate ~~simultaneously~~ in a Pilot Program. The Pilot Program will have three phases. The first phase will consist of a logic and accuracy test conducted with "test ballots" marked according to a script prepared by the Proposers and approved by DOE. DOE may request changes and additions to the scripts prepared by the Proposers, and the Proposers must comply with these requests.

The second phase will consist of a demonstration (mock) election conducted at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco during a period specified by DOE.

The final phase will consist of a Statement of Vote and any other reports requested by DOE, an interview and a Supplemental Proposal (if requested).

Each Pilot Proposer's configuration of the proposed New System during the Pilot Program must include:

- A proposed New System based on Optical Scan Technology, at least two Optical Scan ballot counters, plus at least one (1) device for processing absentee ballots if the device is different from the precinct ballot counters.
- If DOE is to consider a New System based on DRE or similar technology, at least two voting devices that display a ballot image for individuals with disabilities.
- Ranked-choice voting capability, which permits the voter to indicate as many choices as there are candidates and qualified write-in candidates for the RCV contest(s) as specified in this RFP and the referenced appendices.
- Accessibility for voters who speak English, Chinese and/or Spanish.
- Accessibility for voters with disabilities, including but not limited to non-visual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation, including privacy and independence, as for other voters as per all applicable laws during the final term of the agreement.
- Capability to identify or prevent ballot error conditions, including but not limited to overvotes, undervotes, skipped ranks and multiple rankings on ranked-choice ballots as specified in this RFP, and capability to provide error and/or omission messages as specified in this RFP to voters whose ballots contain such error conditions and provide the voter with the opportunity to correct the ballot.

- Capability to process write-in and provisional votes with a minimum of manual data-entry, and capability to quickly and easily integrate this data with other election data.
- Capability to securely transmit results of the demonstration election by electronic means to a location specified by DOE and to fully integrate "precinct" data with "absentee voting" data, to facilitate rapid reporting of results at the end of the demonstration election, including reports required by the Secretary of State.
- Capability to apply the RCV algorithm to the integrated election results.
- Production of all documentation necessary for an audit trail for the demonstration election and production of elections reports including a Statement of Vote and individual precinct results for the demonstration election. For each RCV contest, the documentation must include the tabulation at each stage of the RCV process in which one or more candidates are eliminated and votes are redistributed, and must clearly indicate the redistribution of votes at each stage of the RCV process including overvotes, undervotes and exhausted ballots.
- Capability to export all election data reports in a format that can be quickly and easily uploaded into a DOE database and other media.
- Any ancillary devices that would be required at a precinct, which *may* include electronic rosters, electronic street indices, coded cards for activating the DRE or similar voting devices, card-coding equipment, auxiliary power supplies, and printers for creation of a permanent paper record and audit trail.
- All consumables required to support the Proposed New System during the Pilot Program.
- Spare and repair parts as required to support the Proposed New System during the Pilot Program.

Phase One. The logic and accuracy test will include the same fictional candidates and fictional measures that appear on the ballot in the demonstration election. The Pilot Proposer must provide electronic and paper "test ballots" marked according to a script prepared by the Pilot Proposer and approved by DOE for thorough logic and accuracy testing of the proposed New System.

Phase Two. The demonstration election will include fictional candidates and fictional measures determined by the City in its sole discretion, including at least two (2) RCV contests. The demonstration election must be fully operational and open to voters from 9:00 a.m. to 4:00 p.m., Monday through Friday. The demonstration election will also include: design and production of the ballot, sample ballot and ballot image; counting, tabulation, transmission, integration and reporting of data and results as specified in this RFP and the referenced appendices; and any other reports requested by DOE.

The City will invite members of the public to cast ballots in the mock election and complete evaluations of the proposed voting systems. The Selection Committee will consider these evaluations in the Final Selection Process. Members of the Selection Committee may also cast ballots and get hands-on experience with each of the proposed voting systems during the Pilot Program.

Ballot formats shall allow the use of all special options as enabled by the State Elections Code and subsequent amendments, San Francisco's Charter and Municipal Elections Code,

including but not limited to cross-voting among parties in open, blanket and unitary primary elections, and ranked-choice voting for local officeholders.

Phase Three: The Pilot Proposer must complete a Statement of Vote as well as any other reports requested by DOE. It is anticipated that the majority of these requests will be based on summary information by precinct or other voting entities and must be presented in electronic and hard copy format. The intent for using this information is to upload election results to the Internet or other forms of public dissemination.

Phase Four: Following review of the Pilot Program, an interview will take place with Proposer to address any issues or concerns noted during the Pilot Program.

Phase Five: Following *Phase Four*, the DOE reserves the right to request Proposer to submit a written supplement to its original proposal addressing issues and/or questions raised during the Pilot Program and/or Final Interview.

In addition, during the Pilot Program each proposed New System must meet all of the requirements set forth in *Appendix G* to this RFP. Also during the Pilot Program, each Pilot Proposer must provide Ancillary Services, including all necessary delivery, installation, testing, training, logistical support, hardware and software maintenance, delivery and storage services, which are also set forth in *Appendix G* to this RFP.

2. Part III, Submission Requirements, B) Format and Content of Proposals, is hereby amended to read as follows:

Format and Content of Proposals

Proposers must submit the following information in the order specified below. Any material deviation from these requirements may be cause for rejection of a Proposal. Only one Proposal will be accepted from any one person, partnership, corporation or other entity, however, several alternatives may be included in one Proposal.

- 1) Cover Letter and Executive Summary. A cover letter including all of the following:
 - (a) The Proposer's legal name.
 - (b) The Proposer's organizational structure (e.g., corporation, partnership, limited liability company, etc.), the jurisdiction in which the Proposer is organized and the date of such organization.
 - (c) The address of the Proposer's headquarters and any local office involved in the Proposal.
 - (d) The Proposer's Federal Tax Identification Number.
 - (e) The name, address, telephone and fax numbers of the person(s) who will serve as the contact(s) with the City, with authorization to make representations on behalf of and to bind the Proposer.
 - (f) Except as provided in Section IV(A) of this RFP, the representation that the Proposer has all necessary licenses, permits, approvals and authorizations necessary in order to perform all of the Proposer's obligations in connection with this RFP, the New System, the Ancillary Services and the Final Agreement. (As

indicated in Section IV(A), DOE will accept proposals that include components or features not previously tested by either the ITA or the SOS, or both, provided that the proposal meets all other minimum qualification requirements and demonstrates to DOE's satisfaction that the required approvals are likely to be received in a timely fashion.)

(g) A representation that the Proposer is willing and able to perform the commitments contained in the proposal.

(h) An acceptance of all conditions and requirements contained in this RFP.

(i) A brief synopsis of the Proposal that is non-technical, easy to understand, and under two pages in length.

This letter must be signed by a person authorized by the Proposer to obligate the Proposer to perform the commitments contained in the proposal.

- 2) Table of Contents. A table of contents listing the individual sections of the Proposal and the corresponding page numbers.
- 3) Qualifications and Experience. A description of the Proposer's qualifications and experience that pertain to this RFP. (See the Minimum Qualification Requirements in Section IV(A) of this RFP.) This description should not exceed five pages and should include a detailed summary of the Proposer's experience relative to voting systems similar to the New System and services similar to the Ancillary Services.
- 4) Financial Statements. Copies of the Proposer's audited financial statements for 2001, 2002, 2003, and 2004 with an opinion from a certified public accountant or accountancy firm.
- 5) Project Personnel - Qualifications and Experience. A list identifying:
 - (a) the project manager;
 - (b) each key person on the project team;
 - (c) the role that each member of the project team will play in the project; and
 - (d) a written assurance that the key individuals listed and identified will be performing the work and will not be substituted with other personnel or reassigned to another project without DOE's prior approval.

For each key person on the project team, provide a description of the person's experience and qualifications, including brief resumes if necessary.

- 6) Project Approach. Describe the services and activities Proposer would provide to the City, including: overall scope of work tasks; schedule and ability to complete the project in compliance with the Certification Date, Delivery Date and Testing Completion Date, and in time for full implementation of the New System for elections on or following January 1, 2006 and through the term of the final agreement. Describe the assignment of work within Proposer's team and the assignment of the work proposed for DOE within the team. Describe how Proposer approached and managed implementation of one or more similar voting systems, including a description of the project plan, the procedures to identify and resolve implementation problems, and the implementation schedule.

- 7) Description of the Proposed New System. A description of the proposed New System, as it will be finally configured and as it will be configured during the Pilot Program. The description should specify how the proposed New System will meet or exceed the requirements of the City. The description should explain any advantages that this proposed New System would have over other possible New Systems, and any disadvantages or limitations. The description should also indicate all warranties and schedule of maintenance provided by the Proposer.
- 8) Description of the Proposed Ancillary Services. A description of the terms and conditions under which each type of Ancillary Services required by this RFP or proposed by Proposer will be provided during the term of the Final Agreement and during the Pilot Program, including response times. The description should identify spare or replacement parts that will be required in performing maintenance services, the storage location(s) of such spare parts, how quickly such parts shall be available for repairs and indicate (itemize) all additional costs associated with these services. The description must also:
- (a) specify how the Ancillary Services in the Proposal will meet or exceed the requirements of the City;
 - (b) explain any special resources, procedures or approaches that make the Ancillary Services of the Proposer particularly advantageous to the City;
 - (c) identify any limitations or restrictions of the Proposer in providing the Ancillary Services; and
 - (d) compare the proposed Ancillary Services with those currently provided to other cities and counties.
- 9) Sample Ballot. A sample ballot in the form of one or more ballot cards (Optical Scan Technology) or hard copies of one or more ballot images (DRE or similar technology). The sample ballot must be in English, Chinese and Spanish and must include:
- at least two RCV contest with at least ten candidates;
 - at least one county central committee contest;
 - at least one superior court contest; and
 - at least five ballot measures.
- 10) Implementation Plan and Schedule. A plan for implementing the proposed New System and Ancillary Services during the Final Agreement. The plan must include a plan for acceptance testing that meets the requirements of *Appendix F* to this RFP. In addition, the plan must include a detailed schedule indicating how the Proposer will ensure, if awarded the contract, compliance with the Certification Date, Delivery Date and Testing Completion Date and full implementation of the New System for elections on or following January 1, 2006 and through the term of the Final Agreement.
- 11) Evidence of Testing and Certification. If all or any part of the proposed New System has successfully completed the qualification testing requirements defined in the Voting System Standards (as defined in *Appendix E* to this RFP), and if all or any part of the proposed New System has been fully tested and certified by the California Secretary of State (SOS) as required by the California Elections Code, the Proposer must provide

evidence of this testing and certification. As stated in Section IV(A) of this RFP, evidence of qualification testing and certification by the federal Independent Testing Authority (ITA) and/or the SOS is not a minimum qualification requirement of this RFP, but any Proposer that submits evidence that its proposed New System is fully tested and certified shall receive bonus points during both the initial and final selection process.

12) References. Complete reference information for all similarly sized public institutions or agencies for which the Proposer provides or has provided comparable systems and services in the past five years. Each such reference must include the project name and location, the scope of services performed and the name, address, telephone and fax numbers of the person who may be contacted for reference information. (See also the Minimum Qualification Requirements in IV(B) of this RFP.)

13) Pricing. Pricing for the New System for any or all of the following options:

- (a) Outright purchase;
- (b) installment purchase with seller financing (*see Appendices K, L, and M for samples of forms the City has used in the past for seller financing, although proposers should note that determination of the form and terms will be made by the City based on the proposals received in response to this RFP*);
- (c) operating lease for a four-year period; and
- (d) financing lease for a four-year period; see *Appendix L*.

Each Proposal must state the total cost or price to the City for the New System, including any applicable taxes. Proposers shall be held to their prices unless, during negotiation of the Final Agreement, DOE requests material changes to the proposed system that impose significant additional costs on the Proposer.

~~**NOTE:** The City expects the successful bidder to include in its pricing options an amount that represents the vendors "buy back" of the City's existing optical scan vote tabulation equipment. The City owns approximately 680 Eagle HHP systems and two IVC units.~~

Pricing for the Ancillary Services should include the following options with respect to each type of service described in *Appendix F* to this RFP:

- (a) fixed annual, per-election or monthly payment; and
- (b) payment of time and materials charges.

Pricing for the New System and Ancillary Services shall *exclude* all costs and expenses incurred in connection with the Pilot Program.

As indicated under Section II(A) of this RFP, the City intends to minimize its payments under the Final Agreement until the successful Proposer complies with all the requirements to meet the milestones described above for the Certification Date, Delivery Date and Testing Completion Date. The City will require that the Final Agreement include financial incentives for the Successful Proposer to obtain certification for, deliver and test the New System ahead of schedule. The City will also require that the Final Agreement include retainages of at least 15% of progress payments until the Successful Proposer complies with the certification, delivery and testing requirements. In addition, the City will require that the Final Agreement provide for liquidated damages if the Successful Proposer fails to meet the certification,

delivery and testing deadlines. These financial incentives, retainages and liquidated damages will be negotiated as part of the Final Agreement.

- 14) Life-Cycle Support. Each Proposal must describe the scope and extent of City resources required to operate and maintain the proposed New System during development, installation, integration and testing of the New System and during the term of the Final Agreement.
- 15) Required Forms. Prior to executing the Final Agreement, the successful Proposer must execute the “Chapter 12B Declaration: Nondiscrimination in Contracts and Benefits” form (Form HRC-12B-101) with supporting documentation and secure the approval of the form by the San Francisco Human Rights Commission. See *Appendix A* to this RFP for more information.
- 16) Business Tax Registration. A copy of the Proposer’s currently valid San Francisco Business Tax Certificate. Proposers who do not have this certificate must apply for a certificate and pay the registration fee in order to participate in the Pilot Program and be eligible to enter into the Final Agreement. See *Appendix B* to this RFP for more information.
- 17) Evidence of Insurance. Certificates of insurance from an insurance company authorized to do business in the State of California evidencing all coverages for both the Pilot Program and the term of the Final Agreement as required by this RFP. The Proposer will be required to submit complete copies of these certificates.
- 18) Bonds. Written evidence of the Proposer’s ability to obtain from a surety company with a rating of at least A-VIII a Performance Bond and Labor & Materials Bond in the amounts required under Section IV(A) of this RFP (Minimum Qualification Requirements).
 - a) Bid Bond. Each Proposer shall submit with the Supplemental Proposal a certified or cashier’s check on a bank authorized to do business in the State of California, money order, or bid bond payable on sight to the City in an amount equal to ten (10) percent of the proposal cost. This shall serve as security for submittal that the Proposer will enter into the Final Agreement if selected and furnish any required bonds. The bid bond shall include provision for forfeiture in any case of failure, neglect, or refusal to perform.
- 19) Availability for Interviews. The Proposer must agree that, if invited for an oral presentation and interview following the initial evaluation of proposals, the Proposer will be available *at DOE’s convenience* for such presentation and interview. The Proposer must also agree that, if selected as a Pilot Proposer, the Proposer will be available *at DOE’s convenience* for an interview following the Pilot Program. The tentative dates for oral presentations and interviews following the initial evaluation of proposals, and the tentative dates for interviews following the Pilot Program are stated in Section V of this RFP.
- 20) Execution of Proposal. The Proposal must be signed in blue ink as set forth in this subsection. All persons required to bind the Proposer must sign the Proposal. The Proposal must also include evidence that the person or persons signing the Proposal are authorized to execute the Proposal on behalf of the Proposer:
 - a corporation must submit a copy of the board resolution authorizing such execution.
 - a partnership must submit a copy of its partnership agreement and a list of the names, addresses and telephone numbers of all general partners.

- a limited liability company must submit a copy of its membership agreement and a list of the names, addresses and telephone numbers of all members.
- a joint venture must submit a copy of its joint venture agreement and a list of the names, addresses and telephone numbers of all joint venturers. A joint venture must designate and authorize one person to act on behalf of the joint venture with respect to all matters connected with this RFP.

21) Fee Proposal. The City will award this contract to the Proposer that it considers will provide the best overall program services. The City reserves the right to accept other than the lowest priced offer and to reject any proposals that are not responsive to this RFP. The City reserves the right to end negotiations with a Proposer and begin negotiations with the next highest-ranking Proposer.

Proposers must provide a fee proposal that includes at least the following:

- (a) total cost to the City for each proposal, including alternatives;
- (b) an itemization of cost for each proposal, including alternatives; and
- (c) hourly rates for each team member. Hourly rates and itemized costs may be used to negotiate changes in the Scope of Work if necessary.

3. Part V, Schedule, is hereby amended to read as follows:

A) Pre-Proposal Conference

The City will hold a mandatory pre-proposal conference and site visit on May 2, 2005 at 9 a.m. at the Department of Elections, City Hall, Room 48, 1 Dr. Carlton B. Goodlett Place, San Francisco; it is expected that all potential vendors attend. Any new information about the RFP will be provided at that time, and Proposers will have an opportunity to view DOE facilities and equipment.

At this these conference, Proposers may ask questions about the New System and Ancillary Services, and comment on and object to any specific provisions of the RFP. Questions raised at the pre-proposal conference may be answered by DOE orally. If DOE provides any substantive new information, as determined by DOE, in response to questions raised at the pre-proposal conference, then DOE will memorialize the information in a written addendum to this RFP and will distribute the addendum to all parties that attended the conference.

Any requests for information concerning the RFP that are submitted after the pre-proposal conference must be in writing. DOE will issue any substantive replies as written addenda to all parties who attended the conference. DOE will accept written questions, objections or requests for information up until (but not after) ten (10) business days before the date proposals are due.

DOE will not accept a proposal if the Proposer does not have an authorized representative at this pre-proposal conference and site visit. DOE will keep a record of all parties who attend this conference and site visit. DOE will use the address, telephone and fax numbers provided by Proposers at this conference for all communications prior to the submission of Proposals. Proposers are responsible for notifying DOE in writing of any change to this contact information.

B) Schedule

The following schedule sets forth the *tentative* dates and deadlines applicable to this RFP. By submitting its Proposal, each Proposer:

- 1) Agrees to complete its performance in compliance with the dates and deadlines set forth in this schedule, unless the City expressly modifies such schedule; and
- 2) Represents that it has the ability to comply with such schedule.

The City can modify by written notice the dates and deadlines applicable to this RFP at its sole discretion.

Selection Phase	Date
City Issues and Advertises the RFP	March 31, 2005
Mandatory Pre-proposal Conference and Site Visit	May 2, 2005
<u>City Issues and Advertises the First Addendum</u>	<u>May 13, 2005</u>
Proposals Due	June 3 <u>10</u> , 2005
Initial Evaluation of Proposals	June 6-10 <u>13 - 17</u> , 2005
Oral Presentations and Interviews	June 13-17 <u>20-21</u> , 2005
Final Evaluation of Proposals	June 20-24 <u>22-24</u> , 2005
Announcement of Three Pilot Proposers	June 27, 2005
<u>Deadline to Submit Logic and Accuracy Scripts to DOE for Review</u>	<u>July 11, 2005</u>
<u>Deadline for DOE to Either Approve Scripts or Request Modifications</u>	<u>July 15, 2005</u>
<u>Deadline for Proposers to Provide DOE with Modified Scripts</u>	<u>July 20, 2005</u>
<u>Deadline for DOE to Complete Final Review and Approval of Scripts</u>	<u>July 22, 2005</u>
<u>Installation, Programming and Logic and Accuracy Testing of All Equipment and Software for Pilot Program</u>	July 20-22 <u>25-29</u> , 2005
<u>Pilot Program (Mock Election) Demonstration (mock) Election</u>	July 25 — August 19, August 1 — 12 2005
Statement of Vote and misc. reports as requested by DOE	August 22-26 <u>15-26</u> , 2005
Evaluation of Pilot Proposers and Interviews	September 6-9, <u>August 29 – Sept 9, 2005</u>
Supplemental Proposals Due	September 23, 2005
Final Evaluation of Pilot Proposers	September 26 – 29, 2005
Announcement of Proposed Contractor	September 30, 2005
Deadline for Execution and Delivery of Final Agreement	December 23, 2005
Deadline for Obtaining All Necessary RCV Federal and State Certifications and Approvals for the New System	February 3, 2006

Deadline for Delivery of Fully Certified and Approved New System to DOE	February 10, 2006
Deadline for Completion of On-Site Testing of Certified RCV New System	February 24, 2006

C) Contract Award

The Selection Committee will select a proposer with whom the City shall commence contract negotiations. The selection of any proposal shall not imply acceptance by the City of all terms of the proposal, which may be subject to further negotiation and approvals before the City may be legally bound thereby. If a satisfactory contract cannot be negotiated in a reasonable time, the City, in its sole discretion, may terminate negotiations with the highest ranked Proposer and begin contract negotiations with the next highest ranked Proposer.

IMPORTANT INSTRUCTIONS TO PROPOSERS:

SIGN below to acknowledge receipt of this Addendum and **ENCLOSE THIS ADDENDUM** in your proposal due by 5:00 p.m. on ~~June 3~~ June 10, 2005.

Authorized Representative

Date

Any proposal that does not include this signed addendum may be rejected as non-responsive.