

maintaining voter confidence



Request for Proposals for
Professional Services Elections
Systems Solution – Contract No.
GSS18809-ELECTION_SYS

ORIGINAL

January 18, 2018

Election Systems & Software, LLC
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Omaha, NE 68137

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enhancing the voter experience



ENHANCING THE STATE OF DELAWARE ELECTION PROCESS



RFP FOR PROFESSIONAL SERVICES ELECTIONS SYSTEM SOLUTION

**CONTRACT NUMBER GSSI8809-
ELECTION_SYS**

January 18, 2018

ORIGINAL

TABLE OF CONTENTS

TRANSMITTAL LETTER

EXECUTIVE SUMMARY

APPENDIX A – MINIMUM RESPONSE REQUIREMENTS

MINIMUM REQUIREMENTS

GENERAL EVALUATION REQUIREMENTS

MANDATORY REQUIREMENTS

APPENDIX B – SCOPE OF WORK / TECHNICAL REQUIREMENTS

APPENDIX B – SCOPE OF WORK

TECHNOLOGY REQUIREMENTS

PROJECT MANAGEMENT

PROJECT NARRATIVE AND TIMELINE

PROJECT TEAM RESUMES

APPENDIX C – PRICING

APPENDIX D – CONFIDENTIALITY AND INTEGRITY OF DATA AGREEMENT

APPENDIX E – CLOUD AND EXTERNAL HOSTING

APPENDIX F – CYBER LIABILITY INSURANCE

ATTACHMENT 2 – NON-COLLUSION AGREEMENT

ATTACHMENT 3 – EXCEPTIONS

ATTACHMENT 4 – CONFIDENTIALITY FORM

ATTACHMENT 5 – BUSINESS REFERENCE FORM

ATTACHMENT 6 – SUBCONTRACTOR INFORMATION FORM

ATTACHMENTS 7-9 ARE NOT APPLICABLE TO ES&S' PROPOSAL.

ATTACHMENT 10 – PERFORMANCE BOND

EXHIBITS

EXHIBIT A – LICENSES

EXHIBIT B – PROOF OF INSURANCE

EXHIBIT C – FINANCIAL STATEMENTS

EXHIBIT D – EXPRESSPOLL POLL BOOK SAMPLE VOTED LIST

EXHIBIT E – EXPRESSPOLL POLL BOOK SYSTEM ARCHITECTURE

EXHIBIT F – EXPRESSPOLL POLL BOOK USER MANUALS

EXHIBIT G – EXPRESSPOLL POLL BOOK SECURITY GUIDELINES

January 18, 2018

Michael Bacu
Government Support Services
100 Enterprise Place, Suite 4
Dover, DE 19904

RE: Request for Proposal for Professional Services Elections Systems Solution – Contract Number GSS18809-ELECTION_SYS

Dear Mr. Bacu:

Thank you for the opportunity to present to the State of Delaware this proposal for professional services to establish a state-wide solution for Voting Machines, Electronic Poll Book, Elections Management and Voter Registration System, and Absentee Voting System.

Election Systems & Software, LLC (“ES&S”) is pleased to offer our state-of-the-art 2005 VVSG-compliant fully-integrated voting system and elections management solution and robust voter registration system.

Delaware’s transition to our leading-edge election technology will improve all aspects of the election process for Delaware’s voters, election staff, poll workers, and voting equipment technicians. We look forward to working with Delaware to implement the most technically advanced paper-based election solution ever implemented in the State of Delaware.

KEY ASPECTS OF OUR SOLUTION FOR THE STATE OF DELAWARE

The election-proven system we are proposing for the State of Delaware has been used in binding elections throughout the United States.

ES&S proposes the following hardware and software as well as the accompanying training, maintenance, and election support to meet the objectives and goals detailed in Delaware’s Request for Proposal.

We are offering two system options Delaware can choose from:

- ✓ The ExpressVote XL® Universal Voting System (full-face voting) that both marks and tabulates votes in one unit - A state-of-the-art, full-face voting system that will receive EAC certification prior to use but is not yet certified

OR

- ✓ The ExpressVote® Universal Voting System ballot marking device paired with the DS200 election district tabulator A system currently in use that meets all of the requirements of the RFP, but does not offer full-face voting

- ✓ **AND** with either of these options, the rest of the system includes:

- ✓ DS450® High-Throughput Central Scanner and Tabulator
- ✓ Electionware® suite software for reporting
- ✓ Balotar® Ballot on Demand System

- ✓ PowerProfile® Voter Registration System
- ✓ ExpressPoll® electronic poll book
- ✓ CentralPoint poll monitoring system

ES&S can offer Delaware the advantage of *one entity to manage all aspects of Delaware's end-to-end elections system solution*. Not only will Delaware have a system in which every component works synergistically with the others, but will also enjoy the power of our comprehensive, cohesive, and integrated project management approach. There will be no gray areas of responsibility as there would be in a system with multiple vendors. ES&S will smoothly handle it all.

For more than 20 years, ES&S has had the same committed owners. With more than 450 election-focused associates, and ownership that provides solid financial strength, ES&S is well-positioned to continue its long-term commitment to its current and future client base and the entire industry.

At the core of our philosophy are values like hard work, trust, and honesty. Through the continual development and introduction of innovative election products, ES&S has emerged as the leading provider of end-to-end, fully integrated voting solutions.

Nearly 100 million registered voters tabulate with ES&S. Choosing ES&S as Delaware's vendor of voting equipment, software, and election services products puts Delaware in good company. Our statewide implementations include Alabama, Arkansas, Connecticut, Georgia, Maine, Maryland, Montana, Nebraska, North Carolina, North Dakota, Rhode Island, South Carolina, South Dakota and West Virginia.

A combined total of over 13,600 ES&S electronic poll books are used in our Georgia and Maryland statewide electronic pollbook implementations. Each ExpressPoll unit used in these states includes registered voter data for the specific precinct, voting location, county and also includes the ES&S-provided statewide voter registration database.

ES&S currently supports seven centralized statewide voter registration systems- Alabama, Arkansas, Arizona, Kansas, Nebraska, Maryland, and the U.S. Virgin Islands - and many individual county systems in other states. More than 55 million voter records are maintained within the family of ES&S voter registration products, including several individual jurisdictions with more than 500,000 registered voters.

REQUIREMENTS EXCEPTIONS

As requested, our exceptions to the requirements and their justification are included in this letter and can be found beneath the signature block.

NO STORAGE OR TRANSFER OF NON-PUBLIC DATA OUTSIDE U.S.

ES&S attests to the fact that we will not store or transfer non-public State of Delaware data outside of the United States.

DELAWARE DEPARTMENT OF TECHNOLOGY AND INFORMATION

ES&S reviewed all of the Department of Technology and Information standards included with this RFP and has included our one exception in the requirements exceptions table below and in Appendix 3.

NO ACTIVITY OUTSIDE THE U.S.

ES&S attests to the fact that no activity by ES&S, LLC or our subcontractor, ESSVR, LLC, will take place outside of the United States in an off shore facility.

ADDENDA ACKNOWLEDGEMENT.

ES&S acknowledges receipt of Addendum 1, 2, and 3 (parts 1 and 2).

CONCLUSION

Thank you for considering our proposal. We appreciate the opportunity to present our election-proven voting system to Delaware and look forward to a strong partnership. Please feel free to contact me with any questions.

Only an elections company like ES&S brings our level of knowledge of the election process, election procedures, and the data and laws pertaining to elections. No other provider of voter registration systems has the ability to integrate so many of Delaware's election-related products and services. This integration will result in greater efficiencies and cost savings.

We stand ready to move the State of Delaware to a new era of voting technology that will meet the needs of election officials and voters for years to come.

Respectfully,



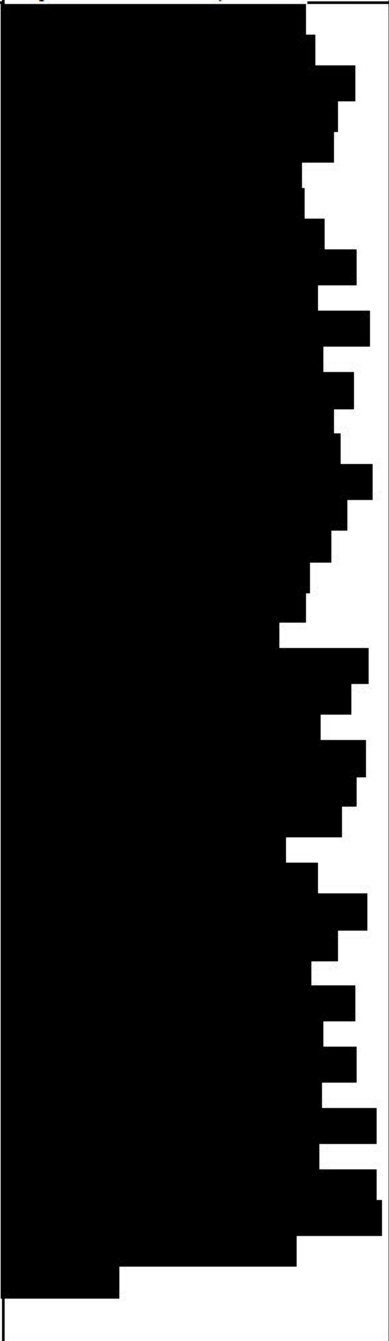
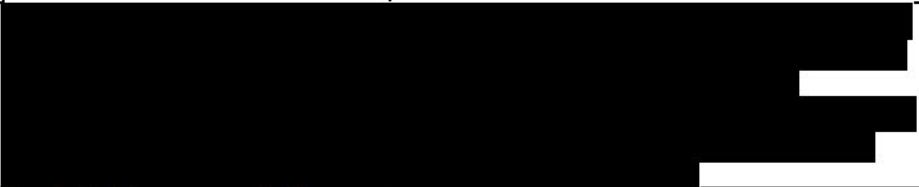
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Note: Requirements exceptions follow on the next page.

REQUIREMENTS EXCEPTIONS

Paragraph # and page #	Exceptions to Specifications, terms or	Proposed Alternative
Paragraph c, Page 18 – ACA Safe Harbor		
Justification for exception above:		
Paragraph f, Page 19 - Indemnification	See ES&S' response to the Indemnification provision in the Sample Form of Agreement set forth below.	

Paragraph # and page #	Exceptions to Specifications, terms or	Proposed Alternative
Justification for exception above:	See ES&S' justification below for the exception taken to the Indemnification provision in the Sample Form of Agreement.	
Paragraph l, Page 21 - Warranty	See ES&S' response to the Warranty provision in the Sample Form of Agreement set forth below.	
Justification for exception above:	See ES&S' justification below for the exception taken to the Warranty provision in the Sample Form of Agreement.	
Paragraph m, Page 21 – Costs and Payment Schedules	<div style="background-color: black; width: 100%; height: 150px; position: relative;"> <div style="position: absolute; bottom: 10px; left: 10px; color: white;"> a new voting solution. </div> <div style="position: absolute; bottom: 10px; right: 10px; color: purple;"> is demonstrated (as </div> </div>	
Justification for exception above:	<div style="background-color: black; width: 100%; height: 80px;"></div>	
Paragraph o, Page 22 – Dispute Resolution	See ES&S' response to the Dispute Resolution provision in the Sample Form of Agreement set forth below.	
Justification for exception above:	See ES&S' justification below for the exception taken to the Dispute Resolution provision in the Sample Form of Agreement.	
Paragraph p, Page 22 – Termination of Contract	See ES&S' response to the Termination provision in the Sample Form of Agreement set forth below.	
Justification for exception above:	See ES&S' justification below for the exception taken to the Termination provision in the Sample Form of Agreement.	
Paragraph x, Page 25 – Work Product	See ES&S' response to the Work Product provision in the Sample Form of Agreement set forth below.	

Paragraph # and page #	Exceptions to Specifications, terms or	Proposed Alternative
Justification for exception above:	See ES&S' justification below for the exception taken to the Work Product provision in the Sample Form of Agreement.	
Paragraph VI., Item 3 – Production Environment Requirements	<div data-bbox="448 279 834 808" style="background-color: black; width: 100%; height: 100%;"></div> <div data-bbox="448 829 834 1323" style="background-color: black; width: 100%; height: 100%;"></div> <div data-bbox="448 1344 834 1932" style="background-color: black; width: 100%; height: 100%;"></div> <div data-bbox="448 1932 834 1959">waiving or modifying this</div>	

Paragraph # and page #	Exceptions to Specifications, terms or	Proposed Alternative
Justification for exception above:		
Sample Agreement, Paragraph 2.10, Page 3	ES&S understands the State's right to subtract any payment to be made to Vendor in the event the Vendor has caused damages, costs or expenses to the State due to the Vendor's negligence. However, such deductions should only occur after the State has provided the Vendor with proper written notice and the opportunity to cure any such damages which may have been incurred by the State due to the Vendor's negligence. In the event the Vendor fails to cure such items then the State shall be authorized to deduct any damages, costs or expenses caused by Vendor's negligence.	2.10. <u>After providing written notice to the Vendor and upon the expiration of all cure periods set forth herein and further provided Vendor has not cured any such errors or omissions in the Vendor's work products,</u> Delaware shall subtract from any payment made to Vendor all damages, costs and expenses caused by Vendor's negligence, resulting from or arising out of errors or omissions in Vendor's work products, which have not been previously paid to Vendor.
Justification for exception above:	It is ES&S' position that prior to the State deducting any amounts due to ES&S as a result of ES&S' negligence or otherwise, ES&S be provided written notice of such proposed deductions and afforded the opportunity to cure any items which caused the State to incur damages, costs or expenses. This will allow ES&S the ability to promptly rectify any issues as well as mitigate any further damages.	
Sample Agreement, Paragraph 3.10, Page 4	ES&S acknowledges this provision and requests that such provision be applicable to both parties.	3.10. The rights and remedies of <u>Delaware each party</u> provided for in this Agreement are in addition to any other rights and remedies provided by law.
Justification for exception above:	It is ES&S' position that the rights and remedies provision set forth in the Sample Agreement be applicable to both parties as is customary in most forms of agreements. Both parties should be afforded all rights and remedies specifically set forth in the Agreement as well as those provided under applicable law.	

Paragraph # and page #	Exceptions to Specifications, terms or	Proposed Alternative
Sample Agreement, Paragraph 6, Page 6 – Work Product	ES&S understands the State's request to own certain deliverables which are specifically created by ES&S for the State and which do not include any of ES&S' intellectual property. However, any deliverable provided by ES&S to the State under the Agreement which contains ES&S' intellectual property shall, at all times, remain owned by ES&S as ES&S must maintain the ability to continue to license its intellectual property to other existing and future customers	<p>6. Work Product.</p> <p>6.1. All materials, information, documents, and reports, whether finished, unfinished, or draft, <u>which are specifically</u> developed, prepared, completed, or acquired by Vendor <u>solely</u> for Delaware (<u>"Custom Developed Deliverable"</u>) relating to the services to be performed hereunder shall become the property of Delaware and shall be delivered to Delaware's designated representative upon completion or termination of this Agreement, whichever comes first. Vendor shall not be liable for damages, claims, and losses arising out of any reuse of any <u>Custom Developed Deliverable</u>work-products on any other project conducted by Delaware. Delaware shall have the right to reproduce all documentation supplied <u>with the Custom Developed Deliverable</u> pursuant to this Agreement.</p> <p>6.2. Vendor retains all title and interest to the data <u>and intellectual property</u> it furnished and/or generated pursuant to this Agreement.Retention of such title and interest does not conflict with Delaware's rights to the materials, information and documents developed in performing the project. Upon final payment <u>for any Custom Developed Deliverable specifically provided by Vendor to Delaware</u>, Delaware shall have a perpetual, nontransferable, non-exclusive paid-up right and license to use, copy, modify and prepare derivative works of <u>all materials in which Vendor retains title, whether individually by Vendor or jointly with Delaware</u>such Custom Developed Deliverable. Any and all source code developed in connection with the <u>services Custom Developed Deliverable</u> provided will be provided to Delaware, and the aforementioned right and license shall apply to source code. The parties will cooperate with each other and execute such other documents as may be reasonably deemed necessary to achieve the objectives of this Section.</p> <p>6.3. In no event shall Vendor be precluded from developing for itself, or for others, materials that are competitive with the <u>Custom Developed Deliverable or other Deliverables</u>, irrespective of their similarity to the <u>Custom Developed Deliverable or other Deliverables</u>. In addition, Vendor shall be free to use its general knowledge, skills and experience, and any ideas, concepts, know-how, and techniques within the scope of its consulting practice that are used in the course of providing the services.</p>

Paragraph # and page #	Exceptions to Specifications, terms or	Proposed Alternative
Justification for exception above:	ES&S is proposing its voting system and voter registration products and services to the State which include ES&S' pre-existing intellectual property. As such, to the extent any deliverables to be provided to the State by ES&S include ES&S' pre-existing intellectual property, ES&S must maintain ownership of such intellectual property. As ES&S' voting systems and voter registration products and services have been sold and licensed to customers throughout the United States and Canada, ES&S must maintain the ability to utilize ES&S' intellectual property for all of its customers.	

<p>Sample Agreement, Paragraph 8, Page 6 – Warranty</p>	<p>ES&S acknowledges the State's request for the Vendor to provide a warranty for the deliverables to be provided under the Agreement and we propose that the parties utilize ES&S' standard warranty provision, which is tailored specifically for voting and voter registration systems. The content of the warranty provision is presented here for the State's review.</p>	<p>8. Warranty.</p> <p>8.1. <u>Vendor equipment/Vendor software.</u> Vendor warrants that for a 1-year period (the "Warranty Period"), it will repair or replace <u>any component of the Vendor equipment or Vendor software which, while under normal use and service: (i) fails to perform in accordance with its documentation in all material respects, or (ii) is defective in material or workmanship as more fully set forth in Vendor's hardware and software license, maintenance and support services agreements.</u> The Warranty shall not include the repair or replacement of any Vendor equipment components that are consumed in the normal course of operating the equipment, including printer ribbons, printer cartridges, paper rolls, batteries, removable media storage devices, PCMCIA cards or marking devices. The Warranty Period will commence upon completion of systems acceptance. Any repaired or replaced item of Vendor equipment or Vendor software shall be warranted only for the unexpired term of the Warranty Period. All replaced components of the Vendor equipment or Vendor software will become the property of Vendor. This warranty is effective provided that (I) Delaware promptly notifies Vendor of the failure of performance or defect and is otherwise in compliance with its obligations hereunder, (II) the Vendor equipment or Vendor software to be repaired or replaced has not been repaired, changed, modified or altered except as authorized or approved by Vendor, (III) the Vendor equipment or Vendor software to be repaired or replaced is not damaged as a result of accident, theft, vandalism, neglect, abuse, use which is not in accordance with instructions or specifications furnished by Vendor or causes beyond the reasonable control of Vendor or Delaware, including, but not limited to, acts of God, fire, riots, acts of war, terrorism or insurrection, labor disputes, transportation delays, governmental regulations and utility or communication interruptions, and (IV) Delaware has installed and is using the most recent update, provided to it by Vendor. This warranty is void for any units of equipment which: (i) have not been stored or operated in a temperature range according their specifications, (ii) have been severely handled so as to cause mechanical damage to the unit, or (iii) have been operated or handled in a manner inconsistent with reasonable treatment of an electronic product.</p>
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Paragraph # and page #	Exceptions to Specifications, terms or	Proposed Alternative
Sample Agreement, Paragraph 8, Page 6 – Warranty (Continued)		<p>8.2. <u>System. Vendor warrants that the Vendor equipment and Vendor software will operate in conjunction with the third party products specified by ES&S during the Warranty Period, provided that (i) Delaware has installed and is using the most recent update, provided to it by Vendor, and (ii) the third party products are performing in accordance with their own specifications and documentation in all material respects and are not defective in material or workmanship. In the event of a breach of this warranty, Vendor will repair or replace the item of Vendor equipment or Vendor software that is causing such breach to occur. Delaware acknowledges that Vendor has merely purchased the third party products for resale or rental to Delaware, and that the proprietary and intellectual property rights to the third party products are owned by parties other than Vendor ("Third Parties"). Delaware further acknowledges that except for the payment to Vendor for the third party products, all of its rights and obligations with respect thereto flow from and to the Third Parties.</u></p> <p>8.1. Vendor warrants that its services will be performed in a good and workmanlike manner. Vendor agrees to re-perform any work not in compliance with this warranty brought to its attention within a reasonable time after that work is performed.</p> <p>8.2. Third party products within the scope of this Agreement are warranted solely under the terms and conditions of the licenses or other agreements by which such products are governed. With respect to all third party products and services purchased by Vendor</p>
Justification for exception above:		
Sample Agreement, Paragraph 9, Page 7 – Indemnification; Limitation of Liability.	ES&S generally agrees to the indemnification requirements set forth herein, to the extent that indemnification is required against claims or lawsuits due to the negligent or willful acts, errors or omissions of ES&S, its agents, employees, officers, directors, shareholders or subcontractors. ES&S shall have control over the defense of such claims and lawsuits,	<p>A new Section 9.3 to be added to the current Section 9.</p> <p><u>9.3 Neither party shall be liable for any indirect, incidental, punitive, exemplary, special or consequential damages of any kind whatsoever arising out of or relating to this Agreement. Neither party shall be liable for the other party's negligent or willful misconduct. Except for claims associated with intellectual property infringement, person injury, property damage or the breach of Vendor's obligations under the Agreement</u></p>

Paragraph # and page #	Exceptions to Specifications, terms or	Proposed Alternative
	<div></div>	<div></div> <p>maintenance and support.</p>
Justification for exception above:	<div></div>	<div></div>

Paragraph # and page #	Exceptions to Specifications, terms or	Proposed Alternative
Sample Agreement, Paragraph 12, Page 8 – Dispute Resolution	ES&S understands the State’s request to include a dispute resolution provision and ES&S agrees that resolving the matter amicably by the parties prior to litigating the matter is the more favorable approach by ES&S as it keeps costs down and provides for better working relationship. To that end, ES&S requests that in the event the parties are unable to amicably resolve any dispute that may arise between the parties, the parties shall agree to submit any ongoing dispute to non-binding mediation. In the event such mediation does not resolve the dispute then the parties can proceed to litigation if either party so chooses.	<p>12. Dispute Resolution.</p> <p>12.1. At the option of, and in the manner prescribed by the Office of Management and Budget (OMB)<u>In the event of a dispute hereunder</u>, the parties shall attempt in good faith to resolve any dispute arising out of or relating to this Agreement promptly by negotiation between executives who have authority to settle the controversy and who are at a higher level of management than the persons with direct responsibility for administration of this Agreement. All offers, promises, conduct and statements, whether oral or written, made in the course of the negotiation by any of the parties, their agents, employees, experts and attorneys are confidential, privileged and inadmissible for any purpose, including impeachment, in arbitration or other<u>any</u> proceeding involving the parties, provided evidence that is otherwise admissible or discoverable shall not be rendered inadmissible.</p> <p>12.2. If the matter is not resolved by negotiation, as outlined above, or, alternatively, OMB elects to the parties shall proceed directly to mediation, then the matter will proceed to mediation as set forth below. Any disputes, claims or controversies arising out of or relating to this Agreement shall be submitted to mediation by a mediator selected by OMB<u>the parties</u>, and if the matter is not resolved through mediation, then it shall be submitted, in the sole discretion of OMB, to the Office of Management and Budget, Government Support Services Director, for final and binding arbitration<u>either party may submit the dispute to a court of competent jurisdiction. OMB reserves the right to proceed directly to arbitration or litigation without negotiation or mediation.</u> Any such proceedings held pursuant to this provision shall be governed by Delaware law and venue shall be in Delaware. The parties shall maintain the confidential nature of the arbitration mediation proceeding and the Award, including the Hearing, except as may be necessary to prepare for or conduct the arbitration hearing<u>mediation</u> on the merits. Each party shall bear its own costs of mediation, arbitration or litigation, including attorneys’ fees.</p>
Justification for exception above:	ES&S does not favor binding arbitration when resolving disputes as mandatory binding arbitration deprives the parties of certain rights including the ability to appeal such arbitration ruling. ES&S prefers to utilize a tiered dispute resolution structure which includes (1) resolution by the parties acting in good faith, (2) mediation by the parties, and (3) litigation if the parties are	

Paragraph # and page #	Exceptions to Specifications, terms or	Proposed Alternative
	unable to resolve the dispute through the forgoing methods set forth in items (1) and (2).	
Sample Agreement, Paragraph 14, Page 9 – Termination	It is ES&S' experience that in the event of a default under an agreement, the breaching party is generally provided a thirty (30) day period in which to cure such default. Therefore, ES&S requests that the County allow a thirty (30) day cure period in which to cure any default which may occur under a resulting agreement unless such thirty (30) day cure period would have a material detrimental impact on the County's ability to define and conduct elections or to tabulate or report election results in a satisfactory or timely manner. In such an instance, the parties shall mutually agree upon a shorter cure period.	<p>14. Termination.</p> <p>14.1. This Agreement may be terminated in whole or in part by either party in the event of substantial failure of the other party to fulfill its obligations under this Agreement through no fault of the terminating party; but only after the other party is given:</p> <p>a. <u>Written notice setting forth the default and no less than thirty (30) days or such other period of time as may be mutually agreed upon by the parties in which to cure any default under the Agreement; and</u></p> <p>b. <u>In the event the defaulting party fails to cure a default as set forth in subsection a. Not less than 20 calendar days written notice of intent to terminate; and</u></p> <p>b. <u>An opportunity for consultation with the terminating party prior to termination.</u></p> <p>14.2. This Agreement may be terminated in whole or in part by Delaware for its convenience, but only after Vendor is given:</p> <p>a. Not less than 20 calendar days written notice of intent to terminate; and</p> <p>b. An opportunity for consultation with Delaware prior to termination.</p> <p><u>Vendor shall be paid for all deliverables provides and services performed up through the effective date of termination.</u></p>
Justification for exception above:	It is ES&S' position that it be afforded an opportunity to cure any default under the Agreement prior to the State having the right to terminate the Agreement for default. This cure period allows ES&S work to with the State to rectify any defaults while allowing the parties to continue to fulfill their obligations under the Agreement. This is the best scenario for both parties as both parties are expending time, resources and money on the implementation of a new voting system and want the project to be successful.	
DataManagementPolicy.pdf (PL-GAS-001)		
Justification for exception above:		

EXECUTIVE SUMMARY

ENHANCING THE STATE OF DELAWARE VOTING EXPERIENCE

Election Systems & Software, LLC (“ES&S”) is excited to present the State of Delaware this proposal for our latest Voting Machines, Electronic Poll Books, Elections Management and Voter Registration System, and Absentee Voting System.

To successfully implement new voting technology, Delaware needs a partner with a proven track record of experience implementing statewide, integrated systems. ES&S provides innovation and long-term company stability. Our unsurpassed technology, service, and support have made ES&S the election industry leader for nearly 40 years. We believe that our suite of products are a perfect fit for Delaware’s needs, and we know that our dedicated team of election professionals will ensure the successful implementation of the systems being proposed.



UNDERSTANDING DELAWARE’S NEEDS

We understand Delaware intends to purchase professional services to establish a voting system allowing for automation and full integration between polling place/early voting site equipment and the absentee, voter registration and election management systems.

We further understand that the successful vendor will be responsible for complete replacement, transitioning, installation, training, testing, and maintenance within eight months.

A transition new voting technology will impact Delaware’s voters, poll workers, election staff, and voting equipment technicians. As an elections-only company with nearly 40 years of experience and 16 current statewide installations, Election Systems & Software is prepared to partner with Delaware to ensure the smooth and successful implementation of every aspect of the end-to-end system.

WHAT DELAWARE CAN EXPECT

A SYSTEM & PROFESSIONAL SERVICES THAT MEET AND SURPASS DELAWARE’S STATED NEEDS

As stated in our Transmittal Letter, we are offering two voting system options Delaware can choose from:

- ☑ The ExpressVote XL® Universal Voting System (full-face voting) that both marks and tabulates votes in one unit - a state-of-the-art, full-face voting system that will receive EAC certification in the spring of 2018. The ExpressVote XL is a revolutionary new addition to our product family. It meets the needs of all voters and includes a voter-verifiable paper record that is digitally scanned for tabulation on the ExpressVote XL itself.

OR

- ✔ The ExpressVote® Universal Voting System ballot marking device (BMD) paired with the DS200 election district tabulator - A system currently in use that meets all of the requirements of the RFP, but does not offer full-face voting
- ✔ AND with either of these options, the remainder of our proposed solution:
 - PowerProfile® Voter Registration System
 - Electionware® suite software for election creation, monitoring, and reporting
 - ExpressPoll® electronic poll book
 - CentralPoint® poll monitoring system
 - DS450® High-Throughput Central Scanner and Tabulator
 - Balotar® Ballot on Demand System

ES&S' proposed offerings have been shaped by our interaction with the Delaware Voting Equipment Selection Task Force. We heard loud and clear that Delaware wants an end-to-end voting solution that integrates seamlessly. ES&S will provide such a system and will implement it professionally, in close partnership with Delaware election officials.

One dedicated ES&S Project Manager will serve as a single point of contact.

Our complete, integrated project management plan will ensure effective and timely implementation of Delaware's Voting Machines, Electronic Poll Book, Elections Management and Voter Registration System, and Absentee Voting System. Any call for questions or issues with any aspect of the implementation of solutions being proposed will be directed to a single point of contact.

ES&S – LONGEVITY AND STRENGTH

ES&S is the largest and most experienced elections-only company in the world. Delaware should look for a company that has the financial strength and stability to both implement and support their new voting system and protect the investment being made by the State. ES&S designs and manufactures its equipment with that in mind. Providing purpose-built equipment allows ES&S to enhance system security, maintain the necessary federal and state certified parts, and preserve the life expectancy of the voting system for at least 15 years – three to four times longer than COTS equipment.

Today, not only do we work with many of the same customers we've served for nearly 40 years, but our business has grown to *serve 42 states and to include more than 4,500 clients.* From our humble beginnings supporting a handful of election administrators and voters in 1979, today nearly 100 million registered voters tabulate their vote on ES&S equipment. *Delaware can be assured ES&S will be here to locally support the State now and in the future.*

ES&S provides election systems and services to clients ranging in size from small county governments to state boards of elections. ES&S completed successful installations of statewide systems in *Alabama, Arkansas, Connecticut, Georgia, Kansas, Maine, Maryland, Montana, Nebraska, North Carolina, North Dakota, Rhode Island, South Carolina, South Dakota, West Virginia, and the U.S. Virgin Islands.*

With more than 450 election-focused associates and an ownership that provides solid financial strength, ES&S is well-positioned to provide a long-term commitment to the State of Delaware.

Our resources provide Delaware with *unmatched product innovation and local support*.

With nearly 40 years of experience servicing elections, we are built to comprehend, manage and support the Delaware election environment.

PURPOSE-BUILT EQUIPMENT

There is nothing more important for democracy than the stability and security of an election system. ES&S, an elections-only company, provides purpose-built equipment for that very reason. While we integrate commercial-off-the-shelf (COTS) components into our system where they make sense, but the heart of our system – the tabulators and ballot marking devices – are specifically designed and constructed by election professionals *for* election professionals

Our customers tell us that they need voting systems that are uniform in nature, simple to operate, secure, and easy to maintain for many years. These attributes are the foundation of the purpose-built, performance-proven, federally approved systems we provide today. The use of purpose-built systems allows for sustainability over the years because we, as the manufacturer, can guarantee the availability of uniform equipment.

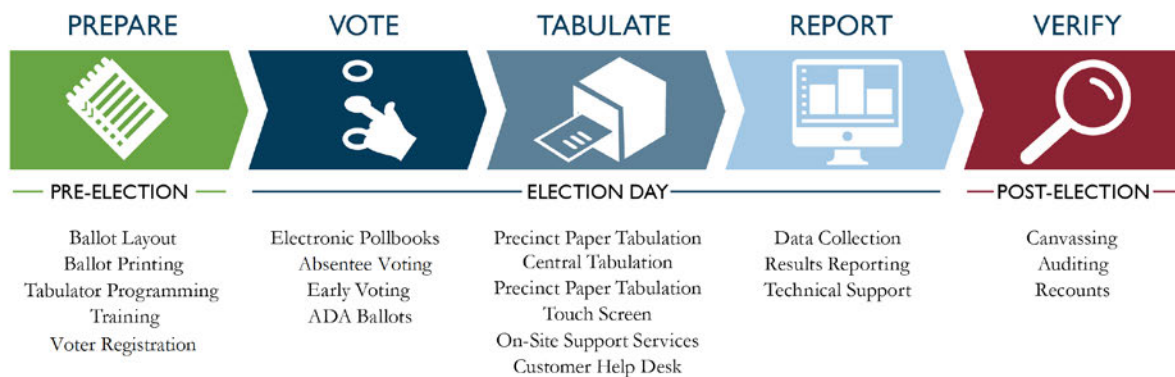
When evaluating bids for COTS-based systems, we urge Delaware to keep the following limitations of COTS in mind.

- Dependence upon third-party manufacturers. Jurisdictions cannot replace parts on most COTS products.
- Each new model requires EAC certification (or you are locked into obsolete equipment).
- Shorter product life cycles, thus equipment must be re-purchased more frequently.
- Purpose-built equipment comes with a company to stand behind it, repair it, replace it, and support it for the long-term.
- COTS-based systems are dependent upon third-party manufacturers who have no vested interest in maintaining a particular version of equipment.
- Because elections are not the primary focus of third-party COTS providers, Election Day support may not be readily available when needed.
- When COTS products are used, poll workers and election workers must be continuously trained on how to use, maintain, and repair COTS products.

ES&S is pleased to provide the State of Delaware with a purpose-built, end-to-end solution that will serve its voters for many years to come.

THE ES&S SOLUTION

TOTALLY INTEGRATED SOLUTION



From voter registration through tabulation, reporting, and canvassing, ES&S has a totally integrated solution.

POWERPROFILE® VOTER REGISTRATION SYSTEM



ES&S' PowerProfile® voter registration system, currently used by six state governments and numerous county jurisdictions, consists of fully integrated modules that enable Delaware's election officials to register voters and to conduct elections by connecting to a central database of registered voters. The system meets all Help America Vote Act (HAVA) requirements and is built to handle the specific requirements of a statewide system that emphasizes security, scalability, and flexibility.

Our web-based VoterView module is a highly configurable application that allows voters to quickly and easily look up information about their voter registration, polling place, and absentee or provisional ballot data via web browser. It can be easily linked from the Delaware Department of Election's website to allow public access to selected voter registration data, which helps to reduce the number of calls to the elections office(s) for this information.

POWERPROFILE: KEY FEATURES & BENEFITS

PowerProfile offers the following key features and benefits:

- ✓ [REDACTED]
- ✓ [REDACTED]

- ✓ [REDACTED]
- ✓ [REDACTED]
- ✓ [REDACTED]
- ✓ [REDACTED]
- ✓ [REDACTED]

ELECTIONWARE® ELECTION MANAGEMENT SYSTEM SOFTWARE SUITE



Electionware® is our election management system (EMS) software solution that provides complete election management. Delaware will be able to use Electionware software to *create the election information database, format ballots, program ballot scanning equipment, create voice files, count ballots, and generate results reports*. Electionware is a fully integrated election management software application that will allow Delaware to complete election management tasks through a uniform user experience. It has a powerful and intuitive interface and a single, common relational database.

ELECTIONWARE: KEY FEATURES & BENEFITS

- ✓ **Ease of use.** Electionware is an easy-to-use EMS software application that eliminates wasted effort on unnecessary tasks. This allows users to program elections and create and lay out ballots much faster.
- ✓ **Security.** Electionware incorporates the very latest in election security, including heightened audit controls and change management processes that are built-in to make sure Delaware election data is safe and secure.
- ✓ **Single user interface.** Electionware comprises several modules, each one representing a stage of the election creation process. Stepping through each module allows the user to systematically proceed with election creation free from worry that key steps have been overlooked.

- ✔ **Integrated help system.** Electionware contains an interactive, comprehensive help system.
- ✔ **Multi-user support.** Electionware's multiple user support allows election officials to simultaneously enter information and prepare data from several workstations. Each user is assigned their own login credentials and level of access while the system tracks all actions in its robust Events Log.
- ✔ **Election results reporting.** The Electionware suite's election results reporting program can generate paper and electronic reports for election officials, candidates, and the media. Reporting features enable the user to read data from the tabulators, customize report formats, and accumulate accurate election results.

EXPRESSPOLL ELECTRONIC POLL BOOK SYSTEM



To meet Delaware's needs and provide the most accurate and cost-effective solution for election officials, poll workers, and voters alike, ES&S is offering our industry-leading durable and proven electronic poll book solution, the ES&S ExpressPoll® system.

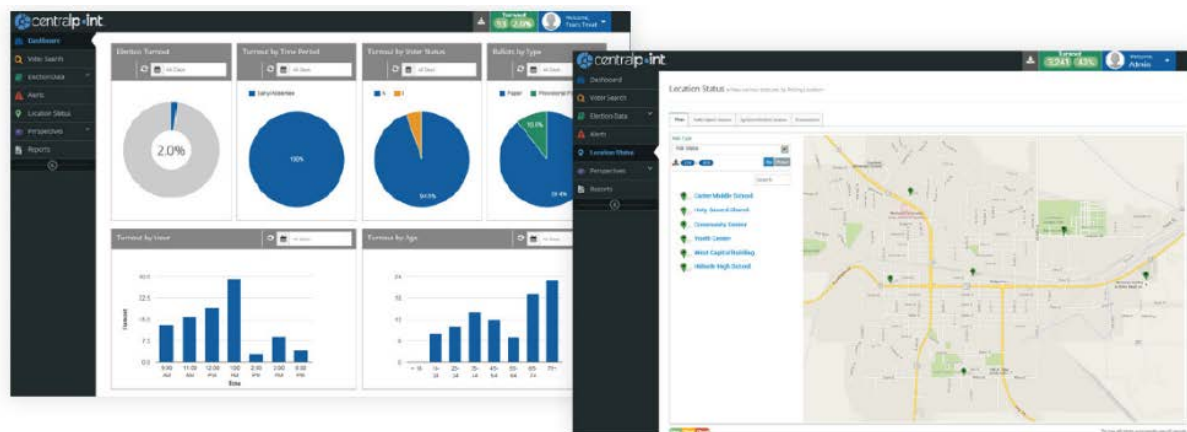
The ExpressPoll system has performed with *unmatched precision in some of the highest voter turnout elections in history*. The electronic poll book supplier Delaware selects should have a track record of successful electronic poll book system use during multiple large turnout Presidential Election cycles, not just one. ES&S and the ExpressPoll system uniquely offers this proven performance in conjunction with our tabulation products.

EXPRESSPOLL: KEY FEATURES & BENEFITS

- ✔ **Proven electronic poll book experience.** ES&S has been successfully implementing electronic poll book systems for over fourteen (14) years. System installations include the largest system implementations in the United States, including statewide implementations in Georgia and Maryland.
- ✔ **Automated, accurate ballot style delivery.** The ExpressPoll electronic poll book also interfaces directly with the ExpressVote product family. It can automatically print the correct ballot style bar code for each voter on the ExpressVote activation card. This automated process virtually eliminates the risk of a poll worker providing an incorrect ballot style to a voter.
- ✔ **Redundant data storage.** Voter validation data is redundantly stored in the ExpressPoll tablet, providing assurance that voter history data will be available post-election.

- ✔ **Tablet data loading.** Provides for a one-step secure tablet data loading process for all ballot styles and screen information.
- ✔ **Detailed audit trail.** The ExpressPoll system audit trail information contains the name(s) of the election judge(s) that completed each task, providing election judge accountability.
- ✔ **Stable operating system.** Microsoft Windows has guaranteed in writing that they will continue to provide security updates for the Microsoft Windows 10 operating system through at least October 2026.

CENTRALPOINT® POLL MANAGEMENT SYSTEM



CentralPoint® is a web-based application used with the ExpressPoll electronic poll book system that allows the Delaware Election Commissioner to *monitor the statewide poll activity from one location*. It displays, monitors, and tracks poll place information in real time. It allows election administrators to timely address issues before they become serious problems. All of this information is presented in graphical charts, maps, and reports on an easily monitored dashboard display. This dynamic, real-time insight allows election officials to instantly manage poll locations. This web-based application does not contain any tabulation data.

CENTRALPOINT: KEY FEATURES & BENEFITS

- ✔ **Real-time insight:** Prevent problems with interactive alerting and automated notifications.
- ✔ **Current voter validation intelligence.** CentralPoint enables election officials to view voter validation activity as it happens with vivid charts, maps, and a dynamic interactive dashboard. It provides information on who voted by party, precinct, polling place, or hour.
- ✔ **Poll oversight.** CentralPoint displays the poll opening and closing status and poll location traffic Paper ballot thresholds can also be monitored by the CentralPoint System, alerting election officials when specific paper ballot style quantities are about to run low.
- ✔ **Equipment oversight.** CentralPoint informs election officials about poll book equipment in the polling place, such as battery status, software versions, and connectivity. The application provides a map that includes the status of all ExpressPoll units in use throughout the jurisdiction. CentralPoint can display whether an ExpressPoll unit has been turned on, if it's operating on battery or AC power, and what the remaining battery charge level is on any unit at any time.

- ✔ **Automatic alerts.** Based on pre-programmed system thresholds, system alerts can automatically be sent to rovers or election officials. For example, a local rover can be alerted when a polling location does not turn on the ExpressPoll unit by the time the polls should be open.
- ✔ **Voter status updates.** Voter status updates from the PowerProfile voter registration system can be easily uploaded to the CentralPoint server for download onto the ExpressPoll tablets.

EXPRESSVOTE® XL UNIVERSAL VOTING SYSTEM



Adding to the versatile Universal Voting System family, ES&S introduces the ExpressVote XL® — a *full-face Universal Voting System* that serves all voters and *combines all contests on an easy to use 32” HD interactive screen*. The ExpressVote XL also includes an independent voter-verifiable paper record that it digitally scans for tabulation.

EXPRESSVOTE XL KEY FEATURES AND BENEFITS

The ExpressVote XL has many key features and benefits, including:

- ✔ **Full-face voting is “the Delaware way.”** Familiarity of the voting style to the voters – Delaware has voted on full-face voting machine for decades. Every Delawarean who has voted in the last 20 years has voted on a full-face machine. It is a familiar format and one voters know how to use. The ExpressVote XL offers this “familiar” look updated equipped with the latest technology. Every race appears on the same screen. There is no need to move from page to page for the voter.
- ✔ **Compatibility.** The ExpressVote XL is compatible with the ExpressPoll electronic poll book, DS200 Precinct Scanner & Tabulator, DS450 High-Throughput Scanner and Tabulator, and Electionware Election Management Software
- ✔ **Vote session activator.** The ExpressPoll poll book prints a barcode on the ExpressVote XL activation card that identifies the ballot style, which is then inserted into the ExpressVote XL.
- ✔ **32” interactive screen.** The full-face tiltable screen can display an entire election on one screen. Voters can view the ballot in their chosen language. The large screen enhances voter, election staff, and poll worker interfaces and usability. It provides immediate feedback and instructions to the voter in the language he or she selects.
- ✔ **Proven technology.** The XL is built on the EAC-approved ExpressVote.

- ✔ **Flexibility.** The Electionware® Election Management System provides many layout options, including grid style for party voting in rows or columns. This configuration can easily be managed by jurisdictions, allowing for the most efficient use of the ExpressVote XL screen. The ExpressVote XL is used during early voting or in election districts (ED) and future vote centers on Election Day to serve every eligible voter, including those with special needs.
- ✔ **Verifiable paper record.** The ExpressVote XL uses a thermal paper card to activate a voting session, then prints a summary of the voter's selections on that same card to create a verifiable paper record. Unused blank activation can be stored for use in other elections, eliminating paper waste.
- ✔ **Secure tabulation.** Internal memory stores the vote data for each cast record. The ExpressVote XL can be configured to store an image of the scanned vote summary card. At poll close, vote data and images are saved to a proprietary ES&S USB flash drive to be uploaded into Electionware. To ensure security and protect voter anonymity, each summary card image file is stored with a random file name. System access during equipment preparation, testing, and operation is restricted by access codes, physical locks, and seals.
- ✔ **Controlled & reduced costs.** The ExpressVote uses an internal thermal printer to print vote selections, eliminating the need to replace costly consumables like ink, toner, or drums that will need to be replaced on Election Day. Unused cards can be used in future elections, *so no waste with the ExpressVote XL*. Reducing the need and expense for pre-printed paper ballots cuts traditional ballot printing costs significantly. ExpressVote XL makes budgeting for recurring expenses easy and accurate.
- ✔ **Fully ADA-compliant.** Accommodates the full range of human diversity, including physical, perceptual and cognitive abilities. The screen is adjustable for both standing and seated voters. An accessible keypad equipped with Braille and the ability to use rocker panel and Sip-and-Puff devices make the ExpressVote XL a truly universal solution.
- ✔ **Ease of use & setup.** The intuitive design offers streamlined simplicity for both election officials and voters alike. One device at the polling place handles marking votes and tabulation.
- ✔ **Compatible.** Works in conjunction with all aspects of the proposed solution.

EXPRESSVOTE® UNIVERSAL VOTING SYSTEM



As an alternative to the ExpressVote XL, the award winning ExpressVote® ballot marking device (BMD) is a Universal Voting System that *combines paper-based voting with touch-screen technology*. Voters use the ExpressVote BMD to mark their ballots, which the voter then carries to and inserts in the DS200 tabulator to be counted. The ExpressVote BMD has a 15-inch color screen, and voters can easily page through separate screens to vote each election contest.

Paired with the DS200, the ExpressVote BMD has created a breakthrough in voting solutions on Election Day in Election Districts or future vote centers. It produces a paper-based record for subsequent tabulation. While the ExpressVote provides the best solution to meet the needs for people with disabilities, the ExpressVote was designed for use by all voters. The simplicity and ease of use provide a very intuitive voting session for any voter, but especially those with disabilities. During disability testing campaigns and in live elections nationally, the ExpressVote continues to dominate the competitor's systems, earning high praise and appreciation. *The ExpressVote is the election industry's number 1 selling early and Election Day vote center solution.*

EXPRESSVOTE: KEY FEATURES & BENEFITS

- ✔ **Ease of use & setup.** The intuitive design offers streamlined simplicity for both election officials and voters alike. For election officials, polls opening and closing is as simple as turning the machine on and off. For the voter, once they have reviewed all selections made, the ExpressVote prints all contests and selections on the card, then returns it to the voter for him or her to be tabulated.
- ✔ **Touch-screen interface.** The interconnected touch screen and tactical navigational keypad buttons provide complete independence for the voter as he or she casts a ballot. The official ballot is provided simultaneously in both audio and visual formats. The ExpressVote automatically protects against overvotes and can alert the voter to undervotes.
- ✔ **Controlled & reduced costs.** The ExpressVote uses an internal thermal printer to print vote selections, eliminating the need to replace costly consumables like ink, toner, or drums that will need to be replaced on Election Day. Unused cards can be used in future elections, *so no waste with the ExpressVote*. Reducing the need and expense for pre-printed paper ballots cuts traditional ballot printing costs significantly. ExpressVote makes budgeting for recurring expenses easy and accurate.
- ✔ **Accessibility compliant.** ExpressVote meets and exceeds the most rigorous 2005 Voluntary Voting Systems Guidelines and HAVA section 301 accessibility requirements providing the industry-leading universal voting system for all eligible voters without discrimination of voters with disabilities.
- ✔ **Vote Session Activator.** Election officials no longer have to guess the number of ballots to print. Instead, an inexpensive optional Vote Session Activator™ card determines the ballot style presented on the touch screen. The card is fully integrated with the ExpressPoll poll book. The ExpressPoll creates a voter card with a barcode that identifies the ballot style, which is then inserted into the ExpressVote.

Voters Laud the ExpressVote:

"I just had the most WONDERFUL experience. I am totally blind and I voted myself in the November general election! I tested/voted on the new accessible voting machines during the primary – but that feeling cannot even begin to compare with how I feel this morning. I was in tears by the time I left the polling station – for the first time in years I VOTED without assistance.

To the manufacturers and trainers of the accessible voting machines, THANK YOU! Because of you I have the capability of exercising my rights as a US Citizen. To the poll workers in Franklin, Virginia, THANK YOU! Because of you, I can vote right along my sighted peers without feeling "frowned" upon. I am now an equal.

Thank you, Franklin, Virginia!

(Note: My husband said I was "skipping" down the sidewalk this morning with my Guide Dog, Hannah – I was so excited!)."

DS200® ELECTION DISTRICT SCANNER AND TABULATOR



DS200® Election District scanner and tabulator pairs with the ExpressVote ballot marking device (BMD) to meet Delaware's ED vote marking and tabulation needs. It combines the best attributes of a paper-based system with the flexibility and efficiency of a digital environment. Much like the DS450, precise ballot sensors simultaneously scan both sides of a ballot in high resolution. Thus, cast vote records and ballot images can be stored on memory devices and reviewed, as needed, on a standard PC. The DS200 is designed with flexibility to support a wide range of ballot configurations and designs while being the easiest, most accurate, and most user-friendly machine in the market today which is why *more than 34,000 DS200 tabulators are in use in 24 states.*

DS200: KEY FEATURES & BENEFITS

- ✔ **Completes the ExpressVote Election District solution.** Pairs with the ExpressVote BMD as part of a complete solution.
- ✔ **Unique user-friendly design.** The DS200 tabulator was designed for easy setup – opening the lid powers on the unit in one simple step. The paper path, scanner bars, and other key maintenance

components can easily be accessed in seconds. The closing process is as simple as touching the “close polls” button with the rest of the process being automated.

- ✔ **Patented technology.** The DS200 features advanced technology to enhance voting system accuracy and enable instant voter verification. The DS200 can be set to query voters about overvotes, undervotes, blank ballots, and other situations. Voters can verify on-the-spot that their votes will be counted as they intended.
- ✔ **Large display.** Our **12-inch display**, the largest in the market today, enhances voter, election staff, and poll worker interfaces and usability. It provides immediate feedback and instructions to the voter in the language he or she selects.
- ✔ **Internal battery backup.** The DS200 has a built-in internal battery backup designed to meet the EAC 2005 VVSG certification standards. No external UPS (uninterruptible power supply) is necessary.
- ✔ **Integrated thermal printer.** In response to customer input, the DS200 tabulator’s printer eliminates the need for a spool or ink cartridge. Simply remove the used plastic core and drop in a new roll of thermal paper and the tabulator is ready to go – it’s that easy.

DS450® HIGH-THROUGHPUT CENTRAL SCANNER AND TABULATOR



Customizable sorting is now more affordable than ever with the DS450® high-throughput central scanner and tabulator. The DS450 does not stop for overvotes, write-ins, or blank ballots. ***This scanner and tabulator uses our patented technology, which increases the accuracy of tabulation and reducing manual adjudication time.***

Our revolutionary DS450 central count tabulator will reduce Delaware’s financial footprint by minimizing Delaware’s absentee ballot processing time (and hence, the need to pay overtime). The DS450 is a tailor-made solution for the ever-growing number of mailed in (absentee) ballots. Its durability eliminates the need to reinvest in equipment over the standard lifespan of election systems, maintaining affordability for all.

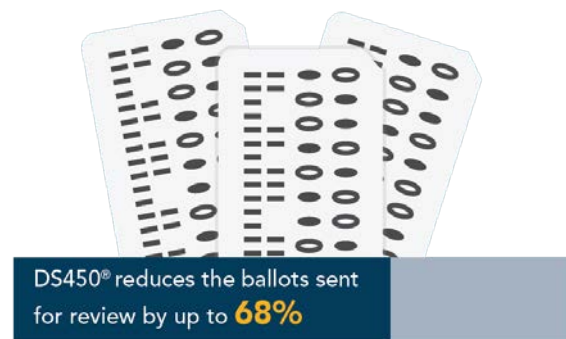
DS450: KEY FEATURES & BENEFITS

- ✔ **Recounts.** In case of a recount, the DS450 can be used to rapidly perform a recount of paper ballots and vote summary cards. Electionware can restrict the election definition to a subset of contests or Election Districts specified for a specific recount.

- ✔ **Mail ballot processing.** The DS450 was designed for mail ballot processing. Its speed, ease of use, and ability to process folded ballots make it ideal for rapidly and accurately processing mailed-in ballots.
- ✔ **Accuracy.** ES&S' *patented* image recognition technology ensures ballots are read accurately and consistently, protecting voter intent and eliminating manual adjudication time. The DS450 recognizes common voter marks and is not fooled by stray marks or smudges.
- ✔ **Speed.** Troublesome folded ballots are no longer difficult to handle with the DS450 tabulator's TruGrip technology. The DS450 can scan, tabulate, adjudicate and sort ballots at the rate of 90 ballots per minute, eliminating the need to hand-feed ballots one-by-one.
- ✔ **Ease of use.** The DS450 features a user-friendly software interface on an easy-to-use 15-inch LCD color touch screen display. Simply place a stack of ballots in the feed hopper and press start. The DS450 will scan, tabulate, and sort the ballots without any further interaction by the operator.
- ✔ **Folded ballot processing.** The DS450 was designed with a series of patent-pending TruGrip™ composite rollers that apply constant pressure to folded ballots throughout the entire tabulating process without losing speed.
- ✔ **Flexibility.** The DS450 offers three separate sorting bins that enable Delaware to sort specific types of ballots. Which ballots are sent to three separate sorting bins can be customized. The DS450 can separate ballots for a variety of reasons, like write-in votes, over-votes, or blank ballots, without losing speed.
- ✔ **Auto adjudication.** The DS450 central count tabulator saves time and money by adjudicating ballots for you.

Its patented auto-adjudication intelligently recognizes common voter marks automatically as the ballots are scanned, reducing the number of ballots subject to review by up to 68 percent. Out of 1,000 ballots our competitors' systems send for manual review, the DS450 will automatically and accurately adjudicate up to 680,

leaving only about 320 ballots for review. The DS450 was purpose-built by election professionals for election professionals to securely and accurately scan and tabulate ballots. We encourage consideration of a side-by-side comparison of the DS450 with our competitors' central tabulators. Delaware will see the job gets done faster and more accurately with the DS450.



BALOTAR® BALLOT ON-DEMAND SYSTEM



The Balotar Printing System® is an integrated, highly secure printing system specifically *designed to automatically generate ballots for elections on request, providing the ballot styles Delaware needs, when Delaware needs them.* Balotar combines commercially available printing components with ES&S proprietary hardware and software modifications, enabling it to meet the demanding printing and audit needs of elections.

The comprehensive Balotar solution automates and streamlines all the facets of ballot production and distribution. It provides election officials scalable and flexible options to address all on-demand ballot printing needs.

BALOTAR: KEY FEATURES & BENEFITS

- ✔ **Cost efficient.** Enables Delaware to avoid pre-printing mass quantities of ballots, significantly reducing waste.
- ✔ **Access security.** Besides Microsoft Windows logon security, the Balotar software is role-based. This allows jurisdictions to configure the functions needed for three levels of users: operator, supervisor, and administrator.
- ✔ **Ballot security.** Ballots can be encrypted to prevent printing of ballots from a raw PDF form. This protects against unauthorized printing, even if the security or access to the PDFs is compromised.
- ✔ **Accountability.** Balotar features a printing audit system for built-in accountability.
- ✔ **Ensures maximum ballot readability.** Balotar's precision alignment feeder ensures readable ballots.
- ✔ **Overprint/overlay capabilities.** Balotar software can automatically overprint text, barcodes, or images onto a completed PDF.

WHY ES&S?

WHY SHOULD DELAWARE CHOOSE ES&S?

ES&S offers the State of Delaware the right solution implemented, serviced and supported by the election industry's most experienced team for integrated solutions. Above all, we offer the State of Delaware the promise of our continued outstanding support and customer service. In addition, doing business with ES&S provides Delaware with the following:

- ✔ **ES&S is a proven, financially stable company.** The State of Delaware has the peace of mind and security of knowing that ES&S is the most experienced, financially sound elections company. *With approximately 40 years of elections experience and more than 450 employees*, ES&S is well-positioned to support Delaware and sustain the tabulation system in the State of Delaware for years to come.
- ✔ **One company, one point of contact.** ES&S can offer Delaware the advantage of *one entity to manage all aspects of the end-to-end, integrated voting systems solution*. Not only will the State have a system in which every component works synergistically with the others, but Delaware will also enjoy the power of our comprehensive, cohesive, and integrated project management approach. There will be no gray areas of responsibility as there would be in a system with multiple vendors. ES&S will handle it all.
- ✔ **A high value solution.** ES&S provides Delaware the most cost-effective, efficient, low-risk option available. By selecting ES&S, state election officials are providing Delaware the confidence that its investment is sound and its systems will be sustained by one company for at least 15 years.
- ✔ **A truly Universal Voting System.** The ExpressVote Universal Voting System family of products not only wins accolades from disability advocacy groups, but also provides *touch-screen voting for any voter*. If Delaware chooses the ExpressVote XL, it will also have the advantage of providing full-face ballots and enabling vote marking and tabulating on a single unit.
- ✔ **Most secure and accurate tabulation systems available.** Our digital tabulating equipment is the *most accurate and secure in the industry*. With our unique patents, ES&S image recognition technology ensures ballots are read accurately and consistently, protecting voter intent and eliminating manual adjudication time.
- ✔ **Innovative high-throughput auto adjudication and sorting.** The DS450 is the only high-speed vote purpose-built tabulator in the marketplace that can scan and sort ballots at a high rate of speed. It can scan, tabulate, adjudicate and sort 90 ballots per minute. The DS450 adjudicates at approximately three times the speed of competing devices because the machine does the thinking. *Users can run much larger batches than with a COTS scanner, because the DS450 will outstack them. No need to stop the scanning and search for the defective ballot.*
- ✔ **Proven implementation and in-state service and support.** With 40 years of elections expertise, no other vendor can compete with ES&S implementation, service and support plans.

Regional Sales Manager Christine Valeriano is located 45 minutes from Delaware and will provide that “local touch” that is so essential to a successful and long-term partnership.

- ✔ **Ballot-on-demand options.** Both the ExpressVote and Balotar products offer ballot-on-demand functionality to save time and money.

SUMMARY

Our comprehensive solution will provide the State of Delaware with an *end-to-end, reliable, cost-effective, state-of-the-art* state-wide solution for Voting Machines, Electronic Poll Book, Elections Management and Voter Registration System, and Absentee Voting System. We are the only company that can do this. This integrated system, provided by one vendor, will meet the needs of Delaware voters well into the future. Delaware staff and poll workers will find our equipment *easy to transport and set up* on Election Day and *convenient to store and maintain* when the election is over. And, as always, our *team of customer service and technical support experts* that together comprise the ES&S Help Desk will be available to assist with any questions or concerns that arise throughout the year and during the election event.

Because the ExpressVote XL tabulation system has a faster throughput, it handles the 650 voters per voting machine requirement in the RFP. The ExpressVote XL will be the 1-to-1 replacement of Delaware’s Danaher Voting Machines. With the alternative solution – such as a paginating voting machine system – the voter has to navigate through the contests and candidates, which takes longer to vote. Nationally, the recommendation for a paginating system is one (1) touch screen for every 200-250 registered voters. The purchase of a paginating system would be a 3-to-1 replacement of the Danaher units.

Thank you for this unique opportunity and we look forward to partnering with the State of Delaware in bringing the best and most complete election technology, service and support to the State and its voters.

MINIMUM REQUIREMENTS

III. REQUIRED INFORMATION

The following information shall be provided in each proposal in the order listed below. Failure to respond to any request for information within this proposal may result in rejection of the proposal at the sole discretion of the State.

A. MINIMUM REQUIREMENTS

1. Provide Delaware license(s) and/or certification(s) necessary to perform services as identified in the scope of work.

ES&S RESPONSE

Please see licenses in **Exhibit A**.

2. Vendor shall provide responses to the Request for Proposal (RFP) scope of work and clearly identify capabilities as presented in the General Evaluation Requirements below.

ES&S RESPONSE

Please see our responses to the Scope of Work and the General Evaluation requirements below.

3. Complete all appropriate attachments and forms as identified within the RFP.

ES&S RESPONSE

Please see included attachments.

4. Proof of insurance and amount of insurance shall be furnished by awarded vendor(s) to Government Support Services prior to the start of the contract period and shall be no less than as identified in the bid solicitation, Section D, Item 7, subsection g (insurance).

ES&S RESPONSE

Please see Proof of Insurance in **Exhibit B**.

GENERAL EVALUATION REQUIREMENTS

I. EXPERIENCE AND REPUTATION

ES&S is the industry leader in providing successful statewide implementations of integrated voting system functionality. We have significant experience installing systems that allow for the automation and full integration between polling place/early voting site equipment and absentee, voter registration, and election management systems. These states have the advantage of dealing with only one vendor while enjoying the functionality of multiple systems that work synergistically:

For each of these statewide projects, ES&S was responsible for complete installation, training, testing, and maintenance in a timely manner.

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- I [REDACTED]
- I [REDACTED]

ES&S has 14 statewide vote tabulation system implementations, which include Connecticut, Maine, Montana, North Carolina, North Dakota, Rhode Island, South Carolina, South Dakota, and West Virginia in addition to the states listed above. We have installed over 200,000 voting units and have supported more than 100,000 elections during the past decade alone.

A combined total of over 13,600 ES&S electronic poll books are used in the Georgia and Maryland statewide electronic poll book implementations. Each ExpressPoll unit used in these states includes registered voter data for the specific precinct, voting location, county and also includes the statewide voter registration database. ES&S statewide voter registration systems in addition to those listed above include Kansas and the U.S. Virgin Islands.

ES&S currently supports seven centralized statewide voter registration systems - Alabama, Arkansas, Arizona, Kansas, Nebraska, Maryland, and the U.S. Virgin Islands - and many individual county systems in other states. More than 55 million voter records are maintained within the family of ES&S voter registration products, including several individual jurisdictions with more than 500,000 registered voters. Over 1,000 end-users regularly use ES&S voter registration systems, with peak usage at more than 2,200 end-users during a major election such as a primary or general.

Successfully completing a statewide implementation entails challenges that few, if any, of the current voting system vendors are capable of completing. Simply put, the resource requirements, past implementation

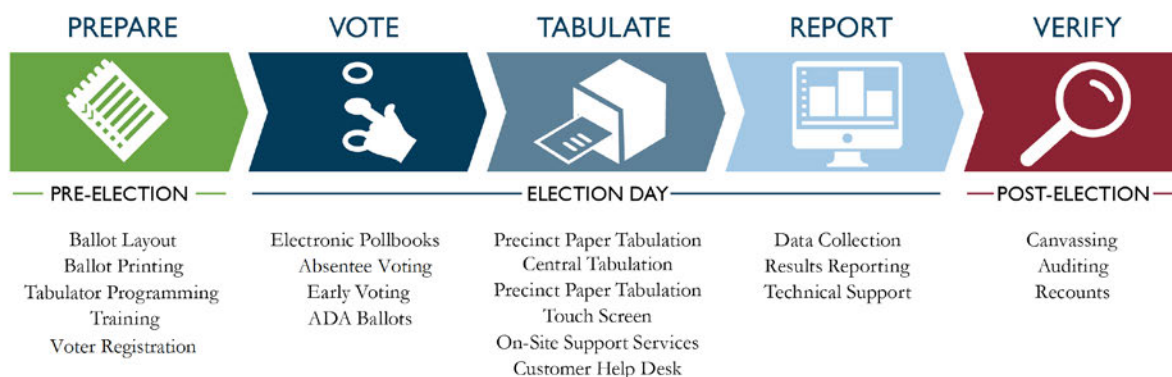
experience, on-hand inventory of equipment and supplies, and the ability to manage the needs and schedules of multiple county customers and a State government agency, are beyond the capabilities of most vendors—except ES&S.

When ES&S begins a statewide implementation, every customer gets a total commitment from our executive management team and the rest of the 450 election professional employees. Upon award, our implementation engine kicks in. Immediately, a team of implementation experts from our Project Management team will gather and begin applying detail to the work plan, training plan, and resource plan. When it is time to kick off the project with the State, ES&S will be primed and ready to go.

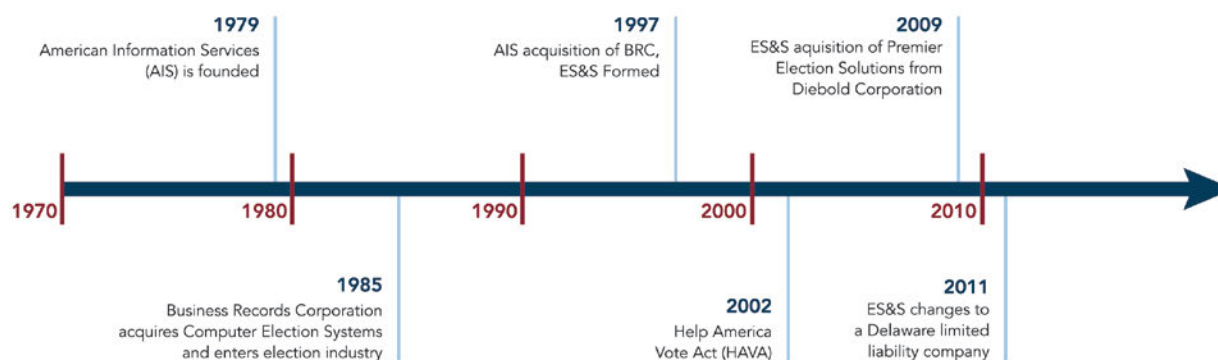
2. EXPERTISE

Election Systems & Software, LLC (ES&S) has nearly 40 years of experience serving as an original manufacturer of electronic voting systems in the United States.

ES&S is the only company in the voting industry that can provide the full range of voting system hardware, software, and election and business office support services to meet the extensive needs of our diverse customer base. Our end-to-end product solutions include voter registration systems, ballot layout, printing, and mailing, electronic poll book data conversion services, election media programming, precinct and central count tabulation hardware and software, accessible voting ballot marking devices, absentee voting systems, electronic poll books, project management services, voter education/outreach, early voting and Ballot on Demand print services, initial and recurring product training, Election Day support and results reporting, equipment preventative maintenance, and voting supplies; .



ES&S was founded in 1979 as American Information Services, Inc. (“AIS”). In 1997, AIS acquired Business Records Corporation and changed its name to Election Systems & Software, Inc. In 2009, ES&S acquired Premier Election Solutions, Inc., and in 2011, ES&S acquired Advanced Ballot Solutions, Inc. ES&S has been fortunate to be able to grow its business both organically and through the foregoing strategic acquisitions.



3. CAPACITY TO MEET REQUIREMENTS (SIZE, FINANCIAL CONDITION, ETC.)

ES&S corporate headquarters is in Omaha, Nebraska. The company employs more than 450 election professionals in 9 operating locations.

Today, not only do we work with many of the same customers we've served for more than three decades, but our business also has grown to serve 42 states and includes more than 95,900 supported precincts. From our humble beginnings supporting a handful of election administrators and voters in 1979, today nearly 100 million registered voters tabulate with ES&S. ES&S associates have supported more than 100,000 elections during the past decade alone.

We have managed projects of all sizes, from large-scale, complex installations such as statewide implementations, to the five boroughs that make up New York City and its 4.6 million voters, to single-county projects such as Arthur County, Nebraska, with its 343 registered voters.

With the dedicated and talented individuals who work for ES&S as well as the most diverse product offerings and services in the industry, ES&S is well-positioned to continue to serve its customers for many years to come.

FINANCIAL STABILITY

No other voting system vendor can compare to the financial stability and customer base of ES&S.

ES&S is a well-capitalized, professionally managed company, capable of continuously sustaining high-quality development and support to our customers for the long term. For more than 20 years, ES&S has enjoyed the same committed owners. With this stability and a large staff spread strategically across the country, ES&S is well-positioned to continue its long-term commitment to its current and future client base.

Please see our included confidential **Financial Statements** in **Exhibit C**.

4. DEMONSTRATED ABILITY

No other vendor has the range of experience and diversity of ability than ES&S.

ES&S places a high value on its experience in elections systems solution deployments. We are the most complete elections systems solution provider in the United States. No other vendor has more election experience, more voting devices installed, or more support personnel in the field. ES&S has significant experience with similar projects to Delaware's proposed project. For nearly 40 years, ES&S has deployed its solution to the satisfaction of customers throughout the country. Literally, hundreds of thousands of ES&S election equipment has been used in elections, which is unmatched in the industry.

CRITERIA WEIGHT

All proposals shall be evaluated using the same criteria and scoring process. The following criteria shall be used by the Evaluation Team to evaluate proposals:

Criteria	Weight
Experience and capability to provide a quality solution of this scope.	10
Demonstrated ability to implement the solution in a timely manner	10
Demonstrated ability to assign qualified staff and personnel resources to the solution	10
Ability to provide equipment/services that meet the requirements of the solicitation.	10
Ability to provide support and value to the State through warranty, service, training, and timely customer service.	10
Capacity to support the State during active elections to ensure solution functions optimally <u>at all times</u> .	20
Pricing is evaluated considering a total cost of ownership to the State for the initial contract term (5 years).	20
ACA Safe Harbor Additional Fee (Refer to section V, General Contract Terms, <u>V.7.c below</u>)	10
Total	100%

Vendors are encouraged to review the evaluation criteria and to provide a response that addresses each of the scored items. Evaluators will not be able to make assumptions about a vendor's capabilities so the responding vendor should be detailed in their proposal responses.

ES&S RESPONSE

EXPERIENCE AND CAPABILITY TO PROVIDE A QUALITY SOLUTION OF THIS SCOPE.

As evident in our proposal, ES&S is the most qualified vendor to provide this solution to Delaware. We are a one-stop-shop for all of Delaware's elections systems solution needs.

No other vendor can offer a solution as synergistic and fully integrated as ES&S can. We have nearly four decades of experience in the elections industry and a team of more than 450 elections-centric associates ready to serve.

We have experience with statewide implementations in all four of the key aspects of this implementation.

1. Voting Machines – We have orchestrated 14 statewide voting system implementations. More than 170,000 ES&S voting machines are in use today.

2. Electronic Poll Book - The ExpressPoll has been successfully implemented in 21 states, including statewide in Georgia (5.8 million registered voters) and Maryland (3.7 million registered voters). More than 30,000 electronic poll books have been implemented throughout the country, making ES&S the largest

provider of electronic poll books in the industry by far. Numerous jurisdictions using the ES&S PowerProfile voter registration system have implemented the ExpressPoll electronic poll books.

3. Elections Management and Voter Registration System – We have orchestrated 7 statewide voter registration system implementations since 2002 and continue to support and evolve our voter registration system to meet the needs of customers.

4. Absentee Voting System – We have orchestrated 14 statewide voting system implementations. More than 1,200 ES&S absentee voting systems units are in use today.

DEMONSTRATED ABILITY TO IMPLEMENT THE SOLUTION IN A TIMELY MANNER

As seen in our project management timeline with Appendix B, we have a simple, yet thorough plan to implement the solution in a timely manner. We rely on four decades of elections experience as we develop a comprehensive implementation plan.

DEMONSTRATED ABILITY TO ASSIGN QUALIFIED STAFF AND PERSONNEL RESOURCES TO THE SOLUTION

Please refer to the project management narrative with Appendix B for a comprehensive overview of our proposed implementation plan methodology for our solution and experience statements for our qualified staff.

ABILITY TO PROVIDE EQUIPMENT/SERVICES THAT MEET THE REQUIREMENTS OF THE SOLICITATION.

ES&S is highly qualified to offer a completely integrated solution for this solicitation's requirements. We are the only vendor who can provide the complete scope services, support, equipment, and staff to meet Delaware's needs. Please see our responses to **Appendix B** for additional information.

ABILITY TO PROVIDE SUPPORT AND VALUE TO THE STATE THROUGH WARRANTY, SERVICE, TRAINING, AND TIMELY CUSTOMER SERVICE.

ES&S ONE-YEAR WARRANTY & SILVER MAINTENANCE PROGRAM SERVICE

Delaware will receive a one-year equipment warranty, covering parts and on-site repairs. Under the post-warranty Silver Maintenance Program, ES&S provides a routine preventative maintenance service event every other year. Our Maintenance Program provides extended coverage for phone support, parts, on-site repairs, and an annual visit for preventive maintenance. Our ES&S service technicians carry diagnostic programs, specialized tools, an ample inventory of certified spare parts, and test ballots allowing them to service and test the product according to the hardware specifications and the maintenance agreement. Under this maintenance plan, hardware repairs are covered when failures are system-related.

The biennial routine preventative maintenance service event includes the cleaning and lubrication of each unit of equipment and all labor and parts (except consumables items such as printer cartridges, paper rolls, batteries, removable memory devices, or marking instruments).

Core features for the Silver coverage plan includes the use of certified replacement parts, technical help desk support, priority status for repair services, software and firmware upgrades, repairs by trained and certified technicians, and one annual invoice that provides budgeting peace of mind.

THE ES&S APPROACH TO ON-SITE TRAINING

Election Systems & Software understands that a successful transition to new election technology depends on more than executing a logistics plan. A key element to success is ensuring that Delaware is empowered with the knowledge to administer the new system and carry out a trouble-free election. To make this transition successful, we emphasize training as a critical component of our overall implementation plan. Our training goal is to ensure a strong level of comfort and competency for Delaware's election staff and workers. ES&S is committed to maintaining our flexible approach in tailoring the right mix of products, training, support and service to the State of Delaware.

TRAINING THE ES&S WAY

The ES&S curriculum is based on our decades of experience in implementing new voting systems. Our customized approach to training Delaware's election team anticipates the wide range of skills needed to carry out a successful election. Our courses are tailored to specific audiences and incorporate a high degree of hands-on instruction and simulations, increasing the relevancy of every minute Delaware election workers spend in the classroom.

ES&S TRAINERS: EXPERIENCE THAT MATTERS

ES&S has carefully selected our training staff to provide the very best training experience for Delaware's poll workers. We require all our personnel to be certified ES&S trainers, beginning with at least two years of experience as an instructor and continuing with customized product certification. Additionally, each of our training staff members has personally supported elections using ES&S voting equipment. Our trainers have first-hand knowledge of the challenges Delaware poll workers could face with their new equipment. We can anticipate staff concerns, and appreciate the challenges of using a new voting system.

ES&S' TRAINING PLAN

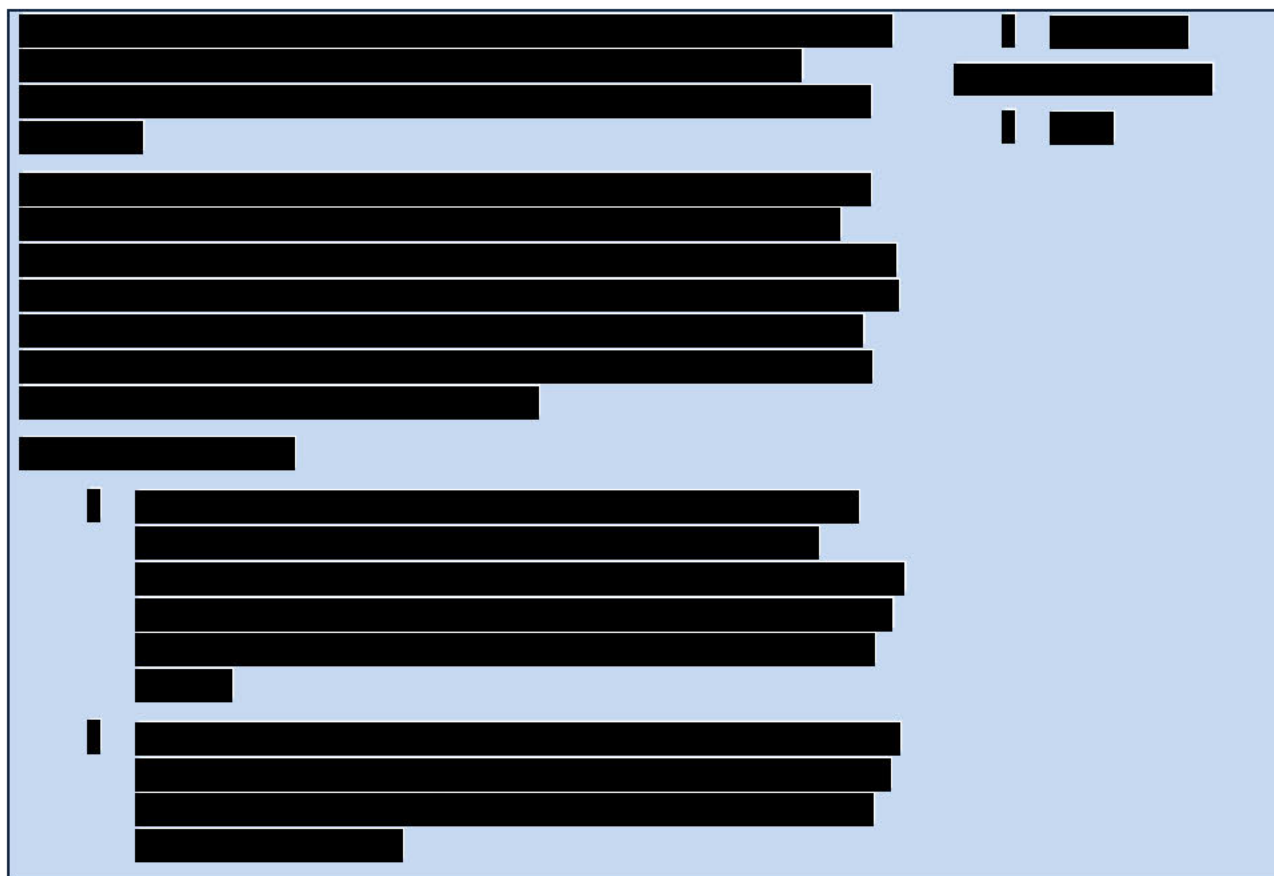
Introducing new technology presents unique challenges. Training is our primary concern in implementing a new elections systems solution. ES&S measures the success of new equipment installations by the quantifiable way in which our clients can manage their unique election processes while using the ES&S system. Our comprehensive, classroom-based training program promotes a strong level of competency for all intended users through training modules developed to provide Delaware's election team with the skills to perform necessary operations.

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ES&S CONTINUING EDUCATION & SUPPORT

The ES&S method aims at fully preparing election staff to ensure autonomy in election operations while using our equipment. We understand long-term needs may require a combination of continuing education courses and/or on-site support. These continuing education and site support needs from our experienced training team can be coordinated and tailored to meet Delaware's unique requirements.

ES&S SUPPORT COORDINATION AND CUSTOMER SERVICE

When Delaware begin its partnership with ES&S, it will be assigned a Project Manager and an Account Manager who will collaborate with the State of Delaware to complete all steps of the implementation process.

A Project Manager appointed by ES&S shall be responsible for the overall planning, communication, management and coordination of ES&S services in conjunction with the Account Manager. The Project Manager shall be the liaison for the State of Delaware with ES&S as it pertains to all products, services and obligations set forth in the Agreement.

The ES&S Account Manager will work closely with the Project Manager and Delaware to develop a timeline of activities, provision of deliverables, and critical milestones. Your Account Manager will ensure the State of Delaware is fully supported and knowledge is successfully transferred to Delaware staff. The ES&S Account Manager will be onsite and use various proven reporting tools and status updates reports throughout the

project to communicate with the State of Delaware. The Account Manager will also bring technical, election system implementation experience along with consulting and training capabilities.

Our ES&S Customer Support Coordinators are available to promptly answer a wide array of questions related to customer accounts and support. Delaware's designated coordinator will act as its liaison between several ES&S departments during the election preparation, ensuring ease and efficiency during the entire process.

CAPACITY TO SUPPORT THE STATE DURING ACTIVE ELECTIONS TO ENSURE SOLUTION FUNCTIONS OPTIMALLY AT ALL TIMES.

During active elections, ES&S provides robust support to our clients to ensure that our solution functions optimally at all times.

Help Desk: The ES&S Help Desk, which is staffed by some of our most experienced technicians, is available to take calls on **Election Day** for a 24-hour period beginning at 5 a.m. EST. The call will immediately be answered by a fully trained technician who will answer questions and/or begin resolution of issues. We track all questions or concerns and their resolution to provide continuity of service. During any major election, ES&S augments our technical support team to further ensure that issues will receive an immediate response when Delaware contacts the Help Desk.

Field Service Technicians: ES&S strategically places its team of field service technicians so that they can be called on to assist clients on Election Day

Account Manager: Delaware's Account Manager may be contacted by cell phone 24x7x365 and is based only a 35-minute drive away.

On-Site Support: If desired by Delaware, ES&S will provide as many trained on-site representatives as necessary who are available the day immediately prior to the election, Election Day, and the day immediately after Election Day. Depending upon the customer's needs and the customer's scheduling of support staff for an election, the ES&S support representatives may assist with election administration, procedural guidance, hardware and software operation, Election Day call center staffing, as roving troubleshooters during Election Day, and election night accumulation of results. They also will liaison with the ES&S Help Desk, if necessary. Please refer to our Project Management section with Appendix B for additional details.

PRICING IS EVALUATED CONSIDERING A TOTAL COST OF OWNERSHIP TO THE STATE FOR THE INITIAL CONTRACT TERM (5 YEARS).

Please see our **Pricing** section for pricing on our comprehensive, fully-integrated solution.

ACA SAFE HARBOR ADDITIONAL FEE (REFER TO SECTION V, GENERAL CONTRACT TERMS, V.7.C BELOW)

Please see Attachment 3 and Appendix C: Pricing.

MANDATORY REQUIREMENTS

Each proposal must be accompanied by a transmittal letter which briefly summarizes the proposing firm's interest in providing the required professional services. The transmittal letter must also clearly state and justify any exceptions to the requirements of the RFP which the applicant may have taken in presenting the proposal. (Applicant exceptions must also be recorded on Attachment 3).

Furthermore, the transmittal letter must attest to the fact, at a minimum, that the Vendor shall not store or transfer non-public State of Delaware data outside of the United States. For technology related solicitations, Vendors may refer to the Delaware Department of Technology and Information identified terms and conditions included in this solicitation.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

MANDATORY PREBID MEETING

A mandatory pre-bid meeting has been scheduled for this solicitation. This is a mandatory meeting. If a Vendor does not attend this meeting, they shall be disqualified and shall not be considered for further evaluation.

Date: December 5, 2017

Time: 1:00 p.m. EST

Location:

Department of Elections

New Castle Warehouse

220 Lisa Drive

New Castle, DE 19720

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

II. Scope of Services

The purpose of this solicitation and any resultant contract is to establish a state-wide solution for Voting Machines, Electronic Poll Book, Elections Management and Voter Registration System, and Absentee Voting System.

The State of Delaware, hereinafter referred to as “the State,” is considering replacing the State’s voting equipment, voter registration system and election management system with a single, or multi-vendor, integrated voting system allowing for automation and full integration between polling place/early voting site equipment and the absentee, voter registration and election management systems. If the project proceeds, the vendor or vendors shall be responsible for complete replacement, installation, training, testing, and maintenance, including bridge maintenance for existing systems, within 8 months. The scope of the project is to include all equipment, training, testing, maintenance of new equipment, transitioning from the State’s voter registration system and election management system to the new server based system and providing or contracting for bridge maintenance of existing equipment until replacement is complete.

The State invites offerors to bid on any or all of the 4 categories:

- 1. Voting Machines*
- 2. Electronic Poll Book*
- 3. Elections Management and Voter Registration System*
- 4. Absentee Voting System*

The data storage and management system established through this solicitation may or may not be procured from a vendor also identifying voting equipment as a component of the vendor’s primary product line.

Any contract awarded will be utilized at the State’s discretion dependent on availability of specifically budgeted funds.

Any contracts awarded resultant of this solicitation will be mandatory use for all Covered Agencies.

It is anticipated that the Department of Elections will be the primary State Agency utilizing the contract resultant of this RFP dependent on availability of funding.

The detailed Scope of Work is Appendix B to this solicitation.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S’ exceptions set forth on Attachment 3.

III. Required Information

The following information shall be provided in each proposal in the order listed below. Failure to respond to any request for information within this proposal may result in rejection of the proposal at the sole discretion of the State.

A. Minimum Requirements

- 1. Provide Delaware license(s) and/or certification(s) necessary to perform services as identified in the scope of work.*
- 2. Vendor shall provide responses to the Request for Proposal (RFP) scope of work and clearly identify capabilities as presented in the General Evaluation Requirements below.*
- 3. Complete all appropriate attachments and forms as identified within the RFP.*
- 4. Proof of insurance and amount of insurance shall be furnished by awarded vendor(s) to Government Support Services prior to the start of the contract period and shall be no less than as identified in the bid solicitation, Section D, Item 7, subsection g (insurance).*

B. General Evaluation Requirements

- 1. Experience and Reputation*
- 2. Expertise*
- 3. Capacity to meet requirements (size, financial condition, etc.)*
- 4. Demonstrated ability*

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

2. Obtaining Copies of the RFP

This RFP is available in electronic form through the State of Delaware Procurement website at www.bids.delaware.gov . Paper copies of this RFP will not be available.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

4. RFP Designated Contact

All requests, questions, or other communications about this RFP shall be made in writing to the State of Delaware. Address all communications to the person listed below; communications made to other State of Delaware personnel or attempting to ask questions by phone or in person will not be allowed or recognized as valid and may disqualify the vendor. Vendors should rely only on written statements issued by the RFP designated contact.

*Michael Bacu
GOVERNMENT SUPPORT SERVICES
100 ENTERPRISE PLACE STE 4
DOVER DE 19904
michael.bacu@state.de.us*

To ensure that written requests are received and answered in a timely manner, electronic mail (e-mail) correspondence is acceptable, but other forms of delivery, such as postal and courier services can also be used.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

5. Consultants and Legal Counsel

The State of Delaware may retain consultants or legal counsel to assist in the review and evaluation of this RFP and the vendors' responses. Bidders shall not contact the State's consultant or legal counsel on any matter related to the RFP.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

B. RFP Submissions

1. Acknowledgement of Understanding of Terms

By submitting a bid, each vendor shall be deemed to acknowledge that it has carefully read all sections of this RFP, including all forms, schedules and exhibits hereto, and has fully informed itself as to all existing conditions and limitations.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

2. Proposals

To be considered, all proposals must be submitted in writing and respond to the items outlined in this RFP. The State reserves the right to reject any non-responsive or non-conforming proposals. Each proposal must be submitted with one (1) paper copies and one (1) electronic copy on CD or DVD media disk, or USB memory drive. Please provide a separate electronic pricing file from the rest of the RFP proposal responses.

All properly sealed and marked proposals are to be sent to the State of Delaware and received no later than 3:00 PM (Local Time) on January 16, 2018. The Proposals may be delivered by Express Delivery (e.g., FedEx, UPS, etc.), US Mail, or by hand to:

*Michael Bacu
Government Support Services
100 Enterprise Place Ste 4
Dover DE 19904*

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

Vendors are directed to clearly print "BID ENCLOSED" and "CONTRACT NO. GSS18809-ELECTION_SYS" on the outside of the bid submission package.

Any proposal received after the Deadline for Receipt of Proposals date shall not be considered and shall be returned unopened. The proposing vendor bears the risk of delays in delivery. The contents of any proposal shall not be disclosed as to be made available to competing entities during the negotiation process.

Upon receipt of vendor proposals, each vendor shall be presumed to be thoroughly familiar with all specifications and requirements of this RFP. The failure or omission to examine any form, instrument or document shall in no way relieve vendors from any obligation in respect to this RFP.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

3. Proposal Modifications

Any changes, amendments or modifications to a proposal must be made in writing, submitted in the same manner as the original response and conspicuously labeled as a change, amendment or modification to a previously submitted proposal. Changes, amendments or modifications to proposals shall not be accepted or considered after the hour and date specified as the deadline for submission of proposals.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

4. Proposal Costs and Expenses

The State of Delaware will not pay any costs incurred by any Vendor associated with any aspect of responding to this solicitation, including proposal preparation, printing or delivery, attendance at vendor's conference, system demonstrations or negotiation process.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

5. Proposal Expiration Date

Prices quoted in the proposal shall remain fixed and binding on the bidder at least through December 31, 2018. The State of Delaware reserves the right to ask for an extension of time if needed.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

6. Late Proposals

Proposals received after the specified date and time will not be accepted or considered. To guard against premature opening, sealed proposals shall be submitted, plainly marked with the proposal title, vendor name, and time and date of the proposal opening. Evaluation of the proposals is expected to begin shortly after the proposal due date. To document compliance with the deadline, the proposal will be date and time stamped upon receipt.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

7. Proposal Opening

The State of Delaware will receive proposals until the date and time shown in this RFP. Proposals will be opened in the presence of State of Delaware personnel. Any unopened proposals will be returned to the submitting Vendor.

The Agency will conduct a public opening of proposals and complete a public log of the names of all vendor organizations that submitted proposals. The contents of any proposal shall not be disclosed in accordance with Executive Order # 31 and Title 29, Delaware Code, Chapter 100.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

8. Non-Conforming Proposals

Non-conforming proposals will not be considered. Non-conforming proposals are defined as those that do not meet the requirements of this RFP. The determination of whether an RFP requirement is substantive or a mere formality shall reside solely within the State of Delaware.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

10. Realistic Proposals

It is the expectation of the State of Delaware that vendors can fully satisfy the obligations of the proposal in the manner and timeframe defined within the proposal. Proposals must be realistic and must represent the best estimate of time, materials and other costs including the impact of inflation and any economic or other factors that are reasonably predictable.

The State of Delaware shall bear no responsibility or increase obligation for a vendor's failure to accurately estimate the costs or resources required to meet the obligations defined in the proposal.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

11. Confidentiality of Documents

Subject to applicable law or the order of a court of competent jurisdiction to the contrary, all documents submitted as part of the vendor's proposal will be treated as confidential during the evaluation process. As such, vendor proposals will not be available for review by anyone other than the State of Delaware/Proposal Evaluation Team or its designated agents. There shall be no disclosure of any vendor's information to a competing vendor prior to award of the contract unless such disclosure is required by law or by order of a court of competent jurisdiction.

The State of Delaware and its constituent agencies are required to comply with the State of Delaware Freedom of Information Act, 29 Del. C. § 10001, et seq. ("FOIA"). FOIA requires that the State of Delaware's records are public records (unless otherwise declared by FOIA or other law to be exempt from disclosure) and are subject to inspection and copying by any person upon a written request. Once a proposal is received by the State of Delaware and a decision on contract award is made, the content of selected and non-selected vendor proposals will likely become subject to FOIA's public disclosure obligations.

The State of Delaware wishes to create a business-friendly environment and procurement process. As such, the State respects the vendor community's desire to protect its intellectual property, trade secrets, and confidential business information (collectively referred to herein as "confidential business information"). Proposals must contain sufficient information to be evaluated. If a vendor feels that they cannot submit their proposal without including confidential business information, they must adhere to the following procedure or their proposal may be deemed unresponsive, may not be recommended for selection, and any applicable protection for the vendor's confidential business information may be lost.

In order to allow the State to assess its ability to protect a vendor's confidential business information, vendors will be permitted to designate appropriate portions of their proposal as confidential business information.

Vendor(s) may submit portions of a proposal considered to be confidential business information in a separate, sealed envelope labeled "Confidential Business Information" and include the specific RFP number. The envelope must contain a letter from the Vendor's legal counsel describing the documents in the envelope, representing in good faith that the information in each document is not "public record" as defined by 29 Del. C. § 10002, and briefly stating the reasons that each document meets the said definitions.

Upon receipt of a proposal accompanied by such a separate, sealed envelope, the State of Delaware will open the envelope to determine whether the procedure described above has been followed. A vendor's allegation as to its confidential business information shall not be binding on the State. The State shall independently determine the validity of any vendor designation as set forth in this section. Any vendor submitting a proposal or using the procedures discussed herein expressly accepts the State's absolute right and duty to independently assess the legal and factual validity of any information designated as confidential business information. Accordingly, Vendor(s) assume the risk that confidential business information included within a proposal may enter the public domain.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

12. Price Not Confidential

Vendors shall be advised that as a publically bid contract, no Vendor shall retain the right to declare their pricing confidential.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

13. Multi-Vendor Solutions (Joint Ventures)

Multi-vendor solutions (joint ventures) will be allowed only if one of the venture partners is designated as the "prime contractor". The "prime contractor" must be the joint venture's contact point for the State of Delaware and be responsible for the joint venture's performance under the contract, including all project management, legal and financial responsibility for the implementation of all vendor systems. If a joint venture is proposed, a

copy of the joint venture agreement clearly describing the responsibilities of the partners must be submitted with the proposal. Services specified in the proposal shall not be subcontracted without prior written approval by the State of Delaware, and approval of a request to subcontract shall not in any way relieve Vendor of responsibility for the professional and technical accuracy and adequacy of the work. Further, vendor shall be and remain liable for all damages to the State of Delaware caused by negligent performance or non-performance of work by its subcontractor or its sub-subcontractor.

Multi-vendor proposals must be a consolidated response with all cost included in the cost summary. Where necessary, RFP response pages are to be duplicated for each vendor.

a. Primary Vendor

The State of Delaware expects to negotiate and contract with only one “prime vendor”. The State of Delaware will not accept any proposals that reflect an equal teaming arrangement or from vendors who are co-bidding on this RFP. The prime vendor will be responsible for the management of all subcontractors.

Any contract that may result from this RFP shall specify that the prime vendor is solely responsible for fulfillment of any contract with the State as a result of this procurement. The State will make contract payments only to the awarded vendor. Payments to any-subcontractors are the sole responsibility of the prime vendor (awarded vendor).

Nothing in this section shall prohibit the State of Delaware from the full exercise of its options under Section IV.B.16 regarding multiple source contracting.

b. Sub-contracting

The vendor selected shall be solely responsible for contractual performance and management of all subcontract relationships. This contract allows subcontracting assignments; however, vendors assume all responsibility for work quality, delivery, installation, maintenance, and any supporting services required by a subcontractor.

Use of subcontractors must be clearly explained in the proposal, and major subcontractors must be identified by name. The prime vendor shall be wholly responsible for the entire contract performance whether or not subcontractors are used. Any sub-contractors must be approved by State of Delaware.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S’ exceptions set forth on Attachment 3.

14. Sub-Contracting

The vendor selected shall be solely responsible for contractual performance and management of all subcontract relationships. This contract allows subcontracting assignments; however, vendors assume all responsibility for work quality, delivery, installation, maintenance, and any supporting services required by a subcontractor.

Use of subcontractors must be clearly explained in the proposal, and subcontractors must be identified by name. Any sub-contractors must be approved by State of Delaware.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

15. Discrepancies and Omissions

Vendor is fully responsible for the completeness and accuracy of their proposal, and for examining this RFP and all addenda. Failure to do so will be at the sole risk of vendor. Should vendor find discrepancies, omissions, unclear or ambiguous intent or meaning, or should any questions arise concerning this RFP, vendor shall notify the State of Delaware's Designated Contact, in writing, of such findings at least ten (10) days before the proposal opening. This will allow issuance of any necessary addenda. It will also help prevent the opening of a defective proposal and exposure of vendor's proposal upon which award could not be made. All unresolved issues should be addressed in the proposal.

Protests based on any omission or error, or on the content of the solicitation, will be disallowed if these faults have not been brought to the attention of the Designated Contact, in writing, at least ten (10) calendar days prior to the time set for opening of the proposals.

a. RFP Question and Answer Process

The State of Delaware will allow written requests for clarification of the RFP. All questions shall be received no later than December 12, 2017. All questions will be consolidated into a single set of responses and posted on the State's website at www.bids.delaware.gov by the date of December 19, 2017. Vendor names will be removed

from questions in the responses released. Questions should be submitted in the following format. Deviations from this format will not be accepted.

Section number

Paragraph number

Page number

Text of passage being questioned

Questions not submitted electronically shall be accompanied by a CD and questions shall be formatted in Microsoft Word.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

17. State's Right to Cancel Solicitation

The State of Delaware reserves the right to cancel this solicitation at any time during the procurement process, for any reason or for no reason. The State of Delaware makes no commitments expressed or implied, that this process will result in a business transaction with any vendor.

This RFP does not constitute an offer by the State of Delaware. Vendor's participation in this process may result in the State of Delaware selecting your organization to engage in further discussions and negotiations toward execution of a contract. The commencement of such negotiations does not, however, signify a commitment by the State of Delaware to execute a contract nor to continue negotiations. The State of Delaware may terminate negotiations at any time and for any reason, or for no reason.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

19. Potential Contract Overlap

Vendors shall be advised that the State, at its sole discretion, shall retain the right to solicit for goods and/or services as required by its agencies and as it serves the best interest of the State. As needs are identified, there may exist instances where contract deliverables, and/or goods or services to be solicited and subsequently

awarded, overlap previous awards. The State reserves the right to reject any or all bids in whole or in part, to make partial awards, to award to multiple vendors during the same period, to award by types, on a zone-by-zone basis or on an item-by-item or lump sum basis item by item, or lump sum total, whichever may be most advantageous to the State of Delaware.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

21. Revisions to the RFP

If it becomes necessary to revise any part of the RFP, an addendum will be posted on the State of Delaware's website at www.bids.delaware.gov. The State of Delaware is not bound by any statement related to this RFP made by any State of Delaware employee, contractor or its agents.

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

22. Exceptions to the RFP

Any exceptions to the RFP, or the State of Delaware's terms and conditions, must be recorded on Attachment 3. Acceptance of exceptions is within the sole discretion of the evaluation committee.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

24. Award of Contract

The final award of a contract is subject to approval by the State of Delaware. The State of Delaware has the sole right to select the successful vendor(s) for award, to reject any proposal as unsatisfactory or non-responsive, to

award a contract to other than the lowest priced proposal, to award multiple contracts, or not to award a contract, as a result of this RFP.

Notice in writing to a vendor of the acceptance of its proposal by the State of Delaware and the subsequent full execution of a written contract will constitute a contract, and no vendor will acquire any legal or equitable rights or privileges until the occurrence of both such events.

a. RFP Award Notifications

After reviews of the evaluation committee report and its recommendation, and once the contract terms and conditions have been finalized, the State of Delaware will award the contract.

The contract shall be awarded to the vendor whose proposal is most advantageous, taking into consideration the evaluation factors set forth in the RFP.

It should be explicitly noted that the State of Delaware is not obligated to award the contract to the vendor who submits the lowest bid or the vendor who receives the highest total point score, rather the contract will be awarded to the vendor whose proposal is the most advantageous to the State of Delaware. The award is subject to the appropriate State of Delaware approvals.

After a final selection is made, the winning vendor will be invited to negotiate a contract with the State of Delaware; remaining vendors will be notified in writing of their selection status.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

C. RFP Evaluation Process

An evaluation team composed of representatives of the State of Delaware will evaluate proposals on a variety of quantitative criteria. Neither the lowest price nor highest scoring proposal will necessarily be selected.

The State of Delaware reserves full discretion to determine the competence and responsibility, professionally and/or financially, of vendors. Vendors are to provide in a

timely manner any and all information that the State of Delaware may deem necessary to make a decision.

I. Proposal Evaluation Team

The Proposal Evaluation Team shall be comprised of representatives of the State of Delaware. The Team shall determine which vendors meet the minimum requirements pursuant to selection criteria of the RFP and procedures established in 29 Del. C. §§ 6981 and 6982. Professional services for this solicitation are considered under 29 Del. C. §6982(b). The Team may negotiate with one or more vendors during the same period and may, at its discretion, terminate negotiations with any or all vendors. The Team shall make a recommendation regarding the award to the Director, Government Support Services, who shall have final authority, subject to the provisions of this RFP and 29 Del. C. § 6982(b), to award a contract to the successful vendor in the best interests of the State of Delaware.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

2. Proposal Selection Criteria

The Proposal Evaluation Team shall assign up to the maximum number of points for each Evaluation Item to each of the proposing vendor's proposals. All assignments of points shall be at the sole discretion of the Proposal Evaluation Team.

The proposals shall contain the essential information on which the award decision shall be made. The information required to be submitted in response to this RFP has been determined by the State of Delaware to be essential for use by the Team in the bid evaluation and award process. Therefore, all instructions contained in this RFP shall be met in order to qualify as a responsive and responsible contractor and participate in the Proposal Evaluation Team's consideration for award. Proposals which do not meet or comply with the instructions

of this RFP may be considered non-conforming and deemed non-responsive and subject to disqualification at the sole discretion of the Team.

The Team reserves the right to:

- Select for contract or for negotiations a proposal other than that with lowest costs.*
- Reject any and all proposals or portions of proposals received in response to this RFP or to make no award or issue a new RFP.*
- Waive or modify any information, irregularity, or inconsistency in proposals received.*
- Request modification to proposals from any or all vendors during the contract review and negotiation.*
- Negotiate any aspect of the proposal with any vendor and negotiate with more than one vendor at the same time.*
- Select more than one vendor pursuant to 29 Del. C. §6986.*

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

4. References

The Evaluation Team may contact any customer of the vendor, whether or not included in the vendor's reference list, and use such information in the evaluation process. Additionally, the State of Delaware may choose to visit existing installations of comparable systems, which may or may not include vendor personnel. If the vendor is involved in such site visits, the State of Delaware will pay travel costs only for State of Delaware personnel for these visits.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

5. Oral Presentations

After initial scoring and a determination that vendor(s) are qualified to perform the required services, selected vendors may be invited to make oral presentations to the Evaluation Team. All vendor(s) selected will be given an opportunity to present to the Evaluation Team.

The selected vendors will have their presentations scored or ranked based on their ability to successfully meet the needs of the contract requirements, successfully demonstrate their product and/or service, and respond to questions about the solution capabilities.

The vendor representative(s) attending the oral presentation shall be technically qualified to respond to questions related to the proposed system and its components.

All of the vendor's costs associated with participation in oral discussions and system demonstrations conducted for the State of Delaware are the vendor's responsibility.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

V. Contract Terms and Conditions

I. Mandatory Contract Use

REF: Title 29, Chapter 69 I (d) Delaware Code. All Covered Agencies as defined in 29 Del. C. §6902(6) shall procure all material, equipment and nonprofessional services through the statewide contracts administered by Government Support Services, Office of Management and Budget. Delaware State University, Delaware Technical and Community College, school districts, and the Legislative Branch are specifically exempted from the mandatory use requirements of this subchapter. In addition, the Delaware Transit Corporation is exempt from the entire procurement chapter. Pursuant to 29 Del. C. §6904(l) and (n) respectively, the Department of Elections and the Board of Pension Trustees have certain exemptions from the procurement chapter which may or may not apply to this Request for Proposals.

This contract shall be accessible to any School District, Political Subdivision, Municipality, Volunteer Fire Company or higher education entity receiving state funds.

Furthermore, this contract shall be accessible to all other entities as identified by Del. Code, Chapter 69, Title 29 § 6910.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

3. General Information

- a. The term of the contract between the successful bidder and the State shall be for five (5) years with five (5) optional extensions for a period of three (3) years for each extension.*
- b. As a Service subscription license costs shall be incurred at the individual license level only as the individual license is utilized within a fully functioning solution. Subscription costs will not be applicable during periods of implementation and solution development prior to the State's full acceptance of a working solution. Additional subscription license requests above actual utilization may not exceed 5% of the total and are subject to Delaware budget and technical review.*
- c. The selected vendor will be required to enter into a written agreement with the State of Delaware. The State of Delaware reserves the right to incorporate standard State contractual provisions into any contract negotiated as a result of a proposal submitted in response to this RFP. Any proposed modifications to the terms and conditions of the standard contract are subject to review and approval by the State of Delaware. Vendors will be required to sign the contract for all services, and may be required to sign additional agreements.*
- d. The selected vendor or vendors will be expected to enter negotiations with the State of Delaware, which will result in a formal contract between parties. Procurement will be in accordance with subsequent contracted agreement. This RFP and the selected vendor's response to this RFP will be incorporated as part of any formal contract.*
- e. The State of Delaware's standard contract will most likely be supplemented with the vendor's software license, support/maintenance, source code escrow agreements, and any other applicable agreements. The terms and conditions of these agreements will be negotiated with the finalist during actual contract negotiations.*
- f. The successful vendor shall promptly execute a contract incorporating the terms of this RFP within twenty (20) days after award of the contract. No vendor is to begin any service prior to receipt of a State of Delaware purchase order signed by two authorized representatives of the agency requesting service, properly processed through the State of Delaware Accounting Office and the Department of Finance. A purchase order, telephone*

call, email, fax or State credit card shall serve as the authorization to proceed with work in accordance with the bid specifications and the special instructions, once it is received by the awarded vendor.

g. If the vendor to whom the award is made fails to enter into the agreement as herein provided, the award will be annulled, and an award may be made to another vendor. Such vendor shall fulfill every stipulation embraced herein as if they were the party to whom the first award was made.

h. The State reserves the right to extend this contract on a month-to-month basis for a period of up to three months after the term of the full contract has been completed.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

ES&S acknowledges these provisions and will provide the State with its applicable agreements in the event it is the successful vendor. ES&S' agreements have been designed specifically for the provision of election-related products and services to a customer and includes the terms and conditions appropriate for the acquisition of a voting and voter registration system.

4. Collusion or Fraud

Any evidence of agreement or collusion among vendor(s) and prospective vendor(s) acting to illegally restrain freedom from competition by agreement to offer a fixed price, or otherwise, will render the offers of such vendor(s) void.

By responding, the vendor shall be deemed to have represented and warranted that its proposal is not made in connection with any competing vendor submitting a separate response to this RFP, and is in all respects fair and without collusion or fraud; that the vendor did not participate in the RFP development process and had no knowledge of the specific contents of the RFP prior to its issuance; and that no employee or official of the State of Delaware participated directly or indirectly in the vendor's proposal preparation.

Advance knowledge of information which gives any particular vendor advantages over any other interested vendor(s), in advance of the opening of proposals, whether in response to advertising or an employee or representative thereof, will potentially void that particular proposal.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

5. Lobbying and Gratuities

Lobbying or providing gratuities shall be strictly prohibited. Vendors found to be lobbying, providing gratuities to, or in any way attempting to influence a State of Delaware employee or agent of the State of Delaware concerning this RFP or the award of a contract resulting from this RFP shall have their proposal immediately rejected and shall be barred from further participation in this RFP.

The selected vendor will warrant that no person or selling agency has been employed or retained to solicit or secure a contract resulting from this RFP upon agreement or understanding for a commission, or a percentage, brokerage or contingent fee. For breach or violation of this warranty, the State of Delaware shall have the right to annul any contract resulting from this RFP without liability or at its discretion deduct from the contract price or otherwise recover the full amount of such commission, percentage, brokerage or contingent fee.

All contact with State of Delaware employees, contractors or agents of the State of Delaware concerning this RFP shall be conducted in strict accordance with the manner, forum and conditions set forth in this RFP.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

6. Solicitation of State Employees

Until contract award, vendors shall not, directly or indirectly, solicit any employee of the State of Delaware to leave the State of Delaware's employ in order to accept employment with the vendor, its affiliates, actual or prospective contractors, or any person acting in concert with vendor, without prior written approval of the State of Delaware's contracting officer. Solicitation of State of Delaware employees by a vendor may result in rejection of the vendor's proposal.

This paragraph does not prevent the employment by a vendor of a State of Delaware employee who has initiated contact with the vendor. However, State of Delaware employees may be legally prohibited from accepting employment with the contractor or subcontractor under certain circumstances. Vendors may not knowingly employ a person who cannot legally accept employment under state or federal law. If a vendor discovers that they have done so, they must terminate that employment immediately.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

7. General Contract Terms

a. Independent Contractors

The parties to the contract shall be independent contractors to one another, and nothing herein shall be deemed to cause this agreement to create an agency, partnership, joint venture or employment relationship between parties. Each party shall be responsible for compliance with all applicable workers compensation, unemployment, disability insurance, social security withholding and all other similar matters. Neither party shall be liable for any debts, accounts, obligations or other liability whatsoever of the other party or any other obligation of the other party to pay on the behalf of its employees or to withhold from any compensation paid to such employees any social benefits, workers compensation insurance premiums or any income or other similar taxes.

It may be at the State of Delaware's discretion as to the location of work for the contractual support personnel during the project period. The State of Delaware may provide working space and sufficient supplies and material to augment the Contractor's services.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

b. Temporary Personnel are Not State Employees Unless and Until They are Hired

Vendor agrees that any individual or group of temporary staff person(s) provided to the State of Delaware pursuant to this Solicitation shall remain the employee(s) of Vendor for all purposes including any required compliance with the Affordable Care Act by the Vendor. Vendor agrees that it shall not allege, argue, or take any position that individual temporary staff person(s) provided to the State pursuant to this Solicitation must be provided any benefits, including any healthcare benefits by the State of Delaware and Vendor agrees to assume the total and complete responsibility for the provision of any healthcare benefits required by the Affordable Care Act to aforesaid individual temporary staff person(s). In the event that the Internal Revenue Service, or any other third party governmental entity determines that the State of Delaware is a dual employer or the sole employer of any individual temporary staff person(s) provided to the State of Delaware pursuant to this Solicitation, Vendor agrees to hold harmless, indemnify, and defend the State to the maximum extent of any liability to the State arising out of such determinations.

Notwithstanding the content of the preceding paragraph, should the State of Delaware subsequently directly hire any individual temporary staff employee(s) provided pursuant to this Solicitation, the aforementioned obligations to hold harmless, indemnify, and defend the State of Delaware shall cease and terminate for the period following the date of hire. Nothing herein shall be deemed to terminate the Vendor's obligation to hold harmless, indemnify, and defend the State of Delaware for any liability that arises out of compliance with the ACA prior to the date of hire by the State of Delaware. Vendor will waive any separation fee provided an employee works for

both the vendor and hiring agency, continuously, for a three (3) month period and is provided thirty (30) days written notice of intent to hire from the agency. Notice can be issued at second month if it is the State's intention to hire. Notice can be issued at second month if it is the State's intention to hire.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

c. ACA Safe Harbor

The State and its utilizing agencies are not the employer of temporary or contracted staff. However, the State is concerned that it could be determined to be a Common-law Employer as defined by the Affordable Care Act ("ACA"). Therefore, the State seeks to utilize the "Common-law Employer Safe Harbor Exception" under the ACA to transfer health benefit insurance requirements to the staffing company. The Common-law Employer Safe Harbor Exception can be attained when the State and/or its agencies are charged and pay for an "Additional Fee" with respect to the employees electing to obtain health coverage from the Vendor.

The Common-law Employer Safe Harbor Exception under the ACA requires that an Additional Fee must be charged to those employees who obtain health coverage from the Vendor, but does not state the required amount of the fee. The State requires that all Vendors shall identify the Additional Fee to obtain health coverage from the Vendor and delineate the Additional Fee from all other charges and fees. The Vendor shall identify both the Additional Fee to be charged and the basis of how the fee is applied (i.e. per employee, per invoice, etc.). The State will consider the Additional Fee and prior to award reserves the right to negotiate any fees offered by the Vendor. Further, the Additional Fee shall be separately scored in the proposal to ensure that neither prices charged nor the Additional Fee charged will have a detrimental effect when selecting vendor(s) for award.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

d. Licenses and Permits

In performance of the contract, the vendor will be required to comply with all applicable federal, state and local laws, ordinances, codes, and regulations. The cost of permits and other relevant costs required in the

performance of the contract shall be borne by the successful vendor. The vendor shall be properly licensed and authorized to transact business in the State of Delaware as provided in 30 Del. C. § 2502.

Prior to receiving an award, the successful vendor shall either furnish the State of Delaware with proof of State of Delaware Business Licensure or initiate the process of application where required. An application may be requested in writing to: Division of Revenue, Carvel State Building, P.O. Box 8750, 820 N. French Street, Wilmington, DE 19899 or by telephone to one of the following numbers: (302) 577-8200—Public Service, (302) 577-8205—Licensing Department.

Information regarding the award of the contract will be given to the Division of Revenue. Failure to comply with the State of Delaware licensing requirements may subject vendor to applicable fines and/or interest penalties.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

e. Notice

Any notice to the State of Delaware required under the contract shall be sent by registered mail to:

*Michael Bacu
Government Support Services
100 Enterprise Place, Suite 4
Dover, DE 19904*

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

f. Indemnification

• General Indemnification

By submitting a proposal, the proposing vendor agrees that in the event it is awarded a contract, it will indemnify and otherwise hold harmless the State of Delaware, its agents and employees from any and all liability, suits,

actions, or claims, together with all costs, expenses for attorney's fees, arising out of the vendor's, its agents and employees' performance work or services in connection with the contract.

- **Proprietary Rights Indemnification**

Vendor shall warrant that all elements of its solution, including all equipment, software, documentation, services and deliverables, do not and will not infringe upon or violate any patent, copyright, trade secret or other proprietary rights of any third party. In the event of any claim, suit or action by any third party against the State of Delaware, the State of Delaware shall promptly notify the vendor in writing and vendor shall defend such claim, suit or action at vendor's expense, and vendor shall indemnify the State of Delaware against any loss, cost, damage, expense or liability arising out of such claim, suit or action (including, without limitation, litigation costs, lost employee time, and counsel fees) whether or not such claim, suit or action is successful.

If any equipment, software, services (including methods) products or other intellectual property used or furnished by the vendor (collectively "Products") is or in vendor's reasonable judgment is likely to be, held to constitute an infringing product, vendor shall at its expense and option either:

- a. Procure the right for the State of Delaware to continue using the Product(s);*
- b. Replace the product with a non-infringing equivalent that satisfies all the requirements of the contract; or*
- c. Modify the Product(s) to make it or them non-infringing, provided that the modification does not materially alter the functionality or efficacy of the product or cause the Product(s) or any part of the work to fail to conform to the requirements of the Contract, or only alters the Product(s) to a degree that the State of Delaware agrees to and accepts in writing.*

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

g. Insurance

1. Vendor recognizes that it is operating as an independent contractor and that it is liable for any and all losses, penalties, damages, expenses, attorney's fees, judgments, and/or settlements incurred by reason of injury to or death of any and all persons, or injury to any and all property, of any nature, arising out of the vendor's negligent

performance under this contract, and particularly without limiting the foregoing, caused by, resulting from, or arising out of any act of omission on the part of the vendor in their negligent performance under this contract.

2. The vendor shall maintain such insurance as will protect against claims under Worker's Compensation Act and from any other claims for damages for personal injury, including death, which may arise from operations under this contract. The vendor is an independent contractor and is not an employee of the State of Delaware.

3. During the term of this contract, the vendor shall, at its own expense, also carry insurance minimum limits as follows.

a. Vendor shall in all instances maintain the following insurance during the term of this Agreement.

i. Worker's Compensation and Employer's Liability Insurance in accordance with applicable law.

ii. Commercial General Liability

\$1,000,000.00 per occurrence/\$3,000,000 per aggregate

b. The successful vendor must carry at least one of the following depending on the scope of work being delivered.

i. Medical/Professional Liability

\$1,000,000.00 per occurrence/\$3,000,000 per aggregate

ii. Miscellaneous Errors and Omissions

\$1,000,000.00 per occurrence/\$3,000,000 per aggregate

iii. Product Liability

\$1,000,000 per occurrence/\$3,000,000 aggregate

c. If the contractual service requires the transportation of departmental clients or staff, the vendor shall, in addition to the above coverage, secure at its own expense the following coverage.

i. Automotive Liability Insurance (Bodily Injury) covering all automotive units transporting departmental clients or staff used in the work with limits of not less than \$100,000 each person and \$300,000 each accident.

ii. Automotive Property Damage (to others) - \$25,000

- 4. The vendor shall provide a Certificate of Insurance (COI) as proof that the vendor has the required insurance. The COI shall be provided prior to agency contact prior to any work being completed by the awarded vendor(s).*
- 5. The State of Delaware shall not be named as an additional insured.*
- 6. Should any of the above described policies be cancelled before expiration date thereof, notice will be delivered in accordance with the policy provisions.*

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

h. Performance Requirements

The selected Vendor will warrant that it possesses, or has arranged through subcontractors, all capital and other equipment, labor, materials, and licenses necessary to carry out and complete the work hereunder in compliance with any and all Federal and State laws, and County and local ordinances, regulations and codes.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

j. Performance Bond

Contractors awarded contracts are required to furnish a 100% Performance Bond in accordance with Delaware Code Title 29, Section 6927, to the State of Delaware for the benefit of Government Support Services with surety in the amount of 100% of the specific award. Said bonds shall be conditioned upon the faithful performance of the contract. This guarantee shall be submitted using Attachment 10 in the form of a good and sufficient bond drawn upon an Insurance or Bonding Company authorized to do business in the State of Delaware.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

k. Vendor Emergency Response Point of Contact

The awarded vendor(s) shall provide the name(s), telephone, or cell phone number(s) of those individuals who can be contacted twenty four (24) hours a day, seven (7) days a week where there is a critical need for commodities or services when the Governor of the State of Delaware declares a state of emergency under the Delaware Emergency Operations Plan or in the event of a local emergency or disaster where a state governmental entity requires the services of the vendor. Failure to provide this information could render the proposal as non-responsive.

In the event of a serious emergency, pandemic or disaster outside the control of the State, the State may negotiate, as may be authorized by law, emergency performance from the Contractor to address the immediate needs of the State, even if not contemplated under the original Contract or procurement. Payments are subject to appropriation and other payment terms.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

l. Warranty

The Vendor will provide a warranty that the deliverables provided pursuant to the contract will function as designed for a period of no less than one (1) year from the date of system acceptance. The warranty shall require the Vendor correct, at its own expense, the setup, configuration, customizations or modifications so that it functions according to the State's requirements.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

m. Costs and Payment Schedules

All contract costs must be as detailed specifically in the Vendor's cost proposal. No charges other than as specified in the proposal shall be allowed without written consent of the State of Delaware. The proposal costs shall include full compensation for all taxes that the selected vendor is required to pay.

The State of Delaware will require a payment schedule based on defined and measurable milestones. Payments for services will not be made in advance of work performed. The State of Delaware may require holdback of contract monies until acceptable performance is demonstrated (as much as 25%).

ES&S RESPONSE

Yes. ES&S will work in concert with the State to develop a payment schedule based on defined and measurable milestones.

o. Dispute Resolution

At the option of, and in the manner prescribed by the Office of Management and Budget (OMB), the parties shall attempt in good faith to resolve any dispute arising out of or relating to this Agreement promptly by negotiation between executives who have authority to settle the controversy and who are at a higher level of management than the persons with direct responsibility for administration of this Agreement. All offers, promises, conduct and statements, whether oral or written, made in the course of the negotiation by any of the parties, their agents, employees, experts and attorneys are confidential, privileged and inadmissible for any purpose, including impeachment, in arbitration or other proceeding involving the parties, provided evidence that is otherwise admissible or discoverable shall not be rendered inadmissible.

If the matter is not resolved by negotiation, as outlined above, or, alternatively, OMB elects to proceed directly to mediation, then the matter will proceed to mediation as set forth below. Any disputes, claims or controversies arising out of or relating to this Agreement shall be submitted to mediation by a mediator selected by OMB, and if the matter is not resolved through mediation, then it shall be submitted, in the sole discretion of OMB, to the Office of Management and Budget, Government Support Services Director, for final and binding arbitration. OMB reserves the right to proceed directly to arbitration or litigation without negotiation or mediation. Any such proceedings held pursuant to this provision shall be governed by Delaware law and venue shall be in Delaware. The parties shall maintain the confidential nature of the arbitration proceeding and the Award, including the Hearing, except as may be necessary to prepare for or conduct the arbitration hearing on the merits. Each party shall bear its own costs of mediation, arbitration or litigation, including attorneys' fees.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

p. Termination of Contract

The contract resulting from this RFP may be terminated as follows by Government Support Services.

1. Termination for Cause: If, for any reasons, or through any cause, the Vendor fails to fulfill in timely and proper manner its obligations under this Contract, or if the Vendor violates any of the covenants, agreements, or stipulations of this Contract, the State shall thereupon have the right to terminate this contract by giving written notice to the Vendor of such termination and specifying the effective date thereof, at least twenty (20) days before the effective date of such termination. In that event, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs, and reports or other material prepared by the Vendor under this Contract shall, at the option of the State, become its property, and the Vendor shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents and other materials which is usable to the State.

On receipt of the contract cancellation notice from the State, the Vendor shall have no less than five (5) days to provide a written response and may identify a method(s) to resolve the violation(s). A vendor response shall not effect or prevent the contract cancellation unless the State provides a written acceptance of the vendor response. If the State does accept the Vendor's method and/or action plan to correct the identified deficiencies, the State will define the time by which the Vendor must fulfill its corrective obligations. Final retraction of the State's termination for cause will only occur after the Vendor successfully rectifies the original violation(s). At its discretion the State may reject in writing the Vendor's proposed action plan and proceed with the original contract cancellation timeline.

2. Termination for Convenience: The State may terminate this Contract at any time by giving written notice of such termination and specifying the effective date thereof, at least twenty (20) days before the effective date of such termination. In that event, all finished or unfinished documents, data, studies, surveys, drawings, models, photographs, reports, supplies, and other materials shall, at the option of the State, become its property and the Vendor shall be entitled to receive compensation for any satisfactory work completed on such documents and other materials, and which is usable to the State.

3. Termination for Non-Appropriations: In the event the General Assembly fails to appropriate the specific funds necessary to enter into or continue the contractual agreement, in whole or part, the agreement shall be terminated as to any obligation of the State requiring the expenditure of money for which no specific appropriation is available at the end of the last fiscal year for which no appropriation is available or upon the exhaustion of funds. This is not a termination for convenience and will not be converted to such.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

q. *Non-discrimination*

In performing the services subject to this RFP the vendor, as set forth in Title 19 Delaware Code Chapter 7 section 711, will agree that it will not discriminate against any employee or applicant with respect to compensation, terms, conditions or privileges of employment because of such individual's race, marital status, genetic information, color, age, religion, sex, sexual orientation, gender identity, or national origin. The successful vendor shall comply with all federal and state laws, regulations and policies pertaining to the prevention of discriminatory employment practice. Failure to perform under this provision constitutes a material breach of contract.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

r. *Covenant against Contingent Fees*

The successful vendor will warrant that no person or selling agency has been employed or retained to solicit or secure this contract upon an agreement of understanding for a commission or percentage, brokerage or contingent fee excepting bona-fide employees, bona-fide established commercial or selling agencies maintained by the Vendor for the purpose of securing business. For breach or violation of this warranty the State of Delaware shall have the right to annul the contract without liability or at its discretion to deduct from the contract price or otherwise recover the full amount of such commission, percentage, brokerage or contingent fee.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

s. *Vendor Activity*

No activity is to be executed in an off shore facility, either by a subcontracted firm or a foreign office or division of the vendor. The vendor must attest to the fact that no activity will take place outside of the United States in its transmittal letter. Failure to adhere to this requirement is cause for elimination from future consideration.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

t. Vendor Responsibility

The State will enter into a contract with the successful Vendor(s). The successful Vendor(s) shall be responsible for all products and services as required by this RFP whether or not the Vendor or its subcontractor provided final fulfillment of the order. Subcontractors, if any, shall be clearly identified in the Vendor's proposal by completing Attachment 6, and are subject the approval and acceptance of Government Support Services.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

u. Personnel, Equipment and Services

- 1. The Vendor represents that it has, or will secure at its own expense, all personnel required to perform the services required under this contract.*
- 2. All of the equipment and services required hereunder shall be provided by or performed by the Vendor or under its direct supervision, and all personnel, including subcontractors, engaged in the work shall be fully qualified and shall be authorized under State and local law to perform such services.*
- 3. None of the equipment and/or services covered by this contract shall be subcontracted without the prior written approval of the State. Only those subcontractors identified in Attachment 6 are considered approved upon award. Changes to those subcontractor(s) listed in Attachment 6 must be approved in writing by the State.*

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

w. Vendor Background Check Requirements

Vendor(s) selected for an award that access state property or come in contact with vulnerable populations, including children and youth, shall be required to complete background checks on employees serving the State's on premises contracts. Unless otherwise directed, at a minimum, this shall include a check of the following registry:

- Delaware Sex Offender Central Registry at: <https://sexoffender.dsp.delaware.gov/>*

Individuals that are listed in the registry shall be prevented from direct contact in the service of an awarded state contract, but may provide support or off-site premises service for contract vendors. Should an individual be

identified and the Vendor(s) believes their employee's service does not represent a conflict with this requirement, may apply for a waiver to the primary agency listed in the solicitation. The Agency's decision to allow or deny access to any individual identified on a registry database is final and at the Agency's sole discretion.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

By Agency request, the Vendor(s) shall provide a list of all employees serving an awarded contract, and certify adherence to the background check requirement. Individual(s) found in the central registry in violation of the terms stated, shall be immediately prevented from a return to state property in service of a contract award. A violation of this condition represents a violation of the contract terms and conditions, and may subject the Vendor to penalty, including contract cancellation for cause.

Individual contracts may require additional background checks and/or security clearance(s), depending on the nature of the services to be provided or locations accessed, but any other requirements shall be stated in the contract scope of work or be a matter of common law. The Vendor(s) shall be responsible for the background check requirements of any authorized Subcontractor providing service to the Agency's contract.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

x. Work Product

All materials and products developed under the executed contract by the vendor are the sole and exclusive property of the State. The vendor will seek written permission to use any product created under the contract.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

y. Contract Documents

The RFP, the purchase order, the executed contract and any supplemental documents between the State of Delaware and the successful vendor shall constitute the contract between the State of Delaware and the vendor. In the event there is any discrepancy between any of these contract documents, the following order of documents governs so that the former prevails over the latter: contract, State of Delaware's RFP, Vendor's response to the

RFP and purchase order. No other documents shall be considered. These documents will constitute the entire agreement between the State of Delaware and the vendor.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

z. Applicable Law

The laws of the State of Delaware shall apply, except where Federal Law has precedence. The successful vendor consents to jurisdiction and venue in the State of Delaware.

In submitting a proposal, Vendors certify that they comply with all federal, state and local laws applicable to its activities and obligations including:

- 1. the laws of the State of Delaware;*
- 2. the applicable portion of the Federal Civil Rights Act of 1964;*
- 3. the Equal Employment Opportunity Act and the regulations issued there under by the federal government;*
- 4. a condition that the proposal submitted was independently arrived at, without collusion, under penalty of perjury; and*
- 5. that programs, services, and activities provided to the general public under resulting contract conform with the Americans with Disabilities Act of 1990, and the regulations issued there under by the federal government.*

If any vendor fails to comply with (1) through (5) of this paragraph, the State of Delaware reserves the right to disregard the proposal, terminate the contract, or consider the vendor in default.

The selected vendor shall keep itself fully informed of and shall observe and comply with all applicable existing Federal and State laws, and County and local ordinances, regulations and codes, and those laws, ordinances, regulations, and codes adopted during its performance of the work.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

aa. Severability

If any term or provision of this Agreement is found by a court of competent jurisdiction to be invalid, illegal or otherwise unenforceable, the same shall not affect the other terms or provisions hereof or the whole of this Agreement, but such term or provision shall be deemed modified to the extent necessary in the court's opinion to render such term or provision enforceable, and the rights and obligations of the parties shall be construed and enforced accordingly, preserving to the fullest permissible extent the intent and agreements of the parties herein set forth.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

bb. Assignment Of Antitrust Claims

As consideration for the award and execution of this contract by the State, the Vendor hereby grants, conveys, sells, assigns, and transfers to the State of Delaware all of its right, title and interest in and to all known or unknown causes of action it presently has or may now or hereafter acquire under the antitrust laws of the United States and the State of Delaware, regarding the specific goods or services purchased or acquired for the State pursuant to this contract. Upon either the State's or the Vendor notice of the filing of or reasonable likelihood of filing of an action under the antitrust laws of the United States or the State of Delaware, the State and Vendor shall meet and confer about coordination of representation in such action.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

cc. Scope of Agreement

If the scope of any provision of the contract is determined to be too broad in any respect whatsoever to permit enforcement to its full extent, then such provision shall be enforced to the maximum extent permitted by law, and the parties hereto consent and agree that such scope may be judicially modified accordingly and that the whole of such provisions of the contract shall not thereby fail, but the scope of such provisions shall be curtailed only to the extent necessary to conform to the law.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

dd. Affirmation

The Vendor must affirm that within the past five (5) years the firm or any officer, controlling stockholder, partner, principal, or other person substantially involved in the contracting activities of the business is not currently suspended or debarred and is not a successor, subsidiary, or affiliate of a suspended or debarred business.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

ee. Audit Access to Records

The Vendor shall maintain books, records, documents, and other evidence pertaining to this Contract to the extent and in such detail as shall adequately reflect performance hereunder. The Vendor agrees to preserve and make available to the State, upon request, such records for a period of five (5) years from the date services were rendered by the Vendor. Records involving matters in litigation shall be retained for one (1) year following the termination of such litigation. The Vendor agrees to make such records available for inspection, audit, or reproduction to any official State representative in the performance of their duties under the Contract. Upon notice given to the Vendor, representatives of the State or other duly authorized State or Federal agency may inspect, monitor, and/or evaluate the cost and billing records or other material relative to this Contract. The cost of any Contract audit disallowances resulting from the examination of the Vendor's financial records will be borne by the Vendor. Reimbursement to the State for disallowances shall be drawn from the Vendor's own resources and not charged to Contract cost or cost pools indirectly charging Contract costs.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

ff. Other General Conditions

1. Current Version – “Packaged” application and system software shall be the most current version generally available as of the date of the physical installation of the software.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

2. Current Manufacture – Equipment specified and/or furnished under this specification shall be standard products of manufacturers regularly engaged in the production of such equipment and shall be the manufacturer's latest design. All material and equipment offered shall be new and unused.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

4. Prior Use – The State of Delaware reserves the right to use equipment and material furnished under this proposal prior to final acceptance. Such use shall not constitute acceptance of the work or any part thereof by the State of Delaware.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

5. Status Reporting – The selected vendor will be required to lead and/or participate in status meetings and submit status reports covering such items as progress of work being performed, milestones attained, resources expended, problems encountered and corrective action taken, until final system acceptance.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

6. Regulations – All equipment, software and services must meet all applicable local, State and Federal regulations in effect on the date of the contract.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

7. Assignment – Any resulting contract shall not be assigned except by express prior written consent from the Agency.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

8. Changes – No alterations in any terms, conditions, delivery, price, quality, or specifications of items ordered will be effective without the written consent of the State of Delaware.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

9. Billing - The successful vendor is required to "Bill as Shipped" to the respective ordering agency(s). Ordering agencies shall provide contract number, ship to and bill to address, contact name and phone number.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

10. Payment - The State reserves the right to pay by Automated Clearing House (ACH), Purchase Card (P-Card), or check. The agencies will authorize and process for payment of each invoice within thirty (30) days after the date of receipt of a correct invoice. Vendors are invited to offer in their proposal value added discounts (i.e. speed to pay discounts for specific payment terms). Cash or separate discounts should be computed and incorporated as invoiced.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

11. Purchase Orders – Agencies that are part of the First State Financial (FSF) system are required to identify the contract number GSS18809- ELECTION_SYS on all Purchase Orders (P.O.) and shall complete the same when entering P.O. information in the state’s financial reporting system.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S’ exceptions set forth on Attachment 3.

12. Purchase Card - The State of Delaware intends to maximize the use of the P-Card for payment for goods and services provided under contract. Vendors shall not charge additional fees for acceptance of this payment method and shall incorporate any costs into their proposals. Additionally there shall be no minimum or maximum limits on any P-Card transaction under the contract.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S’ exceptions set forth on Attachment 3.

VI. RFP Miscellaneous Information

1. No Press Releases or Public Disclosure

The State of Delaware GSS reserves the right to pre-approve any news or broadcast advertising releases concerning this solicitation, the resulting contract, the work performed, or any reference to the State of Delaware with regard to any project or contract performance. Any such news or advertising releases pertaining to this solicitation or resulting contract shall require the prior express written permission of the State of Delaware.

The State will not prohibit or otherwise prevent the awarded vendor(s) from direct marketing to the State of Delaware agencies, departments, municipalities, and/or any other political subdivisions, however, the Vendor shall not use the State’s seal or imply preference for the solution or goods provided.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S’ exceptions set forth on Attachment 3.

2. Definitions of Requirements

To prevent any confusion about identifying requirements in this RFP, the following definition is offered: The words shall, will and/or must are used to designate a mandatory requirement. Vendors must respond to all mandatory

requirements presented in the RFP. Failure to respond to a mandatory requirement may cause the disqualification of your proposal.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

2. DEFINITIONS OF REQUIREMENTS

To prevent any confusion about identifying requirements in this RFP, the following definition is offered: The words shall, will and/or must are used to designate a mandatory requirement. Vendors must respond to all mandatory requirements presented in the RFP. Failure to respond to a mandatory requirement may cause the disqualification of your proposal.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

3. Production Environment Requirements

The State of Delaware requires that all hardware, system software products, and application software products included in proposals be currently in use in a production environment by a least three other customers, have been in use for at least six months, and have been generally available from the manufacturers for a period of six months. Unreleased or beta test hardware, system software, or application software will not be acceptable.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

VII. Attachments

The following attachments and appendixes shall be considered part of the solicitation:

- *Attachment 1 – No Proposal Reply Form*
- *Attachment 2 – Non-Collusion Statement*
- *Attachment 3 – Exceptions*
- *Attachment 4 – Confidentiality and Proprietary Information*
- *Attachment 5 – Business References*
- *Attachment 6 – Subcontractor Information Form*

- *Attachment 7 – Monthly Usage Report*
- *Attachment 8 – Subcontracting (2nd Tier Spend) Report*
- *Attachment 9 – Office of Supplier Diversity Application*
- *Attachment 10 – Performance Bond*
- *Appendix A – Minimum Response Requirements*
- *Appendix B – Scope of Work / Technical Requirements (7 parts)*
- *Appendix C – Pricing*
- *Appendix D - Confidentiality and Integrity of Data Agreement*
- *Appendix E – Cloud and External Hosting*
- *Appendix F – Cyber Liability Insurance*
- *Appendix G – Sample Professional Services Agreement*

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

IMPORTANT – PLEASE NOTE

- *Attachments 2, 3, 4, and 5 must be included in your proposal*
- *Attachment 6 must be included in your proposal if subcontractors will be involved*
- *Attachments 7 and 8 represent required reporting on the part of awarded vendors. Those bidders receiving an award will be provided with active spreadsheets for reporting.*

REQUIRED REPORTING

One of the primary goals in administering this contract is to keep accurate records regarding its actual value/usage. This information is essential in order to update the contents of the contract and to establish proper bonding levels if they are required. The integrity of future contracts revolves around our ability to convey accurate and realistic information to all interested parties.

A complete and accurate Usage Report (Attachment 7) shall be furnished in an Excel format and submitted electronically, no later than the 15th (or next business day after the 15th day) of each month, detailing the purchasing of all items and/or services on this contract. The reports shall be completed in Excel format, using the template provided, and submitted as an attachment to vendorusage@state.de.us , with a copy going to the contract officer identified as your point of contact. Submitted reports shall cover the full month (Report due by January 15th will cover the period of December 1 – 31.), contain accurate descriptions of the products, goods or services procured, purchasing agency information, quantities procured and prices paid. Reports are required

monthly, including those with “no spend”. Any exception to this mandatory requirement or failure to submit complete reports, or in the format required, may result in corrective action, up to and including the possible cancellation of the award. Failure to provide the report with the minimum required information may also negate any contract extension clauses. Additionally, Vendors who are determined to be in default of this mandatory report requirement may have such conduct considered against them, in assessment of responsibility, in the evaluation of future proposals.

In accordance with Executive Order 44, the State of Delaware is committed to supporting its diverse business industry and population. The successful Vendor will be required to accurately report on the participation by Diversity Suppliers which includes: minority (MBE), woman (WBE), veteran owned business (VOBE), or service disabled veteran owned business (SDVOBE) under this awarded contract. The reported data elements shall include but not be limited to; name of state contract/project, the name of the Diversity Supplier, Diversity Supplier contact information (phone, email), type of product or service provided by the Diversity Supplier and any minority, women, veteran, or service disabled veteran certifications for the subcontractor (State OSD certification, Minority Supplier Development Council, Women’s Business Enterprise Council, VetBiz.gov). The format used for Subcontracting 2nd Tier report is shown as in Attachment 8.

Accurate 2nd tier reports shall be submitted to the contracting Agency’s Office of Supplier Diversity at vendorausage@state.de.us on the 15th (or next business day) of the month following each quarterly period. For consistency quarters shall be considered to end the last day of March, June, September and December of each calendar year. Contract spend during the covered periods shall result in a report even if the contract has expired by the report due date.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S’ exceptions set forth on Attachment 3.

Appendix A - MINIMUM MANDATORY SUBMISSION REQUIREMENTS

Each vendor solicitation response should contain at a minimum the following information:

1. Transmittal Letter as specified on page 1 of the Request for Proposal including an Applicant's experience, if any, providing similar services.
2. The remaining vendor proposal package shall identify how the vendor proposes meeting the contract requirements and shall include pricing. Vendors are encouraged to review the Evaluation criteria identified to see

how the proposals will be scored and verify that the response has sufficient documentation to support each criteria listed.

3. Pricing as identified in the solicitation

4. One (1) complete, signed and notarized copy of the non-collusion agreement (See Attachment 2). Bid marked "ORIGINAL", MUST HAVE ORIGINAL SIGNATURES AND NOTARY MARK . All other copies may have reproduced or copied signatures – Form must be included.

5. One (1) completed RFP Exception form (See Attachment 3) – please check box if no information – Form must be included.

6. One (1) completed Confidentiality Form (See Attachment 4) – please check if no information is deemed confidential – Form must be included.

7. One (1) completed Business Reference form (See Attachment 5) – please provide references other than State of Delaware contacts – Form must be included.

8. One (1) complete and signed copy of the Subcontractor Information Form (See Attachment 6) for each subcontractor – only provide if applicable.

9. One (1) complete OSD application (See link on Attachment 9) – only provide if applicable

The items listed above provide the basis for evaluating each vendor's proposal. Failure to provide all appropriate information may deem the submitting vendor as "non-responsive" and exclude the vendor from further consideration. If an item listed above is not applicable to your company or proposal, please make note in your submission package.

Vendors shall provide proposal packages in the following formats:

1. Two (2) paper copies of the vendor proposal paperwork. One (1) paper copy must be an original copy, marked "ORIGINAL" on the cover, and contain original signatures.

2. One (1) electronic copy of the vendor proposal saved to CD or DVD media disk, or USB memory stick. Copy of electronic price file shall be a separate file from all other files on the electronic copy. (If Agency has requested multiple electronic copies, each electronic copy must be on a separate computer disk or media).

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

Appendix C – Pricing

Appendix C is a separate Microsoft Excel file made part of this solicitation.

The State invites offerors to bid pricing on the polling place voting machines, absentee voting equipment, electronic poll books and/or the election management system. An offeror may bid on all, one, or any combination of the items.

The data storage and management system established through this solicitation may or may not be procured from a vendor also identifying voting equipment as a component of the vendor's primary product line.

The Pricing Appendix C consists of four tabs.

Tab 1. General Vendor Information

This tab consists of Vendor identification information and notes on completing the spreadsheet.

Tab 2. Project Implementation Costs

Implementation is expected to require project management as a joint effort between technical and functional business, the Vendor shall provide a detailed, economically worded, project plan that is consistent with industry best practices for project management, as set forth by Project Management Institute (PMI). Project Management requirements are discussed in Appendix B of this RFP. Costs should be identified using the separate pricing spreadsheet by milestone categories identified in Appendix C and listed below, with additional details added as appropriate. All costs should be identified. Proposal evaluation will be scored based on the "Total Implementation Cost" provided on the Appendix C. Value added options are encouraged, but will not be considered for proposal

evaluation scoring. During the award negotiation period, the value added options can be considered for acceptance. Final acceptance by the State will result in fixed contract pricing.

- *Planning and Design*
- *Customization*
- *Implementation and User Acceptance*
- *Training*
- *Closeout and Final User Acceptance*

Project Change Management Process: Upon request from the State of Delaware Project Sponsor or upon identification of a project change by the Vendor Project Manager, a Project Change Order (PCO) will be developed detailing the justification for the change and the impact of the change to the project including the required revisions to the scope, schedule, and cost. Each PCO will contain a written explanation of the reasons for additional work, changes, or expenses. Any PCO is not approved until agreed to in writing by the Authorized Approvers of both parties.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

Appendix F – Cyber Liability Insurance

The contractor shall meet the Cyber Responsibilities, Liability and Insurance requirements attached hereto and made part of the final Agreement.

Cyber Responsibilities, Liability and Insurance

A. Contractor Protection of Customer Data

1. Contractor shall, at a minimum, comply with all Delaware Department of Technology and Information (DTI) security standards identified in this Participating Addendum.

B. Definitions

Data Breach

1. In general the term “data breach” means a compromise of the security, confidentiality, or integrity of, or the loss of, computerized data for the State of Delaware that results in, or there is a reasonable basis to conclude has resulted in :

1. 1 The unauthorized acquisition of personally identifiable information (PII); or

1. 2 Access to PII that is for an unauthorized purpose, or in excess of authorization,

2. Exclusion

2.1 The term “data breach” does not include any investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or a political subdivision of a State, or of an intelligence agency of the United States.

Personally Identifiable Information (PII)

1. Information or data, alone or in combination that identifies or authenticates a particular individual.

1. 1 Such information or data may include, without limitation, Name, Date of birth, Full address (e.g. house number, city, state, and/or zip code), Phone Number, Passwords, PINs, Federal or state tax information, Biometric data, Unique identification numbers (e.g. driver's license number, social security number, credit or debit account

numbers, medical records numbers), Criminal history, Citizenship status, Medical information, Financial Information, Usernames, Answers to security questions or other personal identifiers.

2. Information or data that meets the definition ascribed to the term “Personal Information” under §6809(4) of the Gramm-Leach-Bliley Act or other applicable law of the State of Delaware.

Customer Data

1. All data including all text, sound, software, or image files provided to

Contractor by, or on behalf of, Delaware which is occasioned by or arises out of the operations, obligations, and responsibilities set forth in this Participating Addendum.

Security Incident

1. Any unauthorized access to any Customer Data maintained, stored, or transmitted by Delaware or a third party on behalf of Delaware.

C. Responsibilities of Contractor in the Event of a Data Breach

1. Contractor shall notify State of Delaware, Department of Technology and Information (DTI) and Government Support Services (GSS) without unreasonable delay when Contractor confirms a data breach. Such notification is to include the nature of the breach, the number of records potentially affected, and the specific data potentially affected.

1. I Should the State of Delaware or Contractor determine that a data breach has actually occurred; Contractor will immediately take all reasonable and necessary means to mitigate any injury or damage which may arise out

of the data breach and shall implement corrective action as determined appropriate by CONTRACTOR, DTI, and GSS.

1. 2 Should any corrective action resultant from Section B.1.1. above include restricted, altered, or severed access to electronic data; final approval of the corrective action shall reside with DTI.

1. 3 In the event of an emergency, Contractor may take reasonable corrective action to address the emergency. In such instances the corrective action will not be considered final until approved by DTI.

1. 4 For any record confirmed to have been breached whether such breach was discovered by Contractor, the State, or any other entity and notwithstanding the definition of personally identifiable information as set forth at 6 Del. C. § 12B-101 Contractor shall:

1.4.1. Notify in a form acceptable to the State, any affected individual as may be required by 6 Del. C. § 12B-101 of the Delaware Code.

1.4.2. Provide a preliminary written report detailing the nature, extent, and root cause of any such data breach no later than two (2) business days following notice of such a breach.

1.4.3. Meet and confer with representatives of DTI and GSS regarding required remedial action in relation to any such data breach without unreasonable delay.

1.4.4. Bear all costs associated with the investigation, response and recovery from the breach, such as 3-year credit monitoring services, mailing costs, website, and toll free telephone call center services.

D. No Limitation of Liability for Certain Data Breaches

1. Covered Data Loss

1. 1 The loss of Customer Data that is not (1) Attributable to the instructions, acts or omissions of Delaware or its users or (2) Within the published recovery point objective for the Services

2. Covered Disclosure

2.1 The disclosure of Customer Data as a result of a successful Security Incident.

3. Notwithstanding any other provision of this contract, there shall be no monetary limitation of Contractor's liability for the Contractor's breach of its obligations under this contract which proximately causes a (1) Covered

Data Loss or (2) Covered Disclosure, where such Covered Data Loss or Covered Disclosure results in any unauthorized public dissemination of PII.

E. Cyber Liability Insurance

1. Contractor unable to meet the DTI Cloud and Offsite Hosting Policy requirement of encrypting PII at rest shall, prior to execution of a contract, present a valid certificate of cyber liability insurance at the levels indicated below. Further, Contractor shall ensure the insurance remains valid for the entire term of the Participating Addendum, inclusive of any term extension(s).

2. Levels of cyber liability insurance required are based on the number of PII records anticipated to be housed within the solution at any given point in the term of the contract. The level applicable to this Participating Addendum must be determined by the Agency and DTI prior to the issuance of a purchase order. Should the actual number of PII records exceed the anticipated number, it is Contractor's responsibility to ensure that

Level	Number of PII records	Level of cyber liability insurance required (occurrence = data breach)
1	1-10,000	\$2,000,000 per occurrence
2	10,001 – 50,000	\$3,000,000 per occurrence
3	50,001 – 100,000	\$4,000,000 per occurrence
4	100,001 – 500,000	\$15,000,000 per occurrence
5	500,001 – 1,000,000	\$30,000,000 per occurrence
6	1,000,001 – 10,000,000	\$100,000,000 per occurrence

sufficient coverage is obtained (see table below). In the event that Contractor fails to obtain sufficient coverage, Contractor shall be liable to cover damages up to the required coverage amount.

F. Compliance

I. Contractor is required to comply with applicable security-related Federal, State, and Local laws.

G. Media Notice

I. No media notice may be issued without the approval of the State.

H. Points of Contact – Data Breach

I. State of Delaware

Department of Technology and Information

Elayne Starkey, Chief Security Officer

elayne.starkey@state.de.us; 302.739.9631

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

Appendix G – Sample Professional Services Agreement

Appendix G is a sample of the Professional Services Agreement for review at <http://bids.delaware.gov>.

Appendix G need not be included in an offeror's proposal. However, if the offeror identifies a need to identify exceptions to Appendix G, any such exceptions must be included on Attachment 3 as part of the proposal submission. Exceptions to Appendix G submitted after the bid deadline will not be considered.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

APPENDIX B: SCOPE OF WORK

PART I: GENERAL INFORMATION

OVERVIEW

The purpose of this solicitation and any resultant contract is to establish a state-wide solution for voting equipment and an election management system.

The State of Delaware, hereinafter referred to as “the State,” is considering replacing the State’s voting system, election management system with a single, or multi-vendor, integrated voting system allowing for automation and full integration between polling place/early voting site equipment and the absentee, and election management systems. If the project proceeds, the vendor or vendors shall be responsible for complete replacement, installation, training, testing, and maintenance, including bridge maintenance for existing systems, within 8 months. The scope of the project is to include all equipment, training, testing, maintenance of new equipment, and transitioning from the State’s election management system to the new system.

The data storage and management system established through this solicitation may or may not be procured from a vendor also identifying voting equipment as a component of the vendor’s primary product line.

Any contract awarded will be utilized at the State’s discretion dependent on availability of specifically budgeted funds.

Any contracts awarded resultant of this solicitation will be mandatory use for all Covered Agencies with additional availability to municipalities.

It is anticipated that the Department of Elections will be the primary State Agency utilizing the contract resultant of this RFP dependent on availability of funding.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S’ exceptions set forth on Attachment 3.

BACKGROUND

House Bill 342 with Senate Amendment 1 enacted on June 28, 2016 established a 12-member Department of Elections Voting Equipment Selection Task Force chaired by the State Election Commissioner. The act designated members because of their State Government position and required House and Senate leaders to appoint four legislators. Due to the change in Administrations that delayed the filling of some positions, the Task Force did not

start meeting until after the deadline to submit its report to the Speaker of the House of Representatives and the President Pro Tempore of the Senate. The Act's synopsis states:

At the recommendation of the Joint Sunset Committee ("Committee"), this Act establishes the Department of Elections Voting Equipment Selection Task Force ("Task Force"). In order to continue its long history of successful election, Delaware must replace its voting equipment by 2018 or 2020. The State Elections Commissioner has started reviewing the numerous options available on the market and requested that the Committee form a task force with legislative representation so that the Commissioner may present 3 to 5 options for purchase or lease. The Task Force's recommendation is advisory only.¹⁰

ES&S RESPONSE

An ES&S representative attended every meeting of the task force. ES&S also presented its ExpressVote XL and entire end-to-end elections systems solution for the members of the task force at an all-day presentation. ES&S listened closely to all the comments of the task force members during all the meetings. We have answered this RFP in a way that is informed by what we learned from attending the meetings regarding the preferences and desires of the task force.

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

DETAILED SPECIFICATIONS

I. VENDOR SHALL PROVIDE THE FOLLOWING TO ENSURE STRENGTH AND VIABILITY OF THE VENDOR FOR THE DURATION OF THE VOTING SYSTEM LIFE EXPECTANCY:

a. Financial Statements subject to an independent audit with an unqualified opinion.

ES&S RESPONSE

Yes. ES&S is the largest elections company in the world, serving 42 states, several provinces in Canada, and U.S. territories. We have been in the business of elections for nearly four decades, and we are dedicated to the business of elections now and for years to come.

Throughout our corporate history, we have enjoyed consistent and capable ownership which has allowed us to effectively and efficiently invest and grow. As a result, we've built a strong balance sheet – the strongest in the industry – that positions us well to manage the opportunity presented by state of Delaware. Furthermore, all of our assets are within the United States.

For your benefit, our audited financial statements are enclosed as **Exhibit C** for your review.

ES&S is confident that, through the combination of unrivaled large jurisdiction experience, a strong balance sheet, and committed ownership, we will be more than able to demonstrate and maintain adequate financial strength throughout the duration of this project.

b. Five (5) consecutive years of audited financial statements including parent company if any.

ES&S RESPONSE

Yes. Audited financial statements from the past five years for Election Systems & Software, LLC and Government Systems, Software, & Services, Inc. are included as **Exhibit C**.

c. History of statewide voting system implementation success. The successful vendor shall provide direct history of a minimum of three (3) successfully managed implementations for the main contractor and any subcontractors utilized in the response to this Request for Proposal.

ES&S RESPONSE

Yes, ES&S has direct prior experience managing complex statewide implementations across the country. ES&S has successfully completed 16 statewide implementations since 2004. ES&S places a high value on its experience in voting system installations and support. We are the most experienced voting system provider in the United States. No other vendor has more election experience, more voting devices installed, or more support personnel in the field. ES&S has significant experience with similar projects to the proposed solution for Delaware. For almost 40 years, ES&S has deployed its solutions to the satisfaction of customers throughout the country.

d. Employee Base and Company Size

ES&S RESPONSE

ES&S is the largest elections-only company in the world and has been providing election equipment, software, and services for nearly four decades. Our corporate headquarters are in Omaha, Nebraska. The company employs more than 450 election professionals located in 9 operating locations across the United States.

Our team is composed of seasoned, highly skilled experts whose sole mission is to support our customers from start to finish. ES&S has supported more than 100,000 binding elections in the last decade alone, and prides itself as having a single focus of ensuring our customers' elections are safe, secure, and successful.

e. Original equipment manufacturer for any equipment not manufactured by the vendor.

ES&S RESPONSE

EXPRESSVOTE XL, EXPRESSVOTE BMD, DS200, DS450

- [REDACTED]

In addition:

EXPRESSVOTE XL

- [REDACTED]

EXPRESSVOTE BMD

█ [REDACTED]

█ [REDACTED]

DS450

• [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

DS200

• [REDACTED]

█ [REDACTED]

EXPRESSPOLL

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

ELECTIONWARE ELECTION MANAGEMENT SYSTEM (EMS)

• [REDACTED]

█ [REDACTED]

- [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
- [REDACTED]
 - [REDACTED]
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 - [REDACTED]
 - [REDACTED]
- [REDACTED]
 - [REDACTED]
 - [REDACTED]

BALOTAR

- [REDACTED]

.....
f. *Proof of a robust support organization with a nationwide presence.*

ES&S RESPONSE

ES&S is the largest and most experienced elections-only company in the world and has provided voting systems for over four decades.

Today, not only do we work with many of the same customers we've served for nearly 40 years, but our business has grown to serve 42 states and to include more than 4,500 clients. From our humble beginnings

supporting a handful of election administrators and voters in 1979, today nearly 100 million registered voters tabulate with ES&S. You can be assured ES&S will be here to locally support you now and in the future.

ES&S provides election systems and services to clients ranging in size from small county governments to state boards of elections. ES&S completed successful installations of statewide voting systems in Alabama, Arkansas, Connecticut, Georgia, Kansas, Maine, Maryland, Montana, Nebraska, North Carolina, North Dakota, Rhode Island, South Carolina, South Dakota, West Virginia, and the U.S. Virgin Islands.

2. VENDOR OR VENDORS SHALL PROVIDE AN INTEGRATED VOTING SYSTEM THAT:

a. Allows for automation and full integration between the State's polling place equipment, absentee voting system, and election management system.

ES&S RESPONSE

Yes. ES&S' proposed system provides for a fully integrated voting solution with the State's polling place equipment, absentee voting system and election management system. The devices that produce and process the absentee ballots are programmed from the same database and election definition used to program the other voting units.

The Electionware EMS uses one database to create the ballots and program all the equipment used for an election, whether it is used for absentee, early voting and/or Election Day voting.

b. Provides a single-point support system for all aspects of total system.

ES&S RESPONSE

Yes, our ES&S Help Desk forms our single-point support system for all aspects of your total system: Voting Machines, Electronic Poll Book, Elections Management and Voter Registration System, and Absentee Voting System.

The Help Desk is staffed with experienced hardware and software technical support representatives who stand ready to resolve any issue you have, whether for the polling place/early voting site equipment, absentee voting system, election management and voter registration system, or electronic poll books.

TECHNICAL SUPPORT

The ES&S Help Desk offers assists customers with issues and concerns ranging from simple "how-to" questions to complex functional inquiries.

Your call to the Help Desk during our hours of operation will immediately be answered by a fully trained technician who will answer your questions and/or begin resolution of your issue. We track all questions or concerns and their resolution to provide continuity of service.

Issue Resolution

- ✓ During **Election Day activities**, our Help Desk is staffed on its extended-hour schedule (for a 24-hour period beginning at 5 a.m. EST) to meet the various poll open and closing times for our

customers across the United States. During any General Election, ES&S augments our technical support team to further ensure that your issue will receive an immediate response when you contact the Help Desk.

- ✓ During **non-election periods**, the ES&S Help Desk can be reached on weekdays between 8 a.m. to 8 p.m. Central Time. After hours, a representative will return your call as soon as possible, but no later than the next business day.

When a planned system maintenance event is scheduled on evenings, weekends, or holidays, ES&S recommends that the State of Delaware notify their account manager, who can inform the Help Desk to expect potential service calls, ensuring the most rapid response possible.

Toll-Free Phone Support

Our dedicated toll-free customer support telephone number is 877-ESS-VOTE (877-377-8683). The support line is open 24 hours a day and, outside election-critical periods when times are extended, is monitored from 8 a.m. to 8 p.m. EST, Monday through Friday. Customers can leave a message 24/7 and a representative will return their call as soon as possible, but no later than the next business day.

Furthermore, your account manager is may be contacted by cell phone 24x7x365. Your account manager will provide Delaware and its agencies with redundant sources to help you resolve any issue you may have during after hours, weekends, and holidays.

Email Support

Customers can communicate directly with specialized ES&S support and technical representatives.

Fax Support

Fax support is available at our corporate headquarters at (402) 970-1285. Customer requests or inquiries arriving at this number are distributed to the appropriate office within ES&S for immediate response.

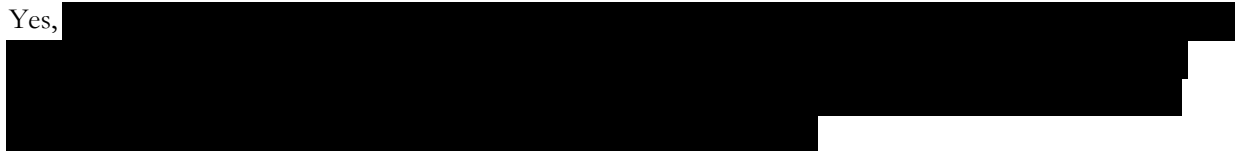
ES&S Customer Portal

Delaware and its agencies will receive login credentials to the ES&S customer portal. The portal contains copies of all user documentation, including administrator and operator manuals and product advisories. The portal also provides access to request forms and a link to the ES&S supply store website.

c. Provides for seamless data exchange between system components.

ES&S RESPONSE

Yes,



d. HAVA compliant and must meet all applicable accessibility laws and guidelines.

ES&S RESPONSE

Yes, the proposed ES&S voting system meets federal and state voting system certifications and requirements as well as the accessibility requirements of the 2002 Help America Vote Act (HAVA).

e. Carries out election processes completely and accurately during the entire system lifecycle

ES&S RESPONSE

Yes, the ES&S voting system carries out election processes completely and accurately during the entire system lifecycle.

f. Has equipment that is well-built, rugged, easily maintained.

ES&S RESPONSE

Yes. To ensure the sustainability of our voting system products, ES&S engineers them with an eye on durability, ease of maintenance, and availability of parts and supplies. The ES&S supply chain is the most extensive in the election industry. We choose long life-industrial grade components and hardware to ensure we meet and exceed parts availability. We continually monitor our component inventory supply, customer demand, and supplier availability.

Our customers are telling us that they need voting systems that are uniform in nature, simple to integrate, secure, and easy to maintain for many years. These attributes are the foundation of the purpose-built, performance-proven, federally approved systems we provide today. The use of purpose-built systems allows for sustainability over the years because we, as the manufacturer, can guarantee the availability of uniform equipment.

When evaluating bids for COTS-based systems, we urge you to keep the following limitations of COTS in mind.

- Dependence upon third-party manufacturers. Jurisdictions cannot replace parts on most COTS products.
- Each new model requires EAC certification (or you are locked into obsolete equipment)
- Shorter product life cycles, thus equipment must be re-purchased more frequently Purpose-built equipment comes with a company to stand behind it, repair it, replace it, and support it for the long-term COTS-based systems are dependent upon third-party manufacturers who have no vested interest in maintaining a particular version of equipment.
- Because elections are not the primary focus of third-party COTS providers, Election Day support may not be readily available when needed.
- When COTS products are used, poll workers and election workers must be continuously trained on how to use, maintain, and repair COTS products.

g. Has components that are interoperable and have a data structure with a mechanism that easily exports data in user defined or common data formats (when established by the US EAC).

ES&S RESPONSE

Yes, all components of the ES&S system are interoperable.

The ES&S system has a data structure with a mechanism that easily exports data in common data formats. Electionware provides exports of data in .XLSX and CSV formats in the robust Table View feature. This powerful option allows the user to dictate which fields they desire to export, creating custom reports for proofing purposes. Electionware's Capture also provides reports which can be exported in the form of CSV, XLSX, HTML, PDF and RTF.

Election results may be easily exported in various formats such as XML, ASCII, HTM, CSV, or TXT.

ES&S has been involved in NIST (National Institute of Standards and Technology) discussions for common data formats, dedicating resources to assist in the creation of these standards.

h. Allows the State to effectively and efficiently audit election results while maintaining secrecy of the ballot.

ES&S RESPONSE

Yes, the ES&S system will allow the State to effectively and efficiently audit election results while maintaining the secrecy of the ballot.

The ES&S system meets stringent requirements for system audits to provide the supporting documentation for verifying the accuracy of reported election results. The DS450 central tabulator can be used to rapidly perform recounts. Our system includes detailed audit logs, digital images of the ballots or vote summary cards with electronically linked Cast Vote Records (CVRs), paper records, and central tabulator batch/bin reports.

DS450 AND RECOUNTS

The DS450 central tabulator can be used to rapidly perform a recount of paper ballots and vote summary cards.

If a subset of ballots needs to be counted, the Electionware election management system can quickly identify the precincts and ballot styles associated with the recounted contest. Electionware software provides a powerful means for restricting the election definition to a subset of contests or Election Districts specified for a particular recount.

This definition can be loaded on the DS450, allowing for sorting and/or recounting of the ballots in question as permitted under a jurisdiction's election law.

AUDIT LOGS

The ES&S voting solution contains audit logs with sufficient information to allow the auditing of all operations related to election and ballot setup, ballot tabulation, results consolidation and report generation. The system audit logs are created and maintained by the system in the sequence in which operations were performed.

All audit logs contain an identification of the program and version being run, identification of the election file being used, record of all operator entries, record of all actions performed by the system or subsystems, record

of all tabulation and consolidation input and a record of all ballot or system overrides performed. Only an authorized system administrator can locate, read and print the system audit logs.

The machine audit logs for all proposed voting machines list every event that occurs from the time you load your election definition via the USB media drive until you remove the media after the election is complete. These events, which are tagged with time and date, include including election-related events, errors and user interactions. The machine audit logs retain entries from all internal components capable of producing an audit log entry, such as the power management board, the hardware board and the election processing firmware. The audit logs from every unit used in the election can also be centrally viewed or printed in Electionware.

The Electionware election management system itself creates an audit log that includes all logins and actions performed by each user while logged into the application, including all results database creations, file exports and imports, report printing and results updating processes. This audit log is maintained intact from the initial start of the election cycle to the reporting of official results. In addition to the main audit log, two additional audit logs are maintained for the logging and tracking of results entered via the provided manual entry feature and when last minute changes are made to contest and or candidate names within the module.

Electionware audit logs are maintained as an archive with every election back-up. They include entries that identify the exact change, the date and time of the change, the user ID, and the module impacted.

BALLOT IMAGES/CAST VOTE RECORDS

The units providing tabulation functionality can also capture digital images of each ballot or vote summary card cast and associated Cast Vote Record (CVR), which also can be used for recounts and adjudication.

To ensure security and protect voter anonymity, the ballot images and CVRs are stored with random names assigned to each ballot image file and have their file timestamps obfuscated.

The version of Electionware used with the ExpressVote BMD provides review of the ballot image and CVR side-by-side. The version of Electionware used with the ExpressVote XL provides online adjudication that retains both the CVR as initially tabulated and the adjudication board's modified CVR. The ballot image, the machine-generated original CVR, and the review board-modified CVR can be reviewed alongside each other.

PAPER TRAIL

The paper ballot or vote summary card also provides an audit trail that is available to jurisdictions in the event a recount, including manual recount, is required.

CENTRAL TABULATOR BATCH/BIN REPORTS

The DS450 central tabulator provides batch/bin reports with information about the ballots in each output bin at the time a batch is saved. The batch/bin reports contain ballot totals for a sort bin for the last batch saved. If ballots have been out-stacked to the not-processed bin, the user can view or print the corresponding bin report on-demand, which indicates why each ballot in the bin was outstacked. A user can manually print reports on-demand or set batch/bin reports to print automatically when a scanned batch of ballots is saved. These reports can be maintained with the physical ballot batch to speed identification and retrieval for audits and recounts.

i. Has strong access controls that authenticates administrators, users, technicians, devices and services before giving access to sensitive functions.

ES&S RESPONSE

Yes. System and election administrators use the access control and role assignment features of the Microsoft Windows operating system and the Windows NTFS file system to assign roles and restrict access for programs installed on the Electionware election management system (EMS) PC and prevent external access to system files.

To access Electionware, users must first authenticate to Windows via access controls and then to the software via entry of a strong password.

The Electionware database server accesses data through a password-protected service account, protecting all Electionware database files from direct access.

Users are assigned to user groups with role-based access to Electionware on the Microsoft Windows server and workstations. Each user must be assigned to a specific group that controls access to functionality.

Depending on a user's access rights, Electionware limits selections. Unavailable selections do not appear in the application interface.

In addition, the PowerProfile voter registration software uses strong access controls. Only authorized users are granted access to the system and associated applications after being vetted by the Customer. This is performed through a pre-established set of procedures. Enough granularity exists in the application's permissions such that all user types are granted only the necessary privileges to perform their job functions. Additionally, all end users must be authenticated through the use of random one-time passcode (OTP) as well as a username/password combination to the voter registration system. Authorized users are vetted through procedures in accordance with the Customer's established policies.

A user ID and password are required to activate the ExpressPoll tablet. If desired, two passwords from separate poll workers can be required for system log-in. A separate password is required to access supervisor functions. This password can be required on any button displayed on the ExpressPoll, allowing the user to customize the interface to exclude poll workers from certain functionalities, such as canceling an issued ballot or issuing a provisional ballot. A Central Administrator card and PIN are required to access the administrative functions of ExpressPoll.

The election official's or poll worker's user ID and password provide access to accomplish specific tasks in the system. Every log-on attempt generates an audit log event.

j. Has strong physical security, data protection and software integrity features.

ES&S RESPONSE

Yes.

[REDACTED]

ELECTION MANAGEMENT SYSTEM - ELECTIONWARE

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

ELECTIONWARE DATABASE SERVER

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

VOTING MACHINE SECURITY

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

ABSENTEE VOTING SYSTEM SECURITY

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

ELECTRONIC POLL BOOK

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

VOTER REGISTRATION

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

k. Detects, remediates, logs and reports anomalous or malicious behavior.

ES&S RESPONSE

Yes. Electionware logs all user activity to its database which is secured on a hardened network and protected by username/password authentication. If for some reason the database cannot be accessed (failed login, server unavailable, account lockout, etc.), events are logged to a custom Windows Event Log.

The tabulators log all user activity, including menu accesses, configuration changes, and voting session events. New log entries are timestamped and appended to the end of the log. These logs are human-readable, and are protected with digital signatures. The data contained in the logs can be used to analyze and monitor tabulator operation during the election process.

The ExpressPoll software maintains a complete transaction audit log with tables containing a record of all ballots issued and other significant activity that can be printed or exported. The audit log is stored on a microSD card, and a backup copy of the audit log is maintained internally. For further redundancy, this important information is synchronized among all the ExpressPoll tablets networked on a LAN. All transaction records in the ExpressPoll log file, including system events, application events and user activities are recorded by timestamp.

The audit log file includes:

- Identification of the program and version being run
- Identification of the election files being used
- Record of all options entered by the operator
- Record of all actions performed by the subsystem
- Record of all tabulation and consolidation input

The audit log file records the ID entered by the tablet user. All transactions recorded while this person was logged on to and using the poll book unit can be identified.

The PowerProfile software maintains a complete activity log recording all changes to the system as it relates to voter registrant dispositions. This activity log can be searched by authorized end-users of the system. Additionally, logging is enabled at the operating system and web server level to record all applicable activity over a finite period of time.

l. Only exposes physical ports and access points essential to voting operations, testing, and auditing; restricts access to ports based on permissions of the user; and logs all connections to include the identity of the user.

ES&S RESPONSE

Yes, the ES&S system only exposes physical ports and access points essential to voting operations, testing, and auditing. [REDACTED]

EXPRESSVOTE BMD/EXPRESSVOTE XL

[REDACTED]

- [REDACTED]

- [REDACTED]

DS200

[REDACTED]

[REDACTED]

DS450

[REDACTED]

EXPRESSPOLL ELECTRONIC POLL BOOK

[REDACTED]

AUDIT LOGS

[REDACTED]

[REDACTED]

VOTER REGISTRATION

[REDACTED]

m. Operates on dedicated servers within the State's network and does not require or permit connection to the internet.

ES&S RESPONSE

Yes. The Electionware election management system (EMS) is installed on hardened systems and separated from both public internet and, unless otherwise stipulated, network access.

n. Interface with various State financial systems for paying Election Officers and polling places.

ES&S RESPONSE

Yes. The PowerProfile voter registration system's Election Worker module provides the ability to record payment for all workers, and to generate an exportable Payroll Report and/or create a payroll export to QuickBooks. [REDACTED]

o. Generates emails to absentee voters who provide an email address whenever a significant event occurs. This includes receipt of an application, transmitting a blank ballot, receipt of a voted ballot, and whether or not a person's voted ballot was counted.

ES&S RESPONSE

Yes. [REDACTED]

p. Integration with other systems, e.g. DMV (for SSN validation, per HAVA), and DELJIS (for Felony checks)

ES&S RESPONSE

Yes, ES&S provides full integration with DMV/SSA for DLN/SSN validation per HAVA. [REDACTED]

3. VENDOR OR VENDORS SHALL PROVIDE AN INTEGRATED VOTING SYSTEM WITH DEMONSTRATED CAPABILITY OF THE FOLLOWING MINIMUM SYSTEM REQUIREMENTS:

a. The system must possess the capability to monitor all poll books system-wide on an entire state, county, or local scale, depending upon the jurisdictional boundaries of the election.

ES&S RESPONSE

Yes. CentralPoint®, a web-based application, compiles data from the ExpressPoll electronic poll book tablets to display and track polling place activities in real-time, allowing election officials to monitor polling locations and mitigate issues before they become problems.

CentralPoint enables election officials to view voter validation activity as it happens with vivid charts, maps, and a dynamic interactive dashboard. For example, CentralPoint provides a map that includes the status of all ExpressPoll units throughout the jurisdiction. CentralPoint can display whether an ExpressPoll unit has been turned on, if it's operating on battery or AC power, and what the remaining battery charge level is on any unit at any time.

Based on pre-programmed system thresholds, system alerts can automatically be sent to rovers or election officials. For example, a local rover can be alerted when a polling location does not turn on the ExpressPoll unit by the time the polls should be open. CentralPoint will produce a report on voter information by who voted by party, polling place or hour. Paper ballot thresholds can also be monitored by the CentralPoint System, alerting election officials when specific paper ballot style quantities are about to run low.

b. The system must possess the capability to automatically transmit alerts to selected election administrators or officials when events occur, identified by specific equipment undergoing the event.

ES&S RESPONSE

Yes. The CentralPoint central server on-line system has the capability to automatically transmit alerts to selected election administrators or officials when events occur, identified by specific equipment undergoing the event. For example, CentralPoint can monitor whether an ExpressPoll tablet has been powered on before poll-opening time and then automatically send a text or e-mail alert message to the local rover and a designated party at Election Central identifying that specific ExpressPoll tablet. Also, if an ExpressPoll tablet switches from operating on AC power to DC (battery) power, an automated alert can be sent to Election

Central staff members and/or the local rover, indicating that a power outage may have occurred at a specific location. Each jurisdiction can determine what alerts are generated and what personnel should be notified when alerts occur.

c. The system shall be individually marked by unit with integrated identification tags, either sequential numeric or sequential alpha-numeric. Tags shall be configured to indicate ownership by the State. The Vendor shall provide an updated equipment location listing, based upon the integrated identification tags on a daily basis as delivery is implemented.

ES&S RESPONSE

ES&S agrees and will comply.

OTHER REQUIREMENTS

1) Vendor shall be required to conduct an on-site demonstration of equipment's capability to provide accommodations for voters with accessibility needs.

ES&S RESPONSE

ES&S agrees and will comply. The ExpressVote family of products is a fully compliant ADA and HAVA solution that enables each voter to cast his or her ballot autonomously. As ES&S demonstrated for the Elections Voting Equipment Selection Task Force, ExpressVote products, including the ExpressVote ballot marking device (BMD) and the ExpressVote XL, enables any voter, including blind, low-vision, and limited dexterity voters, to vote unassisted. Functionality includes: voter choice of multiple user interfaces including touch screen, Braille-embossed keypad, sip-and-puff tube, and foot pedal or other two-way switch; audio voting session via text-to-speech or .wav files; voter selects speed, tone, and volume; high-visibility on-screen ballots; voter-selected font size and contrast settings.

All the accessible features are available to the voter at all times during the voting process and do not require poll workers to “enable” or turn-on special features. Voters may use any of the accessible features simultaneously, at any time during the voting process.

The ExpressVote product family further allows all voters to independently verify the paper record to know exactly *how* their votes will be counted using the same accessible features the voter used to vote.

As a fully compliant ADA (Americans with Disabilities Act) voting solution, the ExpressVote products enable each voter to cast his or her ballot independently.

Voters with disabilities laud the ES&S ExpressVote for allowing them to vote privately and independently.

Following is a quote from the website “Blindbargains.com” after the author tested accessible voting devices from Hart Intercivic, Dominion Voting Systems, and Election Systems & Software: “With my faith in modern voting technology quickly running out, I moved to the last of the machines, The ExpressVote from Election Systems & Software...I walked up to the machine and inserted my paper ballot into the reader, which immediately caused speech feedback to begin. No intervention was necessary from the election workers.... Overall, I completed my 23-question ballot in about 5 minutes. Of the three systems tested, the ExpressVote is the only one I am comfortable recommending in its current form. Set-up was achieved

independently by the voter, prompts were spoken efficiently, and a ballot could be completed using the fewest number of key presses.” The full blog post can be found at:

<http://www.blindbargains.com/bargains.php?m=15315>

2) STANDARDS AND POLICIES:

The system must comply with State of Delaware Enterprise Standards and Policies, Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information.

ES&S RESPONSE

Please see our exceptions in the Transmittal Letter and Attachment 3.

3) SYSTEM LOGS AND HELP:

a) Must be instrumented to provide monitoring, alerts, notices and information to existing monitoring systems. Additional tools for those areas that require more robust, extensive, and/or interactive monitoring must be included in the Bidder's proposal.

ES&S RESPONSE

Yes. The Electionware election management system includes extensive and detailed validation during data import and export. For instance, election data import validation describes the issue, and the line number of the import file where the issue exists.

During the election creation and ballot generation process, Electionware has multiple consistency checks and guides the user through the process of creating an accurate election.

Electionware's Automated Test Deck Creation utility allows officials to easily and automatically generate PDFs of pre-marked ballots, plus a spreadsheet detailing expected results for every precinct and ballot style. This automation eliminates the need to physically mark test ballots and ensures the number of potential human errors is significantly reduced.

The reporting software of the Electionware suite provides various error and instructional messages to the user through all aspects of the reporting process. These messages provide information regarding the nature of the message, as well as instructions for making corrections or necessary actions that must be taken.

Electionware logs all user activity to its database which is secured on a hardened network and protected by username/password authentication. If for some reason the database cannot be accessed (failed login, server unavailable, account lockout, etc.), events are logged to a custom Windows Event Log.

Errors are displayed on the voting machines' large touch screens with concise, easily understandable information on how to resolve them. They are also entered in the machine audit logs. These logs are human-readable, and are protected with digital signatures. The data contained in the logs can be used to analyze and monitor machines' operation during the election process.

The PowerProfile system is instrumented via SNMP and/or WMI to detect faults within generic server components, as well as Windows operating system-specific components. Additionally, the system can be monitored via custom SSHv2-based pollers as well as HTTPS interfaces.

Available with our ExpressPoll electronic pollbook system is our CentralPoint® poll management system. CentralPoint is a web-based application used with the ExpressPoll electronic pollbook system that displays, monitors, and tracks poll place information in real time. It allows election administrators to mitigate issues before they become serious problems. All this information is presented in graphical charts, maps, and reports on an easily monitored dashboard display.

CentralPoint enables election officials to view voter validation activity as it happens with vivid charts, maps, and a dynamic interactive dashboard. For example, CentralPoint provides a map that includes the status of all ExpressPoll units throughout the jurisdiction. CentralPoint can display whether an ExpressPoll unit has been turned on, if it's operating on battery or AC power, and what the remaining battery charge level is on any unit at any time.

Based on pre-programmed system thresholds, system alerts can automatically be sent to rovers or election officials. For example, a local rover can be alerted when a polling location does not turn on the ExpressPoll unit by the time the polls should be open. CentralPoint will produce a report on voter information by who voted by party, polling place or hour. Paper ballot thresholds can also be monitored by the CentralPoint System, alerting election officials when specific paper ballot style quantities are about to run low.

Furthermore, ES&S is committed to working with Delaware to evaluate interfaces to any critical, existing monitoring system.

b) Must provide functionality to allow authorized users to print screen information including application name and screen or function name.

ES&S RESPONSE

ES&S agrees and will comply. A screen capture of every screen created for an election can be saved as an image and then converted to PDF with PDF software (such as Adobe). Additionally, the electronic poll book has the ability for authorized personnel to perform screen captures and access the storage of the captured screen images.

c) Must provide a comprehensive and context-sensitive electronic help function that can be accessed both from the relevant application function and independently from a help menu.

ES&S RESPONSE

Yes, Electionware and all voting machines contain a help system that can be accessed from a help menu.

Electronic poll book: Our goal is to deliver a system that is intuitive to its users. We do have the ability to customize the instruction text on each individual screen based off of the functionality and workflow. We also have the ability to add links to the instructions that allow the user to access PDF documents that can be either supplied by the jurisdiction's user manuals or copied from the user manuals supplied by ES&S.

Voter Registration: Full electronic help can be accessed from both the application and independently through a single or multiple PDF documents. Both options are searchable.

d) Must allow an authorized user to access and view help information from an application function without having to exit or close the application function.

ES&S RESPONSE

Yes, the Electionware election management system (EMS) help menu can be accessed without having to close an application function.

Electronic poll book: Our goal is to deliver a system that is intuitive to its users. We do have the ability to customize the instruction text on each individual screen based off of the functionality and workflow. We also have the ability to add links to the instructions that allow the user to access PDF documents that can be either supplied by the jurisdiction's user manuals or copied from the user manuals supplied by ES&S.

Voter Registration: Authorized users are able to view and search help information from within the application without having to exit or close the application.

e) The information that the system provides through either the electronic help function menu or in a context-sensitive manner must include field-specific information on required data content and data format as well as general information about each application function and application screen or page.

ES&S RESPONSE

Yes. Electionware features a dedicated Quick Help window that keeps the user consistently informed and a User Guide PDF that can be accessed from the help menu.

Electronic poll book: Our goal is to deliver a system that is intuitive to its users. We do have the ability to customize the instruction text on each individual screen based off of the functionality and workflow. We also have the ability to add links to the instructions that allow the user to access PDF documents that can be either supplied by the jurisdiction's user manuals or copied from the user manuals supplied by ES&S.

Voter Registration: The help function within the application includes the same information contained in the user guide PDF. It includes field-specific information and examples for the user.

f) The system's electronic help function content must be cross-referenced, allowing an authorized user to view and access content on help topics and subtopics that are related to the help topic or subtopic that the user is currently viewing.

ES&S RESPONSE

Yes. Electionware's Quick Help is a screen-level help system that provides an overview of the user's current screen or task.

Electronic poll book: A complete PDF form of the document can be included in the application's help to allow access to all sections through topics and subtopics. This document contains multiple levels of help along with full text search.

Voter Registration: The help function accesses content relevant to the section of the application the user is utilizing.

g) Must provide a Help table of contents, multiple (up to 15) index levels, and full text search.

ES&S RESPONSE

Yes. Electionware contains a user guide PDF file of all manuals which includes a table of contents.

Electronic poll book: A complete PDF form of the document can be included in the application's help to allow access to all sections through topics and subtopics. This document contains multiple levels of help along with full text search. This document can be configured by an administrator.

Voter Registration: The help function within the application and in external user guide PDF is fully searchable.

h) The help index levels, index values, help content and hierarchy of index values and associated help content must be configurable by an authorized administrator for all general, function-specific and field-specific help topics and subtopics.

ES&S RESPONSE

Yes. The Electionware help menu is configurable.

Electronic poll book: A complete PDF form of the document can be included in the application's help to allow access to all sections through topics and subtopics. This document contains multiple levels of help along with full text search. This document can be configured by an administrator.

Voter Registration: The help function within the application and user guide PDF is part of the greater product. It is not configurable by an authorized administrator, but exists in full within the application as delivered. ES&S would be happy to discuss the intent of this requirement to ensure the State's needs are being met.

i) System functions and features must conform to accessibility standards cited in:

1. Section 508 of the United States Rehabilitation Act: and

2. Web Content Accessibility Guidelines 2.0 (W3C World Wide Web Consortium Recommendation WCAG 2.0 12/2008, Level A & Level AA Success Criteria).

ES&S RESPONSE

Yes, ES&S voter facing systems are compliant with HAVA, ADA, and EAC guidelines required for federal certification to the VVSG 1.0 standards.

The help documentation can be delivered in a manner that satisfies the requirements of Section 508 of the United States Rehabilitation Act. The application is being improved to accommodate additional requirements as outlined in the Web Content Accessibility Guidelines.

ES&S is evaluating their systems against the 508 Standards Refresh of 2017. Section 508 standards have not been required for voting systems sold at the state, county, and city level.

j) Contractor staff that provide Help Desk and Maintenance and Operations (M&O) support shall use an automated problem-tracking tool to enable staff to record, track, monitor, and report on operational and performance problems (e.g., defects and Deficiencies) detected, prioritized, and resolved during:

1. Pilot and Production operation of the System beginning with Pilot Deployment and Testing and extending through the end of First Year Operations and Close-out; and,

2. Ongoing Production operations and maintenance

ES&S RESPONSE

ES&S agrees and will comply. Issues are tracked by our technical Help Desk representatives in an issues-tracking software application.

k) The Contractor shall provide and use software tools to scan and monitor the System to ensure that security vulnerabilities are identified and addressed.

ES&S RESPONSE

Yes. ES&S is aware of security issues resulting from the 2016 election is prepared to combat the similar risks in future elections. We are aware that Delaware appeared on the list of states probed by Russia. We understand this is a heightened concern for all states and will work with Delaware to ensure that security vulnerabilities are identified and addressed. ES&S runs periodic threat assessments and penetrations tests against its hardened voting systems to identify and address any potential vulnerabilities. In addition, ES&S will engage with jurisdiction to perform further vulnerability assessments using third parties, jurisdiction staff, or a combination thereof. The timetable for conducting such reviews will be approved by the State of Delaware and be dependent on elections activity and on-going cyber security threat assessments.

4) DATA CONVERSION:

a) The contractor is responsible for all aspects of data conversion from the existing system to the new system. The Delaware Department of Elections will be available to provide assistance in data interpretation and participate in testing and evaluation of the results.

ES&S RESPONSE

ES&S agrees and will comply.

b) Based upon the approved recommendation for the phasing of the application, the contractor must develop data-mapping, conversion and migration plan for what files and data are converted and when the conversion will occur. This plan shall include information regarding the synchronizing of data to ensure there is no lost data as

the system is phased in. As part of the plan, the contractor must develop a data map that describes each field and/or table in the existing system and how it will be treated by the conversion program.

ES&S RESPONSE

ES&S agrees and will comply.

c) The contractor must provide programs for converting the existing data to the new system. These conversion programs must be functionally tested and pass full regression tests before turning over to the test users for acceptance testing.

ES&S RESPONSE

ES&S agrees and will comply.

d) The contractor is responsible for identifying data anomalies that require “data cleansing” activities and will assist with the needed “data-cleansing”. These “cleansing” activities will ensure that all data is ready for conversion and processing. “Data cleansing” will remain in effect for the length of the agreement.

ES&S RESPONSE

ES&S agrees and will comply.

APPENDIX B, PART 2: VOTING MACHINES

As demonstrated to the Delaware Voting Equipment Selection Task Force, our elections systems solution is comprised of the following parts.

Voting Machine (Ballot Marking and Tabulation)

1. ExpressVote XL – full-face voting machine with performs both ballot marking and tabulation

OR

2. ExpressVote Ballot Marking Device (BMD) and DS200 – voting machine and separate tabulator, both of which are used by the voter at the polling place

ELECTION DAY AND EARLY VOTING MACHINE

Current voting machine deployment

Polling place voting – The Department has 1,491 ELECTronic 1242 voting machines. The Department deployed 1,376 machines in 432 Election Districts that were located in 287 buildings for the 2016 General Election. 4,303 poll workers staffed the Election Districts on Election Day. Deployment details by Election District are at Appendix B2a (Voting Machines Deployment). The maximum votes that can be cast on any one voting machine due to equipment limitations is 700. The Delaware Code specifies the following formula for deploying voting machines:

- a. In general elections, the polling place for every election district shall be supplied with at least 1 voting machine for every 650 registered voters or majority fraction thereof.*
- b. In primary and special elections, the polling place for every primary voting district or election district shall be provided with at least 1 voting machine for every 800 registered voters or majority fraction thereof.*

Since HAVA the Department has deployed a minimum of 2 voting machines for each Election District except where the number of registered voter is extremely small. Due to current Election Management System limitations, the maximum number of machines that a County Office may deploy in an Election District is five. Per the Delaware Code, each Election District is normally staffed by an Inspector, two judges, and 2 clerks for each assigned voting machine. The County Offices (or within) the Department may use different terminology for some of their poll workers. They may also assign additional poll workers to serve as greeters or for other reasons.

ES&S RESPONSE

ES&S acknowledges and agrees to comply with all terms and conditions of this solicitation including all specifications, special provisions and all mandatory requirements except for ES&S' exceptions set forth on Attachment 3.

LEGAL REQUIREMENTS - DELAWARE CODE, TITLE 15, CHAPTER 50A

§ 5001A REQUIREMENTS.

(a) Any electronic voting system may be adopted, purchased or used which shall be so constructed as to fulfill the following requirements:

(1) Each voting device shall have a serial number permanently attached to or stamped to the device;

ES&S RESPONSE

Yes, all proposed voting machines have a serial number permanently attached to the device.

The serial number placards for the ExpressVote XL (image below on left) and the ExpressVote ballot marking device (BMD), (image below on right) display serial number information both physically and within any applicable software, logs, or reports.



Each DS200 tabulator used to tabulate vote summary cards from the ExpressVote BMD has a unique serial number both physically affixed to the rear of the unit (image on right) and programmed into the unit, making it available to the scanner firmware. This serial number is in the various reports generated by the tabulator, including the configuration, results, and audit reports as well as included in the logging function. The serial number is also part of the results data written to removable media and is then passed to the EMS reporting software.



Serial Number on Rear of DS200

(2) It shall secure to the voter secrecy in the act of voting for or against as many questions as may be submitted;

ES&S RESPONSE

Yes. All ES&S voting machines used in the polling place provide voter secrecy in the act of voting. In fact, the clear majority of voters who previously received assistance will be able to vote in secrecy and independently with use of our award-winning devices for people with disabilities - the ExpressVote Universal Voting System product family.

Both the ExpressVote XL and the ExpressVote ballot marking device (BMD) allow voters who are blind, low-vision, or who are unable to read or write the English language to privately listen to instructions and selections at a volume, tone, and speed comfortable to them in the language of their choice.

The ExpressVote product family can serve every eligible voter, including those with special needs. The feature-rich system was created for people with or without visual impairments, hearing issues, or need for physical accommodations. As a fully compliant ADA (Americans with Disabilities Act) voting solution, the ExpressVote product family enables each voter to cast his or her ballot autonomously. Voters can privately verify the printed paper record using the same accessible devices used by the voter to vote the ballot.

Voters cast their votes unassisted, thereby maintaining their privacy and anonymity. All accessible features are available to the voter simultaneously at any time throughout the voting process and does not require any poll worker activation. The voter's ability to turn off the touch-screen display and the use of privacy screens lend additional privacy.

Functionality includes:

- Multiple user interfaces including touch screen, Braille-embossed keypad, sip-and-puff tube, and foot pedal or other two- switch device

- Audio voting session via text-to-speech or .wav files with volume control and the same multi-language options available to sighted voters
- Voter selects speed, tone, and volume
- High-visibility on-screen ballots
- Voter-selected font size and contrast settings
- The ability to blacken the screen for additional privacy when using the audio ballot only

When a voter who has marked their card on the ExpressVote BMD inserts their marked vote summary card into the DS200 for tabulation, if there is a situation that requires a voter's attention, the ballot remains in the unit unless the voter chooses to have the ballot returned. When the ballot is inserted, the DS200 draws it into the device very quickly. A plastic shield covers the ballot inside the DS200 completely once it is inserted. Furthermore, because a ballot can be cast in any orientation, a voter can choose to insert it face down or upside down.

Every ballot cast with the ES&S voting machines is assigned a random 16-byte identifier and all the ballot Cast Vote Records (CVR) and ballot images are stored with exactly the same timestamp. This effectively decouples any association of the ballot to the voting order to guarantee voter privacy.

The ExpressVote family has numerous options for protecting a voter's selection both on the touch screen and in printed form.

- A privacy curtain and/or the blank screen feature protect the ExpressVote XL touch screen from viewers other than the voter.
- The ExpressVote ballot marking device (BMD) can be set up with privacy shields to obscure viewing of the ballot on screen. Voters using the audio ballot have the option to black out the screen. The paper summary record with marked voice choices is fully inside the unit at all times.

(3) It shall permit the voter to vote for the candidates of 1 or more parties, or to write in the name or candidate of the voter's choice for any office;

ES&S RESPONSE

Yes, the ES&S system meets this requirement.

VOTE FOR CANDIDATES OF 1 OR MORE PARTIES

The ExpressVote family of products and the DS200 tabulator can be programmed to allow the voter to vote for as many candidates for an office or answers to a question as the voter is lawfully entitled to vote for, but no more. The State of Delaware can determine the procedure for handling ballot exceptions (overvoted, undervoted, crossovers, blanks, and misread ballots) and those guidelines will be programmed into the election definition through the Electionware EMS.

WRITE-IN FUNCTIONALITY

The ExpressVote family of products allow the voter to select a write-in candidate and print the candidate name on the vote summary card. As we demonstrated to the Delaware Voting Equipment Selection Task Force, ES&S has full capability to handle write-in selections and to provide easy tabulation and examination of those ballots. Additionally, the ExpressVote XL has the ability to generate a report of write-ins as part of its tabulation capabilities.

```

*** VOTING RESULTS REPORT ***
10:08 PM April 22, 20YY
Unit Serial Number: OC5

Electionware County
General Election
Election Date: November 07, 20YY

*****

Straight Party
Number to Vote For          1
Total Write-Ins:            0

JUSTICE OF THE SUPREME COURT
Number to Vote For          4
Total Write-ins:            2
-----
Ballot: 1234a56bcd7e890_OC5
      MICKEY MOUSE
-----
Ballot: 456a78bcd9e010_OC5
      FREDDIE MERCURY
-----

JUDGE OF THE SUPERIOR COURT
Number to Vote For          2
Total Write-ins:            0

JUDGE OF THE COMMONWEALTH COURT
Number to Vote For          4
Total Write-ins:            0

JUDGE OF THE COMMON PLEAS COURT
Number to Vote For         12
Total Write-ins:            0

JUDGE OF THE MUNICIPAL COURT
Number to Vote For          3
Total Write-ins:            0

*****

01 ELECTIONWARE COUNTY POLL 1
Unit Serial Number: OC5
*** END OF REPORT ***

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ExpressVote XL Write-in Review Report

The DS200 precinct scanner and tabulator used with the ExpressVote ballot marking device (BMD) stores a graphic image of every scanned ballot, including write-in text, and stores the image to the system's USB flash drive. When the tabulator detects a write-in vote, the system stores the write-in ballot image under a special file name to identify the image as a write-in ballot.

When the polls are closed, the DS200 results report will show the number of write-ins entered by voters for each contest on the ballot. In addition, the DS200 can be set to print a DS200 write-in review report that lists images of all the write-ins by contest, which further facilitates review of write-in votes at the polling place or during canvass operations. Write-in images can also be reviewed on the DS200 touch screen.

State Representative District 38

Total Write-ins: 3

Vote for: 1

8174645e6c90f2fff

● Cash N. Kerrey
OR Write-in on line above

b15c192c3ece4cbcf

● Frank Fairley
OR Write-in on line above

e8ad521a22580126f

● Cara Craig
OR Write-in on line above

3 PRECINCT 3

Unit Serial Number: 0314340728

*** END OF REPORT ***

DS200 Write-in Review Report

After the reports are printed and the DS200 is shut down, the polling place official will transport the DS200 USB flash drives (one for each DS200) from the polling place to Election Central where they can be read by the Electionware suite's reporting software.

ELECTIONWARE REPORTING SOFTWARE

Election officials can view, display, and print unofficial results, including write-in totals, from the reporting software database. Counts of the number of write-in votes are included as a separate item in election reports by contest.

In addition, Electionware enables you to filter ballot records by marked or unmarked write-ins. You can also export Cast Vote Records (CVRs) with all results by contest, including a graphical picture displaying how each write-in was hand-written on the paper ballot. Users can then export data to an Excel file that contains all or any selected group of CVRs with an image of the hand-written write-in area as it appeared on the ballot. Excel can then be used as a convenient tool for determining the count for each write-in candidate using the sort, cell substitution and count functions in Excel.

The version of Electionware used with the ExpressVote XL (currently in the process of EAC certification) includes the ability to assign and tally write-in names within Electionware. The write-in tallies can be displayed within Electionware results reports.

(For absentee ballots, the DS450 makes handling ballots with write-ins easy: The DS450 is the only central tabulator on the market with the capability of automatically sorting ballots with write-ins to a separate outstack bin.)

(4) It shall permit the voter to vote for as many persons for an office as the voter is lawfully entitled to vote for, and the automatic tabulating equipment used in such electronic voting systems shall reject choices recorded on any ballot card or any voting device if the number of such choices exceeds the number to which a voter is entitled;

ES&S RESPONSE

Yes. The ExpressVote product family, including the ExpressVote XL and ExpressVote ballot marking device (BMD), along with the DS200 tabulator, allow the voter to vote for as many candidates for an office or answers to a question as the voter is lawfully entitled to vote for.

The ExpressVote product family do not allow a contest to be overvoted. An attempt to overvote a multiple vote-for contest will prevent the selection and prompt the voter to remove a selection before selecting another. In a vote-for-one contest a new selection will automatically remove the previous selection.

The DS200 tabulator used with the ExpressVote BMD can be programmed to notify and return ballots to voters who have either overvoted or undervoted, although if votes are marked with the ExpressVote BMD, there will be no overvotes.

(For absentee voting, the DS450 can be programmed to reject for review any ballot containing overvotes, separating those ballots to an outstack bin, or to count all validly voted contests without counting the overvoted contests.)

(5) It shall prevent the voter from voting for the same person more than once for the same office;

ES&S RESPONSE

Yes. The ExpressVote product family, including the ExpressVote XL and the ExpressVote ballot marking device (BMD), and the DS200 tabulator paired with the ExpressVote BMD, do not allow a voter to vote for the same person more than once for the same office.

(6) It shall permit the voter to vote for or against any question the voter may have the right to vote upon, but no other;

ES&S RESPONSE

Yes. The Electionware EMS will be used to program the ballot styles appropriate for voters in an election. Information from the PowerProfile voter registration system will be transmitted to the ExpressPoll electronic poll books that includes the information that determines the ballot style a voter should receive. When a voter checks in, the ExpressPoll will transmit the correct ballot style to the ExpressVote activation card printer.

The printer will print a barcode that contains the ballot style. When the voter inserts the ExpressVote activation card into the ExpressVote XL or ExpressVote ballot marking device (BMD), that ballot style will be presented, ensuring that the voter only has the opportunity to vote for or against any question the voter may have the right to vote upon, but no other.

(7) It shall permit each voter in primary elections to vote only for the candidates of the party with which the voter has declared that voter's own affiliation, and preclude the voter from voting for any candidate seeking nomination by any other political party;

ES&S RESPONSE

Yes. The Electionware EMS will be used to program the ballot styles appropriate for voters in an election. Information from the PowerProfile voter registration system will be transmitted to the ExpressPoll electronic poll books that includes the information that determines the ballot style a voter should receive. When a voter checks in, the ExpressPoll will transmit the correct ballot style to the ExpressVote activation card printer. The printer will print a barcode that contains the ballot style. When the voter inserts the ExpressVote activation card into the ExpressVote XL or ExpressVote ballot marking device (BMD), that ballot style will be presented, ensuring that each voter in primary elections can vote only for the candidates of the party with which the voter has declared that voter's own affiliation, and preclude the voter from voting for any candidate seeking nomination by any other political party.

(8) It shall correctly record and accurately count all votes cast for any and all candidates of a political party, and for or against any and all questions, and correctly record the names of all candidates written in by votes;

ES&S RESPONSE

Yes. The proposed system will correctly record and accurately count all votes cast for any and all candidates of a political party, and for or against any and all questions, and correctly record the names of all candidates written in by voters.

ES&S tabulators are the most accurate in the industry, including unique technology only available on ES&S products. Our digital scanning technology provides exceptional mark recognition capabilities. Our Intelligent Mark Recognition (IMR™) and Positive Target Recognition & Alignment Compensation (PTRAC™) routines are patented and powerful and the basis for our certified products. IMR™ and PTRAC™ work together to positively track and pinpoint target locations, accommodating for ballot s inserted at irregular angles, smudges, and stray ballot marks to create unparalleled accuracy in determining voter intent.

Because of this improved accuracy, fewer ballots need to be manually reviewed or adjudicated. This makes elections smoother, faster, less costly and with less chance for debate and controversy. Unlike less sophisticated vote tabulators, ES&S voting machines are not fooled by erasures and other stray marks and is not confused by lighter or thinner marks that would be missed by more primitive threshold technology.

The proposed ES&S tabulators have been tested and certified by the EAC Voting System Test Lab to sustain reading accuracy during the required operating period with a reliability level exceeding 99.999 percent.

EXPRESSVOTE XL

The ExpressVote XL is a large-format vote marking and tabulating device designed for all voters, including non-native English speakers, non-English speakers, and those who need special assistance. The ExpressVote XL uses a 32-inch, touch-operated widescreen and/or assistive technology to capture a voter's choices. The system is capable of displaying a full-faced ballot on a single screen or alternatively, a voter may select Assistive Mode, which displays one contest per screen and allows for all ADA capabilities. In Assistive Mode, a summary is provided after all contests have been accessed so that voters can review selections and make changes if necessary. The system prevents overvotes and can alert voters about undervotes.

Unlike purely electronic vote capture systems, the ExpressVote XL's integrated thermal printer marks a voter's selections on a voter-verifiable paper record that is viewable through a secure window. The printed paper record enables a voter to confirm that the ExpressVote XL captured all votes correctly, alleviating potential concerns about system accuracy and integrity. After a voter verifies all contest choices, the system scans the marked paper record internally and saves an exact digital image of the paper record. The system then tabulates all scanned votes at the end of voting.

For contests that allow write-in votes, the voter will touch the screen to access an on-screen keyboard to the in the write in name. When the selections are reviewed, approved and printed at the request of the voter, the typed name of the write-in choice as typed by the voter appears on the paper record. This verifiable paper record is then reviewed and cast on the ExpressVote XL, which tabulates the votes. The ExpressVote XL stores and accounts for an image of the paper record. In addition, a write-in review report that displays the list of all write-in names can be printed automatically with the results reports or printed on-demand.

EXPRESSVOTE BMD

The ES&S ExpressVote ballot marking device (BMD) does not electronically record vote selections. Vote selections only reside in memory during the voting session. The ExpressVote BMD provides an on-screen touchscreen (and alternatives for accessible devices) for voters to type in the names of write-ins where allowed, and also prints the write-in names in human readable form. Once all vote selections are made, vote selections are reviewed and the voter is given the opportunity to change his/her selections on the touch screen or audibly. Once complete, the ExpressVote prints the individual vote choices on a verifiable, hardcopy ExpressVote vote summary card in human-readable format. The vote summary card enables any voter to confirm that the ExpressVote captured all votes correctly, alleviating concerns about system accuracy and integrity - voters can re-insert the card into the ExpressVote if they would like to hear their selections read back to them. When the voting session ends, the system clears ballot selections from system memory. To complete the voting process, the voter places the vote summary card into a DS200 digital scanner and tabulator for tabulation.

DS200 SCANNER AND TABULATOR

The DS200 accurately records, reports, and provides a detailed record of each vote cast on the ExpressVote ballot marking device (BMD) vote summary card. The DS200 tabulator stores an individual Cast Voter Record (CVR) of each card cast on the DS200's USB flash memory media when the card is processed. CVRs are a combination of an official image - one which can be officially compared to the paper record - and a secondary digitally signed and linked voter record which describes voted information from the particular vote session. These cast vote records, their ballot images and linked voter records can be viewed and printed in Electionware EMS.

(9) It shall be provided with means for sealing the vote recording devices to prevent its use and to prevent tampering with ballot labels, both before and after the polls are open or before the operation of the vote recording device for any election is begun and immediately after the polls are closed or after the operation of the vote recording device for an election is completed;

ES&S RESPONSE

Yes. Our voting system solution incorporates a wide range of security precautions to safeguard the voting machines and their contents from tampering. This includes a variety of locks and tamper proof seal locations to protect the devices before poll opening and after poll closing. The following are recommended best practices:

EXPRESSVOTE XL LOCKS AND SEALS BEST PRACTICES

[REDACTED]

✓ [REDACTED]

✓ [REDACTED]

✓ [REDACTED]

[REDACTED]

✓ [REDACTED]

✓ [REDACTED]

✓ [REDACTED]

✓ [REDACTED]

[REDACTED]

EXPRESSVOTE BMD LOCKS AND SEALS BEST PRACTICES

[REDACTED]

✓ [REDACTED]

✓ [REDACTED]

✓ [REDACTED]

✓ [REDACTED]

[REDACTED]

✓ [REDACTED]

✓ [REDACTED]

✓ [REDACTED]

DS200 SCANNER AND TABULATOR LOCK AND SEALS BEST PRACTICES

[REDACTED]

[REDACTED]

✓ [REDACTED]

✓ [REDACTED]

✓ [REDACTED]

[REDACTED]

(11) It shall be so equipped that it shall prevent the voter from voting for all the candidates of 1 party by the use of a single mark, punch or other action; however, it shall be provided with a device or method for each party, for voting for all presidential electors of that party by 1 mark, punch or other action.

ES&S RESPONSE

Yes, ES&S' system provides this functionality. Electionware provides the ability to not create Straight Party voting (voting for all the candidates of 1 party by use of a single selection). It also provides the ability to create a single selection for all electors of a certain party with one selection.

(b) Every voting device or booth shall be provided with a means of providing sufficient light to enable voters while in the voting booth to read the ballots or ballot labels. All voting devices used in any election shall be provided with side curtains and front shield to insure that no person can see or know for whom any voter has voted or is voting.

ES&S RESPONSE

Yes, sufficient lighting is provided by every voting device being proposed for the State of Delaware. A description of the lighting and privacy features of our proposed equipment is found below:

EXPRESSVOTE XL

The ExpressVote XL utilizes a LG 32" LCD display screen that emits a backlight luminance of 400 cd/m². This luminance value is brighter than a typical computer display screen (50-300 cd/m²) and the bright display allows the voter to easily read and distinguish the contest, candidate, and question details.

The ExpressVote XL is equipped with a privacy curtain that is stored and mounted on the unit's rolling cart. The curtain can be easily deployed by a single individual. The curtain is height-adjustable to accommodate a standing voter or a sitting voter or a voter in a wheelchair. In addition, if a sight-disabled voter uses the ExpressVote XL as an assistive voting device, the blank screen option of the unit can be enabled to provide further protection for the vote session. As shown in the images below, the ExpressVote XL privacy curtain provides a secure environment to ensure no person can see who any voter has voted for.



Privacy Curtain Closed

Privacy Curtain Open

EXPRESSVOTE BMD

The ExpressVote ballot marking device (BMD) utilizes a 15” LG LCD with a 12V backlight inverter to power the backlight and allow visual interaction with the ballot graphics. The clear luminance of the display easily allows the voter to distinguish and interface with the details of the ballot.

The ExpressVote BMD privacy screen is specifically designed to provide maximum frontal and side privacy and easy access by voters. It is made of heavy corrugated plastic with interlocking tab construction, providing long lasting strength and durability when deploying, or folding, and for storage.

If a privacy screen is not used, the ExpressVote BMD can be set up and positioned so the display screen is viewable to only that voter eliminating the need for a privacy screen altogether. In addition, a sight-disabled voter using the ExpressVote BMD can turn off the display and vote with audio-only, eliminating the possibility of others seeing the voter’s selections. Additionally, any voter can utilize this feature to protect their privacy when seeking assistance from a poll worker.

After the vote summary card is printed and reviewed by the voter, privacy sleeves can be used for securely transporting the card to be scanned and tabulated on the DS200. If a card must be spoiled (destroyed by an election official) to obtain a replacement card, the card or cards can be transferred to the poll worker in a privacy sleeve to prevent any breach of privacy.

DS200 TABULATOR

When the voter inserts the vote summary card that was marked on the ExpressVote ballot marking device (BMD) into the DS200, the tabulator does not display any information that may reveal the identity of the voter or contents of the voter’s card while reading, verifying, and auditing cards.

For additional security, the voter may insert the vote summary card face down or upside down. The DS200 pulls the card rapidly inside and protects it from view before it is cast.

If additional security is required, DS200 optional privacy shields can be installed on the plastic ballot box to shield the DS200 display screen while the voter is processing his/her card at the scanner. In addition, ES&S sells ballot privacy sleeves that may be used to ensure card secrecy as the voter transports the vote summary card from the ExpressVote ballot marking device (BMD) to the DS200 for tabulation.

§ 5002A COMPLIANCE GUARANTEE.

Before any electronic voting system is purchased, rented or otherwise acquired, or used, the person owning or manufacturing such voting device must give an adequate guarantee in writing and post a bond accompanied by satisfactory surety with the State Election Commissioner guaranteeing and securing that such voting devices comply fully with the requirements contained in § 5001A of this title and will correctly and accurately record every vote cast and further guaranteeing such voting device against defects in labor and materials for a period of 5 years from the date of acquisition thereof, or, in the case of rented voting devices, for the period of rental.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

§ 5005A PRINTING OF BALLOTS; DISTRIBUTION OF BALLOTS

(a) Ballots shall be printed in black ink on white material of such size as will fit the ballot frame used for all elections and shall be secured in the ballot frame to make tampering or removal difficult. (See D below)

ES&S RESPONSE

Yes. The proposed ExpressVote XL displays the entire ballot on a 32" LCD screen. The digital ballot presentation can be black text on a white background and can include a variety of colored graphics to embellish the presentation of the ballot.

Likewise, the ExpressVote ballot marking device (BMD) displays contests and questions in black text on a white background with colored backgrounds.

Since this is an electronic display and not a paper ballot face contained in a ballot frame, the sizing and tampering concerns you had to accommodate with your current legacy Danaher 1242 full-face DRE system are not applicable with the proposed ES&S system.

(b) The party emblem which has been duly adopted by such party in accordance with law and the party name or other designation for each political party represented on the voting device shall appear on the ballot if space and layout permits.

ES&S RESPONSE

Yes. Electionware has the ability to place graphics in many different formats onto the electronically generated ballot. These formats include BMP, GIF, ICON, JPEG, PNG, and TIFF file types. They can be placed on the ballot face and resized, as needed.

(c) Official ballots for voting devices shall be prepared and furnished by the Department in the same manner as provided by law.

ES&S RESPONSE

Yes. ES&S understands that the Department will use the ES&S Electionware election management system (EMS) to prepare and furnish the official ballot materials, as provided by the law, for the proposed voting devices.

(d) Nothing in this section shall preclude the use of an electronic device where the ballot is electronically generated and displayed or which has the capability to generate and display multiple ballots.

ES&S RESPONSE

Yes. ES&S understands that nothing in this section precludes us from proposing the ExpressVote XL which utilizes a full-face ballot or the ExpressVote ballot marking device (BMD) that electronically generate ballots and which have the capability to generate and display multiple ballots.

ADDITIONAL REQUIREMENTS, DELAWARE CODE, TITLE 15, CHAPTER 45

§ 4502 FORM AND DESIGNATION OF BALLOTS.

(a) For each election, the party emblem adopted by each political party and its name shall appear on the ballot with the names of its candidates, arranged in line with the titles of the offices for which they are contesting, along with space for the voter to write in the name of any candidate of that voter's choice, as prescribed in § 5005(b) of this title. In those years in which a President and Vice-President of the United States are to be elected the ballot shall be designated "Presidential, Vice-Presidential, State, County and District Ballot"; in other years the ballot shall be designated "State, County and District Ballot". The names of all candidates of any party shall be placed under the title and device of such party as designated in the certificate filed with the department of elections by such party's authorized agent or agents or, if none is designated, under some suitable title or device to be selected by the department of elections. When a President and Vice-President are to be elected, the names of the candidates for those offices shall be placed at the top of the list of candidates for all offices to be voted upon. The device named and chosen and the lists of candidates of the Democratic Party shall be placed in the first column on the left-hand side of the ballot, of the Republican Party in the second column, and of any other party, and the space for the voter to write in the name of any candidate of that voter's choice for any office, in such order as the department of elections shall decide. The names of unaffiliated candidates shall appear in alphabetical order, under the heading "Unaffiliated Candidates", after the listing of various political parties.

ES&S RESPONSE

Yes, ES&S complies. Utilizing our flexible grid layout in Electionware, Delaware will be able to title and format the offices, candidates, parties as needed. Our system allows for many different layout formats so that each election may be updated as needed, or you can create ballot template files to recreate your election from year to year with minimal effort. The system supports party emblems or other graphics required.

In a previous demonstration with the State of Delaware, your ballots were recreated and displayed in the Delaware format as shown below:

Delaware Sample General Election						T Text Size	O Contrast	L Language	? Help	* Quit
Presidential, Vice-Presidential, State, County and District Ballot	DEMOCRATIC PARTY	REPUBLICAN PARTY	Green Party GREEN PARTY	INDEPENDENT PARTY OF DELAWARE	LIBERTARIAN PARTY	WRITE IN				
FOR PRESIDENT and FOR VICE PRESIDENT (Vote for One)	BARACK OBAMA JOE BIDEN	MITT ROMNEY PAUL RYAN	JILL STEIN CHERI HONKALA		GARY JOHNSON JAMES P. GRAY					
FOR UNITED STATES SENATOR (Vote for One)	THOMAS R. CARPER	KEITH WADE	ANDREW RICHARD GROFF	ALEXANDER PIRES						
FOR REPRESENTATIVE IN CONGRESS	JOHND. CARNEY JR.	THOMAS H. KOVACH	BERNARD AUGUST		SCOTT GESTY					
FOR GOVERNOR	JACK A. MARKELL	JEFFREY E. CRAGG	MARK JOSEPH PERRI		JESSE MCVAY					
FOR LIEUTENANT GOVERNOR	MATTHEW DENN	CHERYL ANN VALENZUELA			MARGARET MCKEOWN					
FOR INSURANCE COMMISSIONER (Vote for One)	KAREN WELCH STEWART	SEBASTIAN MOBLEY			DAVID EISENHOUR					
FOR STATE SENATOR DISTRICT 3 (Vote for One)	ROBERT I. MARSHALL									
FOR STATE REPRESENTATIVE DISTRICT 2 (Vote for One)	STEPHANIE T. BOLDEN									
FOR CLERK OF THE PEACE (Vote for One)	KENNETH W. BOULDEN, JR.									
FOR COUNTY EXECUTIVE (Vote for One)	THOMAS GORDON	MARK BLAKE								
FOR PRESIDENT OF COUNTY COUNCIL (Vote for One)	CHRISTOPHER A. BULLOCK	MICHAEL D. PROTACK								
FOR COUNTY COUNCIL DISTRICT 10 (Vote for One)	JEA P. STREET									
FOR MAYOR (Vote for One)	DENNIS P. WILLIAMS									
FOR CITY TREASURER (Vote for One)	HENRY W. SUPINSKI									
FOR PRESIDENT OF CITY COUNCIL (Vote for One)	THEOPHILUS GREGORY, SR.									
FOR CITY COUNCIL DISTRICT 4 (Vote for One)	HANIFA SHABAZZ									
FOR CITY COUNCIL AT LARGE (Vote for no more than Three)	MARIA D. CABRERA	ORIO ADAMS								
	LORETTA WALSH	MICHAEL A. BROWN								
	JUSTIN WRIGHT									

Page 1 of 1

Cast Your Ballot

(b) All ballots for the same election shall be of uniform size, of the same quality and color of paper and sufficiently thick that the printing cannot be distinguished from the back. The arrangement of the ballots shall in general conform, as nearly as possible, to the sample ballot set forth in this section.

ES&S RESPONSE

Yes, the ES&S system complies with this requirement.

All hand-marked paper ballots have been specially engineered to run on ES&S tabulators. The ES&S Countright Ballot Stock meets all ES&S specifications for the equipment and is the specific type and weight of paper used during the testing and certifications of the tabulation systems.





The ballot paper is sufficiently thick so that the printing cannot be distinguished from the back.

Our system recommends that the same uniform size is used in an election. We offer 11", 14", 17" or 19" stock depending on the election's needs.

The ExpressVote XL or ExpressVote ballot marking device (BMD) touch screens may be designed in general conformity to absentee paper ballots to ensure Election Day voters have a similar voting experience. Both paper and touch screen ballots support the sample ballot presented. Also, our system allows for the paper ballot to be designed in different format, if needed, with candidates displayed below the office titles.

(c) The ballots prepared in accordance with this chapter shall conform as far as possible to the following design except that the write-in column may be placed on either side of the ballot.

OFFICIAL BALLOT

Presidential, Vice-Presidential, State, County and District Ballot							
WRITE IN		PARTY EMBLEM Name of Party		PARTY EMBLEM Name of Party		PARTY EMBLEM Name of Party	
	For President	JOHN DOE		JOHN DOE		JOHN DOE	
	For Vice-President	JOHN DOE		JOHN DOE		JOHN DOE	
	For United States Senator	JOHN DOE		JOHN DOE		JOHN DOE	
	For Representative in Congress	JOHN DOE		JOHN DOE		JOHN DOE	
	For Governor	JOHN DOE		JOHN DOE		JOHN DOE	
	For Lieutenant Governor	JOHN DOE		JOHN DOE		JOHN DOE	

ES&S RESPONSE

Yes, the ExpressVote XL touch screen ballots as well as paper ballots for absentee voters may be designed in this format with the write-ins to the right side. Each of these elements on the ballot (offices, candidates, parties, write-in phrase) may be translated easily within the system. By utilizing a single database throughout the election, there is less room for errors on Delaware's ballots. Also, ballot templates can be created to ensure that the Delaware design is saved and used from election to election, making ballot setup much easier and consistent with your design.

(d) Absentee ballots may be laid out with candidate names under an office title. If this form is used, party logos shall not be used and the political party of each candidate shall be listed beside or below the name of each candidate. The candidates shall be listed in the order specified in subsection (a) of this section above. Except, that in a primary election the candidates shall be listed in alphabetic order and the political party shall be listed for each office.

ES&S RESPONSE

Yes, ES&S complies. Absentee paper ballots would be created in Electionware's Paper Ballot module. This flexible ballot layout tool offers easy templates to create ballots in the format listed above. The Paper Ballot module offers many configurable settings based on the election needs such as varying numbers of columns. Column width can also vary from column to column, and the number of columns can vary from the front to the back of the ballot.

Electionware's Paper Ballot provides the Department of Elections with a true ballot typesetting system for ballot layout and changes. Every piece of information printed on the ballot can be modified to allow for manual adjustments. The information can include page layout, fonts, columns, headers, footers, alignment, kerning, spacing, borders, shading, and the placement of candidate names and questions. These features are easy to use and similar to what you would find in commercial word processing and design software.

Party logos may be displayed with candidates who can be ordered as needed. Once your ballot specifics are customized and designed within Electionware's Paper Ballot, Delaware can create their own absentee ballot templates, similar to the ExpressVote product family touch screen ballot layout. This ensures that your design is consistent from election to election, plus it makes election setup much easier. Delaware may save as many ballot templates as needed.

(e) If the number of candidates, offices and/or parties to be listed on the ballot preclude the layout of a ballot as specified in this section, the Department of Elections shall obtain approval of the State Election Commissioner to lay out the ballot in a manner best suited to the number of candidates, offices and/or parties eligible to be placed on the ballot.

ES&S RESPONSE

Yes, the ES&S system complies. We understand that there are many different formats required. Our flexible ballot management software is designed to allow for many different ballot layout options. We have some jurisdictions that require multiple page ballots with various languages and requirements. Our system makes ballot design easy. By utilizing ballot templates, the majority of the layout can be completed quickly and efficiently. Then additional changes can be made depending on the number of candidates, offices and parties on the ballot.

VENDOR SHALL PROVIDE VOTING MACHINES FOR ELECTION DAY AND EARLY VOTING THAT MEET OR EXCEED THE FOLLOWING REQUIREMENTS:

a. The US EAC must have certified the voting equipment against VVSG 1.0 standard or higher.

ES&S RESPONSE

Yes. Our proposed solution is certified by the EAC.

The system that includes the ExpressVote ballot marking device (BMD) has been certified by the U.S. EAC against VVSG 1.0 standard. The system that includes the ExpressVote XL is currently in the process of certification by the U.S. EAC against VVSG 1.0. EAC certification of the system that includes the ExpressVote XL is expected to be completed in the spring of 2018.

b. Provides all voters the opportunity to privately and independently cast his/her vote.

ES&S RESPONSE

Yes. ES&S is committed to the ideal that the voter's privacy and anonymity are of the utmost importance. Both are stringently preserved throughout the Election Day voting process with the ES&S system.

The ExpressVote product family, including the ExpressVote XL and the ExpressVote ballot marking device (BMD), enables voters to conduct their voting session privately and independently. The ExpressVote XL provides privacy to the voter by enclosing them with a privacy curtain. The ExpressVote BMD's touch screen can be shielded either by the position of the unit or through the use of a cardboard privacy screen. Audio is privately played over headphones in both devices. Voters who are blind or who want to ask an Election Officer a question can blacken the screen during all or part of a voting session.

The DS200 precinct tabulator used with the ExpressVote BMD does not display any information that may reveal the identity of the voter or contents of the voter's ballot while reading, verifying and auditing ballots. For additional security, the voter may insert the vote summary card face down or upside down. The DS200 pulls the card rapidly inside and protects it from view before it is cast. In addition, ES&S sells ballot privacy sleeves that may be used to ensure ballot secrecy as the voter transports a vote summary card from the ExpressVote BMD to the DS200.

Depending on the election programming, the tabulators can be set to save an electronic copy of the ballot image and cast vote record onto the USB flash drive when the vote is cast. To ensure that the voter's identity cannot be tied to a ballot image, the system randomizes the ballot image file and does not place a date/time stamp on the file. Thus, there is no logical way to associate a voter with a saved ballot image or cast vote record.

c. The capability to quickly and accurately build ballots using the State's standard export from the State's election management system, e.g. candidates, offices and districts.

ES&S RESPONSE

Yes. Our Electionware election management system (EMS) solution features robust import and export capabilities that would facilitate exchange of data between most voter registration systems and Electionware

to rapidly and accurately build ballots for each election. We have worked with multiple customers to integrate with statewide election management systems and have considerable experience in this area. For example, in Michigan and Mississippi, we recently coordinated with those states to allow for (1) the importing of election data (contests, candidates, etc.) from their statewide system into Electionware, and (2) the exporting of results data from our EMS in the format required by their statewide system. Ultimately these efforts have resulted in increased efficiency, elimination of redundant data entry, and significantly increased the speed of results reporting statewide.

Our proposal includes the ES&S PowerProfile voter registration system. This system provides exports for use in Electionware.

d. Shall be scalable – each voting device can handle a minimum of 1,000 complex ballot styles for an election, multiple languages, and various election configurations.

ES&S RESPONSE

Yes. Our Electionware election management system (EMS), is easy to use and provides tremendous flexibility and scalability to the Department of Elections to create elections in multiple languages, design ballots for the most complex ballot style elections, configure the proposed digital tabulation and accessible equipment, and manage election results. Electionware's ability to use data and election templates from past elections, as well as built-in ballot templates, eliminates the need to re-enter data or recreate templates with each new election. These powerful capabilities enable election administrators to create error-free elections in less time.

BALLOT STYLE CAPABILITY

The maximum number of ballot styles that can be created in Electionware EMS is more than 9,990 ballot styles per election.

Electionware can create standard ballot templates (layouts) containing text, races, and graphics for all ballot faces utilized for State of Delaware elections. The resulting templates decrease the time required by the user to lay out a ballot for a given election. Text and graphics must only be entered into the system one time no matter how many ballot styles they appear on.

MULTI-LANGUAGE CAPABILITIES

ES&S understand that's Delaware election law currently does not have a second language capability requirement. However, system-wide, our proposed voting system can accommodate multiple languages including English, Spanish, Chinese, Korean, Japanese, Hindi, Vietnamese, Tagalog, Creole, Russian, Bengali, and French. Users can display various languages based on the Election District level. For example, a jurisdiction could ensure certain Election Districts have English only whereas other Election Districts have English and Spanish. Multiple audio languages are supported. Translations can be imported like an English data import, or users can enter all English data (contests, referendum) and create a Ballot Translations spreadsheet. This spreadsheet is then translated by the jurisdiction or a professional translation service, and then easily imported into Electionware.

The ExpressVote XL, the ExpressVote ballot marking device (BMD), and the DS200 will display language choices based on the election setup. The DS200 language choice and the translated information are provided on the touch screen for the voter to view privately. The ExpressVote language choice and the translated

information are also provided privately on the touch screen, and the audio is provided to the voter via headphones.

Audio files for both English and translated languages can be quickly generated using a separate software application called Text-To-Speech. These are then imported into Electionware in one simple step.

BALLOT CREATION FLEXIBILITY

The DS200 and DS450 are certified to tabulate 11”, 14”, 17”, and 19” length ballots in widths of 8.5” and 4.25” (for ExpressVote thermal vote summary cards). They are capable of accurately reading a landscape ballot with as many as 24 columns front and back.

For absentee ballots, the Electionware software supports both single- and double-sided ballots as well as multi-page ballots. Ballots can be formatted in either portrait or landscape orientation. Customization options for ballot layouts are extensive, and through the use of style sheets can be applied to all, or a subset of ballot styles. Once the ideal layout is achieved, templates can be saved for future use.

Our systems contain the utmost ballot creation flexibility to support the various jurisdiction rules of our current and potential customers. At a high level, Electionware provides complete control over items such as ballot sizes and oval density, stubs and perforations, number of ballot rows and columns, ballot orientation, text and graphic placement, watermarks, ruling lines and margins.

Electionware also provides complete typographic control over every piece of text that appears on the paper ballot. Typographic elements under your control include font face, font style, font size, line size, strikeout, underline, text color, margins, ruling lines, alignment, text rotation, font kerning, relative and absolute placement, background color, and more. Each font that is installed on the system is available for use in the paper ballot layout.

The ExpressVote product family ballot layout is also generated by Electionware. The same database is utilized for all ballots, paper or electronic, to ensure that there is consistency and accuracy throughout the system.

Changes to the ballot layout can be seen on the screen in Electionware. You can update font sizes, font kerning, graphics, spacing, and background formatting as needed.

Touch screen ballots may be created and saved to ensure that the next election is similar, yet simple and fast to design.

For the ExpressVote XL, contests and questions appear on one screen; they may also be broken up into multiple screens if Delaware ever requires this.

e. Voters choices, including write-in votes, shall be reflected on a paper record created by the voter or voting system that a voter with or without disabilities can review before it is cast and that is suitable for a recount.

ES&S RESPONSE

Yes, the ES&S system meets this requirement. The ability to review contest selections, including any write-ins entered, is an integral part of the voting process that is engrained into each component of our proposed voting system. As you will see, each of the proposed systems provides the voter with multiple opportunities to review and change their selections before casting their ballot. A brief description of the review process for each component of our proposed system follows:

EXPRESSVOTE XL

As demonstrated to the Delaware Voting Equipment Selection Task Force, after the voter completes the on-screen review/verification of their vote selections and write-ins, he/she touches the Print Ballot button at the bottom right corner of the voting screen. See below:

Demo General Election 12/6/2012 8th Congressional District												T	D	L	?	X
	DEMOCRATIC	REPUBLICAN	NOMINATION BY PETITION	NOMINATION BY PETITION	NOMINATION BY PETITION	NOMINATION BY PETITION	NOMINATION BY PETITION	NOMINATION BY PETITION	NOMINATION BY PETITION	NOMINATION BY PETITION	PERSONAL CHOICE					
PRESIDENTIAL ELECTORS FOR Vote for 1	BARACK OBAMA JOE BIDEN	MITT ROMNEY PAUL RYAN	JILL STEIN CHERI HONKALA Green Party	ROSS C. (ROCKY) ANDERSON LUIS J. RODRIGUEZ NJ Justice Party	JEFF BOSS BOB PASTERNAK Not On Ballot	JEFF BOSS BOB PASTERNAK Not On Ballot	VIRGIL GOODE JIM CLYMER Constitution Party	PETA LINDSAY YARI OSORIO Socialism and Liberation	MERLIN MILLER HARRY BERTRAM American Third Position	JAMES HARRIS MAURA DeLUCA Socialist Workers Party	Write-In	<input type="checkbox"/>				
FOR UNITED STATES SENATOR Vote for 2	ROBERT MENDEZ	JOE KYRILLOS	KEN WOLSKI Green Party	EUGENE MARTIN LAVERGNE	KENNETH R. KAPLAN Libertarian Party	DARYL MAXELL BROOKS Reform Nation	GREGORY PASON Socialist Party USA	J. DAVID DRANIKOFF Totally Independent Candidate	WIDER "ANDY" SONI American First	ROBERT "TUBK" TURKAVAGE Responsibility Fairness Integrity	Write-In	<input checked="" type="checkbox"/>				
FOR MEMBER OF THE HOUSE OF REPRESENTATIVES Vote for 1	ALBIO SIRE	MARIA KARCZEWSKI	HERBERT H. SHAW Politicians Are Crooks	PABLO OLIVERA Unity is Strength	STEPHEN DeLUCA Restoring America's Promise						Write-In	<input checked="" type="checkbox"/>				
FOR COUNTY CLERK Vote for 1	SADABABA A. NETCHERT										Write-In	<input checked="" type="checkbox"/>				
PUBLIC QUESTION #1 BUILDING OUR FUTURE BOND ACT Do you approve the "Building Our Future Bond Act"? This bond act authorizes the State to issue bonds in the aggregate principal amount of \$750 million to provide matching grants to New Jersey's colleges and universities. Money from the grants will be used to build, equip and expand higher education facilities for the purpose of increasing academic capacity. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>												HOBOKEN PUBLIC QUESTION #1 Shall the City of Hoboken abandon the holding of run-off elections as permitted by the "Uniform Nonpartisan Elections Law" (N.J.S.A. 40:45-5 et. seq.)? Yes <input type="checkbox"/> No <input type="checkbox"/>				
PUBLIC QUESTION #2 CONSTITUTIONAL AMENDMENT ALLOWING CONTRIBUTIONS TO BE TAKEN FROM JUSTICES' AND JUDGES' SALARIES FOR THEIR EMPLOYEE BENEFITS Do you approve an amendment to the New Jersey Constitution, as agreed to by the Legislature, to allow contributions set by law to be taken from the salaries of Supreme Court Justices and Superior Court Judges for their employee benefits? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>												HOBOKEN PUBLIC QUESTION #2 Shall the City of Hoboken continue annual rental increase protections for current residents of rent controlled properties but allow property owners to negotiate rents for vacant apartments and exempt buildings with one-to-four units and condominium units from the rent leveling ordinance by adopting the proposed amendment to Chapter 155 of the Code of the City of Hoboken? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
HOBOKEN PUBLIC QUESTION #3 Shall the "Ordinance to Move Hoboken Nonpartisan Municipal Elections to November" providing for Hoboken's nonpartisan municipal elections to be held on the day of the general election, the first Tuesday after the first Monday of November in the years in which municipal officers are to be elected (with the change resulting, pursuant to N.J.S.A. 40:45-7.1, in a one-time 6 month extension of the terms of existing office holders), be approved? Yes <input type="checkbox"/> No <input type="checkbox"/>																
FOR MEMBERSHIP TO THE BOARD OF EDUCATION Three Year Term Vote for 3	THOMAS KLUEPFEL	JEAN MARIE MITCHELL	RUTH McALLISTER	ANTHONY OLAND	ELIZABETH MARKEVITCH	FELICE K. VASQUEZ	PATRICIA WAITERS	Write-In	<input type="checkbox"/>							
								Write-In	<input type="checkbox"/>							


Public Count: 2
 Poll Name: Lorem Ipsum Lorem Ipsum Polling Place Name
 Clock: 2:35 PM
 Power: AC

Protective Count: 0
 Date: 11/29/16
 Battery: 100%

Page 1 of 1

Print Ballot

The system displays a confirmation window indicating that the voter is about to print his or her vote summary card and that the process cannot be undone.


 **Print Ballot**

You cannot change your vote selections after printing your ballot.
To continue and print your ballot, touch **Print**. To return to the ballot, touch **Return to Ballot**.

Return to Ballot

Print

If at this point, the voter wants to make any changes to his/her ballot, they can select the Return to Ballot button. Otherwise, the voter would press the Print button and the verifiable vote summary card would be shown through the clear glass window located to the right of the ballot screen. The voter can view the choices printed on the vote summary card, including the names of any write-in candidates entered. The voter would then see the following instruction:

 **Cast Ballot**

Review your ballot through the window to the right.
To cast your ballot as printed, touch **Cast**.
To quit voting and request a new ballot, touch **Quit**. Your ballot will not be cast.

Quit

Cast

If the voter decides to return to the ballot for changes, the voter will select Quit to request a new vote activation card from the poll worker. If the voter is satisfied with his or her vote selections as shown on the vote summary card, the voter would touch Cast and the ExpressVote XL will scan the marked card to create a digital image of the card and tabulate the votes. The Cast Vote Record (CVR) and digital image are then

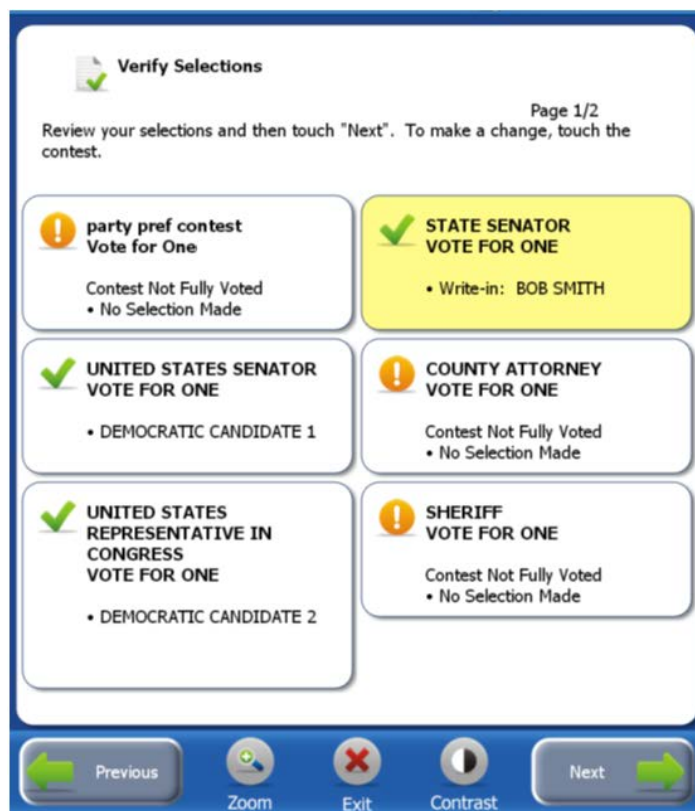
saved to the ExpressVote XL's internal flash card memory. The ExpressVote XL then deposits the tabulated vote summary card into the unit's rear secure card container.

EXPRESSVOTE BMD

As also demonstrated to the Delaware Voting Equipment Selection Task Force, after all vote selections (including any write-ins) have been entered, and the last screen of the ballot has been viewed, the ExpressVote ballot marking device (BMD) displays the Verify Selections screen. The system identifies undervoted contests with an exclamation mark icon. To change a selection, the voter will touch that contest listing.

The system will then display the vote selection screen for that contest so the voter can make required changes. When the voter returns to the Verify Selections screen, contests that the voter changed are highlighted in yellow.

Once all voter selections have been reviewed and verified by the voter, the voter can print the vote summary card. The vote summary card is the verifiable voter paper record containing all the voter's selections in human and machine-readable format.



Before the voter inserts the vote summary card into the DS200 for tabulation, the voter has a final opportunity to review the selections on the card. Voters can re-insert the ballot back into the ExpressVote to hear the choices read back to them. At this point, if the voter wants to change a selection, he/she must request a new vote activation card from the poll worker. The poll worker will spoil the card in accordance with jurisdiction rules and procedures. The voter would repeat the voting and review process with the new card.

DS200 DIGITAL SCANNER & TABULATOR

As also demonstrated to the Delaware Voting Equipment Selection Task Force, after the voter has marked selections with the ExpressVote ballot marking device (BMD), the voter will carry the vote summary card to the DS200 tabulator. Privacy sleeves may be used for this transport. As described in the ExpressVote BMD voter review process above, the voter has been provided multiple opportunities to review and change vote selections printed on the vote summary card.

f. Voting machines used in polling places and early voting sites must be capable of operating in an election district or vote center mode, and report results of each race by election district.

ES&S RESPONSE

Yes. The proposed voting system solution is designed to be utilized in Election Day polling places, in-person absentee voting sites, and early voting sites (when State law is changed to allow early vote). The voting machines are capable of operating in either election district or vote center mode and reporting results of each race by election district.

For absentee in-person and early voting (if allowed in the future), the ExpressVote XL and ExpressVote ballot marking device (BMD) can be configured just as it would be for voting on Election Day. You can create a poll which includes all Election Districts if needed to use in absentee in-person and early voting sites.

g. Voting machines used in polling places or early voting sites must have a battery capable of operating the device for at least 16 hours, and have a battery that recharges automatically when power is restored to the system. A system in which the battery requires removing and charging on a separate charging device does not satisfy this requirement.

ES&S RESPONSE

Yes. The proposed voting system solution for polling places meets the Election Assistance Commission (EAC) VVSG 1.0 (2005), Section 4.1.2.4, Electrical Systems, requirement to provide at least two hours of battery backup power. The ExpressVote XL, ExpressVote ballot marking device (BMD), and DS200 tabulator all exceed the EAC backup power requirement. If additional backup power is necessary beyond our proposed voting machine capabilities, ES&S can provide optional Uninterruptible Power Supply (UPS) devices to provide additional backup power capability to meet or exceed your stated 16-hour requirement.

All these devices recharge automatically when power is restored without having to remove the battery from the device. All recharge whenever they are plugged in, whether or not the device is turned on.

A description of backup power capability for our proposed voting machines to be used in polling places or in-person absentee sites follows:

EXPRESSVOTE XL

The ExpressVote XL receives operating power from a 24VDC power supply or from a backup battery array containing either two or four 24VDC Sealed Lead Acid (SLA) batteries. If power to the facility is interrupted, the terminal can continue running on a fully-charged battery pack for up to 8 hours (2-battery pack) or 16 hours (4-battery pack), depending on battery pack configuration and system use.

EXPRESSVOTE BMD

ExpressVote ballot marking device (BMD) has a built-in lithium-ion 18V, 4300mAh battery pack that provides power if AC power is lost. When the unit operates on AC power, the battery charger circuitry keeps the battery pack fully charged, even when the power switch is in the Off position.

The fully charged battery runs the unit for approximately four hours of standard use without AC power.

DS200 TABULATOR

An external DC power supply, which plugs into a grounded, three-pronged 120-volt AC outlet, supplies power to the DS200 tabulator that is used with the ExpressVote BMD. If a power outage occurs, the DS200 seamlessly transitions to the 18V, 4300mAh lithium-ion internal backup battery. The backup battery provides power for approximately 3-4 hours. If the DS200 is plugged into a power source, the backup battery will automatically be charged until full.

h. The voter should be able to activate the voting machines and/or select accessibility features without Election Officer assistance in a manner that results in the display of the correct ballot for the voter.

ES&S RESPONSE

Yes. As also demonstrated to the Delaware Voting Equipment Selection Task Force, the feature-rich ExpressVote Universal Voting System product family (ExpressVote XL or the ExpressVote BMD) can be activated and used by all voters (with or without visual impairments, hearing issues, or need for physical accommodations) without intervention from Election Officers and without creating a segregated ballot for voters with disabilities. This ensures the independent, private casting, inspection, verification, and correction of secret ballots by voters with disabilities in an accessible media by both visual and nonvisual means, including synchronized audio output and enhanced visual display.

The ExpressVote is a fully compliant ADA and HAVA solution that enables each voter to cast his or her ballot autonomously. The ExpressVote enables any voter, including blind, low-vision, and limited dexterity voters, to vote unassisted. Functionality includes: voter choice of multiple user interfaces including touch screen, Braille-embossed keypad, sip-and-puff tube, and foot pedal or other two-way switch; audio voting session via text-to-speech or .wav files; voter selects speed, tone, and volume; high-visibility on-screen ballots; voter-selected font size and contrast settings. All of the accessible features are available to the voter at all times during the voting process and do not require Election Officers to “enable” or turn-on special features. Voters may use any of the accessible features simultaneously, at any time during the voting process.

The ExpressVote products further allow all voters to independently verify the paper record to know exactly how their votes will be counted using the same accessible features the voter used to vote.

i. Voting machines that utilizes voter completed paper ballots should possess the capability to determine the intent of voter who does not mark his/her ballot according to the instructions. Further, the system must possess the capability to process normal variations in printing and scanning without requiring adjustment of the mark reading thresholds.

ES&S RESPONSE

Yes. As also demonstrated to the Delaware Voting Equipment Selection Task Force, the ES&S DS200 and DS450 tabulators use ES&S’ robust scanning and vote tabulation technology for the most accurate vote capture capabilities on the market. Our unique, patented technology provides exceptional mark recognition, including the ability to successfully recognize common voter marks like slashes, check marks, and X’s.

ES&S’ Intelligent Mark Recognition (IMR™) and Positive Target Recognition & Alignment Compensation (PTRAC™) routines are the basis for our certified products and available only on ES&S products. These routines work together to provide real-time auto-adjudication of ballots during vote tabulation, ensuring even

the most problematic ballots are read accurately and consistently, protecting voter intent and dramatically reducing the need for time-consuming manual ballot adjudication.

Our experience processing millions of ballots helped us create this technology, enabling jurisdictions to run elections with less added costs, while also reducing the potential for debate or controversy. Auto-adjudication also eliminates a common industry problem — guessing the right threshold to “dial-in” on a vote tabulator.

Our patented technology solution compensates for variations in both printing and normal variations in the scanner's imaging heads. It tracks and pinpoints target locations, accommodating for ballots inserted at irregular angles, smudges, and stray ballot marks to create unparalleled accuracy in determining voter intent. The technology removes the ballot oval, leaving behind just the voter marks.

Our tabulators then use smart technology to determine which marks were intentional. Sophisticated algorithms consider not just pixel mark, but also the shape of each mark, allowing it to determine a pattern and the intent of the mark. It doesn't get fooled by inadvertent marks such as smudges or stains, as might occur in more primitive systems.

The technology's accuracy for recognizing voter marks improves the reliability of elections that also require recounts.

j. Voting machines that utilize voter completed paper ballots must possess the capability of processing a ballot with a blank second or back page if no election data flows to the second or back page.

ES&S RESPONSE

Yes. The proposed system allows the Department of Elections to choose whether ballots that have no contest information on the back of a ballot page be blank, include timing marks and/or cut-marks, and/or have printed content such as text or graphics. These options are available even when the blank page is the last page of a multi-page ballot.

k. Voting machines that utilize voter completed paper ballots shall possess the capability of sorting write-ins, blanks, and over-votes on a high-speed scanning device and reporting write-in votes by race and election district.

ES&S RESPONSE

Yes, the ES&S system meets these requirements. As also demonstrated to the Delaware Voting Equipment Selection Task Force, the DS450 high-throughput central tabulator uses high-speed sorting to separate scanned ballots with jurisdiction-defined conditions into separate bins. Specific ballot condition the DS450 sorts to a designated outstack bin can be programmed. Ballots sorted to the middle bin can be programmed to be counted or not counted. Task force members and election officials expressed great interest in this dual functionality that is unique to this ES&S product.

As demonstrated to the task force, the DS450 can read traditional paper absentee ballots and also the voter-verified vote summary cards provided by the ExpressVote family. Blank, overvoted, and ballots with write-ins are among the ballot conditions that can be sorted. The DS450 enable users to define the sorting rules for what is identified for adjudication (write-ins, overvotes, blank ballots, marginal marks, unreadable ballots, incorrect ballot IDs, etc.). These settings may be changed on-the-fly or set and saved as needed. Write-in

votes can be reported on the results report election wide (with or without overvotes or undervotes) or by individual election districts on each DS450.

l. Voting machines that utilize voter completed paper ballots shall possess the capability of processing ballots up to nineteen (19) inches.

ES&S RESPONSE

Yes. The ES&S voting machines that utilize voter completed paper ballots (DS200 and DS450 tabulators) support 11", 14", 17", and 19" length ballots in 8.5" and 4.25" (ExpressVote product family) widths.

m. Export results by election district, race and candidates onto multiple copies of paper, and onto removable media that can be read by devices at reporting stations and the results securely transmitted to a secure location. This includes the reporting of under votes and over votes (where possible) by race. Transmission must comply with State of Delaware Enterprise Standards and Policies, Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information.

ES&S RESPONSE

Yes. ES&S tabulators provide election results at the election district, race and candidate level. At the close of polls, all results data is available on USB memory devices that can be removed from the tabulator devices and transported to regional reporting stations.

The ES&S software can then be used at the regional reporting stations to read each USB results media and transmit election results to secure locations. The data is protected by FIPS 140-2 compliant encryption.

APPENDIX B, PART 2A: GENERAL ELECTION DEPLOYMENT DATA

ES&S agrees and will comply. Please see [Appendix C – Pricing](#).

APPENDIX B, PART 3: ELECTRONIC POLL BOOKS

ES&S RESPONSE

As demonstrated to the Delaware Voting Equipment Selection Task Force, ES&S has the following components that comprise our electronic poll book system.

1. Electronic Poll Book

The ExpressPoll system, our electronic poll book solution, which completely eliminates the need for paper records at polling locations and integrates fully with our voter registration system, election management system and voting machines

2. CentralPoint

CentralPoint is our secure central server-based system that enables real-time review and data sharing of all synchronized poll books throughout the entire network.

3. ExpressVote Activation Card Printer

This printer automatically produces barcoded cards which are inserted into our voting machines to call up the proper ballot style for each voter for the ExpressVote voting machine product family.

MINIMUM REQUIREMENTS FOR ELECTRONIC POLL BOOK (EPB) SYSTEM

I. BASIC FEATURES

I. VOTER SEARCH AND CHECK-IN:

a. Provide all information necessary to verify voters' identity.

Note: System shall store answers to these questions as a derived value from a strong key derivation function. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Application Security Standard, Web Application Security Standard, and Cryptography Standard.

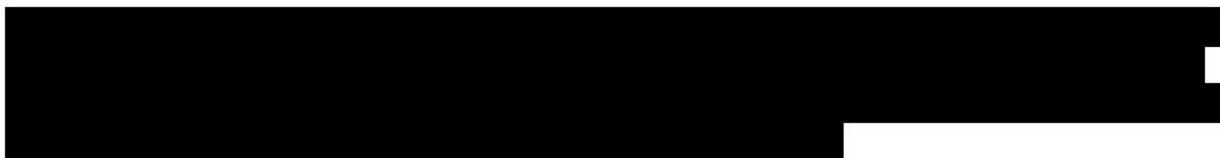
ES&S RESPONSE

Yes. Information for a voter can be easily and quickly retrieved by simply scanning the bar code on the voter's driver's license or State ID Card, or by typing a few letters of the voter's last name and first name onto the ExpressPoll screen. When the ExpressPoll recognizes the bar code information, the name of the voter with their address and date of birth will appear on the screen. Simply touching the voter's name will cause the system to retrieve additional detailed information on the respective voter. When letters of the voter's name are entered onto the ExpressPoll screen, names of corresponding voters will appear on the screen as matching letters are entered by the election official. As more letters are entered, the list will be quickly reduced to the name of the voter at the check-in table. Only voters that are assigned to the respective voting

location will appear on the ExpressPoll screen when the initial voter look-up process is performed by the poll worker.

During a recent election in Alabama, two ExpressPoll tablets deployed in a single voting site enabled two poll workers to accurately validate 2,360 voters in a twelve-hour time period. In Montgomery County, Ohio, voters were validated every 28 seconds, countywide using the ExpressPoll system.

The Voter Details, Identification, History, and Election District Details tabs (located on the Voter Record screen), can be used to view additional details relating to each voter if required.



b. Allow for a search based on name, address, or voter ID. Must support predictive text, auto-complete, suggested matches, etc.

ES&S RESPONSE

Yes. Voters can be searched by entering the voter's name, the voter's birth date, a street address and house or apartment number, or an ID number such as a driver's license, Voter ID, or State ID number. The ExpressPoll auto-complete feature allows voter records to be instantaneously displayed in the voter's grid as the poll worker enters values in the search field. A poll worker simply touches letters on the screen keyboard to begin the search for a voter's name. As letters are touched, names which correspond to the letters entered by the poll worker immediately begin to appear. Simply touching just three or four letters of the voter's last name and one or two letters of their first name will quickly locate a voter 99 percent of the time. Only voters that are assigned to the respective voting location will appear on the ExpressPoll screen when the initial voter look-up process is performed by the poll worker.

c. Provide capability for the initial lookup step to be limited to just voters in the precinct location where the EPB is located.

ES&S RESPONSE

Yes. A significant benefit of the ExpressPoll system is that only voters who belong in the designated election district or voting location will appear when the initial voter search is conducted. The names of voters who do not belong in the respective election district do not appear on the screen, eliminating the risk of a poll worker attempting to validate a voter from another election district, or becoming confused by the other names appearing on the screen. The poll worker must select the Search County or Search State search icon to expand the voter search to a jurisdiction-wide or state-wide search which will include out-of-election district voters.

Today, the states of Georgia and Maryland use the ES&S ExpressPoll system state-wide, and every ExpressPoll tablet used in both of these states includes election district, county and state-wide voter data. This means the ExpressPoll tablets in Georgia support voter information for 5.8 million registered voters, and the ExpressPoll tablets in Maryland support voter information for 3.7 million registered voters. The

ExpressPoll system is the only electronic poll book system in the industry that has successfully provided state-wide system implementations of this scale.

d. EPB shall have the ability to scan various forms of identification for search, e.g. Delaware driver's license, State ID card, Polling Place Card/Voter ID Card, etc.

ES&S RESPONSE

Yes. Poll workers can use the ExpressPoll tablet with integral camera to scan a barcode on a Driver's License as well as scan the barcode on a Voter ID Card or State ID Card to immediately retrieve voter information.

When a barcode is scanned, voter lookup is automatically performed in the ExpressPoll software. In addition, if the New Voters option is enabled, data from a scanned Voter ID card or driver's license can be automatically entered into a new voter record.

e. EPB shall have the capability of providing the EPB operator with sufficient voter record information for determining a voter's eligibility to vote, voter status, voted status, absentee status, districts and precinct information, and ballot information, only after the voters identity has been proofed per (a).

ES&S RESPONSE

Yes. Voter information that is available to poll workers on the ExpressPoll includes:

- Voter Name
- Voter Address
- Date of Birth
- Voter Status (Active, Inactive, Canceled, Pend1, Pend2 and any custom voter statuses that have been defined.)
- Absentee Issued Status (Absentee Issued, Absentee None, Absentee Early Vote, and any custom absentee issued statuses that have been defined.)
- ID Required Status (ID Required, Not required, and any custom ID Required statuses that have been defined.)
- Election District
- Party
- Voter Identification Number
- Affidavit Number
- Driver's License

The ExpressPoll supports three categories of statuses, including Absentee, ID Required, and Voter Status. Default status codes include the Voter Status Inactive, which allows the poll worker to issue a Standard or Provisional ballot that can be used as-is, or it may be customized to permit poll workers to only issue a Provisional ballot for voters with this status.

Status customization options include status code text and field displays, button labels, the display status of Standard or Provisional issue buttons (hidden or shown), and custom poll worker instructions for processing voter records that include this status.

Once the election official determines that the voter can be validated, the ExpressPoll clearly presents the election district information for the voter and what ballot style the voter should receive.

When utilizing the ExpressVote or ExpressVote-XL, the ExpressPoll can designate which ballot style each voter should receive and can clearly print this ballot style bar code on the Voter Activation Card for the ExpressVote and ExpressVote-XL tabulators. This capability eliminates the need for and risk associated with an election official determining which ballot each voter should receive. It also eliminates the need for a separate piece of paper to be printed which includes each voter's ballot style.

If standard paper ballots are utilized, the ExpressPoll tablet can scan a bar code on a paper ballot which contains the ballot style of the paper ballot, and this information is compared to the voter's ballot style information contained in the ExpressPoll database. If the ballot style information matches, the poll worker can confidently hand each voter their paper ballot. If the ballot style information does not match, the poll worker will immediately receive a warning that the ballot styles do not match and that another paper ballot should be selected for the voter. This capability virtually eliminates the risk of a poll worker handing a voter the incorrect paper ballot.

2. USABILITY:

a. Touch screen capability is required.

ES&S RESPONSE

Yes. The ExpressPoll tablet features a very reliable touch screen user interface.

b. EPB shall support user interface customization such as brightness, contrast, text and UI control sizes, User Interface visibility (hide/show, enable/disable), color schemes.

ES&S RESPONSE

Yes. The brightness, contrast, text and UI control sizes, User Interface visibility and color schemes of the ExpressPoll User Interface can be customized to meet the requirements of the State of Delaware. The flexibility of the ExpressPoll screen is unmatched in the electronic poll book industry. The user interface can be configured to display custom text and font size along with the ability to hide\show and enable\disable text elements. It also has the ability to configure the display of sensitive information to only display the number of characters defined by the State.

“The most favorable aspect of the ExpressPoll units for our staff is the adaptability and ease with which you can modify the text and options to your county's specifications.” -Paulette Hankins, Director, Richland County, Ohio

c. EPB must provide capability to employ the use of hand held devices for voter check in.

ES&S RESPONSE

Yes. The ExpressPoll tablet itself, can be handheld for voter check-in. For example, it could be easily carried through a voter line by a poll worker to verify that voters in the queue are at the correct voting location. The tablet can be transported for curbside voters. Additional peripherals, such as printers, can also be used with the ExpressPoll tablet.

d. EPB shall have the ability to support all DE election types and ballot combinations.

ES&S RESPONSE

Yes, the ExpressPoll tablet has the ability to support all DE election types and ballot combinations.

e. EPB shall comply with all applicable accessibility laws and guidelines.

ES&S RESPONSE

Yes, the ExpressPoll tablet complies with all applicable accessibility laws and guidelines. The flexibility of the ExpressPoll User Interface enables font size enlargement and background color selection as preferred by the State of Delaware.

3. DATA VALIDATIONS:

a. System must maintain information on voters who have requested absentee ballots, returned absentee ballots, voted by absentee, early voted, etc.

ES&S RESPONSE

Yes. The ExpressPoll system can clearly and separately indicate which voters have requested absentee ballots and which voters have returned absentee ballots. Voter statuses including Voted by Absentee and Early Voted can be clearly displayed as well. Text regarding the status of each voter is presented next to the voter's name on the Find Voters screen, and the State of Delaware can determine what text and what color background will be presented for each voter status.

b. System must identify voters required to show proof of identification or residence.

ES&S RESPONSE

Yes. The ExpressPoll tablet clearly presents that a voter must show proof of identification during the validation process. This proof of identification text is displayed next to the voter's name when information on the voter is initially retrieved. The ExpressPoll statuses can include a State of Residence status. Furthermore, a "Voter Not in Poll" is automatically displayed in a voter record for a voter whose address is not associated with an election district within the consolidation or county. If the voter has moved into an election district within the election jurisdiction, the voter's new address can be verified and a new voter record can be created for the voter. If the voter's new address is within the consolidation, the poll worker may issue a Standard or Provisional alternate (limited) ballot to the voter, as required.

c. System shall prohibit the ability for any voter who has participated in one of the elections from participating in any of the other elections held on the same day.

ES&S RESPONSE

Yes. All ExpressPoll tablets located within a voting location will be connected using a LAN. This LAN connection enables all voter validation activity to be shared with all other tablets at the voting location. This prohibits a voter from being validated at one tablet, then attempting to be validated at another tablet within the voting site. The ExpressPoll will clearly indicate that a voter has already been validated, and the system can be configured to disallow the voter from being provided a standard ballot by the poll worker. Up to eighteen ExpressPoll tablets have already been networked in a single voting location.

d. System shall have the ability to display informational prompts and/or warnings based on non-qualifying voter criteria.

ES&S RESPONSE

Yes. The ExpressPoll software features easy to read, customizable text displays, and large buttons with customizable labels. Prompts and warning messages are large with simple to understand instructions and information text.

Status text, warning messages, information grids, tab names, screen names and button names can be customized to suit your poll worker's needs. By default, all instruction text on the ExpressPoll is displayed in black Arial 18-point font. This font size can be increased to accommodate voters with visual difficulties. The font style and background color of all text fields can also be customized.

During system installation, ES&S would collaborate with the State to determine which procedures, instructions, and terminology you want included on ExpressPoll screens. We can even provide examples of what other jurisdictions have used. The capability to customize the system to meet your unique requirements sets the ExpressPoll system apart from its competitors.

e. Data integrity must be cryptographically protected. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes.

[REDACTED] JSON Web Token (JWT) to authenticate and authorize every request and is digitally signed using SHA256.

4. VOTER REGISTRATION DATA:

a. Provide a means to capture voter information updates (i.e. completing a voter registration application with electronic signature capture). When Driver License or State ID is used as proof of identification, EPB shall be able to parse the data from the barcode and reduce manual data entry, with the ability for the poll worker to accept or reject the scanned data for each record.

Note: All data must be digitally signed by the inserter and verify that the signing party is authorized on the server side before accepting it (and recording the signature). Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Application Security Standard, Web Application Security, Cryptography Standard, Key Management Standard, and Electronic Signature Standard.

ES&S RESPONSE

Yes. Each ExpressPoll electronic pollbook immediately updates voter history and records that the poll worker has issued a ballot during Early Voting or on Election Day.

Poll workers can scan a barcode on a Driver's License as well as scan the barcode on a Voter ID Card or State ID to immediately retrieve voter information.

When scanning a bar code, voter lookup is automatically performed in the ExpressPoll software when a voter document is scanned. In addition, if the New Voters option is enabled, data from a scanned Voter ID card or driver's license can be automatically entered into a new voter record. Auto-populating this information streamlines the voter update process. Voter signatures can be captured during this voter update process as well, and digital signatures can be uploaded to the voter registration system following the election.

All data captured will be encrypted both when transmitted and when stored on the device. Retrieving the data will require an encryption password that will provide access for the application to process the data. All data is stored on secure servers that require the necessary credentials. These credentials can be supplied by the user or by software to have access to the files being transferred. The files are then confirmed by the software and processed to complete the process of creating post-election exports for the Voter Registration System.

The ExpressPoll system is a thick client application – a self-contained application restricted to the tablet - where the ability to make changes is restricted to user profiles; all events and changes are logged and comply with Delaware Technology and Information standards. Data is encrypted using AES 256 and access is controlled on these user profiles. Furthermore, when a poll worker logs into the ExpressPoll system, the system is in the “kiosk mode” which means the poll workers do not have access to other areas of the tablet. Only the ExpressPoll voter validation software application can be accessed by the poll worker.

b. Provide a means for updating the Delaware statewide voter registration system.

Note: Must be secure and digitally signed. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Application Security Standard, Web Application Security, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes, the ExpressPoll system enables voter history to be quickly and accurately uploaded into the statewide voter registration list.

Following each election, the ExpressPoll's data management software can upload and process ExpressPoll transaction log records, generate election reports, and export voter history and signatures for import back into the state's voter registration system.

The process used to generate and export voter history and signature files is simple.

The user simply makes a menu selection, specifies a date range for the files to be exported, then presses the export button. The voter registration interface that is loaded automatically formats and exports the data in the correct format required to upload the files back into the voter registration system.

The system's ability to upload voter history data into the voter registration system in a short period, compared to barcode scanning or manually entering the voter activity of each voter from a paper poll book, is one of the primary reasons jurisdictions purchase the ExpressPoll system. The ability to automate this process saves considerable time and can dramatically reduce the time and cost associated with this task.

The ExpressPoll system has already been implemented by hundreds of jurisdictions and the system has been interfaced to voter registration systems throughout the country.

All data captured will be encrypted both when transmitted and when stored on the device. Retrieving the data will require an encryption password that will provide access for the application to process the data.

c. Support the statewide voter list.

ES&S RESPONSE

Yes, the ExpressPoll system can store voter registration data for an election district, a group of election districts, a county, or an entire state. In Georgia and Maryland, the entire state voter registration database is stored on every ExpressPoll unit.

The system has been used statewide in Georgia supporting 5.8 million registered voters and in Maryland supporting 3.7 million registered voters. No other electronic poll book system has provided state-wide implementations matching the volume of voters in these two states. We are also in the process of completing a state-wide ExpressPoll system implementation in the state of Arkansas as well.

d. EPB shall support electronic signature capture. Describe how a voter's electronic signature is captured.

Note: Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Cryptography Standard, Key Management Standard, and Electronic Signature Standard.

ES&S RESPONSE

Yes. The ExpressPoll can be configured to permit the poll worker to capture the voter's signature before issuing an election ballot. The voter creates his or her signature using a stylus and the system touchscreen. A voter's finger can also be used to sign their name on the touchscreen, if desired. The signature is automatically captured and displayed in the voter's record.

Once the poll worker accepts the signature captured, the "Issue Ballot" buttons are enabled in the interface, and the poll worker may issue a ballot to the voter.

Once the poll worker has looked-up the voter's name and validation information and has verified the voter's address, the ExpressPoll will direct the poll worker to capture the voter's signature. This is accomplished by using the swiveled base stand to turn the tablet towards the voter, so the voter can conveniently sign their name on the screen of the ExpressPoll tablet.

Once they have signed their name and touched the Accept icon, the tablet is turned back towards the poll worker who then verifies the voter's live signature.

If the entered signature is unclear, the voter can touch the Clear button to clear the display and sign on the tablet again. When the voter is satisfied with their signature, the voter presses Accept.

Once the poll worker reviews the voter's signature, the poll worker presses the Accept Signature button to proceed to the Select Ballot screen.

e. EPB shall provide polling place information for voters who appear at the wrong polling place and provide a means of directing voters to the correct polling place anywhere in the state, e.g. turn-by-turn directions or generate QR code containing the information.

ES&S RESPONSE

Yes. If a voter visits an incorrect polling location, the poll worker can expand the voter search to a county-wide or state-wide search by simply touching the Search Entire Jurisdiction or Search Entire State icon on the screen. If the voter's name appears on the screen, the poll worker can touch the voter's name and then touch Poll Details to display the address and a map of the voter's correct voting location. This address information can be printed for the voter. Uniquely, the ExpressPoll system can present the correct voting location address and the map of the voter's correct location, even if the ExpressPoll tablet is operating in the off-line mode (not connected to a central server). This means that all ExpressPoll tablets used in voting locations throughout the State of Delaware can present maps, even in voting sites located in remote areas of the State.

If the voter's name does not appear when a county-wide or state-wide search is initiated, the poll worker can perform a street search to locate the voter's correct election district assignment. This search is based on the voter's address. The address and a detailed map of the voter's correct location can be displayed and shown to the voter. This address information can be printed and handed to the voter. A voter visiting an incorrect

voting location can be easily redirected to the correct voting location in 20 seconds. The capability to re-direct voters to their correct voting location will dramatically reduce the number of Provisional Ballots generated during an election. The State of Maryland experienced a 50% reduction in the number of Provisional Ballots generated once they implemented the ExpressPoll system state-wide.

Every ExpressPoll electronic poll book can contain the entire statewide registered voter database.

When a poll worker begins the process of validating a voter by typing a few letters of the voter's name on-screen, the ExpressPoll will initially search election district information to locate the voter's information. If the voter is found in the election district, the poll worker will validate the voter using the procedures and instructions provided by the ExpressPoll unit.

When the ExpressPoll system is communicating with the central server, a poll worker can enter the cell phone number of the voter visiting an incorrect location, and the address of the voter's correct voting site will be sent to the voter's cell phone. This capability enables the voter to use a software application such as Google Maps to direct them to their correct voting site.

Finally, the address can be texted to the voter's smart phone to all the mapping functionality on the phone to direct the voter to the correct location. The ability to print a QR code can also be made available to supply the same functionality as sending a text.

f. Ability to capture and store an affidavit (e.g. for non-registered voters during school elections) on the EPB, include capturing of electronic signature.

Note: Must be digitally signed. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Cryptography Standard, Key Management Standard, and Electronic Signature Standard.

ES&S RESPONSE

Yes. The ExpressPoll system meets this requirement.

5. DATA SYNCHRONIZATION:

a. Where multiple EPBs are deployed at the same voting site, prevent a voter from signing in at different stations.

ES&S RESPONSE

Yes. The ExpressPoll system is specifically designed to allow multiple units to be networked at a polling location to communicate, share information, and synchronize. This synchronization of data prevents a voter from attempting to check-in multiple times at different ExpressPoll units at the voting site.

As voters are identified and ballots are issued, updated voter status information, along with audit information and any other activity, is recorded in the device's log file and shared with all other ExpressPoll units logged into the same consolidation on the local-area network (LAN). Up to eighteen ExpressPoll tablets have already been networked/synchronized within a single voting location.

b. Be capable of networking multiple EPBs that are located in a single voting location utilizing a secure local area network. Must demonstrate accurate and reliable synchronization between devices so that no voter can vote twice, and no registered voter is denied the opportunity to vote.

ES&S RESPONSE

Yes. The ExpressPoll system is specifically designed to allow multiple units to be networked at a polling location to communicate, share information, and synchronize.

The ExpressPoll units in an election district operate as part of a peer-to-peer network within a local-area network. All audit information and activity, including voter credit information, is synchronized with all other ExpressPoll units connected to the LAN.

This network is a self-organizing ring that requires no administration under normal circumstances. Up to eighteen ExpressPoll tablets have already been successfully synchronized within the same voting location.

c. Provide a secure means for EPBs to communicate with a central system and vice-versa.

Note: Data must be secured at each level as described in provided security documents. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Application Security Standard, Web Application Security, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes.

[REDACTED]

d. If connectivity is available, EPB shall be able to determine if voter has signed in or voted in another location.

ES&S RESPONSE

Yes. ExpressPoll tablets at a polling location operate as part of a peer-to-peer network within a wireless local-area network (LAN). All audit information and activity, including voter credit information, is synchronized with all other ExpressPoll tablets connected to the LAN.

This network is a self-organizing ring that requires no administration under normal circumstances. This synchronization of data prevents a voter from attempting to check-in multiple times at the same voting location.

The CentralPoint central server based system enables all satellite locations with system connectivity to communicate, share information and synchronize with each other. Whenever a voter is validated at any of the voting locations, the voter status of the respective voter is changed within the CentralPoint server database.

Therefore, if the same voter attempts to vote again at another voting location, during the voter validation process, the CentralPoint server will immediately notify the poll worker that the voter has already voted at another location.

e. Central system shall be capable of supporting more than one election at a time, e.g. simultaneous special elections. The system shall maintain separate unique election records for each election held on the same day.

ES&S RESPONSE

Yes. Multiple CentralPoint servers can be used to support multiple Early Voting or Election Day elections on the ExpressPoll tablets. In this case, separate election databases will be defined and installed on the ExpressPoll devices at the polls.

6. ADMINISTRATION:

a. Allow for an override of the system if the voter is considered having voted but poll workers know that the voter has not yet voted. Reason for such override shall be captured and logged. The system shall have the ability to require advanced user authentication and authorization to perform the override.

ES&S RESPONSE

Yes. The ExpressPoll system provides the capability to change the Ballot Issued status of a voter. The flexibility of the ExpressPoll enables you to determine what steps and procedures are required for this functionality to occur. In many jurisdictions, the county requires an election district manager be involved in the process. The election district manager steps through the process of editing a voter's record after entering a personal identification number provided by the jurisdiction. State election officials can determine who can and cannot complete this function.

Prompts can be fine-tuned to provide specific handling instructions per Delaware regulations.

The actions of the poll worker conducted during this process are recorded by the ExpressPoll's audit trail, so this information can be easily reviewed following each election.

If the override occurs, the system can be configured to require a re-issue reason to be supplied with the ballot information being sent back to the jurisdiction.

b. Provide estimates on how long it would take to load an EPB with data.

ES&S RESPONSE

Yes. ExpressPoll tablets can be loaded with voter registration data in less than one minute. The length of time for loading data is determined by the size of the files being uploaded into the ExpressPoll tablet.

c. EPB shall allow for voter history to be quickly and accurately uploaded into the Delaware statewide voter registration system.

Note: Must be digitally signed. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes. The ExpressPoll system enables voter history to be quickly and accurately uploaded into the Delaware statewide voter registration system.

Following an election, the ExpressPoll's data management software can upload and process ExpressPoll transaction log records, generate election reports, and export voter history and signatures for import back into the state's voter registration system.

The process used to generate and export voter history and signature files is simple. The user simply makes a menu selection, specifies a date range for the files to be exported, then presses the export button. The voter registration interface that is loaded automatically formats and exports the data in the correct format required to upload the files back into the voter registration system.

The system's ability to upload voter history data into the voter registration system in a short period, compared to barcode scanning or manually entering the voter activity of each voter from a paper poll book, is one of the primary reasons jurisdictions purchase the ExpressPoll system. The ability to automate this process saves considerable time and can dramatically reduce the manpower needed and the cost associated with this task.

All data captured will be encrypted both when transmitted and when stored on the device. Retrieving the data will require an encryption password that will provide access for the application to process the data.

d. EPB must be able to produce all reports while the election is still underway and after it has closed.

ES&S RESPONSE

Yes. The ExpressPoll can be configured to print the following user-defined reports.

- Voted List – for printing the list of voters who have been issued a ballot. This printed report can meet your specific requirements as filter options can be selected on the Voted List screen to generate the desired report.

- Full Voter List – for printing a list of all voters in the consolidation with their specific voted status.
- User Report 1 Document and User Report 2 Document – for printing user-defined report(s) during the election and, when the PrintReportOnOpen or PrintReportOnClose options are enabled, for printing these documents when the polls are opened or closed on the ExpressPoll.
- Totals Report Document – for printing a user-defined report during the election, and when the PrintReportOnOpen or PrintReportOnClose options are enabled, for printing these documents when the polls are opened or closed on the ExpressPoll.
- Election District Count – for printing a report that contains counts of ballots issued by election district within a consolidation.

The ExpressPoll system also reports individual voter history, and provides the total number of voters indicated as absentee, provisional, and polling place voters. This involves those voters who obtained the designation in the voter registration system as well as the voters who are assigned that status. It can also display current statistics at the bottom of the poll book grid, providing detail of voter and party turnout. Additional screens display the ballots issued by type and the ballots issued by party for each device in the poll, with totals at the bottom of the screen.

e. Provide a means for challengers to review checked in voters in real time at every location and from a central location, where connectivity is available.

ES&S RESPONSE

Yes, the ExpressPoll tablet and CentralPoint can produce reports that provide information on the date and time a voter checks in, total voters checked in at a given time, and time it takes for a voter to check-in. The ExpressPoll software's Voted List displays all voters who have checked in at a polling location.

A voted voter's name can be quickly retrieved from the ExpressPoll tablet database, and simply touching the History icon will retrieve:

- A timestamp containing the time and date the voter was validated
- The system ID (tablet) used to validate the voter
- What ballot style was issued
- Which poll worker completed the validation
- Site location where the validation occurred
- What type of ballot was used (paper or DRE)
- The voter's live signature can be presented next to the voter's signature from their voter registration system file.

f. Allow for review of reports and data from previous elections where EPBs were used.

ES&S RESPONSE

Yes. All historical data for previous elections is retained and can be used to create reports to show historical trends.

7. REPORTING

a. Generate interim reports on the screen and printer, i.e. list checked in voters, list of registration updates, etc., without suspending registration operations.

ES&S RESPONSE

Yes. The total number of voters validated, ballot type designation totals, voted voter list, and other reports can be displayed and printed by the ExpressPoll Tablet without suspending registration operations.

b. EPB must be capable of providing a list of all validated voters in each respective Election District on an optional EPB printer immediately following the close of the polls on Election Day. Please provide a sample of this list.

ES&S RESPONSE

Yes. A list of all validated voters in each Election District can be printed using the ExpressPoll printer immediately following the close of the polls on Election Day. The specific information for each voter (address, party, etc.) included in this list can be determined by the State. Please see **Exhibit D** for a sample list.

c. Ability to identify double-voting either real-time or post-election.

ES&S RESPONSE

Yes. When networked as designed, the ExpressPoll system eliminates the risk of double voting. All ExpressPoll tablets located within a voting location will be connected using a LAN. This LAN connection enables all voter validation activity to be shared with all other tablets at the voting location. This prohibits a voter from being validated at one tablet, then attempting to be validated at another tablet within the voting site. The ExpressPoll will clearly indicate that a voter has already been validated, and the system can be configured to disallow the voter from being provided a standard ballot by the poll worker.

d. System must have the ability to conspicuously and automatically display and update the total count of voters checked-in at the precinct. If the EPBs communicate outside of their precinct, then EPB System shall have the ability to prohibit the display and/or combination of poll book counts within any other precinct.

ES&S RESPONSE

Yes. The total number of ballots issued in the voting location is conspicuously and automatically displayed in the clearly visible ExpressPoll status bar. When multiple ExpressPoll tablets are synchronized in a voting

location, voter validation information will be shared between all the tablets at the location, and this display will be presented on all ExpressPoll tablets in use in the voting location.

All counts can be configured to include the totals within the precinct or the totals of all voters irrelevant of the precinct. The counts can also be configured to be hidden if deemed necessary.

8. PERFORMANCE, DEPENDABILITY, RELIABILITY, AVAILABILITY:

a. EPBs shall consistently be quick to respond to user actions Example: Search results must be returned quickly or in within reasonable time.

ES&S RESPONSE

Yes. The ExpressPoll tablet responds very quickly to user actions. The ExpressPoll will immediately present the name of the voter when the bar code from their ID is read by the tablet. Also, a voter's record will be displayed in seconds after entering the first three letters of the voter's last name and the first letter of the voter's first name. Names appear on the screen immediately as letters are entered. The poll worker does not have to enter all the letters of the voter's name, or touch a search icon to begin the search. The search begins instantaneously, and searches can easily be completed in five seconds or less. This process dramatically reduces the voter look-up process time.

b. EPB shall redundantly and securely store voter validation data.

Note: Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Application Security Standard, Web Application Security, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes. This capability is one of the paramount features of the ExpressPoll tablet system. The ExpressPoll is designed to provide "integral" redundant storage of all voter activity data. All voter validation activity captured by the system is stored in the tablet's micro-SD (Secure Digital) card and in the tablet's internal solid-state memory. If data cannot be retrieved from the micro-SD card, the ExpressPoll's Restore Transaction Log function can be used to restore the log from the ExpressPoll to a new card. The redundant data storage capability of the ExpressPoll tablet assures the State that critically important voter history data will be readily available post-election. This integral, redundant secure data storage capability is especially important when only one ExpressPoll tablet is used in a voting location, as it provides integral redundant data storage without the need for multiple tablets at the site - a significant cost savings.

In addition to this unique integral redundant data storage capability, if multiple tablets are used at a voting location, and the tablets are synchronized, data captured from each of the tablets is immediately shared with all the other tablets connected to the local area network.

When the CentralPoint central server system is utilized, all voter validation data is also stored on this server as well, providing yet another means of data storage redundancy.

All data captured will be encrypted both when transmitted and when stored on the device. Retrieving the data will require an encryption password that will provide access for the application to process the data.

c. Must have sufficient dust, water and drop/shock resistance.

ES&S RESPONSE

Yes. The tablet is designed for frequent use. The ExpressPoll tablet's solid-state architecture provides extremely reliable data storage performance. When the tablet is in the carrying case, it is protected in custom-cut foam pockets, allowing the case to absorb the normal shocks of loading, unloading, and stacking of the cases. The carrying case provides a protective ridge around the inside edge of the case which provides protection from dust and water.

The ExpressPoll carrying case has rounded edges and can be transported by poll workers of all ages. The carrying case can support the use of wire security tags. Security labels can be used on the carrying case as well.

d. Operate on battery power for up to 16 hours in the case of a power outage.

ES&S RESPONSE

Yes. The ExpressPoll system meets this requirement.

e. Shall be capable of automatically switching to a self-contained direct current power source and not interrupt the operation or integrity of the data.

ES&S RESPONSE

Yes. The ExpressPoll tablet features lithium-ion battery packs that meets this requirement.

f. Shall be configured in such a way that the operator is provided indication when the Precinct EPB device(s) is operating on battery power (DC)

ES&S RESPONSE

Yes. The ExpressPoll tablet has constant text displayed indicating whether the tablet is running on AC or DC power. Low battery alerts will be presented on the ExpressPoll screen at designated levels of remaining battery charge. The ExpressPoll lithium-ion battery charges quickly, streamlining this election preparation task.

The ExpressPoll tablet can consistently run on AC power the entire Election Day, so there is no need to have the tablet run on DC power, then switch to AC power during Election Day as is a requirement with other tablet based systems (such as iPads). This eliminates the need for a poll worker to consistently monitor the remaining battery power in the tablet, and also eliminates the need for a poll worker to bend under the validation table to plug in a tablet when voters are waiting in line on Election Day.

g. Provide a means of quickly recovering data from an EPB that has failed during operation.

ES&S RESPONSE

Yes. The ExpressPoll system was specifically designed to provide redundant storage of voter activity data. All voter validation activity captured by the system is stored in a removable non-volatile SD (Secure Digital) memory card and within the device memory. The SD memory card from the disabled tablet can be installed

on a new tablet, and the tablet ID from the initial tablet is entered into the replacement tablet, and operations can continue. If data cannot be retrieved from the removable SD card, data can be retrieved from the ExpressPoll unit's internal memory. This is one of the major advantages of the ExpressPoll system compared to systems that do not provide integral redundant data storage in their electronic poll book tablets.

h. EPB shall be able to operate in standalone mode, locally networked (e.g. polling place), and state/public network (e.g. internet).

ES&S RESPONSE

Yes. With the ExpressPoll system, each unit can be configured to operate in standalone mode or to communicate with other ExpressPoll units connected in a polling location on a local-area network (LAN). The devices also can be configured to communicate with an SQL host server on a wide-area network (WAN). ES&S already has jurisdictions using the SQL host server system to network with up to 4,400 ExpressPoll tablets. This is the largest central server based system in the industry.

Even when operating in the stand-alone mode, the ExpressPoll tablets can display maps which provide directional information for voter's visiting an incorrect voting site.

9. SUPPORT, TROUBLESHOOTING, SURVIVABILITY:

a. Provide onsite troubleshooting service on Election Day. Attach current cost figures as well as optional figures to cover day(s) before and after Election Day.

ES&S RESPONSE

Yes. ES&S agrees and will comply. **Appendix C - Pricing** provides optional pricing for the State of Delaware to purchase Election Day support after the first election use, which is included in the overall pricing. ES&S' on-site representative will assist election officials with any election tasks needed. Depending on the Delaware's needs, these tasks may include assisting election officials with procedural guidance, hardware and software operation, Election Day call center staffing, serving as a roving troubleshooter on Election Day, and performing election night accumulation of voter history data. The representative will communicate with the ES&S Help Desk if necessary.

b. Provide a means to easily deploy security patches for firmware, OS, application, software, etc., to the EPB and its accessories. All electronic devices must be deployed with trusted computing integrity verification in their full stack.

Note: Refer to GSS_I8809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Application Security Standard, Web Application Security, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

[REDACTED]

c. Central system shall have a means to retrieve/report firmware, OS application, software, etc. installed on individual EPBs.

ES&S RESPONSE

Yes. The software maintains a complete transaction audit log with tables containing a record of all ballots issued and other significant activity that can be printed or exported. The audit log is stored on the removable micro-SD card with a backup copy stored on the tablet's internal memory.

The audit log file includes the:

- Identification of the program and version being run
- Identification of the election files being used

d. Central system shall have a means to retrieve/report voter registration data version or release date deployed on each device.

ES&S RESPONSE

Yes. The software maintains a complete transaction audit log with tables containing a record of all ballots issued and other significant activity that can be printed or exported. The audit log is stored on the removable micro-SD card with a backup copy stored on the tablet's internal memory.

The audit log file includes the:

- Identification of the program and version being run
- Identification of the election files being used

e. EPB accessories, e.g. scanners and printers, must be easily replaceable/serviceable on site with minimal technical experience required.

ES&S RESPONSE

Yes, all ExpressPoll accessories are easily serviceable onsite with minimal technical experience required. As an example, changing paper in the thermal printer can be completed in seconds. The lid of the printer is lifted, a paper roll is placed into the paper roll area of the printer and the lid is closed. There is no threading of paper in the printer and no ribbons to replace. The poll worker just needs to make sure that paper is extending from the bottom of the paper roll outward.

f. Hot Swappable: EPB data must be redundantly stored so as not to lose any data, and be able to switch or replace EPB in the event of malfunction. EPBs shall be configured in such a manner to automatically replicate

and securely encrypt a copy of the data at all times to a removable/relocatable memory device such as a USB Memory Flash Drive.

Note: A secure key management strategy must be used. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes. The ExpressPoll is designed to provide “redundant storage” of encrypted voter activity data. All voter validation activity captured by the system is stored in the removable micro-SD card, and in internal solid-state memory. If data cannot be retrieved from the removable micro-SD card, the ExpressPoll’s Restore Transaction Log function can be used to restore the log from the ExpressPoll to a new card.

Replacing a tablet in the field is a very fast process, as the micro-SD card is removed from the initial tablet and placed in the replacement tablet. The tablet ID of the first tablet is then inserted into the second tablet. It is that simple. Access to the Maintenance function that enables these capabilities is protected with a password.

[REDACTED]

g. Hot Introduction: Ability to easily add EPBs into an existing operations, e.g. to support a sudden surge of check-ins, without disrupting ongoing operations.

ES&S RESPONSE

Yes.

[REDACTED]

Adding an ExpressPoll tablet to an existing, functioning voting location is a simple process. A poll worker would simply set up the additional ExpressPoll tablet, connect the tablet to the local router, and turn the tablet on. When the tablet is connected to the local router at the voting site, the tablet will automatically synchronize with the router and begin to network with all the other ExpressPoll tablets within the voting location. Visual icons on the ExpressPoll screen will indicate that the additional ExpressPoll tablet is communicating with the other tablets at the site.

h. Scalability: Ability to remove or detach EPBs from an existing operation and transfer devices to another location, i.e. shifting resources based on demand

ES&S RESPONSE

Yes.

Removing an ExpressPoll tablet from an active voting site is as simple as logging out of the tablet and turning the unit off. The operation of one tablet does not affect the operation of other tablets synchronized using the network. There is no primary tablet in the ExpressPoll system.

Re-assigning an ExpressPoll tablet to another voting site is a very easy process which is unmatched in the industry. When logging the re-assigned ExpressPoll tablet into the new voting location, all a person has to do is insert the correct voting location name/number into the log-in page and insert the poll worker name and password as normally completed. Since the entire county or state voter database is contained on the tablet, assigning the tablet to another voting location is a simple procedure. Now the tablet is programmed to validate voters in the new voting location. This re-assignment can be completed in one minute. Unlike other electronic poll book systems, the ExpressPoll system does not have to be networked to a central server system to provide this important re-assignment capability.

i. Ability to generate media required to activate the voting machine.

ES&S RESPONSE

Yes. The ExpressPoll tablet has the unique capability to accurately validate voters, and during this validation process, the system is designed to print a bar code containing the voter's correct ballot style on the ExpressVote and ExpressVote-XL Voter Activation Card. The automated capability to print the correct ballot style on the Voter Activation Card eliminates the risk of a poll worker providing an incorrect ballot style for a voter. It also eliminates the need for a separate piece of paper to be printed which includes each voter's ballot style.

If standard paper ballots were ever to be utilized, the ExpressPoll tablet can scan a bar code on a paper ballot which contains the ballot style of the paper ballot, and this information is compared to the voter's ballot style information contained in the ExpressPoll database. If the ballot style information matches, the poll worker can confidently hand each voter their paper ballot. If the ballot style information does not match, the poll worker will immediately receive a warning that the ballot styles do not match and that another paper ballot should be selected for the voter. This capability virtually eliminates the risk of a poll worker handing a voter the incorrect paper ballot.

The Electronic poll book will be able to integrate fully with all ES&S tabulation equipment. This includes, but is not limited to, burning smart cards and sending data to allow different printers to print and assorted different types of ballots.

10. ANALYTICS:

a. Ability to capture wait times (from clerk 1 searching the voter while in line to clerk 2 searching the voter for check-in)

ES&S RESPONSE

Yes. The CentralPoint central server system has the ability to capture wait times, and develop reports based on the input from each voting location. Periodically during Election Day, CentralPoint will automatically prompt local election personnel in voting locations to input the number of voters waiting in line at their specific voting site. This data will be captured by CentralPoint and reports will be generated indicating the potential length of wait times at each location, and which locations have the most and least voter activity.

b. Ability to capture check-in processing times (from searching the voter during check-in)

ES&S RESPONSE

Yes, CentralPoint has the ability to capture check-in processing times.

c. Ability to capture stand-by time (times when EPBs are idle)

ES&S RESPONSE

Yes, CentralPoint has the ability to capture stand-by times.

d. Ability to generate reports and export raw data captured

ES&S RESPONSE

Yes. The ExpressPoll can be configured to display and or print a wide variety of reports. These reports include the following:

- Voter Document – For printing voter receipt information after a standard paper ballot is issued or reissued. This printed document can contain information such as the voter's name, address, political party, election district, ballot style and more. Up to 42 items can be printed on this document, and the contents of the document can be selected by the State of Delaware.
- Voter Provisional Document – For printing voter receipt information after a provisional paper ballot is issued. Once again, this printed document can contain information such as the voter's name, address, political party, election district, ballot style and more. Up to 42 items can be printed on this document, and the contents of the document can be selected by the system user. The title of this document will indicate that the printed document relates to a Provisional Voter.
- Voter Reprint Document – For reprinting the voter document in the event that the original was damaged. The value defined for this resource can produce an exact copy of the original voter document or it can be defined to include different wording such as "Reprint" or "Copy."

- Voter Provisional Reprint Document – For reprinting the provisional voter document in the event the original is damaged.
- Poll Document – For printing polling place information for voters at the wrong polling location. This is a customizable report that includes the address and intersection information of the voter’s correct polling place.
- Voter List – Display and printing the list of voters who are assigned to the specific voting location, and the voter status of each voter.
- Voted List – Display and print the list of voters who have been validated. This is a customizable report that shows who voted and includes a time stamp. Other information can be included as part of the report, including voter address, voter party and ballot type.
- Absentee Voter List – Display and print the list of all absentee voters that are contained in the ExpressPoll Tablet’s database.
- Poll Workers – A list of poll workers for each voting site can be included in the ExpressPoll Tablet and new poll workers can be added to this list before or during Election Day. Following the election, poll worker data can be exported in a format that enables the data to be effortlessly uploaded into the appropriate payroll system, eliminating the need to manually generate poll worker payroll information.
- Poll Worker Oath - Display and print the State of Delaware’s poll worker oath that can be signed by designated personnel.
- Printer Initialization Document – For printing information that allows the user to verify that the printer is working correctly. Can also be used to send printer commands that specify printer controls to the printer. When used, this document is printed when the ExpressPoll is powered on.
- User Report 1 Document and User Report 2 Document – For printing any user-defined report.

CentralPoint can be used to generate and display reports that contain audit log information, including the log-in names of the users who performed the action.

After the election, when transaction data has been processed, voter history data, including voter names and signatures, is included with the export data to be uploaded back into the jurisdiction’s voter registration system. Reports can be easily generated that include the name and signature of every voter participating in the election.

II. DOCUMENTATION

As part of this bid, vendors are required to provide formal description and representation of the system, including a mapping of functionality onto hardware and software components, a mapping of the software architecture onto the hardware architecture, and human interaction with these components. The following are required:

1. System Architecture

ES&S RESPONSE

ExpressPoll system architecture is included as **Exhibit E**.

2. Functional Description

ES&S RESPONSE

EXPRESSPOLL ELECTRONIC POLLBOOK TABLET

The ExpressPoll system gives election poll workers a simple-to-operate voter check-in device for voter check-in and verification that reduces waiting time for voters, increases the accuracy of voters' personal information, and improves the Election Day experience for all. This popular product uses a familiar, low-cost touch-screen tablet. This provides an intuitive, easy-to-understand user interface similar to the digital devices they use in their everyday lives. Multiple peripheral devices are not needed to check in voters. Instead, devices such as a signature pad and barcode reader are built right into each tablet computer, making the devices easy to use and handle.

- The ExpressPoll electronic poll book interfaces directly with the ExpressVote product family. Via the ExpressVote Activation Card Printer, it automatically prints the correct ballot style bar code for each voter on the ExpressVote activation card. This automated process virtually eliminates the risk of a poll worker providing an incorrect ballot style to a voter.
- Voter validation data is redundantly stored in the ExpressPoll tablet, providing assurance that voter history data will be available post-election.
- The secure tablet data loading process for all ballot styles and screen information is accomplished in one step.
- The ExpressPoll system audit trail information includes the name(s) of the election judge(s) that completed each task, providing election judge accountability.
- The operating system is stable. Microsoft Windows has guaranteed in writing that they will continue to provide security updates for the Microsoft Windows 10 operating system through at least October 2026.

CENTRALPOINT

CentralPoint® is a web-based application used with the ExpressPoll electronic poll book system that will allow the Delaware Election Commissioner to *monitor the statewide poll activity from one location*. It displays, monitors, and tracks poll place information in real time. It allows election administrators to timely address issues before they become serious problems. All of this information is presented in graphical charts, maps, and reports on an easily monitored dashboard display. This dynamic, real-time insight allows election officials to instantly manage poll locations. This web-based application does not contain any tabulation data.

- Interactive alerting and automated notifications provide real-time insight into all poll locations prevents problems with
- CentralPoint enables election officials to view voter validation activity as it happens with vivid charts, maps, and a dynamic interactive dashboard. It provides information on who voted by party, precinct, polling place, or hour.
- CentralPoint displays the poll opening and closing status and poll location traffic Paper ballot thresholds can also be monitored by the CentralPoint System, alerting election officials when specific paper ballot style quantities are about to run low.
- CentralPoint informs election officials about poll book equipment in the polling place, such as battery status, software versions, and connectivity. The application provides a map that includes the status of all ExpressPoll units in use throughout the jurisdiction. CentralPoint can display whether an ExpressPoll unit has been turned on, if it's operating on battery or AC power, and what the remaining battery charge level is on any unit at any time.
- Based on pre-programmed system thresholds, system alerts can automatically be sent to rovers or election officials. For example, a local rover can be alerted when a polling location does not turn on the ExpressPoll unit by the time the polls should be open.
- Voter status updates from the PowerProfile voter registration system can be easily uploaded to the CentralPoint server for download onto the ExpressPoll tablets.

EXPRESSPOLL ACTIVATION CARD PRINTER

The ExpressPoll activation card printer receives information from the ExpressPoll tablet to print a code with the correct ballot style for a voter onto the ExpressVote activation card. Once inserted into the ExpressVote, the correct ballot style is presented on screen and audibly.

3. User Manuals (System Administrator, Election Administrator, Check-In, etc.)

ES&S RESPONSE

ES&S provides comprehensive documentation of the ExpressPoll tablet, including training materials, user's manuals, "how-to" guides, and data recovery procedures. User Manuals are attached as **Exhibit F**.

4. Engineering level Platform Security information (engineering level documentation).

ES&S RESPONSE

Please refer to **Exhibit G** for application development security standards.

5. Engineering level Cryptographic and Key Management information (engineering level documentation).

ES&S RESPONSE

Please refer to **Exhibit G** for application development and security standards.

III. DATA TRANSFER, INTERFACES AND COMPATIBILITY

As part of this bid, vendors are required to provide a means for transfer of data between the Delaware statewide voter registration system and the EPB system. The following are required:

1. The EPB shall provide a simple and timely means of downloading voter and election data from the Delaware statewide voter registration system to the EPB system.

ES&S RESPONSE

Yes. ES&S has designed the ExpressPoll system to interface with many different voter registration systems throughout the country. Our experience with voter registration systems is unrivaled. As a company, we maintain and support customers on four different voter registration systems containing more than 55 million voters. Our knowledge of various voter registration systems has already enabled us to develop comprehensive interfaces which enable voter data to be quickly and easily downloaded from and uploaded to these systems.

ES&S offers the proven expertise to provide an interface that enables ExpressPoll system data to be accurately and quickly transferred from the Delaware state-wide voter registration system to the ExpressPoll tablets. Loading state-wide voter registration data onto the ExpressPoll tablets will be completed in a very short time period due to the technology developed into the ExpressPoll system. Once data is loaded into each ExpressPoll tablet, the system provides a confirmation indicating that the transfer of data has been effectively completed.

2. The EPB system shall provide a simple means of uploading voter history information to following Election Day to the Delaware statewide voter registration system following Election Day.

ES&S RESPONSE

Yes. The innovative ExpressPoll tablet system will allow county-wide or state-wide voter history information to be quickly and accurately uploaded to the Delaware statewide voter registration system. This is an extremely simple, fast and secure process that can be accomplished with very limited tablet skills. The ability to automate the uploading of voter history data dramatically reduces the associated time, manpower and cost otherwise needed to perform this task.

3. The EPB shall be compatible and can easily exchange data between EPB and the Delaware statewide voter registration system.

ES&S RESPONSE

Yes. Delaware voter registration data will be converted into a data format that will be loaded onto the ExpressPoll tablets. ES&S will request sample voter registration data from the State so a data conversion interface between your voter registration system and the ExpressPoll system can be developed. ES&S can provide data conversion services for Delaware, or you can convert your own voter data. State officials then will transfer the data to a thumb drive and insert the thumb drive into the micro-USB port on the side of the ExpressPoll tablet or on the side of the ExpressPoll stand. Voter data is rapidly loaded onto the tablet, and a confirmation is presented once the data transfer is completed. Due to the speed of this process, hundreds of ExpressPoll tablets can be accurately loaded in a very short period.

ES&S has designed the ExpressPoll system to interface with many different voter registration systems, including statewide systems. Our experience with voter registration systems is unrivaled. Our solution can import/export files that are formatted to be produced and consumed by the supported Voter Registration System. We also have implemented solutions that directly communicate to the Voter Registration System via web services to provide a seamless integration. In addition to our ability to interface with a variety of systems, ES&S maintains and supports customers on four different voter registration systems containing more than 55 million voters.

IV. SECURITY

The system shall provide the following security features:

1. To prevent unauthorized use:

- *The EPB system shall provide of record of the following*
 - o The program and version in use*
 - o The election file version/release date and time in use*

ES&S RESPONSE

Yes. [REDACTED]

[REDACTED]

- 1. [REDACTED]
- 2. [REDACTED]
- 3. [REDACTED]
- 4. [REDACTED]
- 5. [REDACTED]

[REDACTED]

- Describe how security is managed with the EPB including but not limited to:

- o User access control features
- o Data encryption
- o Key Management

Note: Demonstrate compliance to Standards and Policies. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

ES&S agrees and will comply.

USER ACCESS CONTROL FEATURES AND KEY MANAGEMENT

[REDACTED]

[REDACTED]

[REDACTED]

DATA ENCRYPTION

[REDACTED]

[REDACTED]

2. Be secure from unauthorized access both physical and via wireless against all modern threats.

a. Compliant with DoD DISA STIGs

ES&S RESPONSE

Yes. The very durable ExpressPoll carrying case can be physically secured [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

b. Does not exhibit common weaknesses enumerated by the CWE.

ES&S RESPONSE

Yes. [REDACTED]

[REDACTED]

c. Does not exhibit vulnerabilities enumerated by OWASP.

Note: Compliant with Standards and Policies. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Application Security Standard, Web Application Security, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes. [REDACTED]

[REDACTED]

3. Shall be configured to ensure controlled, secure logical/administrative access

ES&S RESPONSE

Yes. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Only the ExpressPoll voter validation software application can be accessed by the poll worker.

4. All components shall be configured in such a manner to provide a constant static data encryption methodology that minimally meets Delaware standards and policies, including the security standards and policies provided with this RFP.

Note: Refer to Standards and Policies: The system must comply with State of Delaware Enterprise Standards and Policies, Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information.

ES&S RESPONSE

Yes. [REDACTED]

[REDACTED]

[REDACTED]

5. Shall be configured and managed in such a manner that all data in-motion maintains the highest level of physical or digital protections per Delaware standards and policies.

ES&S RESPONSE

Yes. [REDACTED]

[REDACTED]

[REDACTED]

6. Shall be configured and managed in such a manner that they may never connect to a publically accessible network

ES&S RESPONSE

Yes. [REDACTED]

[REDACTED]

7. Data In-Motion Security: If Precinct EPBs utilize LAN networking connectivity:

a. All Precinct EPBs must be connected via wired connection (e.g. LAN Ethernet Cable) utilizing a closed and independent switch.

ES&S RESPONSE

Yes. When multiple ExpressPoll tablets are synchronized within the same voting location, the tablets will be networked [REDACTED]

-and-

b. The EPB must support (and require) a VPN connection to a secure location using cryptographic methods in the security and policies provided with this RFP

ES&S RESPONSE

Yes. [REDACTED]

-or-

c. All Precinct EPBs must be connect via a closed wireless non-SSID broadcasting router with encryption methodology employed per Delaware State standards, including and additional filtration scenario to allow only the known Precinct EPB devices the ability to connect to the wireless network.

ES&S RESPONSE

Yes. [REDACTED]

-and-

d. The Precinct EPBs shall be configured in such a manner as to only be capable of connecting to the designated wireless networking device.

ES&S RESPONSE

Yes. At time of implementation, the ExpressPoll tablets are configured to specific wireless access points or network locations/devices

. - and -

e. The EPB must support (and require) a VPN connection to a secure location using cryptographic methods in the security and policies provided with this RFP.

Note: These devices must communicate over a secure layer (e.g. a strong VPN and secure mutual TLS authenticated API connection with good key management). Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Application Security Standard, Web Application Security, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes.

[REDACTED]

The ExpressPoll, is a thick client application written in .NET WPF. It can communicate with other EPBs on the same network or with CentralPoint. All communication is done securely either through a MiFi or an Ethernet based solution.

8. Data In-Motion Security: If EPB System and Precinct EPBs utilize WAN networking connectivity:

a. All Precinct EPBs must be connected via a wireless non-SSID broadcasting router or network with at minimum encryption methodology employed per Delaware State standards (Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information), including an additional filtration scenario to allow only the known Precinct EPB devices within the precinct to connect to the wireless network.

ES&S RESPONSE

Yes.

[REDACTED]

-and

b. The EPB System shall be configured in a manner that all data transmission shall only use full tunneling methodology that permits specific routing and approved encryption standards. (VPN)

ES&S RESPONSE

Yes.

-and

c. The EPB System and Precinct EPBs shall be configured in such a manner that the wireless infrastructure must authenticate each client device prior to access.

ES&S RESPONSE

Yes.

-and

d. The EPB System and Precinct EPBs shall be configured in such a manner that two-factor authentication is employed.

ES&S RESPONSE

Yes.

9. EPBs shall support remote-wipe, local-wipe and have theft prevention and asset recovery features.

ES&S RESPONSE

Yes.

[REDACTED]

10. Ability to detect data tampering

Note: Cryptographically. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes. [REDACTED]

11. EPB shall have the capability to time stamp most, if not all, activities such as time of voter check in, successful logins, invalid logins, log outs, network connectivity, data transfers, etc. Must have extensive audit logging capabilities.

Note: Must be digitally signed. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes.

[REDACTED]

12. Shall be capable of providing accessible and exportable comprehensive audit logs of all transactions to include at minimum, timestamp and transaction/event.

ES&S RESPONSE

Yes. The software maintains a complete transaction audit log

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

[REDACTED]

13. Support common and unique user accounts.

ES&S RESPONSE

Yes. The State can assign, modify, or terminate user access to the poll book

14. The EPB system must undergo a security review and assessment by a 3rd party, selected by Department of Elections, and vendor shall provide documentation that all known issues have been addressed and resolved.

ES&S RESPONSE

Yes,

V. IMPLEMENTATION ENVIRONMENT

As part of this bid, vendors are required to provide separate pricing options for the system to be hosted in the cloud, internally, and hybrid. Regardless of hosting platforms or environments, the vendor solution must comply with the security and policies provided with this RFP.

ES&S RESPONSE

Yes, ES&S agrees and will comply. Please see **Appendix C – Pricing**.

VI. ACCESSORIES AND PERIPHERALS

The Department of Elections may wish the following to be included in the vendor's base per-unit EPB bid:

- 1. Electronic Poll Book with barcode scanning and signature capture capabilities*
- 2. Tablet tether*
- 3. Removable memory storage (e.g. Micro-SD Card)*
- 4. Power Banks (battery chargers)*
- 5. 10' USB power cable*
- 6. Carrying case*
- 7. Stylus*
- 8. EPB software which has been loaded onto EPB*
- 9. Rotating stand for EPB*
- 10. Smart Card Reader/Writer with cable*
- 11. Shipping*
- 12. Acceptance testing*

ES&S RESPONSE

Yes. The ExpressPoll solution will contain:

- 10.1" computer tablet – which contains a 64 GB solid state drive (SSD), the largest tablet capacity in the industry
- Tablet protector sleeve
- MicroSD card with SD adapter - [REDACTED]
- 16 GB thumb drive - [REDACTED]
- USB dongle
- 10' USB power cable
- Carrying case
- Stylus [REDACTED]
- Lanyard - [REDACTED]
- Tablet Tether
- ExpressPoll Software
- Pedestal and Lazy Susan Stand
- Battery: Lithium-ion battery solution that will meet the 16-hour requirement

- Smart Card Reader/Writer (optional)
- Acceptance Testing
- Shipping Handling

Vendor shall also submit per-unit bids on the following optional equipment:

- 1. Multi-unit Desktop Charging/Sync Station*
- 2. Thermal Printer with rechargeable battery backup (minimum 8 hours)*

ES&S RESPONSE

Yes. Optional equipment for the ExpressPoll tablet include a storage/charging cart and thermal printer with rechargeable battery backup. Please see attached **Appendix C - Pricing** for all optional equipment.

VII. OPTIONAL SERVICES

Delaware may wish to enter into an agreement for training, EPB system setup, and election preparation assistance with the winning bidder. Provide current pricing for the following services:

- 1. Basic training on the EPB system*
- 2. On-site setup of EPB system.*
- 3. Maintenance of the system before, during and after use in elections.*
- 4. Process to upload voter history and other required information to the Delaware statewide voter registration system following an election.*
- 5. Ongoing training for new features.*

ES&S RESPONSE

Yes. Please see **Appendix C - Pricing** for current pricing on the above listed services.

APPENDIX B, PART 4: ELECTIONS

MANAGEMENT

As demonstrated to the Delaware Voting Equipment Selection Task Force, ES&S has the following components that comprise our elections management system.

1. Electionware election management system (EMS)

The ES&S Electionware election management system (EMS) is used to create an election information database, format ballots, program voting and ballot tabulating equipment, count ballots, review ballot images, and report results. This agile election management system is the result of our nearly 40 years of election product research and development.

2. PowerProfile® voter registration and election management application

The ES&S PowerProfile is a voter registration and election management application that enables election officials to register voters and conduct elections from a central data store. This system allows for both single jurisdictions and states to manage elections from the same interface. Election officials are able to register voters, check eligibility, conduct election activities such as prepare absentee and early voting, recruit election workers, create poll books and rosters, verify petitions, and maintain voter records using a single software solution.

Minimum Requirements for Elections Management System

Note: This section also applies to public school board and referendum elections

I) OFFICES AND TERMS:

a) System must provide a central repository of information regarding an elected office for federal, statewide, general assembly (Senate & House), county, municipalities (e.g. City of Wilmington), public school board.

ES&S RESPONSE

Yes, ES&S' election management system (EMS), Electionware, has a single database for the entire election that stores all of the jurisdiction's election district, office, and candidate information.

b) System must have the capability to create and modify office name, jurisdiction type, jurisdictions, terms, base year.

ES&S RESPONSE

Yes, Electionware allows users to create and modify office name, jurisdiction type, jurisdictions, terms and base year.

c) System must allow VP office to be linked to President Office to appear as one ballot choice.

ES&S RESPONSE

Yes, Electionware allows VP office to be linked to President Office to appear as one ballot choice.

d) System must have the capability to enter and update the following information about an office

- 1. Contact information.*
- 2. Term of the office*
- 3. The years that an office is elected*
- 4. Office filing fee.*
- 5. Office's ballot order.*

ES&S RESPONSE

Yes, Electionware offers 10 additional text lines (each 255 characters) to include the above information about an office.

e) System must provide the capability for flexible, dynamic and overriding office terms.

ES&S RESPONSE

Yes, Electionware has the capability for flexible, dynamic and overriding office terms.

2) CANDIDATE FILING:

a) System must provide capability to capture the required information for persons who have filed as a candidate for an office, been nominated to run for an office, or have declared themselves a write-in candidate for an office. System must provide real-time updates to candidate and office data ensuring data is synchronized.

ES&S RESPONSE

Yes. Electionware provides the capability to capture the required information for candidates and write-ins. The candidate and offices they are linked to within Electionware are kept updated in real-time within the EMS.

b) System must track changes and history of the changes made to office and candidate records.

ES&S RESPONSE

Yes. Electionware maintains an Election Audit Events log for every action the user performs within the application, including system prompts to the user and the user's response to these prompts. Each event tracks the timestamp of the event and the user who performed the action. Additionally, an Admin Audit Events log is maintained. This log stores all the events that are generated when an election is not currently open (e.g., user creation, user login/logout, etc.). This log also contains the timestamp and the name of the user who

performed the action. Both logs can be filtered by date and event type and printed in a variety of file formats including .pdf, .rtf, .html, .xls, and .csv.

c) System must provide the capability to enter candidate information (e.g. name, address, phone #'s, email, etc.), and upload any supporting documentation

ES&S RESPONSE

Yes, Electionware offers 10 additional text fields to include candidate information and supporting documentation.

d) System must provide the capability to pre-populate basic candidate information from the Voter Registration module/system. Note: Candidates for some offices (e.g. school board) are not required to be registered voters.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

e) System must have the capability to capture acceptance or rejection of candidate filings.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

f) System must not allow a candidate to be assigned to an election until the candidate filing has been accepted.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

g) System must allow a candidate to withdraw.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

h) System must provide the capability to verify candidate is a registered voter in jurisdiction of office where required for specific offices.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

i) System must provide the capability to inform other counties of candidate filing (If cross-county office).

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

j) System must support offices that have multiple office holders; impacts ballots, declaration of winners.

ES&S RESPONSE

Yes, Electionware supports offices that have multiple office holders, impacts ballots and declaration of winners.

k) System must provide the capability to indicate the candidate paid the filing fee or, when appropriate, the candidate filed a supporting petition with signatures.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

l) System must be able to capture the names of the persons who signed the petition. The system must have the capability to verify whether or not the person is registered to vote. Those who are not registered must be flagged as such.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

m) System must provide the capability to verify that the person has only signed the petition once.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

n) The system must be able to count the number of person are valid (e.g. registered to vote in the correct district) and not.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

o) System must enforce deadlines (date and time) and other requirements. Allow authorized staff to override validations, and to capture and store reason(s).

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

p) System must provide the capability to publish offices and candidate information to state websites manually or on schedule.

ES&S RESPONSE

Yes. Contests and candidates are displayed in numerous reports in Electionware. Users can also create personalized reports with Electionware's powerful Table View tool. It allows for custom reporting of all pre-election elements such as election districts, contests, ballot styles and candidates. These table views can be exported to Excel spreadsheets and contain all election data attributes handled by the Capture module. ES&S

customers can choose to export this information at a set interval, allowing them to keep their website's information up-to-date.

q) System should allow for export of office and candidate information.

ES&S RESPONSE

Yes. Electionware's Capture module features a customizable table view. There is a table view for each data element (i.e. Election Districts, Parties, Contests, Candidates, Ballot Styles). You can specify the fields needed to export, plus the order and sorting of the columns. This data can be exported as an .XLSX or .CSV format.

r) System must allow for county to delete "erroneous" candidates.

ES&S RESPONSE

Yes. Electionware allows a user to delete candidates.

3) REFERENDUMS:

a) System must maintain a record of Referendums.

ES&S RESPONSE

Yes, Electionware will maintain a record of Referendums.

b) System must provide a central location and user-friendly entry mechanism for Referendum

ES&S RESPONSE

Yes. ES&S' election management system (EMS), Electionware, has a single database with many administrative reports and automated tools to ensure an accurate election setup. Users can utilize our one-click import or manually enter the jurisdiction's election districts, offices, referendum, plus candidate and other election data. This data is then used throughout the system to define the image of the ballot, to display on the equipment printouts, and on election reporting functions.

c) System must provide the capability to enter Referendum text.

ES&S RESPONSE

Yes, Electionware allows the user to enter Referendum text.

d) System must allow the import and export of Referendum text.

ES&S RESPONSE

Yes. Electionware features a robust import feature that allows a significant amount of election information to be imported with a single click of the mouse. Types of information that can be imported include Parties, Election districts, Contests, Candidates, Ballot Questions, Polling Places, Poll-to- Election district relations,

Referendum and more. Electionware provides exports of data in XLSX and CSV formats in the robust Table View feature. This powerful option allows the user to dictate which fields they desire to export, creating custom reports for proofing purposes.

e) System must support validation requirements for Referendum which may include a super majority for passage (e.g. 60%), or a certain number of ballots cast, or other unique criteria.

ES&S RESPONSE

Yes, our system supports the validation of referendum by displaying the votes cast for each referendum response on tabulator report tapes as well as in the reporting software.

f) System must allow multiple offices and multiple Referendum to be assigned to the same district(s).

ES&S RESPONSE

Yes, Electionware allows multiple office and Referendums to be assigned to the same district.

g) System must provide the capability to enter translated text.

ES&S RESPONSE

Yes. Translations can be imported similar to English data import, or users can enter all English data (contests, referendum) and create a ballot translations spreadsheet. This spreadsheet is then translated by the jurisdiction or a professional translation service, and then easily imported into Electionware. The system also provides the capability to enter translated text manually.

h) System must provide the capability to include or not include a referendum on a ballot.

ES&S RESPONSE

Yes, Electionware has the capability of including or not including a referendum on a ballot.

i) System must provide opportunity for editing and approval by state or county users before publishing Referendum text.

ES&S RESPONSE

Yes. Electionware software can generate ballot proofs in PDF format that are exact replicas of the actual ballot to be voted upon. Election officials will be able to review all ballot styles as the ballots are to be printed before sending the ballot artwork files to the printer for publication.

Electionware's Capture module features a customizable table view. There is a table view for each data element (i.e. Election districts, Parties, Contests, Candidates, Ballot Styles). You can specify the fields needed to export, plus the order and sorting of the columns. This data can be exported as an XLSX or CSV format.

4) ELECTIONS:

a) System must provide the capability to allow submission of candidate and Referendum filing.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. ES&S provides the ability to track Candidates currently. We will provide the ability to submit and store Referendum data in our Candidate Filing module.

b) System must provide the capability to assign candidate ballot order.

ES&S RESPONSE

Yes, Electionware has the capability to assign candidate ballot order.

c) System must provide the capability to import or export election data into ballot production system.

ES&S RESPONSE

Yes. Electionware allows for both manual data entry and import of properly formatted election files. The election data accepted by Electionware includes Languages, Parties, Election districts, Offices/Contests, Candidates, Referendum, Poll Places, Registered Voters, Election district/Poll associations, Election district associations, and translations.

All the attributes associated with this data, including alternate IDs, candidate full name, candidate sequence, ballot text, and vote-for phrase can be included in the import or is automatically generated by Electionware if needed based on the data imported. Electionware provides exports of data in XLSX and CSV formats in the robust Table View feature. This powerful option allows the user to dictate which fields they desire to export, creating custom reports for proofing purposes.

d) System must provide the capability to calculate ballot styles and ballot types and assign ballot types to voters.

ES&S RESPONSE

Yes, Electionware has the capability to calculate ballot styles and ballot types, and automatically assign ballot types to voters.

5) SETUP:

a) System must provide the capability to setup an election (election date, offices).

ES&S RESPONSE

ELECTIONWARE

Yes. Electionware allows jurisdictions of all sizes to manage their elections through the software's interface that is easy-to-understand and use. This agile election management system is the result of our nearly 40 years of election software leadership.

Electionware gives election administrators the tools needed to:

- Create elections
- Design ballots
- Configure selected digital scanning and accessible equipment
- Manage election results data

Electionware is easy to master because its features and actions are logically organized based upon election workflow and an integrated database. Electionware's design accommodates the latest in election trends, such as early voting, super polls, ranking voting, and electronic ballot image management. Electionware's ability to use data from past elections, as well as built-in election and ballot templates, eliminates the need to re-enter data or re-create templates with each new election. These powerful capabilities enable election administrators to create error-free elections in less time. Security levels are configurable at the levels of security required by the jurisdiction.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

b) All interfaces must leverage strong mutual TLS authentication in compliance with the security standards and policies provided with this RFP.

Note: Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Application Security Standard, Web Application Security, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes. The ES&S PowerProfile system complies with this requirement. [REDACTED]

[REDACTED]

c) System must provide programmatic exporting and importing of all election related data. The system must provide programmatic interfaces for data exchange between subsystems and other external vendor systems. Need ability to manually trigger exports and imports as well.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

[REDACTED]

d) System must provide the capability to import/enter candidates and Referendum and export to ballot production systems.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

e) System must be able to support overlapping elections. The system must allow the user to specify which election they need to work on so that multiple elections can be managed at the same time. Ballots and voters assigned to a specific election shall have a unique ID which is linked to a specific election. A given voter could be in both elections, the voter would have the same voter ID but a unique election ID would be assigned.

ES&S RESPONSE

Yes. The system can accommodate multiple elections simultaneously.

f) System must provide the capability to enter candidate ballot order by guidelines configurable by authorized administrators (e.g. Dems, Reps, Other parties by alpha order).

ES&S RESPONSE

Yes, the system provides the ability to enter candidate ballot order based on configurable settings such as party order.

g) System must provide the capability to support the maintenance of a county's jurisdiction/representative district/election district data.

ES&S RESPONSE

Yes, Electionware supports the maintenance of a county's jurisdiction/representative district/election district data.

h) *System must be capable of producing reports.*

ES&S RESPONSE

Yes. Each module within Electionware offers its own collection of individual reports to assist users with proofing their election creation. Electionware generates reports for proofing ballot layout, tabulator media created, and tabulator media received.

All reports can be printed or exported.

Users can also create personalized Reports with Electionware's powerful Table View tool. It allows for custom reporting of all pre-election elements such as election districts, contests, ballot styles and candidates. These table views can be exported to Excel spreadsheets and contain all election data attributes handled by the Capture module. Information in the Table View can be organized for viewing, sorted, and customized by changing the column headers. The lower half of the Table View screen also displays the relationship of various selected items.

The Electionware Election Audit Events Report displays detailed audit information. This Setup Module Report includes a comprehensive list of all changes to the database and can be run at any time for a specified date range.

Electionware Reports include, but are not limited to:

- Setup: User Report, Admin Audit Events Report, Election Audit Events Report, Access Codes Report
- Capture: Election district Report by Language Group, Contest Report Headings, Contest Report Rotations, Polling Place Report Summary, Polling Place Report Detail, Ballot Style Report – Election district by Style, Ballot Style Report – Styles by Election district, Data Verification Report – Missing Language Translations, Data Verification Report – Field Lengths Exceeded
- Capture Table View – Custom Reports: Language Table, Audio Language Table, Language Group, Parties, Election districts, Splits, Headings, Contests, Candidates, Polling Places, Ballot Sets, Ballot Styles, Ballot Style Detail Table
- Element Library: Missing ExpressVote System Translations, Missing ExpressVote System Audio,
- Accessible Ballot: Missing Ballot Data, Missing Ballot Audio Files
- Configure: DS200 Settings Report, DS450 Settings Report, ExpressVote Settings Report, Jurisdiction Ballot Style Listing, Ballot Detail Listing Report
- Package: Media Creation Log Report, Election Media by Poll Place, Media Not Created
- Results: Machine Log, Media Loaded Status, DS450 Networked Results Status, Results Report, Double Vote Report

The version of the Election Management System (EMS) software that comes with the ExpressVote ballot marking device (BMD) produces reports in ASCII, CSV, XML, HTML formats. CSV files can easily be converted to Excel or brought into Access. Reports generated in the EMS software can be saved as PDFs.

The version of the Electionware reporting software that comes with the ExpressVote XL produces reports in ASCII, CSV, XML, HTML, PDF, RTF, and XLSX (Excel). Excel files can be imported into Access.

i) *System must be capable of producing election management reports including which districts are on which ballot type, ballot type to election district in election district order and sorted by ballot type.*

ES&S RESPONSE

Yes. Electionware's Capture module displays a list of Election District by Ballot Style or Ballots Styles by Election District.

j) *System must provide the capability to calculate Ballot Styles.*

ES&S RESPONSE

Yes, Electionware has the capability to calculate ballot styles.

k) *System must provide the capability to determine Ballot Types and assign voters.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

l) *System must provide the capability to upload ballot styles from the ballot production system.*

ES&S RESPONSE

Yes. Electionware allows the user to export the system's ballot styles to a spreadsheet which can be imported into the voter registration system.

m) *Public site must consistently and accurately display all elections.*

ES&S RESPONSE

Yes.

6) ELECTION RESULTS REPORTING:

a) System should provide a means of obtaining historical election results by election date readily and easily.

ES&S RESPONSE

Yes, the system provides a means for obtaining historical election results easily. ES&S utilizes our Results module of Electionware to generate results from captured cast vote record data.

Cast Vote Records (CVRs) can be written to election media for backup purposes without aggregating vote data for reporting purposes. This prevents the data from being read into the EMS system for the purposes of reporting.

The software will then store the election results in several formats (ASCII, HTML, CSV, XML etc.) for additional export and storage functionality.

The entire content of each Election Media is archived on the EMS server.

In the Electionware Acquire module, the Election officials can point that archive directory and read in all the Cast Vote Records (CVRs) and scanned ballot images (if the tabulators are configured to store images) into the Electionware database. The Produce module in Electionware EMS allows the user to view each ballot image as scanned by the DS200. The files can then be sorted by write-in and by Election district to allow for easy and efficient retrieval and recording of write-ins and subsequent review and adjudication by the write-in resolution board.

b) System must provide the capability to upload tabulation file.

ES&S RESPONSE

Yes, Electionware has the capability to upload the tabulation file.

c) System must provide the capability to upload consolidated tabulation system.

ES&S RESPONSE

Yes, Electionware has the capability to upload a consolidated tabulation system.

d) System must provide the capability to check for errors.

ES&S RESPONSE

Yes. Throughout the process, Electionware constantly checks for consistency. Electionware has built-in checks that notify the user of effects their current action will have. It will even prevent multiple users from performing actions that may contradict one another.

e) *System must provide the capability to upload/enter/post results in multiple formats to the state's websites.*

Note: Digital signature should be provided. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes, the system provides the ability to upload/enter/post results in multiple formats. ES&S' software has several export capabilities that will allow results to be posted on a website. The simplest method uses the ability to export almost any of the reports (election district, summary, or canvass/spreadsheet) in HTML format so that they can be directly posted on the website. Results data can also be exported in XML and ASCII formats.

There also is a web menu tab that allows Delaware officials to format their own results displays and use the various menu selections to upload the initial election-specific data (election districts, contest, candidates, etc.) and then populate and update results as they are available.

Many jurisdictions utilize our Results XML which can be automatically generated and exported to a desired location.

We offer various reports which may be exported as HTML files and placed on website. Additional options for reports include sorting candidates by original order or by vote results.

The Electionware's Results Report offers county results with graphic bar charts in HTML or XML format.

Our upcoming release offers even more updated reports, including bar graphs. These reports can be saved as HTML, PDF, CSV, and other formats. They may be organized by county, by election district, or by split.

f) *System must provide the capability to identify winner.*

ES&S RESPONSE

Yes, the system provides the ability to identify winners. In the module, the user can select an option for the report to show candidates in vote order with percentages for each candidate. The module also displays contest results in real time with contest leaders highlighted.

It has a user selectable option to print the Election Summary report in descending candidate vote order. This places the winning candidate(s) at the top of the list. In addition to total votes it also shows the percentage of votes cast for each candidate. The summary results scrolling screen provides an option to identify winners and display them accordingly.

g) System must be capable of producing election results and relevant election information for 3rd party organizations, e.g. Associated Press, Voting Information Project. System must support the manual or scheduled programmatic extraction of data in compliance with the security standards and policies provided with this RFP.

Note: Must be digitally signed. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Cryptography Standard, and Key Management Standard

ES&S RESPONSE

Yes, the ES&S system meets this requirement. Our results accumulations software has several export capabilities that will produce results for 3rd party organizations. It provides ASCII exports, as well as multiple other formats such as CSV and XML. It also can export almost any of the reports (election district, summary, or canvass/spreadsheet) in HTML format so that they can be directly posted on State website. There is also a web menu tab that allows the State to format their own results displays and use the various menu selections to upload the initial election-specific data (election districts, contest, candidates, etc.) and then populate results. These exports can be performed at any time on election night, and used to update the state's website. Some ES&S customers choose to export this information at a set interval.

CERTIFICATION AND RECOUNTS:

h) System must provide the capability to allow state to certify an election.

ES&S RESPONSE

Yes, the system has the capability to certify an election.

i) System must report results by Election District for

1. Election Day polling places by machine and Election District

2. Absentee votes cast by voters in an Election District

3. Provisional votes counted within an Election District

4. Early voting results by Election District

ES&S RESPONSE

Yes. Election Reporting module provides many different reports for election results, including result by Election District. These results can display the election outcome for Election Day, Absentee, Provisional and, when allowed by state law, Early voting results.

Our upcoming release offers even more updated reports. They may be organized by county, by Election District, or by split.

Electionware's Reporting module provides many different results reports. They can be organized to display with or without Reporting Groups such as Absentee, Provisional or Election Day. They can also display as an election-wide cumulative total or by election district. Additional reports include canvass reports by election district, election district/split, poll, ballot style or even by additional districts. This provides many options for your election night reporting.

j) System must provide the capability to enter and report county and state reconciliation data.

ES&S RESPONSE

Yes, Electionware has the capability to enter and report county and state reconciliation data.

k) System must provide the capability to record data and report on votes counted, over votes, under votes, etc.

ES&S RESPONSE

Yes. The results summary reports display the results of all loaded ballots. This Election Summary Results report includes all contests and results for all election districts. Additionally, the official may create a custom report, selecting certain offices and/or election districts to provide a summary of certain races.

The software provides many options such as election districts reporting totals, include overvotes/undervotes, include registered voter totals, print contest totals, print candidates in vote sequence or in-home rotation, exclude local contests, plus other options.

l) System must provide the capability to allow authorized users to make adjustments to vote counts as a result of Court of Canvass. The changes (before and after), user information, and reason must be logged.

ES&S RESPONSE

Yes. Our results software allows efficient entry of manually tabulated results on an election district basis. If the manually tabulated results are to be added to the machine tabulated results in the same ballot category, these results can be entered such that they will be added to the machine tabulated results. There is full logging of this capability including a separate manual entry log that shows the original and final totals before and after each manually entered result.

m) System must provide the capability to generate reports showing the changes and differences between the unofficial election night results against the adjusted post-Court of Canvass results.

ES&S RESPONSE

Yes. Our results software can produce a manual entry log that shows the original and final totals before and after each manually entered result.

n) System must provide the capability to allow election, official results, and recount results to be locked.

Note: Must be digitally signed. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes, the ES&S system meets this requirement. Electionware has the capability to export a results report and add a certification statement.

o) System must provide the capability to generate certificate of election documents.

Note: Must be digitally signed. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes, the ES&S system meets this requirement. Electionware has the capability to export a results report and add a certification statement.

p) System must provide the capability to publish final results on state websites.

Note: Must be digitally signed. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes, the ES&S system meets this requirement. The software has several export capabilities that will allow results to be posted on the State website. The software provides ASCII exports, as well as multiple other formats such as CSV and XML. It also can export almost any of the reports (election districts, summary, or canvass/spreadsheet) in HTML format so that they can be directly posted on State website. There is also a web menu tab that allows the State to format their own results displays and use the various menu selections to upload the initial election-specific data (election districts, contest, candidates, etc.) and then populate results. These exports can be performed at any time on election night, and used to update the state's website. Some ES&S customers choose to export this information at a set interval, allowing them to keep their website's information up-to-date.

7) VOTE PUBLISHING:

a) System must publish election results from the entire state or any portion thereof holding an election.

ES&S RESPONSE

Yes, the software has several export capabilities that will allow election results to be published. These reports may include the entire state or any portion thereof holding an election.

b) System must include the full reporting of election results.

ES&S RESPONSE

Yes. ES&S' election results reporting program generates comprehensive paper and electronic reports for election officials, candidates, and the media that meet federal and state requirements. Report editing features enable the user to read data from the tabulators, customize report formats, and generate accurate election results. It is highly flexible, providing a library of on-demand report types (election district, summary – with or without group details, canvass, and log) that can be customized to meet Delaware's needs. It stores election district-level results into up to 14 user-defined groups (such as absentee, Election Day, and provisional reporting). Delaware can create reports that contain all applicable election districts or contests, or Delaware can select the election districts and/or contests to be included. For any summary report, Delaware can control whether counts for overvotes and undervotes are included. Delaware can specify that the report display vote results as a percentage of votes cast, or as a percentage of eligible voters. This wide array of user-configurable election reports, displays, and results files can be exported in different formats to create custom reports. It can also display updated election totals on a monitor as results are received from polling locations, as well as rolling up countywide results. The display program scrolls automatically through the live results with a user-definable time delay. It has several export capabilities that will allow results to be posted on a website. The State may create ad hoc reports, filtering certain election districts and/or contests as needed, which may be saved for re-use for various elections.

The reporting modules of Electionware also produce additional ways to view final election results, such as viewing the ballot images alongside their Cast Vote Records, and you can view images of the write-ins. Electionware's Election Results - Summary Report can be viewed and saved in XML or HTML format. This report contains the results of all loaded ballots. Electionware can be used to export election data and voting results as XML or CSV files, which can be used to filter data and create customized reports.

c) System must provide the capability to publish result files on state websites.

ES&S RESPONSE

Yes, the software has several export capabilities that will allow results to be posted on the State website. It provides ASCII exports, as well as multiple other formats such as CSV and XML. It also can export almost any of the reports (election district, summary, or canvass/spreadsheet) in HTML format so that they can be directly posted on State website. There is also a web menu tab that allows the State to format their own results displays and use the various menu selections to upload the initial election-specific data (election districts, contest, candidates, etc.) and then populate results. These exports can be performed at any time on election night, and used to update the state's website. Some ES&S customers choose to export this information at a set interval, allowing them to keep their website's information up-to-date.

d) System must provide the capability to prepare and combine result files for, in and cross-county elections and publish recount results separately.

ES&S RESPONSE

Yes, the software has several export capabilities that will allow election results to be published. These reports may include the entire state or any portion thereof holding an election.

e) System must provide the capability to import text, pdf, or csv result files from tabulation systems. Tabulation systems from multiple vendors are/or may be in use.

ES&S RESPONSE

Yes, the software has the capability to export a results report so that administrators may add reports from another tabulation system.

f) The system must display results of Referendums along with validation requirements so that a user may determine if the Referendum passed or failed.

ES&S RESPONSE

Yes, the system allows administrators to update a Referendum title in the software to include validation requirements so that a user may determine if a Referendum passed or failed.

8) ELECTION OFFICER AND ZONE WORKER MANAGEMENT:

a) System must provide the capability to set up class schedule for each specific election.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

b) System must provide the capability to publish class schedule on state websites.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

c) System must provide the capability for potential individuals to apply to be a worker online.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. ES&S will provide the capability for potential workers to apply to be a worker [REDACTED]
[REDACTED]

d) Ability for Election Officers to accept assignment, select class schedule, reschedule class, communicate online, and check payment status.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. ES&S will provide the ability for Election Officers to accept assignment, select class schedule, reschedule class, communicate online, and check their payment status [REDACTED]

e) System must provide the capability to configure custom positions, class size limits, and training requirements.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

f) System must provide the capability to track class vacancies and block the slot when full.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

g) Ability for authorized staff to review, accept, modify and deny applicants.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

h) System must provide the capability to place workers in waitlist, reserve, or on-call status.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

i) Generate assignment letters for applicants/workers that can be personalized by their Department staff with contact and class information, or reason for rejection, re-invitation notice, etc.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

j) Designate positions for each worker.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

k) Ability to input non-voters as workers. These are generally high school students who will become registered voters in the future. When they do register, use existing record to avoid re-entry of data. Also, zone workers for election night reporting do not need to be registered voters or Delaware residents.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

l) Record oath or the ability to upload electronic copies of oath.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

m) Record State of Delaware Dual Employer forms and Zone Worker Bid forms. Ability to upload electronic copies of the form.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

n) Record attendance at training and on Election Day.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

o) Assign county issued cell phone numbers to certain workers when necessary.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

p) Ability to communicate with potential and confirmed workers via text, email, or mail.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

q) Ability to record worker evaluations and recommendations.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

[REDACTED]

r) Ability to setup pay rate by position and by individual worker for each election.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

s) Ability to set accumulative payment threshold by calendar year or date range. Allow authorized administrators to configure to which positions the threshold shall apply.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

t) Ability to track when workers may exceed payment threshold. Provide visible warnings and prevent poll worker assignment.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. ES&S will provide the capability to track when workers exceed the payment threshold, including visible warnings and preventing further poll worker assignment.

u) Ability to check for “orphan” workers, i.e. not assigned a role or polling place or zone location.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Users can check for “orphan” workers who are not assigned a position or location [REDACTED]

[REDACTED]

v) Ability to check for “orphan” polling places or zone locations, i.e. not assigned with workers.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Users can check for polling places/locations that have unfilled positions by [REDACTED]

[REDACTED]

w) Ability to check for under manned polling places and zone locations, i.e. not assigned with enough workers. Minimum number of workers and roles must be configurable by authorized users.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Users can check for polling places that have unfilled positions by [REDACTED]

x) Ability to generate files necessary for Finance to do payroll. The files shall be securely transmitted to Finance's file server.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

Files will be transmitted in a secure fashion to Finance's file server. [REDACTED]

y) Ability to import payroll result file from finance and update payment status of workers. The files shall be securely transmitted from Finance's file server.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

z) Ability to manually set status of payment of workers individually or groups of workers at once.

Note: Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Application Security Standard, Web Application Security, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Authorized users can set the payment status of workers individually [REDACTED], or can set the payment status for groups of workers [REDACTED]

.....
aa) *Ability to store worker working history.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

.....
bb) *Ability to copy all or select workers from previous elections and assign them new elections.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

.....
cc) *System should allow for export of worker information.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

9) LOCATION MANAGEMENT

.....
a) *Ability to add, update and delete election specific locations for early voting Election Day polling locations.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

b) Ability to add, update and delete election specific locations for vote accumulation and transmission, a.k.a. election zones. Provide ability to exclude election zones from getting included in publishing and data export.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The

c) Maintain database of all past, current and proposed locations.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The

d) System must provide the capability to publish locations by election online. Allow end users to get driving directions.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The

e) Ability to copy all or select locations from previous elections and assign them new elections.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The

[REDACTED]

f) *Assign election districts to locations.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

[REDACTED]

g) *Support multiple election districts per location.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

h) *Store images and accessibility surveys for each location.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

i) *Store contact information for each location for delivery and pick up of equipment.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

j) Record serial numbers of equipment sent to each location.

Note: Digitally sign this data. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

k) Record other equipment to be sent to each location.

Note: Digitally sign this data. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

l) Automatically generate a Bill of Lading for equipment delivery by third parties.

Note: Digitally sign this data. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

m) Provide ability to generate files necessary for Finance to pay locations. The files shall be securely transmitted to Finance's file server.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

n) Support payment of multiple locations to a single account, e.g. payment for multiple schools go to the school district.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

o) Provide ability to import payment result file from finance and update payment status of locations. The files shall be securely transmitted from Finance's file server.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

p) Provide ability to manually set status of payment of locations individually or groups of locations at once.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

ES&S will provide the capability to manually set the status of payment of locations individually or groups of locations at once [REDACTED]

q) Provide ability to scan signed rental agreements and attach to a facility records.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

r) *Floor plans and contingency planning information viewable by responders.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

s) *System should allow for export location information.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The Polling Place List report contains the polling place name, address, contact information, and contract and lease information for all polling places, and this report can be exported from print preview in TXT, CVS, XLS, XLSX, and PDF formats.

t) *Generate letters for location points of contact that can be personalized by their recruiter, e.g. delivery, pickup, site inspection, connectivity testing, etc.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

u) *Sign requirements by type and number for each type.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

10) VOTING INFORMATION PROJECT

a) Ability to create files that comply with Voting Information Project specifications (<https://votinginfoproject.org/>).

Note: At this time 5.1 is the latest version. Refer to <https://votinginfoproject.org/projects/vip-5-specification/>

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

11) DATA EXCHANGE POLICY

a) Any Request for Proposal (RFP) and/or Professional Services Agreement that requires a data extract from the Payroll, Human Resources Statewide Technology (PHRST) system must address data classification, protection, integrity and disposal as well as the method of transmission as identified below.

1. POLICY:

The PHRST data contained in extract files provided to a vendor is to be used exclusively for the purpose defined in the RFP or Professional Services Agreement. It is not to be used for any other purpose.

ES&S RESPONSE

Yes. ES&S agrees to comply with the standards.

2. CLASSIFICATION OF DATA

The PHRST data being provided must be classified by PHRST in accordance with the Department of Technology and Information (“DTI”) Data Classification Policy.

b. Data Classification Definitions:

i. State of Delaware Public – Information available to the general public; eligible for public access.

ES&S RESPONSE

Yes. ES&S agrees to comply with the standards.

ii. State of Delaware Confidential – Information covered by one or more laws. The disclosure of this information could endanger citizens, corporations, business partners and others. The types of information might be covered under non-disclosure agreements; or safeguarded by a general reference in law or best practices.

ES&S RESPONSE

Yes. ES&S agrees to comply with the standards.

iii. State of Delaware Secret – Information that, if divulged, could compromise or endanger the people, or assets of the State; such as Public Safety Information. Data that is specifically protected by law (e.g. HIPAA).

ES&S RESPONSE

Yes. ES&S agrees to comply with the standards.

iv. State of Delaware Top Secret – Information that could, if divulged, expose the State’s citizens and assets to great risk.

ES&S RESPONSE

Yes. ES&S agrees to comply with the standards.

3. DEFINITIONS – PHRST will determine if data being provided to the vendor meets any of the following definitions:

a. Personally Identifiable Information (PII) – Information which can be used to identify or contact a person uniquely and reliably, or can be used with other sources to uniquely identify an individual. Examples include but are not limited to full name, full social security number, full date of birth, street address, telephone number, email address, and fingerprints or other biometric data.

ES&S RESPONSE

Yes. ES&S agrees to comply with the standards.

b. Personal Health Information (PHI) – Individually identifiable health information that is maintained or transmitted in any form or medium.

ES&S RESPONSE

Yes. ES&S agrees to comply with the standards.

c. Personal Financial Information (PFI) – Individually identifiable financial information that is maintained or transmitted in any form or medium

ES&S RESPONSE

Yes. ES&S agrees to comply with the standards.

4. METHOD OF DATA ACCESS AND TRANSFER

The file format and method of data exchange must be in accordance with DTI standards. The format and file exchange process must be described in detail; e.g., file placed in folder in PHRST directory on the SFTP server, encrypted file placed on vendor's SFTP server, etc.

ES&S RESPONSE

Yes. ES&S agrees to comply with the standards.

5. FREQUENCY OF DATA EXCHANGE

The data exchange frequency must be defined.

ES&S RESPONSE

Yes. ES&S agrees to comply with the standards.

6. RETENTION/LIFECYCLE OF DATA

Data transmitted pursuant to the awarded contract vendor shall be retained so long as necessary to achieve its intended purpose. The vendor must agree to secure such data until such time as it may be destroyed or deleted. PHRST reserves the right to require a certificate of destruction/deletion.

ES&S RESPONSE

Yes. ES&S agrees to comply with the standards.

7. NON-DISCLOSURE OF DATA

a. The awarded contract vendor employees or contractors shall not disclose, in whole or in part, the data described in this agreement to any individual or organization not specifically authorized.

ES&S RESPONSE

Yes. ES&S agrees to comply with the standards.

b. The awarded contract vendor is required to comply with all applicable confidentiality-related Federal, State and Local laws.

ES&S RESPONSE

Yes. ES&S agrees to comply with the standards.

c. PHRST shall be considered the custodian of the data it provides to the vendor for the purposes of the Delaware Freedom of Information Act, 29 Del. C. Ch. 100. All requests pursuant to FOIA for data subject to this

agreement in the possession of the vendor must be referred to PHRST. To the extent that the vendor modifies the form or content of data disclosed by PHRST, the vendor shall be considered the custodian of such information for the purposes of the Delaware Freedom of Information Act, 29 Del. C. Ch. 100.

ES&S RESPONSE

Yes. ES&S agrees to comply with the standards.

8. DATA BREACH

Any breach in the security or confidentiality of the data being shared shall be reported immediately to PHRST, to the DTI Security Office, and to the contracting entity's designated Technology representative or Information Resource Manager (IRM).

ES&S RESPONSE

Yes. ES&S agrees to comply with the standards.

9. BUSINESS ASSOCIATE AGREEMENT

Prior to release and/or transfer of any data from PHRST to the contract vendor(s), the contracting entity shall execute a Business Associate Agreement (the "BAA") between the contracting entity and the awarded contract vendor. The executed BAA is valid through the life of the contract and any subsequent audit term (5 years or as identified by the State of Delaware contracting entity). If a new Professional Services Agreement is executed, a new BAA must also be executed even if there is no change in vendor

ES&S RESPONSE

Yes. ES&S agrees to comply with the standards.

12) EMPLOYEE/LOCATION PAYMENT DATA PROCESSING

a) The file layouts identified below are state required templates established by First State Financials (FSF) for payment vouchers. Vendor proposals are to identify system compliance with providing information compatible with the FSF vouchers.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. ES&S will comply with these file layouts as detailed below.

b) *Payment to Polling Places*

1. *DAP001, Vouchers Inbound File Layout*

2. *DAP001, Vouchers Log Output File Layout*

DAP001_inbound.xlsDAP001_output.xls

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

c) *Payment to Poll Workers*

1. *DAP010, One Time Vendor, Voucher Inbound File Layout*

2. *DAP010, One Time Vendor, Voucher Outbound Log File Layout*

DAP010_inbound.xlsDAP010_log.xls

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

APPENDIX B, PART 5: VOTER REGISTRATION

As demonstrated to the Delaware Voting Equipment Selection Task Force, ES&S has the following components that comprise our elections management system.

- PowerProfile voter registration and election management application

The ES&S PowerProfile® is a voter registration and election management application that enables election officials to register voters and conduct elections from a central data store. This system allows for both single jurisdictions and states to manage elections from the same interface. Election officials are able to register voters, check eligibility, conduct election activities such as prepare absentee and early voting ballots, recruit election workers, create poll books and rosters, verify petitions, and maintain voter records using a single software solution.

Requirements for Voter Registration System:

1) General Requirements & Features: Pertains to data accessibility, functional application administration, extensibility, and system access

a. The system must comply with State of Delaware Enterprise Standards and Policies, Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information.

ES&S RESPONSE

Yes. The system will comply with State of Delaware Enterprise Standards and Policies as it relates to data accessibility, application administration, extensibility, and access.

b. Provide authorized users with read-only access to the data for registered voters within other counties, including historic voter activity data, historic voting participation data, historic affidavit images and historic signature images for registrants.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

c. Provide authorized county users the ability to update the voter registration data for voters within their county.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

d. Prohibit county users from changing data for voters in other counties except to submit a transaction that moves a matched voter from another county into their county.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

e. Automatically send electronic notice to each appropriate county whenever a voter record is added or updated through automatic processes.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Notifications are sent when a registrant record is transferred from one county to another, and when an authorized user makes an update to a registrant record.

ES&S will provide the capability to send an electronic notice to each appropriate county whenever a voter record is added or updated through automatic processes.

f. Provide the capability for authorized users to search, query and track electronic notices that have been sent to counties. Search, sort, filter and grouping criteria must include county or jurisdiction, notice type, status (resolved or unresolved) and date or date range for notice.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. ES&S will provide the capability for authorized users to search, query, and track electronic notices that have been sent to counties. Search, sort, filter, and grouping criteria will include county/jurisdiction, notice type, status, and date or date range for the notice.

g. Provide the capability for authorized users to track the source of voter registration applications and to generate report or extract data for reporting purposes, e.g. EAC.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Authorized users have the ability to add user definable voter registration sources, and have the ability make source of registration a required field when adding new registrants. [REDACTED]

[REDACTED]

h. Provide for update and addition of common nicknames, e.g. “Bob” for Robert.

ES&S RESPONSE

Yes. ES&S will provide the capability to store common nicknames.

[REDACTED]

i. Be able to process voter registration data originating from new sources of voter registration data both internal and external to Department of Elections, with only the addition of a pluggable interface. Note: Department of Elections intends that DHSS-DSS and DOL will be among the potential “new sources” of voter registration data once they are able to plan for and implement a method to provide new voter registration data.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

j. Be able to process voter registration from existing sources. Note: DMV submits registration through their mainframe system as well as self-service kiosks. DMV is in the process of deploying an online drive license and state ID service which is expected to submit voter registrations as well.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

k. Provide extracts of names and addresses for voters in one or more counties for processing by an external service.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

l. System must allow for authorized users to create, edit, and publish changes to webpages in a graphical user interface (GUI) without vendor assistance.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

m. System must allow an incomplete registration to be recorded with an incomplete status, send a verification notice to gather the missing information and deny the registration if missing information is not received in X days. Allow Authorized Administrator to configure X.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

[REDACTED]

n. System must support Election Day registration, to be used should the State legislature enable Election Day registration.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

o. Where applicable, must support predictive text, auto-complete, suggested matches, etc. to minimize manual entry.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

[REDACTED]

p. System shall comply with all applicable accessibility laws and guidelines.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The PowerProfile Suite of products are compliant with the DTI standards and Section 508 of the Web Accessibility standards, and are also compliant with the Web Accessibility Initiative Guidelines 2.0 Level AA.

2) Voter Registration - Data: These requirements list voter registration data elements that must be maintained to comply with HAVA Section 303 requiring that each state implement a “single, uniform, official, centralized, interactive computerized statewide voter registration list.”

Data elements described here include data provided or captured by elections officials’ staff as well as data provided by citizens through online registration via the public access website.

The data elements listed here do not constitute an exhaustive list of required data. Department of Elections expects that during the Design Phase, the Contractor will work with department staff, partner agencies, and vendors to determine all specific data elements necessary to meet all requirements stated in this RFP.

a. The system must comply with State of Delaware Enterprise Standards and Policies, Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information.

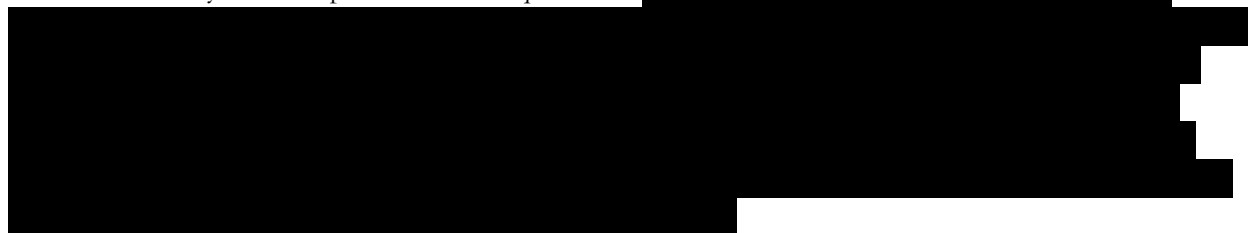
ES&S RESPONSE

ES&S has completed a thorough review and has determined the system will comply with applicable State of Delaware Enterprise Standards and Policies.

b. Provide functionality that enables authorized users to add new registered voters and to update data associated with existing registered voters.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.



c. Be able to capture, store, and display all historical data on every record, including images.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

d. Capture and display all data elements required to support functions and requirements defined in this RFP.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

e. Must allow for capture and storage of voter names including the following discrete data fields:

i. First name (full or initial);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

ii. Middle name (full name or initial);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. PowerProfile stores and displays the full middle name or initial, as entered.

iii. Full last name (can include hyphenated last name);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. PowerProfile stores and displays the full last name.

iv. Suffix (Sr., Jr., other generations); and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

v. Previous name(s)

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. PowerProfile allows entry of the previous name.

f. Must store a unique identifier (Voter ID) for each registrant.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. PowerProfile automatically assigns a Registrant ID to each registrant when the voter is added.

g. Must capture and store historic data on voter residence, mailing address, including beginning and ending effective dates of those addresses.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. PowerProfile tracks all changes to registrants' residential and mailing addresses.

h. Must provide for capture and storage of addresses (See Voter Registration – Addresses).

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. PowerProfile captures and stores multiple addresses for registrants.

i. Must provide the ability to capture and store a voter's date of birth. NOTE: Because a voter may have currently effective registrations that predate the requirement to provide date of birth, system must be capable of handling voters without/partial a date of birth.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. PowerProfile captures and stores registrant date of birth and displays their age based on that date.

j. Must capture affirmation of citizenship status.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

k. Must be capable of capturing and storing the following data that is optional for completion of voter registration:

1. Full Social Security Number

2. Last 4 of Social Security Number

ES&S RESPONSE

Yes, the ES&S system is capable of capturing and storing the full Social Security number and the last 4 of the Social Security number.

3. Delaware Driver's License Number

4. Delaware State ID Number

ES&S RESPONSE

Yes, the ES&S system is capable of capturing and storing Delaware Driver's License Number and the Delaware State ID Number.

5. Telephone number (up to four different numbers, including type and extension, as separate fields or records);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

6. Email address (Must adhere with current internet standards, such as 254 character email addresses).

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

1. Must store a voter prior registrations in other states, if any:

1. State

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. PowerProfile provides for the storage of voters' prior registration information from other states, if it is provided.

2. Full Name

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. PowerProfile provides fields for the previous name, including title, first name, middle name, last name, and name suffix.

3. County or Jurisdiction

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. PowerProfile provides a field for the registrant's previous jurisdiction.

4. Voter ID

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. PowerProfile provides a field for the registrant's previous voter ID number.

5. Residential Address

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. PowerProfile provides fields for entry of the registrant's previous address, including street number, suffix, directional prefix, street name, street type, directional suffix, unit type, unit number, city, state, and ZIP code.

6. Mailing Address

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

7. Driver License or State ID Number

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. PowerProfile has a field for the previous Voter ID number. ES&S will provide a field for the previous Driver License or State ID Number to the Previous Information tab.

m. Must be capable of capturing and storing vote-by mail or absentee voting information. See Voter Registration – Absentee Voting.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

[REDACTED]

n. Must be capable of capturing and storing a voter's language preference based on codes that can be defined and modified by authorized Administrators (e.g. RFC-5646).

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

o. Must be capable of capturing and storing multiple accessibility/assistance needs for a voter, based on codes that can be defined and modified by authorized Administrators.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

p. Must capture, store and display the status of any voter's registration, effective dates for such changes and reasons for the change. The status options must include:

- 1. Active;*
- 2. Inactive;*
- 3. Cancelled/Purged;*
- 4. Pending;*
- 5. Other status (e.g. new registrants during the closed of registration period, under age registrants waiting to be eligible, non-registered election officers)*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

- Active (for current voters)
- Inactive (for those voters currently in the NVRA process)
- Suspense (for voters that are Pending some sort of validation)
- Cancelled/Purged (for voters who have not responded to NVRA mailings, moved out of the jurisdiction, passed away, etc.)
- Not Eligible (for tracking felons, etc.)
- Not Registered (for use in the Election Worker/Poll Worker Module or Candidate, etc.) where the individuals are not required to be registered voters.

[REDACTED]

[REDACTED]

[REDACTED]

q. Must store a voter's political party preference, based on codes that can be defined and modified by authorized administrators.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

r. Must capture, store and display the following identification information for each voter record:

i. The voter's Delaware issued Driver's License number, if known or provided;

ii. The voter's Delaware issued State Identification Card number, if known or provided;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

iii. The DMV verification status of that number (i.e., verified, not-verified, or pending verification; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

iv. If verified, the date verified.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

s. Must capture and store the following identification information for each voter record:

1. The 9-digit voter's Social Security Number, if known or provided, which must be accessible for input, query and reporting;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. The last 4 digits of the voter's Social Security Number (SSN4), if known or provided, which must be accessible for input, query and reporting;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

3. The Social Security Administration verification status of that number (verified, not-verified, or pending verification); and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

[REDACTED]

[REDACTED]

4. If verified, the date verified.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

t. Must capture and store the voter's current and historical methods of registration (e.g., "by mail," "walk-in," "registration drive," "DMV," etc.), based on codes that can be defined and modified by authorized Administrators.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

[REDACTED]

u. *Must capture, store and display for voters who register by mail:*

1. *Whether or not the voter is a first-time voter, subject to the HAVA ID requirement (HAVA Section 303[b]);*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

2. *Whether or not the voter has satisfied the ID requirement and, if so, how; and*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

3. *If exempt from this requirement, the reason for that exemption.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

v. *For each voter registration application received, system must capture and store the following discrete data:*

1. *Application date;*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

[REDACTED]

2. *Date the application was received; and*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

3. *Effective date of registration for the application; and*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

4. *The voter registration record that was created or updated based on data in the application.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

w. *Must store and display the current and historic images of the full registration applications in a format consistent with either ANSI/AIIM standards or Delaware State standards.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

x. Must store and display the current and historic images of the full registration application with a minimum resolution of three hundred (300) dots per inch (dpi).

Note: Stored data must be digitally signed. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Cryptography Standard, Key Management Standard, and Document Imaging Standard.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

The applicable stored data will be digitally signed. y. Must provide the ability to zoom into application and signature images.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

z. Must provide ability to attach and store* other images to a voter's record in GIF, TIF, JPG, PNG and PDF formats, such as letters received from the voter. Must allow user to enter comments, and select a category for the image. Categories shall be defined and modified by authorized Administrators.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

bb. Must be scalable to store* an average of one hundred (100) free-form text comments and/or notes per voter record, with an average size per comment or note of one thousand (1,000) characters.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

ee. Must capture and store data* for confidential voters under applicable Delaware laws.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

[REDACTED]

i. Must allow capability to flag confidential voters.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. Authorized users in PowerProfile will flag confidential voters [REDACTED]

ii. Must automatically assign non-conventional address (e.g. "Address Withheld") that are exempt from address validation (e.g. USPS/CASS standard). The non-conventional address will be defined and modified by authorized Administrators.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

iii. Must capture and store the legal basis for which a voter qualifies as confidential (e.g., "court ordered," "victim of domestic violence,") based on user-defined codes that can be defined and modified by authorized Administrators*

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]

[REDACTED]

[REDACTED]

ff. Must be able to send automated email notification at every step of the application processes, e.g. upon receipt, completed.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. ES&S will provide the ability to send automated text email notification at every step of the application process.

gg. Must capture and store a record of list maintenance notices sent to a voter, including the date the extract for mailing label was created or the actual date sent.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

hh. Must provide a user interface for authorized Administrators to add and maintain allowable data values for all fields where the set of possible data values is constrained.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

ii. Must be able to export voter registration data in compliance with Electronic Registration Information Center (ERIC) data format.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. PowerProfile has the ability to export voter registration data in compliance with the ERIC data format.

jj. Must be able to import data/reports from Electronic Registration Information Center (ERIC)*

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.kk. Must be able to import death data from Delaware Department of Health and Social Services and other authorized state and federal agencies for list maintenance.*

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. ES&S provides for the import of death data from state agencies, State and Territorial Exchange of Vital Events (STEVE), and the SSA Death File [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

ll. Must be able to process voter registration for underage voters (X yr. olds) and automatically activate them once they become eligible. Allow authorized administrator to configure X.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]

[REDACTED]

[REDACTED]

mm. Must be able to process party affiliation changes during a closed period and hold/maintain these changes to be applied automatically when the party change period reopens.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

nn. Must be able to process voter registration for new voters during a closed period and automatically activate them once the period opens.

ES&S RESPONSE

Yes. ES&S complies with this requirement.

oo. Must be able to import felon lists from authorized state and federal agencies for list maintenance.*

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

[REDACTED]

[REDACTED]

[REDACTED]

pp. For imported data for list maintenance:*

i. System must be able to match individual records to existing voters. Search must have confidence match ratings configurable by authorized Administrators.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

[REDACTED]

[REDACTED]

.....
ii. Facilitate list maintenance with minimum user data entry and manual matching.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

.....
iii. For data received in non-electronic format, e.g. paper or scanned copies of paper reports, system must allow for manual data entry.

* Note: Must be digitally signed and/or verified. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. For non-electronic applications that are received as paper or scanned copies, or any other acceptable means under Delaware law, PowerProfile's Scanned Image Entry allows users to view scanned registrant applications on-screen while entering new registrants or making updates to existing ones.

[REDACTED]

[REDACTED]

[REDACTED]

3) *Voter Registration – Addresses: These requirements cover addresses.*

a. *Must provide for capture and storage of the following discrete data fields related to a voter's address:*

1. *House number;*

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. PowerProfile allows for the entry of a nine-digit house number.

2. *House fraction number;*

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

[REDACTED]

3. *House number suffix (alphanumeric);*

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

[REDACTED]

4. *Two-character pre-directional code (e.g. S for South., SW for Southwest) *;*

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. PowerProfile provides for the entry of a two character pre-directional codes.

[REDACTED]

5. *Street name (alphanumeric);*

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

[REDACTED]

6. *Street Suffix Abbreviations (e.g. BLVD for BOULEVARD, RD for ROAD, etc.) **;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

7. *Two-character post-directional code **;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. PowerProfile provides for the entry of a two character post-directional codes.

8. *Unit Type & Number (alphanumeric) **;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

9. *City;*

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

10. *State**

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

11. *Zip **;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

[REDACTED]

12. *Zip plus four* (optional with respect to each voter); and*

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. A Zip plus four field is available for all addresses that can be entered [REDACTED]

13. *County.*

*NOTE: * Must conform to USPS standards*

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]

b. *System must include the capability to standardize residential and mailing addresses against USPS standards.*

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]

c. *System must provide a means of overriding address standardizations needed to account for non-traditional residential addresses or non-US mailing addresses. Must be able to capture and store an address in a free-form format as a registered voter's official residence (e.g., the voter's address might be "THREE MILES NORTH OF ACME GROCERY STORE, Alturas, CA" or "Mile Marker 29.5, Hwy 85").*

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. PowerProfile allows for the entry of non-standard addresses such as 'Mile Marker 29.5, Hwy 85' for other freeform entry. [REDACTED]

[REDACTED]

d. Must provide for capture and storage of multiple mailing addresses for a voter, including permanent mailing addresses, temporary mailing addresses (with beginning and ending effective dates), permanent vote-by-mail addresses, and one-time vote-by-mail addresses.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. PowerProfile allows for the capture and storage of multiple mailing addresses for a voter. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

e. Must determine whether or not a mailing address is within Delaware based on available data in the mailing address.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]

[REDACTED]

f. Must be able to capture and store a voter's "Mailing" and "Vote-by-Mail" address using the following fields that can be used with mailing Software:

1. Free-form data entry;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. Entry of mailing and vote-by-mail addresses is freeform. [REDACTED]

2. Fields long enough to meet US postal, foreign and military mail regulations;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. PowerProfile meets US postal regulations for foreign and military addresses.

3. Postal codes; and

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. PowerProfile provides for the entry of postal codes for vote-by-mail addresses.

4. Country code

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]

g. System must provide the means to identify an address as an “invalid voter address”, e.g. commercial address, private mail boxes, invalid delivery point, etc.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]

h. The system must notify the user if a residential address has been identified as an “invalid voter address” and preclude the use of that address as a residential address.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]

i. The system must provide for overriding the preclusion of an “invalid voter address” as the residential address of a voter, and capture and store the reason for the override.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]

j. The system must provide the capability to remove an “invalid voter address” designation from a voter address.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

k. System must allow for the extraction of addresses.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

l. System must allow for the bulk standardization of addresses.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

m. System must provide a means to export addresses for external validation against CASS certified address standardization software.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. PowerProfile provides an interface for CASS certified address standardization software.

n. System must provide the capability to import and update addresses validated against CASS certified address standardization software.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. PowerProfile provides the capability to import and update addresses validated against CASS certified address standardization software. [REDACTED]

4) *Voter Registration – Voter Search: These requirements cover voter registrant searches that will be executed by authorized users or staff.*

Users may execute searches to research voter registration issues, resolve list maintenance questions or address other issues.

Requirements listed here include those that are specific to searches that are executed for list maintenance or research purposes, as well as those that are applicable to any search.

a. Must allow an authorized user to query and locate an existing record in the system interactively, using any one or a combination of the following criteria:

1. Full or partial first name;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. Full or partial first name can be used as a search criterion on its own or in conjunction with other search criteria. [REDACTED]

2. *Common variances on first name;*

ES&S RESPONSE

ES&S will provide a new system table for the storage of a database of common nicknames [REDACTED]

3. Full or partial middle name;

4. Full or partial last name;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. Full or partial middle name can be used as a search criterion on its own or in conjunction with other search criteria. [REDACTED]

5. Soundex variations on last name;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]

6. Full or partial residence address;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]

[REDACTED] Users can search based on any of the individual address fields, or based on the full address. Users also have the ability to search street file based on an address and view all registrants associated with the returned segments.

7. Full or partial mailing address;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. M [REDACTED]

8. Full or partial telephone number;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]

Users can search based on any of the individual phone number fields, or based on the full number.

9. Full or partial Voter ID;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. Full or partial Voter ID can be used as a search criterion on its own or in conjunction with other search criteria. [REDACTED]

10. Full or partial DL/ID;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. Full or partial DL/ID can be used as a search criterion on its own or in conjunction with other search criteria. [REDACTED]

11. Full or partial Registration application number;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]

12. Full or partial SSN4;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]. Users can search based on any of the individual SSN fields, or based on the full number.

13. Full or partial date of birth (DOB)

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. Full date of birth can be used as a search criterion on its own or in conjunction with other search criteria. [REDACTED]

14. Place of birth;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. Full or partial Place of Birth can be used as a search criterion on its own or in conjunction with other search criteria. [REDACTED]

15. Political party preference;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]

16. Election District; and

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. Users can search for registrants by selecting any election district [REDACTED].

17. Political district.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. Users can search for registrants by selecting any political district [REDACTED].

b. In response to a search executed for research or list maintenance purposes, system must return all high-confidence matches and all potential matches that exceed the minimum matching threshold (See: Record Matching and Merging).

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]

c. For any executed search, system must display the following information, at a minimum, for each match:

1. Full voter name;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. Full voter name, including first name, middle name, last name, and suffix, are returned in the search results for registrant searches.

2. Voter ID;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. Registrant ID is returned in the search results for registrant searches.

3. Date of birth;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. Date of birth is returned in the search results for registrant searches.

4. DL/ID (if available);

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. DL or ID# is returned in the search results for registrant searches, if available.

5. SSN4 (if available); and

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. SSN4 is returned in the search results for registrant searches, if available.

6. Residence address

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. Full residential address, including house number, house number suffix, directional prefix, street name, street type, and directional suffix, is returned in the search results for registrant searches.

7. Where they vote

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. The registrant's election district is returned in the search results for registrant searches.

8. Voter status (e.g. active, inactive, purged to include reason and date, etc.)

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. Registrant status and status reason are returned in the search results for registrant searches.

d. For any executed search, system must, upon user choice, display applicable detail for a presented match, including:

1. Historic voter activity data;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

2. Historic voting participation data;

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

3. Historic affidavit/application images and

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

4. *Historic signature images.*

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

e. *For any executed search, system must, upon user choice perform the search*

f. *Synchronously; or*

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

g. *Asynchronously. If done asynchronously, provide user a means to know that search has completed.*

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

h. *For any executed search, system must, upon user choice export result to CSV, MS Excel, PDF, MS Word formats.*

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

5) *Voter Registration – Registration Processing: All voter registration additions and updates from the in-premise Delaware Department of Elections staff will be submitted via this system.*

For voter registration transactions, the Delaware Department of Elections staff may optionally begin with a search of records. If the staff executes a search of the database as an initial step, the system will present a single matched record, if available, that meets or exceeds the high-confidence threshold for that search function. The staff may optionally select that matched record for the purpose of pre-populating the data in a new transaction, and then make additions and changes to the data. If the staff does not search for a match, or if the system does

not return a single high-confidence match in response to a search, the staff will enter all required data fields for a new transaction.

The process described in these requirements refers to the ID Verification process (which is described in more detail in ID Verification).

a. In response to a search that a user executes for purpose of submitting changes to an existing voter registration record, system must display a “match” result only if there is a single match that exceeds the high-confidence threshold.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

[REDACTED]

b. Must evaluate all submitted registration records against configurable data validation rules, and reject any records that have one or more errors configured as critical severity.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] based on the status reason, among other search criteria, to track these problem registrations.

c. Must provide the capability for authorized users to configure data validations, including adding, modifying, enabling/disabling, and setting severity level.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]

d. Must submit registration records that were not rejected for critical severity data validation errors to the ID verification process as described in ID Verification.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]

e. If system finds a single, high-confidence match of an existing voter record with the submitted record, system must, upon user choice, update the existing voter registration record with information from the submitted record. (See Record Matching and Merging concerning merge and match requirements.)

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]

f. If system cannot find a single, high-confidence match of an existing voter registration record with the submitted registration record, system must, upon user choice, create a new record for the voter.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

g. Voter registration applications captured, upon user choice, may remain in partial completion status, until additional requirements are received or authorized users apply the update or create a new voter.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

h. Must determine and indicate whether the voter is required to provide ID when voting in accordance with HAVA Section 303(b) and 42 U.S.C. Section 15483(b)(1), and any other applicable state or federal law.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

i. Once a Voter ID is assigned to a voter record, system must record voter status, according to configurable business rules.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

[REDACTED]

j. *Must determine and assign the voter's election district. See Voter Registration – Registration Processing – Election District Assignment.*

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]

[REDACTED]

k. *Must provide ability for "Walk-in" applicants to interact with a signature-capturing device, including:*

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. ES&S will provide the ability for Walk-In applicants to interact with a signature-capturing device to PowerProfile.

l. *Choose from changing or not changing party affiliation*

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. [REDACTED]

[REDACTED]

2. *Selecting a party affiliation from a list or typing a party name of their choice*

ES&S RESPONSE

Yes. [REDACTED]

[REDACTED]

3. *Accepting and signing the declaration*

ES&S RESPONSE

Yes. [REDACTED]

[REDACTED]

l. The signature-capturing device must display existing voter information, newly captured voter information, as well as general information (e.g. closed period for changing party affiliation).

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. ES&S will provide the ability for the signature-capturing device to display existing voter information, newly captured voter information and general information, to PowerProfile.

m. Must provide ability to scan and upload applications from non-walk-in registrants. Facilitate automatic signature clipping.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

n. When a county submits a change in status of a voter's registration to "cancelled" or "inactive" based on information received locally within the county, system must automatically accept the change in status and the county-supplied reason for the change.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

o. For each new registration, reregistration, or update of name, date of birth, CDL/ID or SSN4 with the resultant new or updated record in "active" status, system must compare that record against available death records for possible matches.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

[REDACTED]

p. For each new registration, reregistration, or update of name, date of birth, CDL/ID or SSN4 with the resultant new or updated record in “active” status, system must compare that record against available felon records for possible matches. See Felon Research for additional information.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

[REDACTED]

[REDACTED]

q. For each new registration, reregistration, or update of name, date of birth, CDL/ID or SSN4 with the resultant new or updated record in “active” status, system must compare that record against all other existing records for possible duplicates.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

[REDACTED]

[REDACTED]

r. *Must provide ability to segregate deficient voter registration applications.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

s. *Capture, store, view all forms and correspondence received from the voter.*

Note: Digitally sign and verify it. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

[REDACTED]

t. *Flag registrations that provide residence locations that are not shown as dwellings for further investigation*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

[REDACTED]

u. Should also provide for a search by address that provides a list of persons registered at that address, this is useful if the version of the name on the new application is too different from the name of the same person registered at the address.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

v. Must prevent persons registering at a prohibited address (USPS PO boxes, private mailbox facilities, etc., but provide a capability for a supervisor to override and include the reason for the override.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. In order to add a registrant using a ‘standard’ address, the address must exist in the Street File, so PO Boxes would not be allowed for entry.

6) Voter Registration – Registration Processing – Election District Assignment:

a. System must automatically assign districts, including election district, based on the residence address provided.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

b. System must have a central repository of addresses, election district and district assignment information.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

c. System must allow an address point or a street segment to be updated.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

d. System must provide tools to facilitate a consistent approach to assigning and maintaining election districts and districts.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

e. System must provide the capability to record election district and district geographic descriptions.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

f. System must provide a method for manually overriding assigned election districts and districts.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

g. System must provide the capability to prepare jurisdiction, district, and election district data.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

h. System must provide the capability to map addresses to unique election districts and appropriate office districts.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

i. System must provide the capability to verify election districts and district records.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

j. System must provide the capability for County to maintain the election districts, district and address data for its own county.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

7) Voter Registration – Registration Processing – Felon Research: This describes the process of reviewing possible felon matches.

a. Must provide ability to match against the Delaware Criminal Justice Information System to determine if registrant is a felon.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

b. Must provide the capability for authorized Administrators to enable or disable the felon verification.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Authorized users can turn on and off felon matching for real-time adds and updates at any time.

c. Upon determining that registrant is a possible felon, the system must flag the record for further investigation.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

d. Must provide ability for Department of Correction users to review all registrants flagged as possible felons.

e. Must provide ability for Department of Correction users to view relevant registrant information to determine if the registrant has completed his/her sentence.

f. Must provide ability for Department of Correction users record the outcome of their research.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

g. Must provide ability to proceed with new registration, reregistration, or update of registration for non-felons and felons who have regained their right to vote (e.g. completed their sentence).

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

h. Must provide ability to reject applications for non-eligible felons and to store the reason for rejection in the application.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

i. Must provide ability to generate report, extract data, and create letters of rejections.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

j. Must provide the capability for authorized users to register or deny registration regardless of Department of Correction research outcome. System must capture and store reason and user information for overrides.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

8) Voter Registration – ID Verification: These requirements describe the ID verification that is to occur for every voter registration or re-registration transaction before it is applied to the voter registration roll.

The process validates a DE driver's license number, an identification card number or an SSN4 through an interface involving data maintained by Delaware's Department of Motor Vehicles (DMV).

a. Must support the DMV ID verification (IDV) interface, which operates on a transactional basis, for SSN validation, per HAVA.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. PowerProfile's ID verification is completely compliant with HAVA.

b. For new voter registrations, re-registrations, and for updates with a change of name, date of birth, DL/ID or SSN4, system must automatically submit the data for validation from the DMV or the Social Security Administration through the IDV interface.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

c. When ID verification cannot be completed at time of receipt of the transaction, the record must be saved with an indicator/flag, and system must automatically retry an incomplete ID verification.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

9) Voter Registration – DMV Change of Address: Delaware’s current implementation of the National Voter Registration Act (NVRA, or ‘motor voter’) allows for electronic processing of address changes for existing registered voters.

System to provide functionality to support this process, namely:

1. Attempt to match the records against existing voter registration records;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. Provide such matches for appropriate processing; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

3. Provide unmatched (or below the established confidence threshold) transactions for further research and possible match to a voter.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

a. Must receive voter registration address change data from ERIC, other sources in accordance with the National Voter Registration Act (NVRA).

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

b. Must attempt to match change of address (COA) transactions against existing voter registration records using established matching criteria (See Record Matching and Merging for requirements specific to matching criteria.)

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

c. For matches of COA transactions against existing voter registration records that meet or exceed the established confidence threshold, system must, either automatically or upon user choice:

1. Update the existing voter registration record with the new voter registration data received; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

2. Update the voter activity history with the basis for registration changes.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

d. For matches of COA transactions that do not meet the established confidence threshold for automatic matching but that meet the established minimum confidence threshold of that match function, system must automatically notify the county that it must make a determination of whether the records match.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

e. When a county verifies that a pre-existing voter registration record matches the COA transaction, system must:

1. Record that information, including the basis for determination, in the voter activity history of the matched voter; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. Update the existing voter registration record with the new voter registration data.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

f. If a county determines that the potential match of COA transaction to a preexisting voter registration record is not valid, system must record the determination that the COA transaction was not associated with the record and the basis for that determination.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

g. Must provide authorized users the capability to un-match previously matched COA transactions at any time after such matches have been applied. In such instances, system must correct any changes that were applied to the record as a result of the prior match and handle the transaction as a confirmed non-match for that process.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Users can manually change the address and other data back to the previous values by looking at the activity log for those prior values. This manual processing is necessary in order to maintain correct NVRA statistics.

h. When a COA transaction cannot be matched against any existing voter registration records, system must send unmatched COA data to the appropriate county.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. If a county is unable to process a COA record because it belongs to a different county, the county user has the ability to transfer the record to the correct county. If the correct county is not known, or there is another problem with the record, the county user can transfer the record to the state for further research.

10) Voter Registration – Polling Place Cards: The department must mail voters polling place cards (PPC) following voter registration, reregistration, or updates to the voter record based on a variety of data points (e.g., voter's notification of an address change).

System must provide the capability to generate an extract to mail PPCs through a third party such as the Department of Technology and Information, Office of Management and Budget: Government Support Services - Printing and Publishing Office.

a. Must have the capability to generate a data extract, based on the applicable mailing address for each voter of all required PPC information across the State so that PPCs can be printed by the State through a third-party mailing house.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

b. Must have the capability to generate pre-formatted and pre-populated PPC in PDFs, based on the applicable mailing address for each voter of all required PPC information across the State so that the PDFs can be printed in-house, by the State, or through a third-party mailing house.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. ES&S will provide functionality to create pre-formatted and pre-populated PPC's in Delaware's custom format. After these notices are generated, they can be sent directly to the printer or can be exported as PDF's.

[REDACTED]

c. Must indicate in the voter record the date that the record was included in a data extract or PDF for PPC mailing.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

11) Voter Registration – Absentee Voting: These requirements focus on supporting voters that will not be voting in their designated polling place on Election Day. Voters may request for absentee ballots mailed to them or they can walk in to their county office to vote on an absentee ballot in person. Voters may be eligible to vote absentee thru either UOCAVA (Federal law) or and “regular absentee” (Delaware law).

The data elements listed here do not constitute an exhaustive list of required data. Department of Elections expects that during the Design Phase, the Contractor will work with department staff, partner agencies, and vendors to determine all specific data elements necessary to meet all requirements stated in this RFP.

a. System must capture Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) flags, whatever Election Administration and Voting Survey (EAVS) and FVAP reporting requirements are.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

b. *Must capture and store the following data for every election:*

1. *Type of application (e.g. Federal Postcard, Federal Write-In, Special Write-In, State defined application/affidavit, etc.);*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. *Source of the application (how received);*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

3. *Type of voter: Military, Overseas Citizens, etc.;*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. All of the addresses that can be used for absentee voting (residential, confirmed mailing, absentee basic, and absentee ballot) can be flagged as Military and/or Foreign.

4. *Date application was requested;*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. A field for the date the application was requested is available for each application.

5. *Date application was sent;*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. A field for the date the application was sent is available for each application.

6. *Date application was received;*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. A field for the date the application was received is available for each application.

7. *Date application was returned (post marked);*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

8. *Type of elections/ballots requested;*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

9. *Whether or not the application was accepted or denied; and if denied, the reason for the denial. Use codes that can be defined and modified by authorized Administrators.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

10. *Whether the voter wishes to exercise the permanent vote by mail option;*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

11. *Date vote-by-mail ballot was mailed;*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. A field for the date the vote-by-mail ballot was mailed is available for each ballot record.

12. Whether the person voted in-person;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

13. Manner in which the absentee ballot was transmitted to the voter;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

14. When the absentee ballot was received by the elections official;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. A field for the date the ballot was returned is available for each ballot record.

15. Method of sending absentee materials (e.g., mail, fax, email, etc.);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

16. Method of sending absentee ballot (e.g., mail, fax, email, etc.);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

17. Method of return of absentee ballot (e.g., mail, fax, etc.);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

18. Address to send absentee ballot to.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

19. Form of voting (e.g., county absentee ballot or federal write-in vote-by-mail ballot);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

20. Date absentee ballot was returned (post marked);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. PowerProfile provides a field for the date the ballot was returned. ES&S will provide an additional field for the date the ballot was postmarked.

21. Date absentee ballot was received;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. A field for the date the ballot was returned is available for each ballot record.

22. Whether the ballot was accepted or rejected; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

23. If rejected, the reason for that rejection. Use codes that can be defined and modified by authorized Administrators.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

c. Must capture and store the status of uniformed services and overseas voters that have been identified and fall under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), including the following information:

1. Classification (e.g., Uniformed Services or Merchant Marine on active duty, Eligible spouse of dependent, National Guard member on State orders, etc.); Codes that can be defined and modified by authorized Administrators.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

d. Must capture and store the status of absentee voters (non-UOCAVA), including the following information:

1. Expected location and contact information on election date

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. Reason for voting absentee, based on codes that can be defined and modified by authorized Administrators.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

3. *Special qualifications*

e. *Must support paper and online applications. For applications submitted online refer to State-Level Processes – Website: Voter Portal (Public Access).*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. PowerProfile fully supports the processing of absentee applications and ballots by county users. [REDACTED]

f. *Must capture an image of the application (i.e. FPCA, Absentee Affidavit) and attach it to the voter's record.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

g. *Must be able to register new voters and update existing voter registrations from UOCAVA applications (FPCA).*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. New voters can be added and existing voters can be updated from UOCAVA applications [REDACTED]

h. *Must be able update voter registration from absentee applications/affidavits.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. New voters can be added and existing voters can be updated from absentee applications [REDACTED]

i. *Must be able to send automated email notification at every step of the absentee voting process, e.g. upon receipt, completed.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The system will provide the ability to send automated text email notification at every step of the absentee voting process.

j. *Must be able to update and delete applications.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. County users with appropriate security roles can update and delete absentee applications.

k. *Must be able to change/remove absentee status.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. County users with appropriate security roles can change or remove the absentee status of registrants.

l. *Must be able to capture information for walk-in voters, including electronic signatures for absentee applications.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

m. *System must allow for the extraction of absentee voters by election or all elections.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

n. *Must be able to accept applications, provide status, mark absentee ballots, etc. online (See State-level Processes – Website: Voter Portal (Public Access)).*

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement.

o. *Must be able to assign unique ID (a.k.a. voucher number) for every absentee ballot issued, e.g. for walk-in applicants.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

p. Must be able to generate a list of reserved voucher numbers for future absentee ballot issuance, e.g. for paper applications as a backup or alternative intake.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Ballot numbers can continue to be issued as necessary.

q. Must be able to assign voucher number by batch, e.g. issue voucher numbers to every voter eligible to vote by absentee for a specific election, by voter type.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

r. Must be able to void, reissue, and make corrections to voucher numbers or a range of voucher numbers.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

s. Must be able to identify whether a voucher number has been assigned, or reserved. If reserved, whether it's been assigned/used or not.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

t. Must be able to print mailing labels for absentee envelopes.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. County users in PowerProfile can generate mailing labels for absentee envelopes.

u. Must be able to customize and design mailing labels and absentee envelope printing without assistance from the vendor. Support barcoding (e.g. Code39, Code128, QR Code, USPS IMB) of values such as the voucher number, and delivery points.

ES&S RESPONSE

County users have great flexibility in determining the layout of the labels. Users can select the label type from a list of standard label types, select how many labels to print, print an additional residence address label, and choose the fields to be printed on the label in addition to the mailing address using address cascades. Fields that can be printed include registrant ID, ballot style, ballot type, ballot/voucher number, election and ID barcode or registrant ID barcode (for scanning purposes), political party, military and/or foreign indicator, and language preference.

[REDACTED]

v. Must be able to print absentee voter and mailing information directly on envelopes, e.g. a dedicated high-speed envelop printer (Pitney Bowes DA95f).

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. ES&S will provide the ability to print the information required by the state of Delaware on absentee envelopes as described above.

w. Must be able to select, apply various filters and sorting absentee voters for data extraction, reporting, printing of labels and envelopes.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

12) List Maintenance – Record Matching and Merging: These requirements focus on the configuration of criteria for determining matches between records (either duplicate voter records, matches returned in response to a user-

initiated search, or matches of voter records with death, felon or third party address change records) and on requirements associated with merging records that are determined to be a “match.”

Though this section is called upon in Registration Processing and matching is referenced DMV Change of Address and other List Maintenance requirements sets, the focus here is the specification of the matching processes and the merge and unmerge processes.

a. Must include a user-configurable method for authorized Administrators to:

1. Establish sets of registration record matching criteria;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.



2. Configure which criteria apply to each type of matching function (e.g., user-initiated registrant search for list maintenance/research purposes, user-initiated search for purpose of submitting data additions or updates, search for existing record upon receipt of a registration transaction, death record matching, felon record matching, duplicate record checks, NCOA matching, etc.);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.



3. Assign “confidence” levels to each criteria set as it applies to each matching function; and

4. Establish threshold confidence levels required for manual or automatic application of matches for each matching function.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

b. Must allow authorized Administrators to establish one or more bases for matching data in a registration record field, including (where applicable):

1. Exact character match;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. First "X" characters of the field (where "X" is user configurable);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

3. Same characters and order in string, but with spaces and punctuation removed;

ES&S RESPONSE

Yes. The ES&S system complies with this

4. Soundex match (or alternative method based on phonetic pronunciation);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. PowerProfile supports a Soundex search on the last name field.

5. Common nicknames match based on common variations of First Name established by authorized users (e.g., Robert = Bob, Bobby, Rob);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

6. "X" matching characters within string; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

7. Same month and year.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

c. Must allow authorized Administrators to identify a set of matching criteria based on combinations of individual field match settings, such as:

1. First Name- with "Common nicknames"; Last Name- first 4 characters; and Date of Birth- same day and month; or

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

2. DL/ID exact match; First Name- with "Common nicknames"; Last Name- with Soundex.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

d. Must allow authorized Administrators to configure and update whether or not an established matching criteria set is applied to each matching function, including:

1. Registrant searches for purposes of pre-populating a voter record;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. Registrant searches for list maintenance and research purposes;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

3. Searches for an existing record based on the ID;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. S

4. Duplicate registration checks;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

5. DMV, DHSS-DSS, DOL transaction processing;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

6. Death record matching; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

7. Felon record matching.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

e. Must allow authorized Administrators to individually establish “confidence” values to each established matching criteria set as it applies to each potential matching function.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

f. Must allow authorized Administrators to establish and modify confidence thresholds for each matching function so that matches found that meet or exceed that confidence threshold are automatically applied by the system. For matches that do not meet that threshold, but meet a lower “manual” minimum matching threshold, system must generate electronic notices/lists or flag the records for the appropriate county for match review and resolution.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

g. Prior to merging, system must allow user to select which of the records will be the base for the final voter record, and the option to copy values from certain fields from the other record.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

The older record will be set to a status of Removable/Cancelled. Activity will be recorded on both registrant records for the changes made.

h. When applying the merge, system must:

1. Record that information, including the basis for determination, in the voter activity history of the matched voter; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. Create a voter registration record with the new consolidated voter registration data.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

i. When evaluating voter records to identify potential matches with other voter records (match within the system), DMV transactions, death records and felon records , system must exclude the following from matching results and notices to counties when same match criteria were used:

1. Previously verified matches;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. Previously verified non-matches; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

3. Previously identified potential matches pending determination.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

j. Must provide the ability for authorized users to batch clear, by date range and/or by the county user ID, match determinations made inappropriately.

ES&S RESPONSE

We currently not provide the ability to batch clear previously made match determinations because a change of this nature could cause the NVRA statistics to be negatively impacted. We would be happy to discuss further the underlying intent of this requirement and work with the State to find an accommodation.

k. Must merge voter registration data into a single registration record when duplicate registrations are confirmed. The voter registration data must include voter activity history and voting participation history and be merged into the record with the most recent date of registration or voter registration update activity.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

l. Must provide authorized users with the ability to un-merge a single voter registration record into separate registration records in the event that registration records were incorrectly merged. The separated voter registration data must include voter activity history and voting participation history and the separate registration records must contain the appropriate registration data.

ES&S RESPONSE

The ES&S system complies with this requirement. [REDACTED]

13) List Maintenance – Death Records: Department of Elections receives death records from the Delaware Health and Social Services (DHSS) and ERIC and must utilize this information for list maintenance purposes. The Department also utilizes obituaries for list maintenance.

Department of Elections is responsible for ensuring any confirmed matches of death records with registered voters result in a cancellation of voter registration of the deceased persons.

a. Must receive and store death records from different sources, e.g. DHSS, ERIC, obit.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. ES&S provides for the import of death data from state agencies, State and Territorial Exchange of Vital Events (STEVE), and the SSA Death File [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

b. Must match all new death records received against existing voter registration records to identify existing voters that may have died.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

c. For matches with new death records that meet or exceed the established confidence threshold, system must automatically or upon user choice:

1. Cancel the voter's registration;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

2. Record the basis for that cancellation in the voter's activity record; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

d. For matches of new death record transactions that do not meet the established confidence threshold for automatic matching but that meet the established minimum confidence threshold of that match function, system must automatically:

1. Note the potential match in the voter's record; and

2. Provide a method for investigation and resolution of the potential match.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

e. Must allow an authorized county user to enter a determination of the validity of the potential match (valid or invalid).

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

f. Must apply authorized county users' determinations of validity of potential matches and change voter status, if appropriate.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

g. Must provide authorized users the capability to un-match previously matched death records at any time after such matches have been applied. In such instances, system must correct any changes that were applied to the record as a result of the prior match and handle the transaction as a confirmed non-match for that process.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

h. Must allow authorized users to exclude from death record matching processes any death record determined to be incorrect or invalid.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

14) List Maintenance – Felon Data: In order to comply with applicable laws, system must have the capability to receive felon records from the state and federal agencies, e.g. Delaware Department of Justice (DOJ), Department of Corrections (DOC); to store such records on an ongoing basis; match records to voter registration records, and send electronic notices to counties to confirm potential matches; and, for confirmed matches, update registration status.

When felon data indicate that an individual is no longer under their jurisdiction (i.e., no longer incarcerated or on parole), system must ensure that the record is no longer included in checks for matches of felon records with voter registration records.

a. Must be capable of receiving and storing felon records.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. ES&S provides for the import of felon data from state agencies

b. Must match all new felon records received against existing voter registration records to identify existing voters that may have become ineligible due to felon status, or may have become eligible to vote due to no longer being under DOJ and DOC jurisdiction (i.e., no longer incarcerated or on parole).

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

[REDACTED]

c. For matches with new felon records that meet or exceed the established confidence threshold, system must automatically, or by user choice:

1. Change the status of the voter's registration; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

2. Record the basis for that change in the voter's activity record.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

d. For matches that do not meet the established confidence threshold for automatic matching but that meet the established minimum confidence threshold of that match function, system must automatically note the potential match in the voter's record.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

e. Must provide the ability for an authorized county user to enter a determination that the potential match is valid.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

f. Must provide the ability for an authorized county user that has investigated and determined that the potential match was invalid to enter that determination.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

g. Must provide authorized users the capability to un-match previously matched felon records at any time after such matches have been applied. In such instances, system must correct any changes that were applied to the record as a result of the prior match and handle the transaction as a confirmed non-match for that process.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Registrants that have been marked as felons can be re-activated,

h. Must allow authorized users to exclude from felon matching processes any felon record determined to be incorrect or invalid.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

15) List Maintenance – Duplicate Identification: The system must have the capability to identify duplicate voter records and take action to ensure there is only one voter record for every eligible voter in Delaware in the official list of voters.

a. Must provide the ability for authorized user to schedule and run duplicate checks across all voters in the database to identify potential duplicate registration records for the same voter using the criteria established for such matching.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

b. Must automatically, or by user choice, merge voter registration records and assign the voter to the appropriate county when duplicate records are identified based on match criteria sets that meet or exceed the established confidence threshold.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

c. Must, before automatically applying potential duplicate records, check voting participation history for the older registration record. If the older record indicates voting activity in an election after the date of registration in the newer record, the match must not be applied automatically and, instead, system must send electronic notice of potential match to the appropriate county(s).

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

d. For matches of potential duplicate records that do not meet the established confidence threshold for automatic matching but that meet the established minimum confidence threshold of that match function, system must automatically note the potential match in both records.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

e. For those records where a potential duplicate was identified with a record in another county, and an authorized county user makes a determination of match validity, system must update the other record with the determination.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

f. System must provide authorized users the capability to un-match previously confirmed duplicate records at any time after such matches have been applied. In such instances, system must correct any changes that were applied to the record(s) as a result of the prior match and store the determination that the records were confirmed non-duplicates.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

[REDACTED]

16) List Maintenance – Moved out of State: The system must have the capability to match voters against lists that contain Delaware citizens that have moved out of the state. The lists include those from DMV that list drivers who have surrendered their driver license in another state, as well as from the ERIC cross state report that lists Delaware voters that have registered to vote in another state.

a. Must provide the ability for authorized users to schedule and run moved out of state checks across all voters in the database to identify potential records using the criteria established for such matching.

ES&S RESPONSE

Yes. The ES&S will comply with this requirement. [REDACTED]

[REDACTED]

b. Must evaluate the results and reject invalid results - such as address changes previously received.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. ES&S will provide the ability to evaluate the results of the import and reject invalid results based on business rules defined by the State.

c. Must note a potential address change in the voter record and allow authorized users to extract records for mailing notices/confirmations.

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. ES&S will provide the ability to note a potential address change in the voter record and allow authorized users to extract those records for mailing notices/confirmations.

d. When an address update has been determined to be valid where the voter moved outside the State, system must automatically, or upon user choice:

1. Determine the status of the registrant in accordance with configurable business rules

ES&S RESPONSE

Yes. The ES&S system will comply with this requirement. ES&S will provide the ability to determine the status and user-definable status reason of registrants determined to have moved out of state based on business rules defined by the State during the design phase.

2. Note in the activity history for that registrant that the record was updated because of Moved out of State match.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

17) List Maintenance – Non-U.S. Citizens: System must allow for cancellation of voter registration for non-U.S. Citizens

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

18) List Maintenance – NCOA: System must provide the capability to process all registered voter records against an external USPS National Change of Address (NCOA) service on a regularly scheduled basis.

Currently, Delaware receives this service monthly from ERIC. System must update the voter record with the potential NCOA match (no change in status) and provide an electronic notice to the county for evaluation and resolution. Administrators must have the capability to monitor all such pending NCOA updates until resolved by the county.

a. Must provide authorized users the capability to configure a value 'X', such that the extracts created for NCOA processing are broken into multiple files, each containing a maximum of X records.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

b. Must evaluate the results from NCOA processing and reject invalid results - such as address changes previously received and address changes that are older than most recent changes received for a voter - according to configurable business rules.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

c. Must note a potential address change in the voter record and send electronic notice to the appropriate county of the potential address change for determination of validity.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

d. When an NCOA address update has been determined to be valid where a voter has a forwarding address in the same county, system must automatically, or upon user choice:

1. Update the (residence or mailing) address of the registrant;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. Note in the activity history for that registrant that the record was updated because of NCOA match; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

3. Flag the record for automatic generation and mailing of an Address Verification Card (AVC).

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

e. When an NCOA address update has been determined to be valid where the voter has a forwarding address in a different Delaware county or outside the State, system must automatically, or upon user choice:

1. Determine the status of the registrant in accordance with configurable business rules

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. Note in the activity history for that registrant that the record was updated because of NCOA match; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

3. Flag the record for automatic generation and mailing of an AVC.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

f. When an NCOA address update has been determined to be valid where the voter has no forwarding address, system must automatically, or upon user choice:

1. Determine the status of the registrant in accordance with configurable business rules;

ES&S RESPONSE

In ES&S' experience, records with no forwarding address are not included in the data returned in the NCOA process, so no action is taken. ES&S is committed to working with Delaware officials to further understand the need for this functionality

2. Note in the activity history for that registrant that the record was updated because of NCOA match; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

3. Flag the record for automatic generation and mailing of a AVC.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

19) List Maintenance – Board Approval Reports: System must allow for data extracts to be generated for elections board review prior to registration cancellation.

a. Facilitate the tracking of inactive voters who have had no contact for X period, where X is configured by the administrator.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

b. Generate reports of all cancelled voters

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

c. Generate reports of all inactive voters

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

d. Generate reports of active to inactive, inactive to cancelled, active to cancelled.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

20) List Maintenance – Pre-Election Polling Place Cards (PEPPC): System must allow for data extracts to be generated for residency confirmation postcard mailings, or currently known as poll notification card mass mailing.

a. Must provide the ability to automatically generate a data extract of all required information in any or all counties on a batch basis so that PEPPCs can be printed by the State through a third-party mailing house.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

21) *List Maintenance –Address Verification Cards (AVCs): When the Department receives third-party notice of a change of address, elections officials are required by law to follow up with postcard to the voter alerting them to the actions being taken. For uniformity and list maintenance practices, this section describes system capability to support mailing change of address notices to voters on behalf of counties, if counties choose to have the state conduct mailings for them.*

a. Must provide the ability for authorized users to generate a data extract, based on the applicable mailing address for each voter, of all required information for one or more counties across the State so that AVCs may be printed by the State through a third-party mailing house.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

22) *Voter Election Data – Official List of Voters: As the HAVA mandated official list of eligible voters, the system must provide capability for extracting the official list of voters with respect to any election so that this data can be used to generate and print the polling place rosters and data files for electronic poll book.*

a. Must provide authorized county users the ability to extract the official list of eligible registered voters with respect to any given election.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

[REDACTED]

[REDACTED]

23) *Voter Election Data – Voting History: System must maintain voter participation history data that are necessary for to make determination of whether a voter who registers by mail must show ID the first time he/she votes.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

Throughout the Election Cycle period, system must capture ongoing data changes related to vote-by mail (See Voter Registration – Absentee Voting) and provisional voting, to support the voter lookup capabilities on the public website and the interactive voice response system (IVRS).

a. System must provide the capability to capture vote credit history.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

b. System must allow for the adding of voter history only when a ballot is valid.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

c. System must provide the capability to edit existing vote history.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

d. System must provide the capability to delete existing vote history. A record of deletion and who deleted must be maintained.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

e. System must change a voter's registration status from inactive to active when vote history is applied.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

f. System must have capability for the vote by mail module (absentee) to record received ballots and flag as the source for adding vote history.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

g. System must allow for vote history to be added:

1. After an election has been certified;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Voting history can be manually added to a registrant record at any time.

2. As ballots are processed;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

3. *To an individual voter; or*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Voting history can be manually added to a registrant record at any time.

4. *Through a batch process.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

h. Must maintain historic voting participation for all voters, regardless of the number of elections in which voters might have participated. The history captured and maintained for each voting event must include:

1. State defined code for the election;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. PowerProfile maintains all historic voting participation data for all voters without exception. The Voting History includes the election code as defined by the state or county.

2. *Election date;*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Voting History data includes the election date.

3. *Voting district (Election District);*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The election district in which the voter voted in the election is included in the Voting History record.

4. *How voted (vote-by-mail, early, polling place, or provisional); and*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. How Voted (absentee, early, polling place, or provisional) is included in the Voting History record.

5. Partisan ballot voted (for primary elections).

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

i. Prior to an election, system must receive data from the Election Management system or module that enables a user to determine the following data for each registered voter:

1. Voting district (Election District) assignment for the election; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. Polling place assignment for the election

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

j. For registered voters who vote a provisional ballot in an election, system must capture and store whether or not the provisional ballot was counted and, if not, the reason it was not counted.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

k. Must capture and store the voter participation in school board elections and referendum either by individual voter or mass update (using an input file)

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

24) Election Districts and Districts – Mapping: So that the system can correctly determine the Official List of Registered Voters with respect to political districts, the system must maintain voting district cross reference information.

The information is required for derivation of residence in political district based on the voter's election district assignment.

a. Must be able to identify, from the voter's election district, the voter's voting district for State Senate, State Representative, County Council Districts, School Districts, Municipal Districts (e.g. City of Wilmington)

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

b. Must capture and store county-defined local districts (e.g., county council, levy court, school districts) and must be able to identify, from the voter's election district, the voter's membership in such districts.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

c. Must notify county and administrators of "orphan" election districts (e.g., election districts without voters), and of "orphan" voter registration records (lacking a valid election district assignment).

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Through the system authorized users can produce a report to determine the "orphan" status of election districts and voter registration records lacking a valid election district assignment. 25) Election District and Districts – Redistricting: So that the system can apply new or updated district information to voters after redistricting, i.e. processing of drawing boundaries for electoral and political districts.

New district boundaries data are provided by the Elections Management system or module.

a. Must be able to determine voter's new districts based on imported data (e.g. GIS)

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

b. System must be capable of comparing districts assigned to a voter pre and post redistricting to identify potential errors. City, School and Fire District must not change.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

c. Must be able to identify, the voter's voting district for US Congress, State Senate, State Representative, County Districts, School Districts, Municipal Districts (e.g. City of Wilmington) after redistricting.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

d. Must provide the ability for authorized users to generate a data extract, prior to applying new districts.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

e. Must notify county and administrators of "orphan" voter registration records (e.g., voters without political district assignments).

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

f. When update has been determined to be accurate, system must automatically, or upon user choice:

1. Note in the activity history for that registrant that the record was updated because of redistricting.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

26) State-level Processes – Political Party Tracking: System must have the capability to track voters’ political party data in order to (a) determine voter eligibility with respect to a primary election; (b) maintain uniformity of voter records and data; and (c) support the Voter Registration Report, which is a statistical abstract of party registration by political district.

a. Must allow authorized users to define and document changes to political parties. For each such party, system must capture and store the following information:

1. State-assigned party code;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

2. Whether or not the party is Qualified, Attempting to Qualify, or Non-Qualified;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

3. Date of all changes in party status (Qualified/Non-Qualified/Attempting to Qualify;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

4. Reason for such changes (if applicable); and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

5. Current state party contact information.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

27) State-level Processes – Voter Registration Report (VRR): The VRR is a statistical abstract of voter registration by election district and partisan affiliation, is published by the department at prescribed times.

The system will need the capability to report on state and county level. The VRR statistics will need to be captured and protected from alteration due to subsequent changes in the underlying voter registration data.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

The system must also enable an authorized users to create, on an ad hoc basis, an extract of specified VRR data elements as of an Administrator-specified VRR Date and enable the Administrator to specify/select the internal network location to which the electronic version of the resulting extract shall be routed/stored.

a. Must provide authorized users the ability to view VRR completion status (e.g. 'requested', 'in progress', 'completed', 'data extracted').

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

b. Must capture and store VRR statistics of active registered voters by election district and party within a county as of the established VRR date (or run date). System must capture these statistics county-by-county, or for the entire state at one time.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

c. Once a VRR has been deemed published the statistical data cannot be modified.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

d. Must support calculation and production of the following summary statistics for VRR component reports:

1. Registration By County

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. Registration By Senate District

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Voter Registration Statistics can be generated for any political district in the system, including Senate District.

3. Registration By Representative District

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Voter Registration Statistics can be generated for any political district in the system, including Representative District.

4. Registration By County District

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Voter Registration Statistics can be generated for any political district in the system, including County District.

5. Registration By Political Party (Dem, Rep, Other)

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Voter Registration Statistics can be generated by political party. [REDACTED]

6. Registration By Minor Political Party (e.g. Natural Law)

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Voter Registration Statistics can be generated by political party. [REDACTED]

7. Registration By “Other” Political Party (i.e. free text Party Name)

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Voter Registration Statistics can be generated by political party. [REDACTED]

e. Must provide an authorized user the ability to:

1. Manually initiate a query to extract specified VRR data elements as of a specified VRR Date;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

2. Specify the file format for the resulting extract file in accordance with authorized file formats; and,

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The Voter Registration Statistics reports and Election Statistics reports can be exported in TXT or CSV format. [REDACTED]

3. Specify the internal network drive location to which the extract file should be output/stored.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

28) *State-level Processes –Voter Registration Data Requests (VRDR): Requirements below pertain to the need for the system to support workflow and associated data related to investigation, evaluation and fulfillment of VRDRs.*

a. Must allow authorized users to input, track and review Public Voter Registration Data Requests (VRDRs), including:

1. Requestor name;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

2. Requestor ID number and type;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

3. Requestor organization;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

4. Requestor residence and business addresses;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

5. Requestor contact information (phone, fax, email addresses);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

6. If Requestor is acting as an authorized agent for a qualified party, the name, address and contact information for the party legally qualified to purchase the data;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. PowerProfile provides fields for the storage of requestor and contact info. ES&S will provide fields for authorized agent, as well as address and contact information for the agent.

7. Requestor's stated purpose/use for the data;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]
[REDACTED]

8. Date of application;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]
[REDACTED]

9. Date application received;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]
[REDACTED]

10. Basis for qualification (election, party, academic, journalist, etc.);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]
[REDACTED]

11. Date of application fulfillment or denial;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]
[REDACTED]

12. Status of application;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]
[REDACTED]

13. Criteria used to select/exclude records for the extract; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

14. Filename(s) and number of records provided in the extract.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

b. Must allow authorized users to log the following items related to processing and fulfillment of a VRDR:

1. Date the event occurred

2. Time the event occurred

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

3. Free-form text note, averaging fifty (50) characters per VRDR and scalable to one hundred (100) characters per VRDR, of activities and events

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

c. Must provide authorized users with a method to select voter registration records for inclusion or exclusion in a VRDR extract based on multiple criteria, with the ability to specify a range or list where applicable, including:

1. County of residence;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. City of residence;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Authorized users can produce reports and exports based on the selection of city of residence.

3. Zip code(s);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Authorized users can produce reports and exports based on the selection of residential zip code.

4. Home voting district (Election District);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Authorized users can produce reports and exports based on the selection of one or multiple home voting districts.

5. Political party affiliation;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Authorized users can produce reports and exports based on the selection of one or multiple political parties associated with registrants.

6. Current or historic date of registration;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Authorized users can produce reports and exports based on the selection of registration date ranges.

7. Age (before or after a specified date of birth, or within a specified range of dates of birth);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Authorized users can produce reports and exports based on the selection of age ranges.

8. *Language preference;*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. ES&S will provide the ability to produce reports and exports based on the selection of one or multiple language preferences.

9. *Voting participation history; and*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Authorized users can produce reports and exports based on voting participation history in one or multiple elections, [REDACTED]

10. *Political district (such as State Senate District, State Representative District, County District, etc.).*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Authorized users can produce reports and exports based on one or multiple political districts.

d. *In fulfillment of a VRDR, system must be able to produce an extract as a standard text file, with a delimiter (set by the administrator) that includes user-selected data fields, such as:*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. PowerProfile allows for data exports to be produced in Text, [REDACTED]

1. *Voter ID*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Voter ID can be included in all PSR reports and exports.

2. *Voter Name*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Voter Name can be included in all PSR reports and exports.

3. *Date of Birth or Year of Birth*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Year of birth or full date of birth can be included in all PSR reports and exports.

4. Phone Number

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Phone number can be included in all PSR exports, and is available on reports where applicable (for instance, it is not available on labels).

5. Residential Address

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Residential address can be included in all PSR reports and exports.

6. Mailing Address

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Mailing address can be included in all PSR exports, and is available on reports where applicable.

7. County

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Authorized users can include residential county on all PSR exports and reports. [REDACTED]

8. Districts

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Political districts (as selected by the user) can be included in all PSR exports, and is available on reports where applicable.

9. Party

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Political party can be included in all PSR exports, and is available on reports where applicable.

10. Date of Registration

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Date of registration can be included in all PSR exports, and is available on reports where applicable.

11. Voting History

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Voting History can be included in PSR reports and exports where applicable.

12. Date Last Registration Change


ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

13. Code Last Change Voter

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.



14. Status of Voter


ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Voter status and status reason can be included in reports and exports where applicable.

e. System must be able to save user data extract preferences as profiles for later execution. For example users may create a profile based on HB245, i.e. a profile for public requests, candidate and political party requests, and another for the General Assembly, or State, County and local governments.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.



f. System must allow users to delete previously saved preferences or profiles.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

29) State-level Processes – Website: Voter Portal (Public Access): Requirements listed below pertain to the need to provide online voter registration and self-service lookup of registration status and ballot status.

Delaware has adopted a standard for web applications to support mobile devices by optimizing standard browser screen displays via a common look and feel.

Delaware expects that any support the system provides for mobile devices will not require installation any application or other component on those devices. The system will be required to use the common look and feel.

The requirements below include translation of public-facing pages into different languages. Pages and functions to be translated are all of those pages/functions that are used by the public in order to register to vote. Information and features that are not used in order to register to vote (e.g., polling place information) need not be translated.

The system must comply with State of Delaware Enterprise Standards and Policies, Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information.

a. For privacy purposes, the public website must require an individual accessing the website to provide sufficient personally identifiable information to authenticate the individual and to prevent others from accessing that voter's data, and must not provide or confirm any additional private information. The personally identifiable information must be configurable by an authorized administrator, such as: first name, date of birth, house number and zip code, DL/ID.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

[REDACTED]

b. *For privacy purposes, the public website must require the user the option to use two-factor authentication.*

ES&S RESPONSE

The ES&S system is capable of two-factor authentication and we will work with Delaware to determine the most secure methods for the Delaware implementation.

i. *Telephone Verification*

ES&S RESPONSE

The ES&S system is capable of two-factor authentication and we will work with Delaware to determine the most secure methods for the Delaware implementation.

ii. *Email Verification*

ES&S RESPONSE

The ES&S system is capable of two-factor authentication and we will work with Delaware to determine the most secure methods for the Delaware implementation.

iii. *HOTP/TOTP Software/Hardware Tokens (e.g. Google Authenticator, Authy)*

ES&S RESPONSE

ES&S has taken into account integration of this requirement and will comply with it.

iv. *Cryptographic measures not otherwise mentioned.*

ES&S RESPONSE

ES&S will work with Delaware officials to determine the means for inclusion of cryptographic measures.

c. *The public website must allow a voter to determine:*

I. *Whether he or she is registered to vote;*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

2. *Whether or not voter is registered as a permanent vote-by-mail or one-time mail ballot voter; and*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

3. *Political party preference.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

4. *His or her elected officials.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

5. *Other publicly available voter information, voting history*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

d. *The public website must support online voter registration pursuant to applicable state and federal law, including new registration and updates to an existing registration.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

e. *The public website must support online voter functions, including:*

1. *Submit vote-by-mail (i.e. absentee) requests*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. *Submit Federal Post Card Applications (FPCA) for uniformed service and overseas citizens*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

3. *Submit requests for voter registration cancellation for themselves and their close relatives*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

4. *Submit requests for a polling place card*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

5. *View voter-specific sample ballot*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

f. *The public website must allow a voter to choose the method of signing their requests, including:*

1. *Use of his or her existing electronic signature with Department of Elections*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. Use of his or her existing electronic signature with DMV. Note: Utilize existing service.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

3. Use of a pointing device to draw signature, e.g. stylus, mouse

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

4. Use of a saved picture of a signature

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

5. Print, sign and mail the application.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

g. Must provide authorized Administrators a method to configure signature options for each type of application or request.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

h. The public website must allow a voter to determine the status of submitted requests.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

i. The public website must allow a voter to determine:

1. His or her eligibility to vote in an upcoming election;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. His or her voting election district for an election; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

3. His or her polling place for an election.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

4. Driving directions to his or her polling place.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

j. The public website must allow a voter to:

1. View login and logout history

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. View request history

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

3. Pause and resume completing the application

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

k. Must allow members of the public to perform all online voter registration and self-service lookup functions using mobile devices without requiring installation of any application or component on the mobile device.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

l. The public website must allow voters who have voted a provisional ballot to determine if their ballot was counted and, if not, the reason it was not counted.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

m. The public website must allow voters who have voted a vote-by-mail ballot to mark their absentee ballot online.

ES&S RESPONSE

Yes.

n. Must provide authorized Administrators a method to configure vote-by-mail voters that can use the online function to mark their absentee ballot online.

ES&S RESPONSE

Yes.

o. The public website must allow voters who have voted a vote-by-mail ballot to determine:

i. Date when his or her request was received

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

ii. *Date when his or her ballot was sent*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. VoterView

iii. *Date when his or her ballot was received*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

p. *The public website must allow voters who have voted a vote-by-mail ballot to determine if their ballot was accepted and, if it was rejected, the reason it was rejected.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

q. *The data on voters' registration status and ballot status that displays on the public website must be current as of a point in time of the user's query.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. VoterView

r. *Must allow an authorized administrator to control the updates of public access website data on voters' eligibility to vote in an upcoming election, election district assignment, and polling place assignment for an election.*

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

s. The data that are accessible and queried through the public access website must not change during a user's execution of a query.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

t. All public-facing web pages and functions that a member of the public views or uses in order to register to vote, change voter registration-related data, or look up registration status must be available in two (2) languages (English plus one (1) additional language). These languages currently include English, and Spanish. (Department of Elections will be responsible for providing the required translations.)

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

u. Must be scalable and extensible to support web pages and functions that a member of the public views or uses in order to register to vote, change voter registration-related data, or look up registration status in a total of twenty one (21) languages (English plus twenty (20) other languages). Support for multiple language translations must not necessitate recompilation or recoding of the system.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

v. Must provide authorized Administrators a method to configure availability of the public website or select functions.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. A [REDACTED]

w. The public website must have the capability to track voter registration from third party organizations and assign appropriate method of registration codes. Registration of third party organizations shall be defined by authorized Administrators.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

30) *State-level Processes – Website: Offsite Registration: Requirements listed below pertain to the need to provide online voter lookup and registration by authorized users outside of normal business environment, e.g. state fair, naturalization ceremonies.*

Delaware expects that any support the system provides for mobile devices will not require installation any application or other component on those devices.

a. The website must require an individual accessing the website to provide sufficient personally identifiable information to authenticate the individual and to prevent others from accessing the system.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

b. For privacy purposes, the public website must allow user the option to use two-factor authentication.

ES&S RESPONSE

The ES&S system is capable of two-factor authentication

c. The website must provide capability to search voters and determine if they're registered and to display relevant voter registration information, such as addresses, districts, polling place, etc.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

d. Must provide the capability to submit voter registration applications, including capturing of electronic signature.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

Must provide ability for authorized Administrators to setup the events for which users can use the website, e.g. registration drives during the week(s) of the Delaware State Fair.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

f. Must provide ability for authorized Administrators to manage users by event.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

g. Must provide ability to track registration captured by event, and by user.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

h. Registrations captured through this website will be in partial state of completion. This is purely for intake.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

i. Must provide ability for authorized Administrators to configure the types and levels of validations, e.g. ID verification, felon checks, for applications captured through this method.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

3 I) State-level Processes – Voter Registration Services: Support real-time voter registration from other state agencies and partners.

a. Must host services that will securely and reliably receive voter registration transactions (including declinations) from state agencies and partners, e.g. DMV, DHSS-DSS, DOL, etc., in real-time.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

b. Must provide state agencies and partners the capability to:

i. Determine if their customer is registered to vote;

ES&S RESPONSE

Yes. [REDACTED]

ii. If not registered, allow the customer to decline to register to vote;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

iii. Determine if period of party changes is open;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

iv. Retrieve list of political parties

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

c. Must support over-the-counter (e.g. DMV associate processing an applicant) and self-service (using kiosks, or using personal devices via the internet) voter registration methods.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

d. Must store and capture data and electronic signature for voter registration. Note: Signature capturing methods use by state agencies and partners are outside of the scope of this RFP.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

e. Must provide capability for county elections staff to review each application prior to creating new voters or updating existing voter registrations.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

32) State-level Processes – Voter Registration Query Services: Support voter registration queries from users of other state agencies and partners.

Certain citizen services provided by Department of Insurance, Office of the Lt. Governors, Office of the Governor, and General Assembly require them to be able to inquire voter's registration information, such as address, political affiliation and voting history.

a. Must provide authorized Administrators capability to create and manage user accounts for users of other state agencies and partners

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. ES&S will provide the ability for authorized administrators to create and manage user accounts for use of VoterView to users of other agencies.

b. Must provide authorized Administrators capability to determine and setup limited access to users.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. ES&S will provide the ability for authorized administrators to determine and set up limited access for certain users of the portal.

c. Queries from users of other state agencies and partners must not update voter registration information.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Queries against the voter registration database returns view-only data and cannot be updated.

d. Must provide state agencies and partners the capability to login to search voters.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. ES&S will provide the ability for users from other agencies and partners who have been authorized by administrators log in to search for voters.

33) State-level Processes – Voting History Match: System must provide capability to process ERIC data containing possible voting history matches (possible double-voting).

a. Must provide capability to extract voter registration, absentee information, voting history, and other relevant information to assist in the investigation.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. ES&S will provide the ability for the state to process possible voting history matches from ERIC, and match to voter registration, absentee, voting history, and other relevant information.

b. Must provide capability for authorized users to capture and store status/determination of each case. Use codes that can be defined and modified by authorized Administrators.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

c. Must provide capability to generate reports.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. ES&S will provide the ability generate reports [REDACTED]

GENERAL SYSTEM REQUIREMENTS:

1) Standards and Policies: The system must comply with State of Delaware Enterprise Standards and Policies, Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The system will comply with all applicable State of Delaware Enterprise Standards and Policies.

2) Audit Requirements: The system must log every action that changes voter registration data, election district mapping data, political party data, or security roles or role assignments. Logs must contain sufficient information for authorized Administrators to reliably reconstruct the chain of events and, where possible, track them back to a specific user.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. PowerProfile tracks activity for all voter changes, street file, election district that affect voters, absentee data, petition data, election worker data, etc. ES&S will provide activity tracking for political party data and security role data.

a. Must log all creations of and updates to voter registration data that are executed as a result of actions by users and automated processes. The following information must be logged for each such change to voter registration data:

1. Data that was changed;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. Prior value of the data before the change (if applicable);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The prior value of the data that was changed, if applicable, is displayed as part of the activity record.

3. Date and time of the change; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The date and time of the change are displayed as part of the activity record.

4. Source of the change (either an automated process identifier or user ID/name).

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The source of the change, whether a specific user or an automated or batch process, is displayed as part of the activity record.

b. Must log all creations of and updates to voter registration data that are executed as a result of actions by members of the public using the public access website. The following information must be logged for each such change to voter registration data:

1. Data that was changed;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. Prior value of the data before the change (if applicable);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The prior value of the data that was changed, if applicable, is displayed as part of the activity record.

3. Date and time of the change; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The date and time of the change are displayed as part of the activity record.

4. Source of the change (i.e., 'website user').

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The source of the change, whether a specific user or an automated or batch process or website user, is displayed as part of the activity record.

c. Must log all instances of viewing individual voter registration records, searching voter registration records, executing queries and reports against voter registration data, and executing extracts of voter registration data that are initiated by users. The following information must be logged for each such instance:

1. Date and time of the initiation of the view of the record, search execution or query/report or extract execution;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. Source or performer of the action (user name); and,

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

3. For searches, executions of queries and reports, and executions of extracts, the data selection and filtering criteria for the search, query/report, or extract.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. ES&S will include the data selection and filtering criteria.

d. Must log creations of and updates to election district and political district data (as described in Election District and District-Mapping) by users. The following information must be logged for each such change:

1. Data that was changed;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. PowerProfile tracks activity for all voter changes, street file, election district changes that affect voters, absentee data, petition data, election worker data, etc. ES&S will provide activity tracking for election district data.

2. Prior value of the data before the change (if applicable);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The prior value of the data that was changed, if applicable, is displayed as part of the activity record.

3. Date and time of the change; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The date and time of the change are displayed as part of the activity record.

4. User name for the individual who submitted the change.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The user name for the individual who submitted the change is displayed as part of the activity record.

e. Must log creations of and updates to political party data (as described in Political Party Tracking) by users. The following information must be logged for each such change:

1. Data that was changed;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. Prior value of the data before the change (if applicable);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The prior value of the data that was changed, if applicable, is displayed as part of the activity record.

3. Date and time of the change; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The date and time of the change are displayed as part of the activity record.

4. User name for the individual who submitted the change.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The user name for the individual who submitted the change is displayed as part of the activity record.

f. Must log all creations of and updates to security roles, security role permissions, and assignments of security roles to users. The following information must be logged for each such change:

1. Data that was changed;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

2. Prior value of the data before the change (if applicable);

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The prior value of the data that was changed, if applicable, is displayed as part of the activity record.

3. Date and time of the change; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The date and time of the change are displayed as part of the activity record.

4. User name for the individual who submitted the change.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. The user name for the individual who submitted the change is displayed as part of the activity record.

g. Must provide a graphical user interface for authorized administrators to search, view, and print audit log data including filtering and sorting by any field or combination of fields. Filtering must support wild card searches and range of data where applicable.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

h. Must provide authorized administrators the capability to archive audit log entries prior to a given date of change and to retrieve archived data according to configurable criteria.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

3) Reporting/Querying Requirements: The solution must include multiple pre-defined reports ready for execution by an authorized user, plus capability to define and execute ad hoc reports and queries.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

a. The solution must provide authorized users with capability and tool(s) to query data and create formatted reports with user-defined sort criteria, filters, and subtotals/totals.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

System must include a process for analyzing and reporting voter registration data for federal statistical reporting.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

c. System must provide the capability to generate a report on underage voters in the database.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

d. System must provide the capability to generate a report on new registrations.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

e. System must provide the capability to generate a report on political party changes.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

[REDACTED]

f. System must provide the capability to generate various voter registration and voting history statistical report. See some publicly available report at <https://elections.delaware.gov/services/candidate/regtotals.shtm> for reference.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

g. System must capture statistics for paper and electronic registrations from referring agencies.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

h. System must provide reporting capability on any and all data fields.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

i. The data that the system displays in response to an executed report or query must be current as of a point in time of report/query execution.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

j. The data extracted during execution of a report or query must not change during query execution.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

k. Must allow authorized users to save created ad hoc report data selection, sort, filter, grouping, and formatting parameters for later re-execution.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. Authorized users can save created report data selection, sorting, filtering, field selection, etc. in the Public Service Request module.

l. Must allow authorized users to manually delete previously saved query/report statements (data selection, sort, filter, grouping and formatting parameters).

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

m. Must provide execution-ready versions of the pre-defined reports.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

n. Must, for both ad hoc queries, ad hoc reports and pre-defined reports, allow the user to:

1. Preview/display the report or query results on screen, instead of or prior to printing the report;

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

2. Print results of the entire report/query or user selected page(s) to a user selected printer in a local network environment; and

ES&S RESPONSE

Yes. The ES&S system complies with this requirement. [REDACTED]

3. Export the report or query results electronically to a user specified location external to the system, in multiple formats, including: Acrobat PDF, RTF, comma-delimited text file, and tab-delimited text file. (Report and query output will not be stored within the system.)

ES&S RESPONSE

[REDACTED]

o. For ad hoc queries and reports as well as predefined reports, the system must provide authorized users with a visual “progress indicator” during data extraction and report generation, and must allow users who execute a query or report to cancel execution prior to completion.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

p. For both ad hoc and pre-defined reports, the system must, at authorized user option, include the report parameters and report execution date in report output.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

q. Must make all stored queries and reports available for immediate generation and for batch generation.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

r. Must provide information to authorized users that batch-executed reports are completed.

ES&S RESPONSE

Yes. The ES&S system complies with this requirement.

[REDACTED]

APPENDIX B, PART 6: ABSENTEE VOTING

Vendor shall provide voting equipment for absentee voting that meet or exceed the following requirements:

ES&S RESPONSE

As demonstrated to the Delaware Voting Equipment Selection Task Force, ES&S has the following components that comprise our absentee balloting system.

1. Ballot creation

Balotar, our ballot-on-demand system, which integrates fully with the election management system

2. Ballot counting

DS450 high-throughput scanner and tabulator, which also aids in adjudication of voter intent

3. Electionware election management system (EMS)

The ES&S Electionware election management system (EMS) is used to create an election information database, format ballots, program voting and ballot tabulating equipment, count ballots, review ballot images, and report results. This agile election management system is the result of our nearly 40 years of election product research and development.

OVERVIEW

Please note: All references below would be applicable and could be expanded to early voting should Delaware add that as an option, or to absentee voting via the use of voting centers if Delaware chooses to utilize that option.

a. The US EAC must have certified the voting equipment against VVSG 1.0 standard or higher.

ES&S RESPONSE

Yes. Our proposed solution is certified by the EAC.

The system that includes the ExpressVote ballot marking device (BMD) has been certified by the U.S. EAC against VVSG 1.0 standard. The system that includes the ExpressVote XL is currently in the process of certification by the U.S. EAC against VVSG 1.0. EAC certification of the system that includes the ExpressVote XL is expected to be completed in the spring of 2018.

b. Provides all voters the opportunity to privately and independently cast his/her vote.

ES&S RESPONSE

Yes. ES&S is committed to the ideal that the voter's privacy and anonymity are of the utmost importance. Both are stringently preserved throughout the Election Day voting process with the ES&S system.

The ExpressVote product family, including the ExpressVote XL and the ExpressVote ballot marking device (BMD), enables voters to conduct their voting session privately and independently. The ExpressVote XL

provides privacy to the voter by enclosing them with a privacy curtain. The ExpressVote BMD's touch screen can be shielded either by the position of the unit or through the use of a cardboard privacy screen. Audio is privately played over headphones in both devices. Voters who are blind or who want to ask an Election Officer a question can blacken the screen during all or part of a voting session.

The DS200 precinct tabulator used with the ExpressVote BMD does not display any information that may reveal the identity of the voter or contents of the voter's ballot while reading, verifying and auditing ballots. For additional security, the voter may insert the vote summary card face down or upside down. The DS200 pulls the card rapidly inside and protects it from view before it is cast. In addition, ES&S sells ballot privacy sleeves that may be used to ensure ballot secrecy as the voter transports a vote summary card from the ExpressVote BMD to the DS200.

Depending on the election programming, the tabulators can be set to save an electronic copy of the ballot image and cast vote record onto the USB flash drive when the vote is cast. To ensure that the voter's identity cannot be tied to a ballot image, the system randomizes the ballot image file and does not place a date/time stamp on the file. Thus, there is no logical way to associate a voter with a saved ballot image or cast vote record.

c. Shall be scalable – each voting device can handle a minimum of 1,000 complex ballot styles for an election, multiple languages, and various election configurations.

ES&S RESPONSE

Yes. Our Electionware election management system (EMS), is easy to use and provides tremendous flexibility and scalability to the Department of Elections to create elections in multiple languages, design ballots for the most complex ballot style elections, configure the proposed digital tabulation and accessible equipment, and manage election results. Electionware's ability to use data and election templates from past elections, as well as built-in ballot templates, eliminates the need to re-enter data or recreate templates with each new election. These powerful capabilities enable election administrators to create error-free elections in less time.

BALLOT STYLE CAPABILITY

The maximum number of ballot styles that can be created in Electionware EMS is more than 9,990 ballot styles per election.

Electionware can create standard ballot templates (layouts) containing text, races, and graphics for all ballot faces utilized for State of Delaware elections. The resulting templates decrease the time required by the user to lay out a ballot for a given election. Text and graphics must only be entered into the system one time no matter how many ballot styles they appear on.

MULTI-LANGUAGE CAPABILITIES

ES&S understand that's Delaware election law currently does not have a second language capability requirement. However, system-wide, our proposed voting system can accommodate multiple languages including English, Spanish, Chinese, Korean, Japanese, Hindi, Vietnamese, Tagalog, Creole, Russian, Bengali, and French. Users can display various languages based on the Election District level. For example, a jurisdiction could ensure certain Election Districts have English only whereas other Election Districts have English and Spanish. Multiple audio languages are supported. Translations can be imported like an English

data import, or users can enter all English data (contests, referendum) and create a Ballot Translations spreadsheet. This spreadsheet is then translated by the jurisdiction or a professional translation service, and then easily imported into Electionware.

The ExpressVote XL, the ExpressVote ballot marking device (BMD), and the DS200 will display language choices based on the election setup. The DS200 language choice and the translated information are provided on the touch screen for the voter to view privately. The ExpressVote language choice and the translated information are also provided privately on the touch screen, and the audio is provided to the voter via headphones.

Audio files for both English and translated languages can be quickly generated using a separate software application called Text-To-Speech. These are then imported into Electionware in one simple step.

BALLOT CREATION FLEXIBILITY

The DS200 and DS450 are certified to tabulate 11", 14", 17", and 19" length ballots in widths of 8.5" and 4.25" (for ExpressVote thermal vote summary cards). They are capable of accurately reading a landscape ballot with as many as 24 columns front and back.

For absentee ballots, the Electionware software supports both single- and double-sided ballots as well as multi-page ballots. Ballots can be formatted in either portrait or landscape orientation. Customization options for ballot layouts are extensive, and through the use of style sheets can be applied to all, or a subset of ballot styles. Once the ideal layout is achieved, templates can be saved for future use.

Our systems contain the utmost ballot creation flexibility to support the various jurisdiction rules of our current and potential customers. At a high level, Electionware provides complete control over items such as ballot sizes and oval density, stubs and perforations, number of ballot rows and columns, ballot orientation, text and graphic placement, watermarks, ruling lines and margins.

Electionware also provides complete typographic control over every piece of text that appears on the paper ballot. Typographic elements under your control include font face, font style, font size, line size, strikeout, underline, text color, margins, ruling lines, alignment, text rotation, font kerning, relative and absolute placement, background color, and more. Each font that is installed on the system is available for use in the paper ballot layout.

The ExpressVote product family ballot layout is also generated by Electionware. The same database is utilized for all ballots, paper or electronic, to ensure that there is consistency and accuracy throughout the system.

Changes to the ballot layout can be seen on the screen in Electionware. You can update font sizes, font kerning, graphics, spacing, and background formatting as needed.

Touch screen ballots may be created and saved to ensure that the next election is similar, yet simple and fast to design.

For the ExpressVote XL, contests and questions appear on one screen; they may also be broken up into multiple screens if Delaware ever requires this.

d. Voters' choices shall be reflected on a paper record created by the voter or voting system that a voter can review before it is cast and that is suitable for a recount.

ES&S RESPONSE

Yes, the ES&S system meets this requirement.

For in-person absentee or polling place voting, the ExpressVote product family combines the convenience of touch-screen technology with the security of a paper record that the voter can review before it is cast and that is suitable for a recount. In addition, hand-marked absentee ballots can be reviewed by the voter and are suitable for a recount.

EXPRESSVOTE XL

Unlike purely electronic vote capture systems, the ExpressVote XL's integrated thermal printer marks a voter's selections on a voter-verifiable paper record that is viewable through a secure window. The printed paper record enables a voter to confirm that the ExpressVote XL captured all votes correctly, alleviating potential concerns about system accuracy and integrity. After a voter verifies all contest choices, the system scans the marked paper record internally and saves an exact digital image of the paper record. The system then tabulates all scanned votes at the end of voting.



EXPRESSVOTE BMD

Once all vote selections are made via the touch screen or assistive devices, vote selections are reviewed and the voter is given the opportunity to change his/her selections. Once complete, the ExpressVote prints the individual vote choices on a verifiable, hardcopy ExpressVote vote summary card in human-readable format. The vote summary card enables any voter to confirm that the ExpressVote captured all votes correctly, alleviating concerns about system accuracy and integrity - voters can re-insert the card into the ExpressVote if they would like to hear their selections read back to them. To complete the voting process, the voter places the vote summary card, which they can review again in paper form, into a DS200 digital scanner and tabulator for tabulation.



HAND-MARKED PAPER BALLOTS

Absentee paper ballots marked by hand, including those printed with the Balotar ballot-on-demand system, provide the voter the opportunity to review choices and are suitable for recount.



e. The voter should be able to activate the voting device and/or select accessibility features without poll worker assistance in a manner that results in the display of the correct ballot for the voter.

ES&S RESPONSE

Yes. As also demonstrated to the Delaware Voting Equipment Selection Task Force, the feature-rich ExpressVote Universal Voting System product family (ExpressVote XL or the ExpressVote BMD) can be activated and used by all voters (with or without visual impairments, hearing issues, or need for physical accommodations) without intervention from Election Officers and without creating a segregated ballot for voters with disabilities. This ensures the independent, private casting, inspection, verification, and correction of secret ballots by voters with disabilities in an accessible media by both visual and nonvisual means, including synchronized audio output and enhanced visual display.

The ExpressVote is a fully compliant ADA and HAVA solution that enables each voter to cast his or her ballot autonomously. The ExpressVote enables any voter, including blind, low-vision, and limited dexterity voters, to vote unassisted. Functionality includes: voter choice of multiple user interfaces including touch screen, Braille-embossed keypad, sip-and-puff tube, and foot pedal or other two-way switch; audio voting session via text-to-speech or .wav files; voter selects speed, tone, and volume; high-visibility on-screen ballots; voter-selected font size and contrast settings. All of the accessible features are available to the voter at all times during the voting process and do not require Election Officers to “enable” or turn-on special features. Voters may use any of the accessible features simultaneously, at any time during the voting process.

The ExpressVote products further allow all voters to independently verify the paper record to know exactly how their votes will be counted using the same accessible features the voter used to vote.

f. Voting machine that utilizes voter completed paper ballots should possess the capability to determine the intent of voter who does not mark his/her ballot according to the instructions. Further, the system must possess the capability to process normal variations in printing and scanning without requiring adjustment of the mark reading thresholds.

ES&S RESPONSE

Yes. As also demonstrated to the Delaware Voting Equipment Selection Task Force, the DS200 and DS450 tabulators use ES&S’ robust scanning and vote tabulation technology for the most accurate vote capture capabilities on the market. Our unique, patented technology provides exceptional mark recognition, including the ability to successfully recognize common voter marks like slashes, check marks, and X’s.

ES&S' Intelligent Mark Recognition (IMR™) and Positive Target Recognition & Alignment Compensation (PTRAC™) routines are the basis for our certified products and available only on ES&S products. These routines work together to provide real-time auto-adjudication of ballots during vote tabulation, ensuring even the most problematic ballots are read accurately and consistently, protecting voter intent and dramatically reducing the need for time-consuming manual ballot adjudication.

Our experience processing millions of ballots helped us create this technology, enabling jurisdictions to run elections with less added costs, while also reducing the potential for debate or controversy. Auto-adjudication also eliminates a common industry problem — guessing the right threshold to “dial-in” on a vote tabulator.

Our patented technology solution compensates for variations in both printing and normal variations in the scanner's imaging heads. It tracks and pinpoints target locations, accommodating for ballots inserted at irregular angles, smudges, and stray ballot marks to create unparalleled accuracy in determining voter intent. The technology removes the ballot oval, leaving behind just the voter marks.

Our tabulators then use smart technology to determine which marks were intentional. Sophisticated algorithms consider not just pixel mark, but also the shape of each mark, allowing it to determine a pattern and the intent of the mark. It doesn't get fooled by inadvertent marks such as smudges or stains, as might occur in more primitive systems.

The technology's accuracy for recognizing voter marks improves the reliability of elections that also require recounts.

g. Voting machine that utilizes voter completed paper ballots must possess the capability of processing a ballot with a blank second or back page if no election data flows to the second or back page.

ES&S RESPONSE

Yes. The proposed system allows the Department of Elections to choose whether ballots that have no contest information on the back of a ballot page be blank, include timing marks and/or cut-marks, and/or have printed content such as text or graphics. These options are available even when the blank page is the last page of a multi-page ballot.

h. Voting equipment that utilizes voter completed paper ballots shall possess the capability of sorting write-ins, blanks, and over-votes on a high-speed scanning device and reporting write-in votes by race and election district.

ES&S RESPONSE

Yes, the ES&S system meets these requirements. The DS450 is the only central tabulator on the market with the capability of automatically sorting ballots with write-in, blanks, and overvotes to a separate outstack bin. As also demonstrated to the Delaware Voting Equipment Selection Task Force, the DS450 high-throughput central tabulator uses high-speed sorting to separate scanned ballots with jurisdiction-defined conditions into separate bins. Specific ballot condition - the DS450 sorts to a designated outstack bin can be programmed. Ballots sorted to the middle bin can be programmed to be counted or not counted. Task force members and election officials expressed great interest in this dual functionality that is unique to this ES&S product.

As demonstrated to the task force, the DS450 can read traditional paper absentee ballots and also the voter-verified vote summary cards provided by the ExpressVote product family. The DS450 enable users to define

the sorting rules for what is identified for adjudication (write-ins, overvotes, blank ballots, marginal marks, unreadable ballots, incorrect ballot IDs, etc.). These settings may be changed on-the-fly or set and saved as needed.

Write-in votes can be reported on the results report election wide (with or without overvotes or undervotes) or by individual election districts on each DS450.

i. Voting equipment that utilizes voter completed paper ballots shall possess the capability of processing ballots up to nineteen (19) inches.

ES&S RESPONSE

Yes. The ES&S voting machines that utilize voter completed paper ballots (DS200 and DS450 tabulators) support 11", 14", 17", and 19" length ballots in 8.5" and 4.25" (ExpressVote product family) widths.

j. Export results by election district and race onto multiple copies of paper, and onto removable media that can be read and securely transmitted to a secure location.

ES&S RESPONSE

Yes. ES&S tabulators provide election results at the election district, race and candidate level both on printed results tapes from the voting device as well as being transferred to removable media. The number of printed copies can be defaulted to any desired number, and the any amount of additional copies can be printed on demand from the voting device as well. All results data is available on USB memory devices that can be removed from the ES&S tabulation devices and be processed at either regional or central site locations. If results media is processed at regional sites, a secure connection will be established between the regional site(s) and central location.

k. The absentee system should use standard paper instead of ballot stock and operate on a ballot on demand system using a COTS printer.

ES&S RESPONSE

ES&S has tested and EAC-certified our absentee tabulation systems with ES&S Countright® Ballot stock. Using any type of paper other than our proprietary ES&S Countright Ballot stock, is using the tabulation system in an untested configuration. Standard paper does not have the required opacity, thickness, basis weight, smoothness, and moisture content to accurately process paper ballots. Specifications for the ballot stock can be provided if Delaware wishes to source it separately.

ES&S has tested ES&S Countright Ballot stock on many COTS printers. Most COTS printers do not print acceptable ballots. ES&S has qualified the Okidata C711 and C432, with modifications, for printing ballot on demand (BOD) ballots – the ES&S Balotar system included in our proposal.

The Electionware Election Management System (EMS) Print Module can create and export ballots as .PDF files for printing on a COTS printer. PDF files, for all or some ballot styles, can be created for an election in the Electionware Paper Ballot module. In addition, the front and back sides of a ballot can be printed in one or in separate PDF files.

SYSTEM REQUIREMENTS, PERFORMANCE AND CAPABILITIES

The system shall be used to count absentee ballots at central locations in each of the State’s three counties and shall meet the following requirements in addition to those mandated by the State’s legal requirements listed in Appendix B – Part 2 Voting Machines and by the VVSG versions 1.0, 1.1 or 2.0.

I. ACCURACY

a. Have control logic and data processing methods to detect errors and provide a method for resolving errors on ballots which impede tabulation without human review while still allowing and supporting manual review mechanisms—but which does not require physical remaking of paper ballots;

ES&S RESPONSE

Yes. As demonstrated to the Delaware Voting Equipment Selection Task Force, the DS450 absentee ballot tabulator automatically adjudicates ballots using our patented Intelligent Mark Recognition (IMR™) and Positive Target Recognition and Compensation (PTRAC™) technology and three configurable bins. Users can easily program the DS450 to outstack ballot exceptions, including overvotes, undervotes, blank ballots, and write-ins.

The ability of ES&S’ unique, patented IMR and PTRAC technology to determine voter intent during tabulation speeds up the adjudication process by avoiding the need to remake paper ballots with ballot exceptions and invalid marks. It zeros in on the voter’s mark and successfully recognizes common voter marks like slashes, check marks, and X’s while ignoring stray marks and smudges

When the DS450 encounters a ballot with an error or unreadable mark, the tabulator outstacks those ballots, keeping those ballots physically separated from ballots that were successfully tabulated. When a ballot is outstacked, the device’s outstack indicator is incremented. With the DS450, the operator never needs to count down through a stack of ballots to remove a ballot that requires attention. Counted ballots and ballots that require attention are physically separated, greatly reducing the chance for error.

If ballots have been outstacked to the not-processed bin, the user can view or print the corresponding batch/bin report on-demand, which indicates why each ballot in the bin was outstacked. These batch/bin reports can be maintained with the physical ballot batch to speed identification and retrieval for audits and recounts.

The location of the outstack bins makes it easy for the operator to see whether a scan run contains ballots that have been sent to outstack bins, even before the entire scan run has been completed.

b. Provide for the tabulation and reporting of write-in votes;


ES&S RESPONSE

Yes, the DS450 absentee ballot tabulator identifies and may be configured to outstack ballots with write-in votes even if the oval next to the write-in line was not marked. Results reports identify the number of write-ins by race and election district.

For adjudication, each ballot in the outstack tray would be physically reviewed to determine its validity. From this, an Election Official could log-in and complete any required forms for write-in votes, including election district delegate votes.

The graphic images the DS450 creates during scanning can be later reviewed in Electionware and filtered by various attributes, including displaying only ballots containing write-ins. The Cast Vote Record for the ballot image can be viewed beside the ballot image. Image files can also be exported in a PDF format for archival or public review. During export, the ballots can be filtered to include the CVR for the image; a watermark can be applied to the PDF file.

Furthermore, the Electionware election management system (EMS) can output a spreadsheet with an entry for each write-in found with the snippet of the image containing the voter's marks. Jurisdictions may use this printed Electionware report to validate the write-ins. An adjudication team, clerk, and/or canvassing board could perform this task. A sample of one style of a printed report is shown below:

	A	B	C	D	E
1	Cast Vote Record	Precinct	Ballot Style	BEST AUTOMOBILE MANUFACTURER (16)	BEST ICE-CREAM FLAVOR (19)
2	105	PRECINCT 1	PRECINCT 1	overvote	
3	106	PRECINCT 1	PRECINCT 1	MERCEDES (26)	CHOCOLATE (42)
4	107	PRECINCT 1	PRECINCT 1	FORD (31)	CHOCOLATE (42)

The version of Electionware used with the ExpressVote XL - currently in the process of EAC certification – further includes the ability to assign and tally write-in names within Electionware. The write-in tallies can be displayed within Electionware results reports.

c. Accommodate multi-member districts whereby multiple votes are cast for more than one position in the same election;

ES&S RESPONSE

Yes, the ES&S system can accommodate multi-member districts where one (1) or multiple votes are to be cast for multiple races in the same election.

d. In the event of the failure of a unit, retain a record of all votes cast prior to the failure; the unit shall provide for the audit of all records retained prior to the failure to determine if the records were affected by said failure.

ES&S RESPONSE

Yes, the ES&S system meets this requirement. During scanning on the DS450 high-throughput tabulator, ballot data is collected in RAM. On completion of the run, ballot data is stored to a temporary folder on its 1-terabyte internal hard disk drive. In the event of a shutdown, the device can be powered up and operation can resume from the point before the shutdown. When the DS450 operator chooses to save a batch, the ballot data is moved from the temporary location and stored in a saved folder where the data is marked as available for aggregation.

The DS450 is certified with a COTS UPS (Uninterruptible Power Supply), which is included in our pricing. In the event of external power failure, the DS450 automatically transitions to being powered by the UPS. When running on UPS power, the tabulator will complete any ballot scanning that is taking place at the time of power transition. From there, the operator can save the current results and print any desired reports. The

operator can then shut the unit down manually, or the unit will automatically and gracefully shut down when the UPS battery is exhausted. Vote data can be backed up to a USB flash drive from which a results collection can be done in the case of a hardware failure. Should the DS450 experience a USB memory device failure, the election administrator would rescan the ballots.

The DS450 maintains an internal audit log that records all major events that occur in the course of an election. The DS450 audit log can be exported to a USB memory device and can be viewed, printed and archived using Electionware. Additionally, the DS450 features an optional dot matrix printer that records audit events in real time.

e. Shall not count overvotes;

ES&S RESPONSE

The ES&S system meets this requirement. The DS450 scans the absentee ballots and sorts any overvoted ballot to the designated sort bin. Overvoted races are not counted and require the user to adjudicate the ballot before re-scanning.

f. Shall record and report the number of undervotes and overvotes for each office and/or question on the ballot;

ES&S RESPONSE

Yes. The DS450 records and reports the number of undervotes and overvotes for each office and/or question on the ballot.

g. Shall count ballots from various Election Districts without requiring the system to be stopped, reset, etc. when encountering a different Election District; and

ES&S RESPONSE

Yes. The DS450 can be configured to scan various Election Districts without requiring the system to stop. By selecting Processing Mode during configuration of the scanner, the DS450 will use the Election District identifier encoded in the ballot to automatically assign voting results to the correct Election District.

h. Shall provide a report after each batch of ballots have been counted that shows the number of ballots counted in each batch as well as the number of ballots not counted.

ES&S RESPONSE

Yes. The DS450 central count tabulator provides batch/bin reports that provide information about the ballots in each output bin at the time a batch is saved. The batch/bin reports contain ballot totals for a sort bin for the last batch saved. If ballots have been outstacked to the not-processed bin, the user can view or print the corresponding bin report on-demand. The bin report indicates why each ballot in the bin was outstacked. A user can manually print reports on-demand or set batch/bin reports to print automatically when a scanned batch of ballots is saved. These reports can be maintained with the physical ballot batch to speed identification and retrieval for audits and recounts.

As noted in Part 2, the DS450 can scan both absentee ballots and voter-verified vote summary cards and can sort them to outstack bins. Task force members and election officials expressed great interest in this dual functionality that is unique to this ES&S product.

Each ballot scanned has a front and back image file and a CVR. These files are given a unique index number as part of the name. The batch/bin ports identify these ID ranges and with simple processes can be used to match individual paper ballots to their corresponding image and CVR files.

2. AUDIT AND SECURITY

a. Provide that each voter's ballot is secret and the voter cannot be identified by image, code or other methods

ES&S RESPONSE

Yes.

[REDACTED]

b. Provide printed records regarding the opening and closing of the polls and include the following:

1. Identification of election, including opening and closing date and times;

ES&S RESPONSE

Yes. The concept of opening and closing polls for a central scanner, like the DS450, is not relevant. Nevertheless, the DS450 Results Report shows a date and timestamp when the first and last ballots were scanned for the saved batches. The Results Report can be printed or exported to a USB flash drive for a selected election district or for all election districts.

2. Identification of each unit;

ES&S RESPONSE

Yes. The machine identification is listed on all reports generated by the DS450.

3. *Verification that all counters are set at zero; and*

ES&S RESPONSE

Yes. The DS450 Zero Report provides verification that all contests have zero votes before the operator begins scanning ballots. The report displays zeros for all contests, indicating that no ballots have been scanned.

4. *Identification of all ballot fields and all special voting options.*

ES&S RESPONSE

Yes. The DS450 Reports Menu allows you to view and print the Ballot Statistics Report, which identifies all ballot fields and all special voting options. The statistics are compiled either in an electionwide summary, or in an election district-by-election district report.

c. *Prevent printing of results before the sequence of events required for closing of the polls are completed;*

ES&S RESPONSE

Yes. Absentee ballot scanning can occur over several days. With this fact in mind, there is no concept of opening or closing polls on a central count scanner. To prevent users from accessing reports before the polls have closed, the DS450 can lock out reporting options.

d. *Any programmable memory device shall be sealed in the unit with means of tamper resistant and preventative measures; engineering level information by the vendor must be provided to the State of Delaware;*

ES&S RESPONSE

Yes. The DS450 secures all data ports behind clear plastic lockable and sealable access doors to protect access and allow election officials to easily detect unauthorized access. All critical hardware components can be locked and sealed as well. The DS450 logs when the imaging heads are accessed. It provides additional alerts and logs access to the back-service door.

For further protection, data exported from the hard drive to USB flash drives is digitally encrypted with FIPS (Federal Information Processing Standards) technology and signed to prevent tampering with results.

ES&S agrees to provide engineering level information to the State of Delaware. As the engineering information is proprietary and confidential information of ES&S, ES&S requests this information not be publicly disclosed.

e. Allow for extraction of data from memory devices to a central host; and

Note: Digitally sign it. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes. Results data from the DS450 is passed to the election management system (EMS) reporting software on a secure USB flash drive to be extracted by the software for accumulation. The DS450 uses digital encryption and signing of key configuration and data files for complete integrity of the election and results. All DS450 data is signed with FIPS-compliant digital signature algorithm so the program receiving the data can validate it. Encrypted vote and ballot image data is extracted by and can be viewed in Electionware.

f. Provide safeguards against unauthorized tampering of any system component. All components should exhibit trusted computing characteristics and be tamper resistant and preventative.

ES&S RESPONSE

Yes.



3. BUILDING ABSENTEE BALLOTS (BALLOT PREPARATION AND OTHER SERVICES)

The Central Count Absentee System shall include the hardware and software required to accomplish the functions described below.

a. Absentee Ballot Specifications

1. For each election, the system shall provide each Department of Elections the capability to develop a database containing all necessary records and fields to build the ballots for each Election District in the county for primary, general and school elections. This includes:

1. Election specific data to include global settings as appropriate;

ES&S RESPONSE

Yes, the ES&S system complies with this requirement. Electionware provides many default global settings to allow less data entry to ensure greater consistency. These include defaults for Vote for Phrases, Write-in verbiage, Yes/No responses, Term phrases and many other defaults. Delaware may use these or adapt unique offices as needed. Election specific data such as Election Name, Election Date, County Name, and Election Description can be modified while using global settings.

2. Political parties and appropriate logos;

ES&S RESPONSE

Yes, the ES&S system complies with this requirement. Electionware provides multiple field options to allow parties to be displayed in various ways on the ballot (i.e. Democratic or Republican vs Dem or Rep). It also provides ten Additional Text fields if needed for each data element. These fields can be used to populate any text you may want associated with the political parties and can be displayed using the ballot layout modules.

Party logos may be uploaded at any time during the election setup and placed on the ballot as needed. All party information can be imported in Electionware if preferred.

3. Candidates;

ES&S RESPONSE

Yes, the ES&S system complies with this requirement. Candidates may be imported into the Electionware election management system (EMS) or entered via data entry. Electionware provides many fields to allow more flexibility on how candidates are to appear on the ballot, if needed.

4. Offices with links to the appropriate candidates;

ES&S RESPONSE

Yes, the ES&S system complies with this requirement. Offices linked to the appropriate candidates may be imported into Electionware or entered via data entry. Electionware provides many fields to allow more flexibility on how offices and their candidates are to appear on the ballot, if needed.

5. Referendums with links to appropriate responses;

ES&S RESPONSE

Yes, the ES&S system complies with this requirement. Referendum may be imported into the Electionware election management system (EMS) or entered via data entry. Electionware provides many fields to allow more flexibility on how referendums are to appear on the ballot, if needed. Each referendum is assigned automatically to the default responses provided. Each response may be edited if appropriate.

6. Election Districts with links to the appropriate Offices; and

ES&S RESPONSE

Yes, the ES&S system complies with this requirement. Election Districts and links to the appropriate Offices may be imported into Electionware or entered via data entry. Electionware provides many fields to allow more flexibility on how Election Districts and Offices are to appear on the ballot.

7. Reporting zone, if necessary (the location from which the results will be reported)

ES&S RESPONSE

Yes, the ES&S system complies with this requirement. Reporting zones may be imported into the Electionware election management system (EMS) or entered via data entry. Electionware provides multiple fields to support Reporting zones. Within the software, this element is referred to as Reporting Groups; however, this term may be customized as needed.

II. The vendor's system shall provide the capability to create new elections, retain previously defined elections, and reuse previously defined elections. Such systems shall facilitate error-free definition of elections and their associated ballot layouts.

ES&S RESPONSE

Yes, the ES&S system complies with this requirement. Within Electionware, creating elections is very simple. The Department of Elections can create their own Election Templates with all of their own election preferences to make election set-up even more simplified. Election Templates may be edited to update any changes (such as redistricting) to ensure that Delaware's templates are up to date. Previously defined elections may be retained for future use. This allows error-free election definition, plus streamlines your ballot proofing and equipment setting preferences.

III. The vendor's system shall provide proof sheets for each record so that the associated information can be verified.

ES&S RESPONSE

Yes, the ES&S system complies with this requirement. The Electionware election management system (EMS), provides a number of features to ensure data is correct. Data is entered once and then used throughout the system to define the image of the ballot, to display on the equipment printouts, and on election reporting

functions. This single method of data entry ensures that the same information is used throughout the election process.

The same paper ballot layout information is automatically transferred to the accessible ballot layout, so there are no repetitive layout actions required. Electionware protects against improper data entry or retrieval. Data is verified for correctness at the time it is either imported or manually entered, and during the setting of ballot styles and positions. Electionware is designed to assist users in proofing the election throughout the election creation process.

Each module within Electionware offers its own collection of individual reports to assist users with proofing their election creation. Electionware generates reports for proofing ballot layout, tabulator media created, and tabulator media received.

During the election creation process, all ballot data can be exported as customized Excel reports, where a number of helpful tasks can be easily performed, such as proofing and searching for duplicate entries and misspellings. Electionware's powerful Table View tool enables this custom reporting of all pre-election elements such as Election Districts, contests, ballot styles and candidates. These table views contain all election data attributes handled by Electionware's Capture module. Information in the Table View can be organized for viewing, sorted, and customized by changing the column headers. The lower half of the Table View screen also displays the relationship of various selected items. These reports can be printed or exported in Excel format.

Contests and Candidates Table

Contest Order	Contest Title	Vote For	Term Number	Write-ins	Contest Type	Party	District Type	District	Number Of Candidates	Contest Long Name
1	STRAIGHT PARTY	1	0	0	Straight Party	NONPARTISAN	ElectionWide	<ElectionWide>	8	STRAIGHT PARTY
2	JUSTICE OF THE SUPREME COURT	3	4	1	Standard	NONPARTISAN	ElectionWide	<ElectionWide>	6	JUSTICE OF THE SU
3	JUDGE OF THE SUPERIOR COURT	1	4	1	Standard	NONPARTISAN	ElectionWide	<ElectionWide>	3	JUDGE OF THE SUP
4	JUDGE OF THE COMMONWEALTH ...	1	4	1	Standard	NONPARTISAN	ElectionWide	<ElectionWide>	3	JUDGE OF THE CO...
5	JUDGE OF THE COMMON PLEAS C...	12	4	1	Standard	NONPARTISAN	ElectionWide	<ElectionWide>	16	JUDGE OF THE CO...
6	JUDGE OF THE MUNICIPAL COURT	3	4	1	Standard	NONPARTISAN	ElectionWide	<ElectionWide>	7	JUDGE OF THE MU...
7	MAYOR	1	4	1	Standard	NONPARTISAN	ElectionWide	<ElectionWide>	8	MAYOR
8	CITY COMMISSIONERS	2	4	1	Single Target Cro...	NONPARTISAN	ElectionWide	<ElectionWide>	2	CITY COMMISSIONE
9	REGISTER OF WILLS	1	4	1	Standard	NONPARTISAN	ElectionWide	<ElectionWide>	3	REGISTER OF WILL...
10	SHERIFF	1	4	1	Standard	NONPARTISAN	ElectionWide	<ElectionWide>	3	SHERIFF
11	LOCAL CONTEST	3	4	1	Standard	NONPARTISAN	Local	01-00	12	LOCAL CONTEST 01...
12	CITY BOND QUESTION	1	0	0	Question	NONPARTISAN	ElectionWide	<ElectionWide>	2	CITY BOND QUESTI...
13	PROPOSED CHARTER CHANGE QU...	1	0	0	Question	NONPARTISAN	ElectionWide	<ElectionWide>	2	PROPOSED CHART...

Relationship of the Selected Item Above

Contest Order	Contest Long Name	Vote For	Term Number	Candidate Long Name
2	JUSTICE OF THE SU...	3	4	DEM DAVID WECHT
2	JUSTICE OF THE SU...	3	4	DEM CHRISTINE DON...
2	JUSTICE OF THE SU...	3	4	DEM KEVIN M DOUGH...
2	JUSTICE OF THE SU...	3	4	REP ANNE COVEY

Electionware's Table View for Proofing

Every module within Electionware contains reports and other features to ensure consistency and that the election is set up correctly.

Missing Ballot Data			ElectionWare County AnyCounty Primary January 24, 2012
			03/12/2012 11:07AM
Language	Label Type	Text Label	Related Content
Spanish	Office	Vote For Phrase	[11194] Representative in Congress
Spanish	Candidate	Full Name	Channing Nelson
Spanish	Heading	Heading Name	Candidates for Party Positions
Chinese	Election Title	Election Title	AnyCounty Primary
Chinese	Heading	Heading Name	Nonpartisan Ticket
Chinese	Question	Verbiage	Referendum No. 1
Chinese	Office	Title	[11342] Representative in Congress
Chinese	Office	Title	[11398] Member of Assembly
Chinese	Candidate	Response Name	No
Spanish	Office	Vote For Phrase	[11342] Representative in Congress

Sample Accessible Ballot Report for Missing Ballot Data

Electionware’s ballot design module includes a helpful one-click “Scan all ballot styles for errors” feature. This function reviews every ballot style in the entire election and notifies the user of any content – candidate names, contest names, instructions, etc. – that does not fit on the ballot or in the space allotted. This helps eliminate ballot proofing concerns over a contest accidentally being left off a style because it did not fit.

Furthermore, our ballot design module provides significant uniformity across the ballot styles, meaning that any content and formatting that has been reviewed on one ballot style does not need to be reviewed elsewhere because it will be consistent across all ballot styles.

b. Absentee Ballot Process

I. The vendor’s system shall provide a mechanism for defining the ballot, including the definition of the number of allowable choices for each office and contest, and special voting options such as write-in candidates.

ES&S RESPONSE

Yes, the ES&S system complies with this requirement. Electionware provides a very easy method to define the ballot. Each contest provides options for allowable choices, whether write-ins are included or not, plus the number of write-ins. Each office can be customized with different options. This data may be entered via import or manual entry and proofed in our easy to use custom Table View reports.

II. The vendor’s system shall generate all required master and distributed copies of the voting program in conformity with the definition of the ballot for each Election District. The systems operating the voting program

must operate within a trusted computing environment – more specifically the full stack of the computer system must be cryptographically verifiable.

ES&S RESPONSE

Yes, the ES&S system complies with this requirement.

[REDACTED]

III. The distributed copies, resident or installed in each voting device, shall include all software modules required to monitor system status and generate machine-level audit reports, to accommodate device control functions performed by maintenance personnel, and to register and accumulate votes.

ES&S RESPONSE

Yes, the ES&S system complies with this requirement. Firmware for ES&S universal voting systems, tabulators and custom peripherals is factory-installed. The resident firmware allows the user to monitor the system status, generate machine-level audit reports, and accommodates device control functions performed by maintenance personnel as required.

A real-time audit log is automatically printed on the DS450 absentee central scanner dot matrix printer. It provides a time and date-stamped record on all actions taken on or taken by the DS450. The audit log can also be exported separately onto a USB flash drive and viewed with regular text viewer and/or is also included in a files export from the DS450 which can be loaded into Electionware.

The election programs necessary to register and accumulate votes are installed on each voting device prior to logic and accuracy testing and live voting. The election definition programs are loaded onto each voting device by USB flash drive media generated in the Electionware EMS.

c. Absentee Ballot Validation

I. The vendor's system shall provide a mechanism for executing test procedures that validate the correctness of election programming for each voting device and to insure that the ballot corresponds with the installed election program.

ES&S RESPONSE

Yes, the ES&S system meets this requirement. The Electionware EMS helps accommodate and make efficient the development and execution of Logic and Accuracy (L&A) validation to ensure the ballots have been successfully programmed on each voting device.

L&A testing is an end-to-end testing of the entire voting system. L&A testing typically involves scanning a larger stack of marked paper ballots and/or ExpressVote summary cards. The paper ballots and cards are marked so that expected vote totals can be calculated. These expected results are then compared to the result from tabulating the stack of ballots and cards. Ballots can be hand marked, or Delaware can utilize Electionware's Test Deck Creation software to generate a test deck of pre-marked ballots with expected results. ES&S recommends that every ballot style and every voting target on every ballot style is tested. ES&S has a great amount of experience helping our customers develop their L&A procedures and would be happy to assist Delaware as needed.

Electionware includes reports that can help review the programming options before the USB election media is created for machine testing. These include ballot assignment charts that show the election districts assigned to each office and Office reports that show the Vote For, Term length, and other Office designations. These and other reports can be used to review all programming configuration before spending time and effort on testing.

All components of the system allow for an end-to-end operation of the election in live production. The removal or "zeroing out" of L&A testing data is made simple and verifiable. All these functions, from producing ballots, exercising L&A testing on the machines, and accumulating results into the EMS can be performed using the system as designed for the live election event, as opposed to a test mode which may exercise separate system logic. This will provide Delaware confidence that the test is an accurate representation of how the systems will perform in live voting.

II. The vendor's system shall be able to receive data electronically from the State's Election Management System.

Note: Verify it cryptographically. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes, the ES&S system meets this requirement. All data exchanged between ES&S voting system components is both encrypted and digitally signed using third-party cryptographic libraries that are validated to the FIPS (Federal Information Processing Standard) 140-2 level.

III. The vendor's system shall also be capable of transmitting accurate absentee results electronically to the State's Election Management System.

Note: Digitally sign it. Refer to GSS_18809_ELECTIONS_SYS_rfp -> Technology requirements -> STANDARD PRACTICES for additional information. Specifically, Cryptography Standard, and Key Management Standard.

ES&S RESPONSE

Yes. All absentee ballots will be scanned and tabulated on ES&S high-throughput central count scanners. All results data and export files created by the ES&S central count scanners is encrypted and digitally signed using cryptography libraries that are FIPS 140-2 compliant. The software's reporting module can also provide for the export of election results in a variety of file formats that can be digitally signed per the State's Cryptography and Key Management Standard.

IV. The vendor's system shall accommodate multiple languages. The system shall allow local election officials the ability to download information from software used to translate information to the appropriate language or the system should perform translations automatically with controls in place to ensure translations are accurate.

ES&S RESPONSE

Yes. System-wide, our proposed voting system can accommodate multiple languages including English, Spanish, Chinese, Korean, Japanese, Hindi, Vietnamese, Tagalog, Creole, Russian, Bengali, and French. Users can display various languages based on the Election District level. For example, a jurisdiction could ensure certain Election Districts have English only, whereas other Election Districts have English and Spanish. Multiple audio languages are supported.

Electionware can provide a Ballot Translations spreadsheet of all items that need translated. Audio files for both English and translated languages can be quickly generated using a separate software application called Text-To-Speech. Alternatively, the jurisdiction or a professional translating service can create the audio files. Audio files are then imported into Electionware in one simple step.

The DS200 and ExpressVote product family will display language choices based on the election setup. The DS200 language choice and the translated information are provided on the touch screen for the voter to view privately. The ExpressVote language choice and the translated information are also provided privately on the touch screen, and the audio is provided to the voter via headphones.

4. BALLOT PRINTING

a. The vendor's system shall provide the capability for the Departments of Elections to print ballots as needed. Each ballot shall have the minimum control information in text and barcode:

I. Ballot style; and

II. Election District.

ES&S RESPONSE

Yes, the ES&S system complies with this requirement. Electionware's Paper Ballot offers many different variables to display, as needed, on the ballot, including ballot style number, Election District name, Election District ID, Election District Additional Text fields and various other system variables. These text variables can be placed wherever needed on the ballot, in any font on the system and at any size. Users can also display this information in the form of a barcode font. Once the ballot layout is completed, the State of Delaware can save this format to a ballot template for ease of use in future elections. Ballots can be printed on the Balotar ballot-on-demand system as needed.

b. The vendor's system shall provide the capability to print ballots up to nineteen (19) inches.

ES&S RESPONSE

Yes. The ES&S voting systems that utilize voter completed paper ballots (DS200 and DS450 tabulators) support 11", 14", 17", and 19" length ballots in 8.5" and 4.25" (ExpressVote product family) widths. Ballots of these lengths can be printed on the Balotar ballot-on-demand system as needed.

c. The voter shall make his/her selections by filling in an oval or rectangle located next to the name of the candidate.

ES&S RESPONSE

Yes. The proposed ES&S voting system paper ballots utilize ovals next to the name of the candidate.

d. Where the column format as shown in voting machine section is not possible, we desire that the system shall print the appropriate party logo to the left of each candidate's name and/or the candidate's party under his/her name.

ES&S RESPONSE

Yes, the ES&S system meets this requirement. Party logos can be displayed anywhere needed on the ballot using Electionware's flexible Paper Ballot and/or Touch Screen ballot. The size and placement of the logo can be chosen by the State of Delaware and then saved to a ballot template for future ease of use.

e. Where ballot paper used in the system is not a COTS product, the vendor shall provide the Departments of Elections the capability to purchase the paper directly from the vendor or the vendor's source.

ES&S RESPONSE

Yes. ES&S recommends that the State of Delaware Department of Elections use CountRight™ Digital Ballot Stock. Other non-proprietary stock may be used, but it must strictly adhere to ES&S' ballot code stock specifications to ensure proper tabulation of the voter's ballot. ES&S recommends the use of ballot stock containing the same specifications found in our CountRight Digital Ballot Stock with our tabulators.

CountRight is available to the Department of Elections in two ways. First, as the only authorized distributor of CountRight ballot stock, Veritiv, North America's largest paper distributor, offers CountRight parent sheets and rolls in a variety of sizes and formats. Second, ES&S stocks and markets CountRight Digital Ballot Stock in various sizes and formats. This pre-cut stock is blank with no pre-printing on it.

5. BACK-UP POWER

The system shall have the capability to operate for at least 16 hours during power failures, power surges and other abnormal electrical occurrences. The vendor shall provide documentation of the backup system and its maintenance when not in use for elections. This back-up power capability shall engage immediately with no loss of data in the event of disruption of electrical connection, and power all system components. NOTE: We are willing to discuss alternatives to this requirement.

ES&S RESPONSE

The ES&S system can meet this requirement. However, implementing this standard, which far exceeds EAC requirements, will require a cost-benefit analysis on the part of the state of Delaware. Battery backup requirements are typically meant for polling place tabulators, since there is very little control over the facilities. Central count tabulation facilities are usually configured specifically for central count tabulation, and in most cases, include redundant power systems. Given this, the need for long periods of battery backup are waived for central count scanners by EAC Decision on Request for Interpretation 2008-06 (Battery Backup for Central Count), dated August 29, 2008.

The EAC RFI does require that central count scanners have enough battery back up to finish the ballots currently being scanned and safely shutdown without data loss. With that, the DS450 APC Back UPS Pro 1500 is certified to provide about 15 minutes of battery backup power to complete any interrupted run, save data, initiate a controlled shutdown, and disposition the data on re-start. This allows the user to finish the ballots currently being scanned and safely shut down the tabulator.

6. SPEED OF SYSTEM

A single device (scanner or tabulator) shall count at least 50 ballots per minute.

ES&S RESPONSE

Yes, the ES&S system complies with this requirement. The DS450 scanner and tabulator unit's nominal processing speed for folded ballots in ballots per minute (bpm): 11 inches - 92 bpm; 14 inches - 75 bpm; 17 inches - 63 bpm; 19 inches - 50 bpm.

7. ELECTION REPORTING REQUIREMENTS

a. Provide printed results of the absentee votes by election district for each candidate for each office and/or each question, and cumulative results for each candidate for each office in the format specified by the State.

ES&S RESPONSE

Yes, the ES&S system complies with this requirement. Our election management system (EMS) reporting software provides many options for reporting on an Election District level or based on the cumulative results. Results can display one or more reporting types such as absentee and/or Election Day results. These reports may be printed or saved as a file.

The DS450 tabulator can provide these printed results by Election District.

b. Provide a report for each Election District that shows the offices up for election, the candidates for each office and the absentee votes that each candidate receives for use at the Board of Canvass.

ES&S RESPONSE

Yes, the ES&S system meets this requirement. Our election management system (EMS) reporting software provides many options for reporting on an Election District level or based on the cumulative results. Results can display one or more reporting types such as absentee and/or Election Day results.

The DS450 tabulator can provide these printed results by Election District.

c. Provide a report that shows the number of ballots counted along with the overvotes and undervotes for each office and for each office by Election District.

ES&S RESPONSE

Yes, the ES&S system complies. The DS450 provides reports that show the number of ballots counted, along with the overvotes and undervotes and for each office by Election District:

DS450 users can select from:

- Election Detail - The report displays detailed contest totals for the whole election and includes overvote and undervote information.

- Election Public - The report displays contest totals for the whole election. Overvote and undervote information is not included.

Users can also select from:

- Election District by Election District Detail - The report displays detailed contest totals for the selected Election District(s) and includes overvote and undervote information.
- Election District by Election District Public - The report displays contest totals for the selected Election District(s). Overvote and undervote information is not included.

In addition, our election management system (EMS) reporting software provides many options for reports that include over votes and undervotes on an Election District level or based on the cumulative results.

d. Each report shall show the name and date of the election.

ES&S RESPONSE

Yes, the ES&S system complies with this requirement. Below please find a sample DS450 report.

Detail Results			1 of 2
Machine ID: A Machine #: 4509420001		Electionware County	
09/23/20YY 09:50:07		INITIALSTEST1	
		09/22/20YY	
First Ballot Date Time:	09/23/20YY 09:52:40	Total Sheets Processed:	65
Last Ballot Date Time:	09/23/20YY 11:59:10	Total Ballots Cast:	65
		Blank Sheets Cast:	2
Contest		Votes	
BEST AUTOMOBILE MANUFACTURER			
(Vote For 1)			
BMW		20	
MERCEDES.....		30	
GENERAL MOTORS		36	
HONDA		10	
FORD		8	
VOLVO.....		12	
Write-in		6	
	Over Votes	0	
	Under Votes	3	
	Total	65	
BEST VOCAL ARTIST			
(Vote For 2)			
FRANK SINATRA.....		10	
ELVIS		24	
PATSY CLINE		19	
JANIS JOPLIN.....		20	
BUDDY HOLLY.....		10	
BARRY WHITE.....		1	
BILLIE HOLIDAY		17	
STEVIE RAY VAUGHAN		10	
"MAMA" CASS ELLIOT.....		9	
Write-in		1	
Write-in		0	
	Over Votes	0	
	Under Votes	9	
	Total	130	

Detail Results		2 of 2
Machine ID: A Machine #: 4509420001		Electionware County
09/23/20YY 09:50:07		INITIALSTEST1 09/22/20YY
First Ballot Date Time:	09/23/20YY 09:52:40	Total Sheets Processed: 65
Last Ballot Date Time:	09/23/20YY 11:59:10	Total Ballots Cast: 65
		Blank Sheets Cast: 2
Contest		Votes
BEST ICE-CREAM FLAVOR		
(Vote For 1)		
CHOCOLATE.....		10
STRAWBERRY		10
VANILLA		10
Write-in		0
	Over Votes	0
	Under Votes	13
	Total	43
PROPOSITION 1		
(Vote For 1)		
YES		33
NO		30
	Over Votes	0
	Under Votes.....	2
	Total	65
PROPOSITION 2		
(Vote For 1)		
YES		30
NO		33
	Over Votes	0
	Under Votes.....	2
	Total	65

In addition, our election management system (EMS) reporting software allows each results report heading to be customized as needed. Typically, the reports have the Election Name, Jurisdiction Title, Election Date and wording to display that they are Unofficial Results.

e. Provide functionality to transmit election results via Secure File Transfer Protocol to the appropriate server over the State's wide area network.

ES&S RESPONSE

Yes, the ES&S system provides this functionality. ES&S is proposing a solution that will allow the processing of tabulator results media at both regional and central site locations. If results media is processed at regional sites, a secure connection via SFTP will be established between the regional site(s) and central location. The ES&S proposed solution also offers additional means for securely transferring results should the State like to learn about those additional methods.

f. Provide for the storage of election results in any version of software required, i.e., Access, Excel, PDF, ASCII and HTML.

ES&S RESPONSE

Yes, the ES&S system complies with this requirement. The version of the Election Management System (EMS) software that comes with the ExpressVote ballot marking device (BMD) produces reports in ASCII, CSV, XML, HTML formats. CSV files can easily be converted to Excel or brought into Access. Reports generated in the EMS software can be saved as PDFs.

The version of the Electionware reporting software that comes with the ExpressVote XL produces reports in ASCII, CSV, XML, HTML, PDF, RTF, and XLSX (Excel). Excel files can be imported into Access.

g. Provide for election results to be produced in such a manner as to allow for easy copying for paper distribution upon request.

ES&S RESPONSE

Yes, the ES&S reporting system allows election results to be shared electronically or printed for paper distribution upon request.

8. SYSTEM AUDIT LOG

The system audit log shall contain sufficient information to allow the auditing of all operations related to ballot tabulation, results consolidation, and report generation. It shall be created and maintained by the system in the sequence in which events and/or operations occurred.

ES&S RESPONSE

Yes, the ES&S system meets these requirements.

The DS450 audit log holds entries from all internal components capable of producing an audit log entry, including the power management board, the scanner hardware board, and the election processing firmware.

The audit log report lists all events (standard system messages, system errors, exceptions, operator actions, system responses to each operator action, etc.) that occur on the system from the time an election worker inserts the DS450 USB media device until the drive is removed. For example, the DS450 logs all pass code attempts, whether successful or failed, to the digitally signed audit log. In addition, all user actions (such as administrative selections and open and close poll events), whether successful or failed, are written to the audit log. Each event appears in the audit record with a date and time stamp.

Only the DS450 system administrator can create, read, modify, and delete the audit log/inventory as the user interface is locked out of this functionality. All low-level access to the file systems is protected.

The DS450 comes equipped with a dot matrix printer to print the continuous audit log.

The election management system (EMS), Electionware, can be set to prevent the DS450 user from disabling audit log printing.

9. ACCESS TO ELECTION DATA

Provisions shall be made for authorized access to absentee results after closing of the polls and prior to the publication of the official canvass of the vote. The system may be designed so that results may be transferred to an alternate database or device. Access to the alternate file shall in no way affect the control, processing, and integrity of the primary file or allow the primary file to be affected in any way.

ES&S RESPONSE

Yes, the ES&S system complies with this requirement. A copy of the database with absentee results can be shared if needed prior to the publication of the official canvass of the vote. By creating a copy, the primary file is not affected in any way.

10. OTHER REQUIREMENTS

a. Devices should be transportable, without damage to internal circuitry;

ES&S RESPONSE

Yes, the ES&S system meets this requirement.

The DS450 central scanner is designed to remain in a central location. Jurisdictions that use the central scanner as an absentee ballot counter, transport unprocessed absentee ballots from a secure storage location to a central count location where the ballots are scanned and tabulated.

Nonetheless, when the DS450 needs to be moved, it is constructed using rugged, durable materials designed for transport to and from storage and operating locations without damaging the internal circuitry.

The unit rests on a wheeled steel cart that stores all system components, including the scanner and tabulator unit, printers, backup UPS power supply and supplies drawer. The wheels lock during operation.

b. Devices should withstand frequent loading and unloading, stacking, assembling, disassembling, reassembling, and heavy use, without damage to internal circuitry.

ES&S RESPONSE

Yes, the ES&S system meets this requirement.

Based on the selection of materials and components, the DS450 is expected to achieve a design life of at least 15 years. ES&S expects DS450 units to last much longer than that under normal operating conditions. Design life is defined as the time period throughout which, on average, individual units will remain serviceable without excessive maintenance costs.

c. Devices should provide Election Officials with a method to immediately detect if a voting unit is not operating properly;

ES&S RESPONSE

Yes. The DS450 performs automatic self-tests that verify equipment readiness at startup, including checking the scanner software, checking the printer, and other system checks. It can generate and automatically print various reports, including Configuration, Status, and Zero reports, which provide information needed to verify equipment readiness. Users also may print these reports on demand.

In addition, the device has significant hardware diagnostic capabilities available through the administrative menu, allowing technicians to monitor key hardware components. If any of these checks fail, the failure is logged and system operation may be limited or disallowed.

d. Devices should be “tamper-proof.”

ES&S RESPONSE

Yes.



TECHNOLOGY REQUIREMENTS

1. STANDARD PRACTICES:

The contractor(s) shall be responsible for the professional quality, technical accuracy, timely completion, and coordination of all services furnished to the State. The contractor(s) shall follow practices consistent with generally accepted professional and technical policies and standards. The contractor(s) shall be responsible for ensuring that all services, products and deliverables furnished to the State are consistent with practices utilized by, or policies and standards promulgated by, the Department of Technology and Information (DTI) published at <http://dti.delaware.gov/information/standards-policies.shtml>. Additional Standards and Policies are attached in this RFP (refer to GSS_18809_ELECTIONS_SYS_appB7a thru GSS_18809_ELECTIONS_SYS_appB7e). These additional documents will be made available at <https://dti.delaware.gov/information/standards-policies.shtml>)

If any service, product or deliverable furnished by a contractor(s) does not conform to State policies, standards or general practices, the contractor(s) shall, at its expense and option either (1) replace it with a conforming equivalent or (2) modify it to conform to State policies, standards or practices.

ES&S RESPONSE

ES&S agrees and will comply. ES&S has carefully reviewed the Department of Technology and Information standards and has determined that we can comply with all but one provision, which we have noted in the transmittal letter and Attachment 3.

2. CONFIDENTIALITY AND DATA INTEGRITY:

The Department of Technology and Information is responsible for safeguarding the confidentiality and integrity of data in State computer files regardless of the source of those data or medium on which they are stored; e.g., electronic data, computer output microfilm (COM), tape, or disk. Computer programs developed to process State Agency data will not be modified without the knowledge and written authorization of the Department of Technology and Information. All data generated from the original source data, shall be the property of the State of Delaware. The control of the disclosure of those data shall be retained by the State of Delaware and the Department of Technology and Information.

The Contractor is required to agree to the requirements in the CONFIDENTIALITY AND INTEGRITY OF DATA STATEMENT, attached, and made a part of this RFP. Contractor employees, individually, may be required to sign the statement prior to beginning any work.

ES&S RESPONSE

ES&S agrees and will comply.

3. SECURITY CONTROLS:

As computer, network, and information security are of paramount concern, the State wants to ensure that computer/network hardware and software do not compromise the security of its IT infrastructure. Therefore, the Vendor is guaranteeing that any system or software meets or exceeds the Top 20 Critical Security controls located at: <http://www.sans.org/critical-security-controls/>.

Vendor shall comply with the Open Web Security Project (OWASP) as identified at https://www.owasp.org/index.php/Main_Page

ES&S RESPONSE

ES&S agrees and will comply.

4. CYBER SECURITY LIABILITY:

It shall be the duty of the Vendor to assure that all products of its effort do not cause, directly or indirectly, any unauthorized acquisition of data that compromises the security, confidentiality, or integrity of information maintained by the State of Delaware. Vendor's agreement shall not limit or modify liability for information security breaches, and Vendor shall indemnify and hold harmless the State, its agents and employees, from any and all liability, suits, actions or claims, together with all reasonable costs and expenses (including attorneys' fees) arising out of such breaches. In addition to all rights and remedies available to it in law or in equity, the State shall subtract from any payment made to Vendor all damages, costs and expenses caused by such information security breaches that have not been previously paid to Vendor.

ES&S RESPONSE

ES&S agrees and will comply

5. INFORMATION SECURITY:

Multifunction peripherals must be hardened when used or connected to the network. They should be configured to harden the network protocols used, management services, processing services (print, copy, fax, and scan), logging, and physical security. Care shall be taken to ensure that any State non- public data is removed from memory before service calls and/or equipment disposal.

Electronic information storage devices (hard drives, tapes, diskettes, compact disks, USB, multifunction peripherals, etc.) shall be disposed of in a manner corresponding to the classification of the stored information, up to and including physical destruction.

ES&S RESPONSE

ES&S agrees and will comply.

6. CLOUD AND EXTERNAL HOSTING:

All vendors shall be responsible for complying with the Terms and Conditions for Cloud Providers and External Hosting listed Appendix E attached and made part of this RFP. Vendors must complete and submit Attachment E with their response.

ES&S RESPONSE

ES&S agrees and will comply.

7. CYBER LIABILITY INSURANCE

Contractor shall meet the Cyber Responsibilities, Liability and Insurance requirements as per Attachment F, attached hereto as part of this Participating Addendum.

ES&S RESPONSE

ES&S agrees and will comply.

8. BUSINESS CONTINUITY AND DISASTER RECOVERY

Contractor shall provide a business continuity and disaster recovery plan upon request and ensure that the ordering agency's recovery time objective (RTO) of number of hours/days is met. The hours/days shall be provided to Contractor by the ordering agency in the Statement of Work for each system or application. Contractor must work with the ordering agency to perform an annual Disaster Recovery test and take action to correct any issues detected during the test in a time frame mutually agreed between Contractor and the ordering agency.

ES&S RESPONSE

ES&S agrees and will comply.

ES&S will work with the State to identify potential disaster scenarios and present recommended Disaster Recovery Plans (DRPs) for review by the State. ES&S will then work with the State to incorporate any feedback and changes into the DRPs. Once the initial DRPs are finalized, ES&S will work with the State to perform an annual Disaster Recovery test and take action to correct any issues detected during the test in a time frame mutually agreed between Contractor and the ordering agency.

9. DATA RETENTION/TRANSFER

All data retained in the data storage and management system belongs to the State. At the end of the contract term, the awarded vendor will retain the data until the State can accomplish a transfer of data. The offeror will identify their standard procedures for facilitating transfer of data.

ES&S RESPONSE

ES&S agrees and will comply.

Upon request, ES&S will review all retained data with the State to determine precisely what needs to be transferred. Once all data has been reviewed and identified, ES&S will package the data into encrypted bundles and provide the state with a Secure File Transfer process. If requested, the data may also transfer the encrypted bundles using physical media. Should the State prefer a different method of data transfer, ES&S will make all reasonable efforts to accommodate the State's request.

PROJECT MANAGEMENT

Project Management is discussed in Appendix B of this RFP. Implementation is anticipated to require project management as a joint effort between technical and functional business, the offeror shall provide a detailed, economically worded, project plan that is consistent with industry best practices for project management, as set forth by Project Management Institute (PMI).

The offeror must use the following project phase names in the project plan, to maintain consistency with the State of Delaware phase names:

Planning & Design

Customization

Implementation and User Acceptance

Training

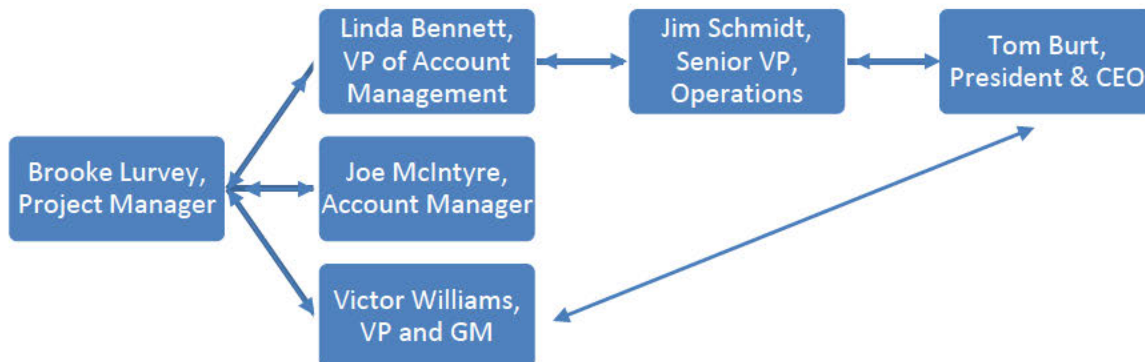
Closeout

The offeror will identify a project manager as well as a key team member to be responsible for each phase in the table below. Additionally the offeror will provide a brief resume for each of the identified staff.

ES&S RESPONSE

COMMUNICATION CHART

Brooke Lurvey, Project Manager, is the single point of contact for Delaware. She will communicate any issues to the appropriate party, as illustrated in this communication chart.



Phase	Staff Member	Years of experience
Project Manager	Brooke Lurvey	
Planning and Design	Brooke Lurvey	
Customization	Brooke Lurvey	
Implementation and User Acceptance	Joe McIntyre	
Training	Tara Doughty and James Zook	
Closeout and Final User Acceptance	Joe McIntyre	

Project Management Methodology shall provide for:

Monthly reporting of actual milestone progress as compared to agree upon time periods

Initiating corrective action to correct progress deficiencies

Monthly reporting of identified issues including: resolved issues, time taken to resolve, currently open issues and issues escalated

Travel and lodging expense rates shall not exceed the Federal Rates established by the U.S. General Services Administration (GSA) available at <http://www.gsa.gov/perdiem>.

The project plan is to be summarized in a table similar to the following. Payments for implementation will be directly tied to the project milestone acceptance by the State.

ES&S RESPONSE

Yes. ES&S agrees to this project management methodology.

Milestone	Time Period (date range)
Planning and Design	11/19/18 - 12/7/18 (overlap with Customization – split days)
Customization	11/19/18 - 12/7/18 (overlap with Planning & Design – split days)
Implementation and User Acceptance	12/10/18 - 02/15/19
Training	2/04/19 - 2/19/19
Closeout and Final User Acceptance	2/20/19 - 5/31/19

ES&S PROJECT MANAGEMENT PLAN

SUMMARY: STATE OF DELAWARE

INTRODUCTION

Ultimately, the measure of success in a new voting system implementation is a successful election. Our proven project management approach instills confidence and provides tools and training to ensure you are prepared for each Election Day.

ES&S' approach will be developed in close partnership with Delaware election officials, and will also be informed by our active participation in the Delaware Voting Equipment Selection Task Force. We heard loud and clear that Delaware wants an end-to-end voting solution that integrates seamlessly together. ES&S will provide such a system and will implement it professionally with a dedicated Project Manager serving as a single point of contact.

All of our projects involve several key steps that we manage well. At ES&S, we adhere to the Project Management Body of Knowledge, or PMBOK, project management best practices. Our PMP-certified personnel are committed to ensure our team follows the standards and framework of the Project Management Institute in every step of the project implementation.



PMBOK is recognized worldwide as the best-practices guide for project management skills and techniques. In addition to implementation areas, the PMBOK provides guidance in organization, planning, staffing, implementation and controlling of a project. ES&S uses the framework of the PMBOK to guide our practices. We then build on the PMBOK using the lessons learned over approximately 40 years of implementing voting systems to ensure every implementation is a success. Customized implementations include extensive customer communication, touch points, mutual reporting, ongoing evaluation, and follow-up to ensure we meet your unique requirements.

The project team will employ a vast network of subject matter experts company-wide to provide quality support and sound project management. As a leader in the elections industry, ES&S has implemented thousands of customers. We take every effort to ensure every implementation is a smooth process and that you and your staff are fully prepared throughout each step of the process.

ES&S PROJECT MANAGEMENT APPROACH

PROJECT SCOPE

Our experienced Project Managers and Account Managers will collaborate with the State of Delaware to complete all steps of the implementation process. We understand your need to purchase a new Election Management System, including:

- Election Day Tabulation
- Voter Registration

- Absentee Tabulation
- Electronic Poll book

The project will include the installation and training and support of all the above listed equipment and software.

The basis for the scope of the project will begin with the contract between ES&S and the State of Delaware. The contract defines specific milestones, deliverables and tasks that will be further detailed in the final Project Management Plan. The Project Management Plan scope will define all specific hardware, software and service deliverables and will be documented by the ES&S project team with continual review from the State of Delaware. Below are the key aspects of the project scope that will be documented in the Project Management Plan:

KEY ASPECTS OF THE PROJECT MANAGEMENT PLAN

- ✓ **Specified project deliverables** – equipment delivery, acceptance, training, etc.
- ✓ **Formal acceptance/verification procedures** – process, criteria, documentation
- ✓ **Success requirements** – key inputs, conditions, capabilities, and expectations
- ✓ **Project management approach and control strategy** – scope/risk/change strategy
- ✓ **Delivery and implementation plans** – delivery milestones, critical paths
- ✓ **Project roles and organizational structure** – project team, communication approach
- ✓ **Project risks** – key risks and project dependencies
- ✓ **Change control procedures** – process for making changes to project scope

PHASES OF AN IMPLEMENTATION

PHASE I: INITIATING THE PROJECT

We know every customer has unique and specific election needs. We will start by making sure we understand every detail of the State of Delaware's needs so that we are prepared to deliver. We will then work with you to fine-tune our approach and determine the contract terms that define what you can expect throughout the process.

During this phase, you can expect the following:

- A Project Kickoff meeting with ES&S staff and the State of Delaware:
 - Initial task and timeline planning
 - Review of existing processes and systems
 - Discuss the transition from your existing or previous voting system

PHASE 2: PLANNING THE PROJECT

During this phase, ES&S and State of Delaware staff collaborate to create:

- The formal Project Management Plan, including:
 - A Work Breakdown Structure (WBS) for all implementation deliverables
 - A project schedule collaboratively defined between the State of Delaware and ES&S
 - Documented milestones
 - Documented resources necessary to complete every task
 - Documented clear responsibility for every task
- A Communications Plan to ensure all lines of communication are clear and open
 - Definition of the multiple tracking and communication methods that will be used to monitor the status of project deliverables and milestones
- The initial Action Item list

In addition, ES&S and Delaware staff will perform review and customizations of all ES&S standard tools and procedures to ensure they meet Delaware's needs and standards, such as:

- Acceptance testing checklist
- Logic & Accuracy testing procedures
- Training plans, documents, and courses
- Content and timing of status reports
- Risk assessment and issue mitigation

PHASE 3: EXECUTING THE PROJECT

Step 3 focuses on executing on all tasks and meeting deliverables on time and in a quality manner. It includes constant communication, customer sign-off procedures, and documentation of:

- Delivery of the new voting equipment
- Installation of all hardware
 - ES&S technicians will install all equipment onsite
 - ES&S technicians will assist in acceptance testing of the equipment per the agreed-upon acceptance testing checklists and obtain the State of Delaware's approval

- Any hardware that does not meet the State of Delaware’s approval will be immediately remedied
- Installation of all necessary software, networks and third-party items
 - ES&S technicians will perform a final Quality Assurance check and obtain the State of Delaware’s approval
- Training of State and County staff on all facets of the ES&S voting system
- Training on election ballot layout and coding
- Pre-election Logic and Accuracy testing
 - ES&S will work with the State of Delaware staff to perform Logic and Accuracy testing, from test deck creation through results reporting
- Post-election processing and adjudication
 - ES&S will assist the State of Delaware with canvassing and close-out tasks

PHASE 4: MONITORING

ES&S will perform constant monitoring throughout all the other phases to ensure the project stays on track. The following activities will be customized to meet your needs:

- Routine status meeting check-ins with all key personnel and stakeholders
- Updated Status Reports detailing the progress on all agreed upon tasks, deliverables and milestones defined in the project plan
- Creation of and continuous review of the Action Item list
- Risk assessment and issue mitigation plans
- Continued partnership and open lines of communication to ensure we achieve Delaware’s 100 percent satisfaction throughout the entire implementation

PHASE 5: CLOSING THE PROJECT

At ES&S, we see a new voting system implementation as a first-step in an important and long-term partnership. After a successful implementation — resulting in a successful election — ES&S will work closely with the State of Delaware to review all phases of the implementation process.

During this phase of the implementation you can expect:

- Review of all phases of the project

- Lessons learned for future elections; for example, any changes in processes from beginning to end
- Discuss additional training needs
- Detailed follow up on any outstanding items

KEY ASPECTS OF AN ES&S PROJECT MANAGEMENT PLAN

PRODUCT ACCEPTANCE

Product acceptance is one important aspect of the Project Management Plan. The ultimate goal of the project will be to implement a quality, usable and dependable voting system that the State of Delaware and its voters can trust. To achieve that goal, quality and performance assurance strategies in these specific categories will be managed and monitored for all product and service deliverables:

- ✓ **Security**
- ✓ **Reliability**
- ✓ **Accessibility**
- ✓ **Sustainability**

The acceptance process for all equipment, services and documentation will follow the specific procedures defined by the State of Delaware. ES&S will provide recommended acceptance checklists and procedures and will ensure that the State of Delaware is allowed time to review, modify and approve the procedures prior to the provision of related deliverables. The project team will ensure that the resulting acceptance test scripts are followed specifically, and that documented approvals are acquired for each deliverable and/or key milestone. Specific plans and step-by-step checklists will be documented and developed within the acceptance and testing plan, including all user acceptance testing procedures.

MILESTONES MATTER

The project milestones for each phase of the implementation, tasks and deliverables will be detailed in the Project Management Plan and include a timeline and status of events.

Jurisdiction	Status	Contract Signed	Kickoff Meeting	Status Meeting Start Date	Est. Delivery Date (Hardware)	Pick-Up Trade-In	ES&S Equipment Installation	3rd Party Network Installation	Jurisdiction Acceptance Testing	Hardware Training	Software Training
M = Milestone D = Deliverable T = Task	✓										

Key milestones include delivery of the new voting equipment, acceptance testing, installation of any necessary software and/or IT networks, training election personnel on all facets of system operation, and supporting the logistics of a trouble-free election day (Logic and Accuracy testing, managing the transfer of equipment from a central location to the voting locations, etc.)

For each phase of the implementation, there are key milestones including:

Milestone	Description
Planning and Design	Following contract execution, the ES&S team will meet with key personnel and stakeholders to solidify project plan details including finalization of the project plan and documentation provided early in the project.
Customization	Initial project plans and documentation will be provided early in the project.
Implementation and User Acceptance	Throughout the delivery phase, system and unit level testing will be completed. Once all system components have been delivered, an end-to-end system integration test will be completed. ES&S will provide suggestions and guidance on the system test but ultimate acceptance requirements and procedures will be determined and approved by the State of Delaware.
Training	ES&S will provide on-site training for users to provide a hands-on training experience at each course location. Training for each hardware device and software that make up the voting system will be provided.
Closeout and Final User Acceptance	During the critical period prior to, during, and after Election Day, ES&S will assure that essential support resources are available and committed to project success. Post-Election support is also provided to each jurisdiction following each election.

QUALITY MANAGEMENT APPROACH FOR SUCCESS

Quality management is another important aspect of the Project Management Plan. Under direction of the State of Delaware, the ES&S project team will develop sub-plans for quality management and project management configuration within the overall Project Management Plan.

- ✓ The quality management sub-plan will describe all characteristics surrounding successful product and project acceptance.
- ✓ The project management configuration sub-plan will define procedures for submitting, approving, tracking and verifying all changes to the configuration of the products and the overall project.

PROJECT STATUS REPORTING

The ES&S project team will stay in constant communication internally and with the State of Delaware. Regular meetings/conference calls are scheduled so progress can be shared and challenges proactively avoided.

The ES&S Project Manager is responsible for verifying that you receive all the goods and services agreed to in the contract. The Project Manager manages status reporting to you on the consumption of those resources on a regular basis and manages the communication and agreement on any changes to the scope of services or products you request.

Where necessary, the Project Manager takes requested changes to the appropriate parties within ES&S for authorization and approval. These changes can take the form of new product releases, configuration changes,

quantity changes, or scope of service changes. The Project Manager works directly with you to identify any proposed changes as well as any of your requested changes.

Where appropriate, the Project Manager will work with you or others within ES&S to determine the effect of any changes, resolve any financial impact in cooperation with you and your Account Manager, and reflect any agreed-upon changes in the project timeline and status reporting. We have developed an internal approach to managing these changes. These same practices are used throughout our organization.

RISK MANAGEMENT APPROACH

Every project has risks. Preparing for these risks in advance helps to plan for and mitigate those risks. The ES&S project team will develop and utilize a comprehensive risk management strategy to manage all potential risks throughout the project. Early in the implementation, the ES&S project team will meet with the State of Delaware to identify potential project risks and develop initial mitigation strategies. Subsequent to this meeting, the ES&S project team will expand the identification of these risks and develop detailed plans for avoiding potentially negative effects of the identified and unidentified risks.

CHANGE MANAGEMENT APPROACH

ES&S will systematically assess the current state of Delaware's election operation. During the process, the on-site personnel will document and work with Delaware staff to address current practices, guiding Delaware through managing this change and reengineering current procedures and process.

ES&S personnel will engage with key Delaware personnel and agency decision makers. These decision makers may include the Delaware Department of Elections and the Delaware Department of Technology and Information. They will identify key personnel who are to be involved in defining the new processes and rolling out any changes.

In some instances, the assessment might indicate process changes are desirable. However existing processes may need to stay intact either permanently or temporarily.

Additionally, ES&S will help communicate any needed changes, ensuring there is a clear expression of the reasons for the change. ES&S personnel, along with the State of Delaware's key personnel, will assess the training needs driven by the new system, when and how it will be implemented.

Our experience with election process and voting system changes has proven that operating end-to-end mock elections, using actual users, helps to identify potential improvements and risks. If possible, ES&S recommends operating multiple small-scale mock elections, where lessons can be learned and changes implemented and documented between mock elections. This will serve as a comprehensive approach to manage change. This human-centered approach has proven most effective, especially when dealing with both full-time and seasonal users (i.e., poll workers). ES&S believes in a collaborative and inclusive process and human change management approach that ensures that key resources are included and involved in the change.

TEAM ROLES

ES&S PROJECT MANAGER

A Project Manager appointed by ES&S shall be responsible for the overall planning, communication, management and coordination of ES&S services in conjunction with the Account Manager. This person shall

be the liaison for the State of Delaware with ES&S as it pertains to all products, services and obligations set forth in the Agreement.

ES&S ACCOUNT MANAGER

The ES&S Account Manager will work closely with the Project Manager and Delaware to develop a timeline of activities, provision of deliverables, and critical milestones. Your Account Manager will ensure the State of Delaware is fully supported and knowledge is successfully transferred to Delaware staff. The ES&S Account Manager will be onsite and use various proven reporting tools and status updates reports throughout the project to communicate with the State of Delaware. The Account Manager will also bring technical, election system implementation experience along with consulting and training capabilities.

ES&S VICE-PRESIDENT OF ACCOUNT MANAGEMENT

The ES&S Vice-President of Account Management will be overseeing the project and will serve as an escalation point and project sponsor to the State of Delaware and the ES&S project team.

ES&S TECHNICAL SERVICES

Responsible for the design and installation of the election management system (EMS) network.

ES&S TECHNICAL SUPPORT TEAM (HELP DESK)

The ES&S Project Team includes a Technical Support Team (Help Desk) staffed with experienced Hardware and Software Support Technicians and Engineers. The ES&S Technical Support Team utilizes a systematic 3-tiered escalation process to assure that all issues and questions, whether minor or major, are quickly addressed by the appropriate subject matter experts. The Technical Support Team has direct access to Tier 3 Product Engineers, System Administrators, and Software Developers and is available 24x7 during election critical periods.

ES&S FIELD SERVICES TECHNICIANS

ES&S will leverage its existing regional support network to provide support and assistance throughout the implementation and on-going phases of the project.

ES&S TIER 3 SUPPORT AND DEVELOPMENT

The Tier 3 Support team includes Product Engineers, System Administrators, and Software Developers. As needed, the ES&S Project Team and the State of Delaware staff will have access to Tier 3 ES&S resources capable of addressing advanced requests, questions, or issues. These same resources will be responsible for the development and deployment of system changes, including any updates or enhancements.

COMMUNICATION PLAN

A key factor in providing structure for a project is the methodology used to establish guidelines and control project activities throughout a project lifecycle. By using a proven methodology, the project team can significantly improve communications, planning, and performance from the initial proposal stage, through completion of project deliverables to final closure of the project.

The assigned ES&S Project Manager and Account Manager will communicate with the State of Delaware on a mutually agreed-upon regular basis, as required based on the task at hand. The Account Manager will be on-

site as needed during the initial phase of the implementation. On-site time increases as we get closer to the election.

Task	Communication Plan
Point of Contact	The ES&S Account Manager will serve as the Delaware's point of contact throughout the life of the project.
Account Management	The ES&S Account Manager provides day-to-day coordination and interaction with Delaware personnel. The Account Manager serves as a single point of contact and control for management, coordination, and resolution for all project activities.
Status Reporting	The ES&S Project Manager supplies Delaware with regular implementation progress reports. These reports detail the work completed, scheduled tasks, milestones, and other related progress reports.
Status Meetings	Status meetings are on a regular basis, and are a review of the Work Plan, including items completed since the previous meeting and items to be completed prior to the next meeting. This discussion also includes a review of the party responsible for the task completion as well as any potential/foreseen roadblocks.
Contract Management	The assigned ES&S Project Manager is responsible for contract management.
Audits	It is the responsibility of both Delaware and the ES&S Project Manager to continuously audit the project as well as all items pertinent to the project.
Planning	Planning is a joint effort between Delaware and the ES&S Account Manager and is documented on the Work Plan.
Priorities	Priorities are agreed upon between Delaware and the ES&S Account Manager.
Service Request	Any needed service requests, both outside and inside of the contract scope, are discussed between Delaware and the ES&S Project Manager.

PROJECT MANAGEMENT: WHY ES&S?

ES&S prides itself on our nearly 40-year history of successful integrated voting systems implementations. We have carried out thousands of implementations of voting systems – projects of every size and complexity. Written plans and execution tools are important pieces of a successful implementation equation. However, project management know-how, and Project Managers and Account Managers who instinctively understand what must be done to achieve a trouble-free election, are what sets the ES&S project management approach apart from the rest. We will serve as a trusted partner to ensure successful Elections and continual support from the first use and beyond.

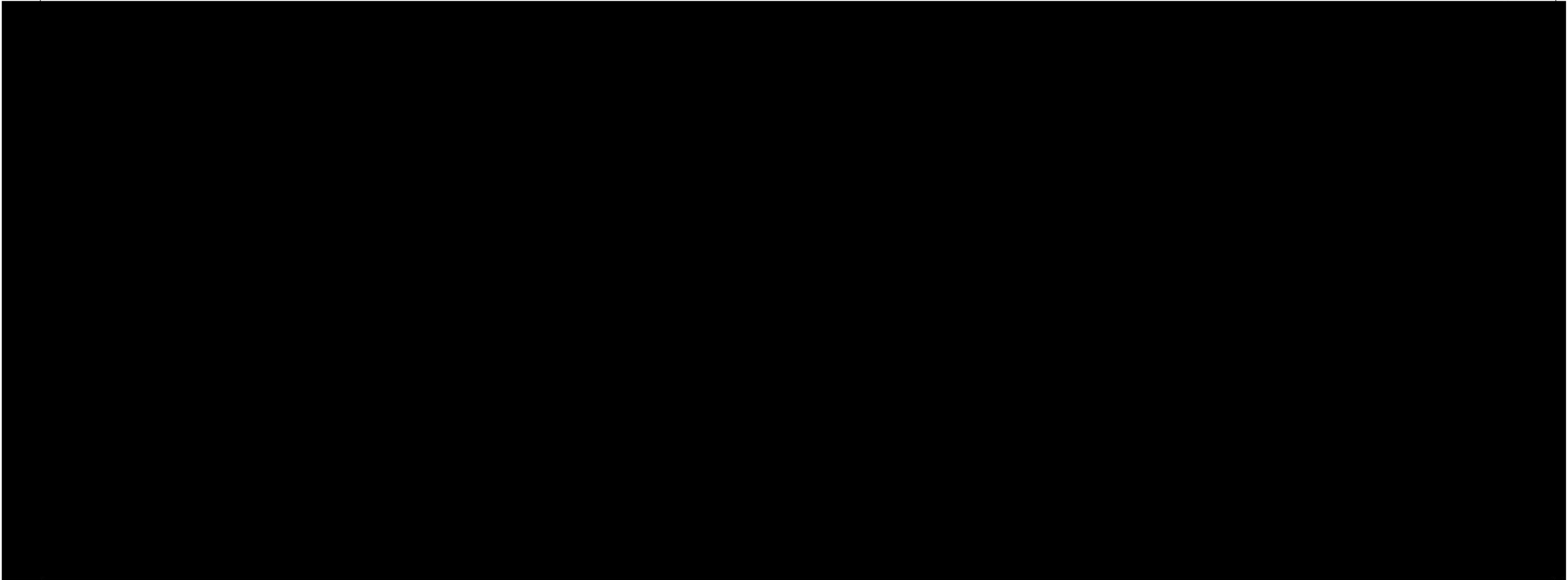
We look forward to working closely with the Delaware Department of Elections, DTI, and other state agencies to have a successful implementation of Delaware's new election system. As we heard from the Delaware Voting Equipment Selection Task Force, Delaware values a seamless, end-to-end system, that will continue to allow Delawareans to vote in familiar ways while offering the latest updated technology and security.



Should you choose ES&S, you can expect:

- ✔ A trusted and experienced partner in Elections
- ✔ Customized implementation approach
- ✔ Project team led by PMP-credentialed staff who will work tirelessly to ensure a smooth and organized process during all phases of the project
- ✔ Support from first use and throughout the life of your voting system
- ✔ Delaware's very successful Elections from the first use and beyond



ES&S, as a leader in the elections industry, has implemented thousands of customers. We take every effort to ensure the implementation is a smooth process and that you, your staff, and the State of Delaware will be fully prepared throughout each phase of the process.



Project: State of Delaware Date: Tue 1/9/18	Task Milestone		Summary Inactive Milestone	 	Inactive Summary Manual Task	 	Duration-only Manual Summary Rollup	 	Manual Summary Start-only	 	Finish-only External Tasks	 	External Milestone	
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BROOKE LURVEY, PMP – PROJECT MANAGER



BROOKE LURVEY PROJECT MANAGER

Brooke demonstrates strong skills in the election industry where success depends on integrity, efficiency, and excellent people skills. She has a proven ability to handle multiple tasks in a fast-paced environment and to build strong relations with individuals through teamwork.

PROFESSIONAL QUALIFICATIONS

- Approximately 5 years of experience in the election industry
- Significant support experience with all equipment types and reporting software
- Provided Project Management across multiple departments within ES&S, including Customer Support and Ballot Management

RELEVANT EXPERIENCE

ELECTION SYSTEMS & SOFTWARE, SEPTEMBER 2011-PRESENT

Project Manager (February 2016-present)

- Project manager for tabulation (hardware and software) implementations
- Develop and maintain project plans. Identify, assess, and prioritize risks associated with a project. Coordinate with internal departments for preparation, shipping, and installation of hardware and software. Oversee implementations from contract execution to post-election activities, ensuring all tasks are on schedule.

Vote-By-Mail Specialist (April 2015-January 2016)

- Customer product demonstrations and training on ballot tracking software
- Project management for Customer Support Coordination and Vote-By-Mail departments
- Overhauled the vote-by-mail tracking software to increase efficiency both internally and externally

Ballot Management Services Coordination (September 2011 - March 2015)

- Coordination of print jobs for all ES&S ballot print customers
- Acceptance testing team for new installs in State of Alabama and Hinds, MS
- Hardware training both at customer sites for new installs and internally on DS850 and DS200

EDUCATION



JOE MCINTYRE – ACCOUNT MANAGER



ACCOUNT MANAGER

As account manager, Joe has been successful by serving as a customer advocate, helping customers engage with ES&S' entire product portfolio. He is responsible for managing all aspects of interaction between the company and the customer. This role enables ES&S to better understand the customer's business and the challenges unique to each individual client and to retain the customer through excellence in customer support and service. Taking the time to learn the customer's business and challenges enables Joe to become a trusted advisor to the client while building a partnership with them both professionally and personally

PROFESSIONAL QUALIFICATIONS

- More than 46 years of experience working in the election industry.
- Vast experience in the election industry including:
- Has worked in election office application software design and development and performed numerous implementations across the United States.
- Also worked in sales, sales support, product management, customer service and support, and training.
- Experience with managing operations in the eastern region of the United States.

RELEVANT EXPERIENCE

ELECTION SYSTEMS & SOFTWARE, SEPTEMBER 2015 - PRESENT

Account Manager (September 2015 - present)

- Project manager for tabulation (hardware and software) implementations
- Develop and maintain project plans.
- Identify, assess, and prioritize risks associated with a project.
- Coordinate with internal departments for preparation, shipping, and installation of hardware and software.
- Oversee implementations from contract execution to post-election activities, ensuring all tasks are on schedule.

TARA DOUGHTY – TRAINING SPECIALIST



TARA DOUGHTY TRAINING SPECIALIST

Tara brings over five years of collegiate-level instructing skills to ES&S, as well as, 15 years of customer service experience. She began working with ES&S as a Customer Support Coordinator supporting the election needs for the Northeastern United States. As a Training Specialist for ES&S, Tara uses her instructing background and past job experiences to educate internal associates and customers about ES&S equipment and software.

PROFESSIONAL QUALIFICATIONS

- ✓ Experience with software solution implementations
- ✓ Comprehensive knowledge and experience with numerous types of training scenarios
- ✓ Experience with large-scale hardware and software implementations and training events

RELEVANT EXPERIENCE

ELECTION SYSTEMS & SOFTWARE

TRAINING SPECIALIST

- Lead Equipment Operation Training
- Delivers guided internal and external Software Training
- Assists with training curriculum development and processes
- Provide first level technical support to customers as it relates to election hardware and software

CUSTOMER SUPPORT COORDINATOR

- Managed statewide election data and Election Day site support for Northeastern states
- Coordinated and facilitated election data between customers and election programming department
- Managed and maintained relationships with various Secretary of State offices as well as state, county, and municipal level clerks and election coordinators

EDUCATION

- [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]

JAMES ZOOK, MANAGER, VOTER REGISTRATION CUSTOMER SUPPORT



CUSTOMER SUPPORT MANAGER

James brings an in-depth knowledge of state specific laws, election processes and strong interpersonal relationship skills. He understands the management of call centers as it relates to delivering a client first mentality. The goal he has set for himself as well as his team is to deliver the best customer service in business, not just the election industry. Projects include the 2012 statewide redistricting effort, State Citizenship Verification Act, and Voter Registration Suite User training. As a subject matter expert for electronic poll book he has lead testing, integration, and support of electronic poll books with PowerProfile.

PROFESSIONAL EXPERIENCE

2015 – PRESENT

ELECTION SYSTEMS & SOFTWARE, MANAGER OF CUSTOMER SUPPORT, VOTER REGISTRATION

After spending four (4) years deeply involved with elections and the voter registration industry, James was promoted to Manager of Customer Support in Voter Registration. In the

Position, James manages a team of customer account managers responsible for customer account milestones and deliverables for state and county customers. The account manager team hosts customer meetings, reviews and refines customer software enhancement requests, creates training curriculums, schedules customer training events, and manages daily tasks with customers for voter registration and election events. James's role as manager of customer support includes determining customer project direction and execution.

2011 – 2015

ACCOUNT MANAGER, VOTER REGISTRATION

As Account Manager, James supported state and county level customers' election processes in voter registration projects. He worked in close association with development, online services, poll book, and data conversion services to identify, design, and implement positive improvements in the voter registration system to deliver an optimal customer experience. James was vital in the creation, performance, and execution of training events to customers in person and remotely.

PROJECT HIGHLIGHTS/REFERENCES

ES&S PROJECTS (2015 – PRESENT)

MANAGER OF CUSTOMER SUPPORT – STATE OF KANSAS

In the role as Manager of Customer Support for the State of Kansas, James has established positive rapport with the Kansas Secretary of State's office. James has been responsible for the ongoing support of the State as it relates to the ongoing support of the State's voter registration system.

James's duties in this role include establishing direct relationships with all counties. James managed communication between each county and the Kansas Secretary of State, enabling a successful implementation and growth of business relationships.

SPECIALTIES

- Voter Registration, election maintenance and processing
- Support, Testing, and Subject Matter Expert for Electronic Pollbook
- Online Voter Registration
- Facilitated Statewide 2012 redistricting effort
- Managed project for State Citizenship Verification Act
- Ballot on Demand Interfaces
- Voter Registration Suite User Training

EDUCATION



APPENDIX C - PRICING

Please see the Appendix C – Pricing, provided in a separate Excel file, as requested.

STATE OF DELAWARE
Government Support Services

Appendix D – Confidentiality and Integrity of Data Agreement



DEPARTMENT OF TECHNOLOGY AND INFORMATION

William Penn Building
801 Silver Lake Boulevard
Dover, Delaware 19904-2407

CONFIDENTIALITY (NON-DISCLOSURE) AND INTEGRITY OF DATA AGREEMENT

The Department of Technology and Information is responsible for safeguarding the confidentiality and integrity of data in State computer files regardless of the source of those data or medium on which they are stored; e.g., electronic data, computer output microfilm (COM), tape, or disk. Computer programs developed to process State Agency data will not be modified without the knowledge and written authorization of the Department of Technology and Information. All data generated from the original source data, shall be the property of the State of Delaware. The control of the disclosure of those data shall be retained by the State of Delaware and the Department of Technology and Information.

I/we, as an employee(s) of **[INSERT CONTRACTOR NAME]** or officer of my firm, when performing work for the Department of Technology and Information, understand that I/we act as an extension of DTI and therefore I/we are responsible for safeguarding the States' data and computer files as indicated above. I/we will not use, disclose, or modify State data or State computer files without the written knowledge and written authorization of DTI. Furthermore, I/we understand that I/we are to take all necessary precautions to prevent unauthorized use, disclosure, or modification of State computer files, and I/we should alert my immediate supervisor of any situation which might result in, or create the appearance of, unauthorized use, disclosure or modification of State data.

Penalty for unauthorized use, unauthorized modification of data files, or disclosure of any confidential information may mean the loss of my position and benefits, and prosecution under applicable State or Federal law.

This statement applies to the undersigned Contractor and to any others working under the Contractor's direction.

I, the Undersigned, hereby affirm that I have read DTI's Policy on Confidentiality (Non-Disclosure) and Integrity of Data and understood the terms of the above Confidentiality (Non-Disclosure) and Integrity of Data Agreement, and that I/we agree to abide by the terms above.

Contractor Signature 
Title: VP of Finance Richard J. Jablonski
Date: January 12, 2018
Contractor Name: ES&S, LLC

STATE OF DELAWARE
Government Support Services

Appendix E – Cloud and External Hosting

The Contractor is required to execute the Public and Non-Public Cloud and Offsite Hosting Terms and Conditions document(s) attached hereto and made part of the final Agreement.

PUBLIC DATA OWNED BY THE STATE OF DELAWARE
State of Delaware Cloud and/or Offsite Hosting Specific Terms and Conditions

	<p style="text-align: center;">Terms and Conditions Clauses 1-10 are mandatory for every engagement.</p> <p style="text-align: center;">Exceptions will be considered non-compliant and non-</p>
1	<p>Data Ownership: The State of Delaware shall own all right, title and interest in its data that is related to the services provided by this contract. The Service Provider shall not access State of Delaware User accounts, or State of Delaware Data, except (i) in the course of data center operations, (ii) response to service or technical issues, (iii) as required by the express terms of this contract, or (iv) at State of Delaware's written request.</p>
2	<p>Data Protection: Protection of personal privacy and sensitive data shall be an integral part of the business activities of the Service Provider to ensure that there is no inappropriate or unauthorized use of State of Delaware information at any time. To this end, the Service Provider shall safeguard the confidentiality, integrity, and availability of State information and comply with the following conditions:</p> <p>a) At no time shall any data or processes which either belongs to or are intended for the use of State of Delaware or its officers, agents, or employees, be copied, disclosed, or retained by the Service Provider or any party related to the Service Provider for subsequent use in any transaction that does not include the State of Delaware.</p>
3	<p>Notification of Legal Requests: The Service Provider shall contact the State of Delaware upon receipt of any electronic discovery, litigation holds, discovery searches, and expert testimonies related to, or which in any way might reasonably require access to the data of the State. The Service Provider shall not respond to subpoenas, service of process, and other legal requests related to the State of Delaware without first notifying the State unless prohibited by law from providing such notice.</p>
4	<p>Termination and Suspension of Service: In the event of termination of the contract, the Service Provider shall implement an orderly return of State of Delaware data in CSV or XML or another mutually agreeable format.</p> <p>a) Suspension of services: During any period of suspension or contract negotiation or disputes, the Service Provider shall not take any action to intentionally erase any State of Delaware data.</p> <p>b) Termination of any services or agreement in entirety: In the event of termination of any services or agreement in entirety, the Service Provider shall not take any action to intentionally erase any State of Delaware data for a period of 90 days after the effective date of the termination. After such 90 day period, the Service Provider shall have no obligation to maintain or provide any State of Delaware data. Within this 90 day timeframe, vendor will continue to secure and back up State of Delaware data covered under the contract.</p> <p>c) Post-Termination Assistance: The State of Delaware shall be entitled to any post-termination assistance generally made available with respect to the Services unless a unique data retrieval arrangement has been established as part of the Service Level Agreement.</p>
5	<p>Background Checks: The Service Provider shall conduct criminal background checks and not utilize any staff, including sub-contractors, to fulfill the obligations of the contract who has been convicted of any crime of dishonesty, including but not limited to criminal fraud, or otherwise convicted of any felony or any misdemeanor offense for which incarceration for a minimum of 1 year is an authorized penalty. The Service Provider shall promote and maintain an awareness of the importance of securing the State's information among the Service Provider's employees and agents.</p>

STATE OF DELAWARE
Government Support Services

6	Data Dictionary: Prior to go-live, the Service Provider shall provide a data dictionary in accordance with the State of Delaware Data Modeling Standard .
7	Security Logs and Reports: The Service Provider shall allow the State of Delaware access to system security logs that affect this engagement, its data and or processes. This includes the ability for the State of Delaware to request a report of the records that a specific user accessed over a specified period of time.
8	Contract Audit: The Service Provider shall allow the State of Delaware to audit conformance including contract terms, system security and data centers as appropriate. The State of Delaware may perform this audit or contract with a third party at its discretion at the State's expense. Such reviews shall be conducted with at least 30 days advance written notice and shall not unreasonably interfere with the Service Provider's business.
9	Sub-contractor Disclosure: The Service Provider shall identify all of its strategic business partners related to services provided under this contract, including but not limited to, all subcontractors or other entities or individuals who may be a party to a joint venture or similar agreement with the Service Provider, who will be involved in any application development and/or operations.
10	Operational Metrics: The Service Provider and the State of Delaware shall reach agreement on operational metrics and document said metrics in the Service Level Agreement. Examples include but are not limited to: <ul style="list-style-type: none"> a) Advance notice and change control for major upgrades and system changes b) System availability/uptime guarantee/agreed-upon maintenance downtime c) Recovery Time Objective/Recovery Point Objective d) Security Vulnerability Scanning

NON-PUBLIC DATA OWNED BY THE STATE OF DELAWARE
State of Delaware Cloud and/or Offsite Hosting Specific Terms and Conditions

	<p style="text-align: center;">Terms and Conditions Clauses 1-13 are mandatory for every engagement. Exceptions will be considered non-compliant and non-responsive.</p>
1	Data Ownership: The State of Delaware shall own all right, title and interest in its data that is related to the services provided by this contract. The Service Provider shall not access State of Delaware User accounts, or State of Delaware Data, except (i) in the course of data center operations, (ii) response to service or technical issues, (iii) as required by the express terms of this contract, or (iv) at State of Delaware's written request.
2	Data Protection: Protection of personal privacy and sensitive data shall be an integral part of the business activities of the Service Provider to ensure that there is no inappropriate or unauthorized use of State of Delaware information at any time. To this end, the Service Provider shall safeguard the confidentiality, integrity, and availability of State information and comply with the following conditions: <ul style="list-style-type: none"> a) All information obtained by the Service Provider under this contract shall become and remain property of the State of Delaware. b) At no time shall any data or processes which either belongs to or are intended for the use of State of Delaware or its officers, agents, or employees, be copied, disclosed, or retained by the Service Provider or any party related to the Service Provider for subsequent use in any transaction that does not include the State of Delaware.


STATE OF DELAWARE
Government Support Services

3	<p>Data Location: The Service Provider shall not store or transfer non-public State of Delaware data outside of the United States. This includes backup data and Disaster Recovery locations. The Service Provider will permit its personnel and contractors to access State of Delaware data remotely only as required to provide technical support.</p>
4	<p>Encryption:</p> <ul style="list-style-type: none"> a) The Service Provider shall encrypt all non-public data in transit regardless of the transit mechanism. b) For engagements where the Service Provider stores sensitive personally identifiable or otherwise confidential information, this data shall be encrypted at rest. Examples are social security number, date of birth, driver's license number, financial data, federal/state tax information, and hashed passwords. The Service Provider's encryption shall be consistent with validated cryptography standards as specified in National Institute of Standards and Technology FIPS140-2, Security Requirements. The key location and other key management details will be discussed and negotiated by both parties. When the Service Provider cannot offer encryption at rest, they must maintain, for the duration of the contract, cyber security liability insurance coverage for any loss resulting from a data breach in accordance with the Cloud and Offsite Hosting Policy. Additionally, where encryption of data at rest is not possible, vendor must describe existing security measures that provide a similar level of protection.
5	<p>Breach Notification and Recovery: Delaware Code requires public breach notification when citizens' personally identifiable information is lost or stolen. Reference: 6 Del. C. § 12B-102. Additionally, unauthorized access or disclosure of non-public data is considered to be a breach. The Service Provider will provide notification without unreasonable delay and all communication shall be coordinated with the State of Delaware. When the Service Provider or their sub-contractors are liable for the loss, the Service Provider shall bear all costs associated with the investigation, response and recovery from the breach including but not limited to credit monitoring services with a term of at least 3 years, mailing costs, website, and toll free telephone call center services. The State of Delaware shall not agree to any limitation on liability that relieves a Contractor from its own negligence or to the extent that it creates an obligation on the part of the State to hold a Contractor harmless.</p>
6	<p>Notification of Legal Requests: The Service Provider shall contact the State of Delaware upon receipt of any electronic discovery, litigation holds, discovery searches, and expert testimonies related to, or which in any way might reasonably require access to the data of the State. The Service Provider shall not respond to subpoenas, service of process, and other legal requests related to the State of Delaware without first notifying the State unless prohibited by law from providing such notice.</p>
7	<p>Termination and Suspension of Service: In the event of termination of the contract, the Service Provider shall implement an orderly return of State of Delaware data in CSV or XML or another mutually agreeable format. The Service Provider shall guarantee the subsequent secure disposal of State of Delaware data.</p> <ul style="list-style-type: none"> a) Suspension of services: During any period of suspension or contract negotiation or disputes, the Service Provider shall not take any action to intentionally erase any State of Delaware data. b) Termination of any services or agreement in entirety: In the event of termination of any services or agreement in entirety, the Service Provider shall not take any action to intentionally erase any State of Delaware data for a period of 90 days after the effective date of the termination. After such 90 day period, the Service Provider shall have no obligation to maintain or provide any State of Delaware data and shall thereafter, unless legally prohibited, dispose of all State of Delaware data in its systems or otherwise in its possession or under its control as specified in section 7d) below. Within this 90 day timeframe, vendor will continue to secure and back up State of Delaware data covered under the contract.

STATE OF DELAWARE
Government Support Services

8	Background Checks: The Service Provider shall conduct criminal background checks and not utilize any staff, including sub-contractors, to fulfill the obligations of the contract who has been convicted of any crime of dishonesty, including but not limited to criminal fraud, or otherwise convicted of any felony or any misdemeanor offense for which incarceration for a minimum of 1 year is an authorized penalty. The Service Provider shall promote and maintain an awareness of the importance of securing the State's information among the Service Provider's employees and agents.
9	Data Dictionary: Prior to go-live, the Service Provider shall provide a data dictionary in accordance with the State of Delaware Data Modeling Standard .
10	Security Logs and Reports: The Service Provider shall allow the State of Delaware access to system security logs that affect this engagement, its data and or processes. This includes the ability for the State of Delaware to request a report of the records that a specific user accessed over a specified period of time.
11	Contract Audit: The Service Provider shall allow the State of Delaware to audit conformance including contract terms, system security and data centers as appropriate. The State of Delaware may perform this audit or contract with a third party at its discretion at the State's expense. Such reviews shall be conducted with at least 30 days advance written notice and shall not unreasonably interfere with the Service Provider's business.
12	Sub-contractor Disclosure: The Service Provider shall identify all of its strategic business partners related to services provided under this contract, including but not limited to, all subcontractors or other entities or individuals who may be a party to a joint venture or similar agreement with the Service Provider, who will be involved in any application development and/or operations.
13	Operational Metrics: The Service Provider and the State of Delaware shall reach agreement on operational metrics and document said metrics in the Service Level Agreement. Examples include but are not limited to: <ul style="list-style-type: none"> a) Advance notice and change control for major upgrades and system changes b) System availability/uptime guarantee/agreed-upon maintenance downtime c) Recovery Time Objective/Recovery Point Objective d) Security Vulnerability Scanning

By signing this Attachment, the Service Provider agrees to abide by all of the above Terms and Conditions.

State of Delaware		Service Provider Name	
Signature	_____	Signature	 _____
Name	Peter Korolyk Deputy Director Government Support Services	Name	Richard J. Jablonski
Title		Title	VP of Finance
Signature Date	_____	Signature Date	January 12, 2018

APPENDIX F – CYBER LIABILITY INSURANCE

Please see Exhibit B – Proof of Insurance.

STATE OF DELAWARE
Government Support Services

Attachment 2

CONTRACT NO.: GSS18809-ELECTION_SYS
CONTRACT TITLE: Elections System Solution
DEADLINE TO RESPOND: January 16, 2018 at 1:00 PM (Local Time)
NON-COLLUSION STATEMENT

This is to certify that the undersigned Vendor has neither directly nor indirectly, entered into any agreement, participated in any collusion or otherwise taken any action in restraint of free competitive bidding in connection with this proposal, and further certifies that it is not a sub-contractor to another Vendor who also submitted a proposal as a primary Vendor in response to this solicitation submitted this date to the State of Delaware, Government Support Services.

It is agreed by the undersigned Vendor that the signed delivery of this bid represents, subject to any express exceptions set forth at Attachment 3, the Vendor's acceptance of the terms and conditions of this solicitation including all specifications and special provisions.

NOTE: Signature of the authorized representative MUST be of an individual who legally may enter his/her organization into a formal contract with the State of Delaware, Government Support Services.

COMPANY NAME Election Systems & Software, LLC Check one)

<input checked="" type="checkbox"/>	Corporation
<input type="checkbox"/>	Partnership
<input type="checkbox"/>	Individual

NAME OF AUTHORIZED REPRESENTATIVE

(Please type or print)

Richard J. Jablonski

SIGNATURE

TITLE Vice President of Finance

COMPANY ADDRESS

11208 John Galt Blvd. Omaha, NE 68137

PHONE NUMBER

1-877-377-8683

FAX NUMBER 402-970-1291

EMAIL ADDRESS

djjablonski@essvote.com

FEDERAL E.I. NUMBER

STATE OF DELAWARE
LICENSE NUMBER 2017122080748

COMPANY CLASSIFICATIONS:		CERT. NO.:	Certification type(s)	Circle all that apply
			Minority Business Enterprise (MBE)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
			Woman Business Enterprise (WBE)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
			Disadvantaged Business Enterprise (DBE)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
			Veteran Owned Business Enterprise (VOBE)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
			Service Disabled Veteran Owned Business Enterprise (SDVOBE)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

[The above table is for informational and statistical use only.]

PURCHASE ORDERS SHOULD BE SENT TO: Election Systems & Software, LLC
(COMPANY NAME)

ADDRESS 11208 John Galt Blvd. Omaha, NE 68137

CONTACT ATTN: Order Entry Department

PHONE NUMBER 1-877-377-8683, Option 1

FAX NUMBER 402-970-1291

EMAIL ADDRESS orders@essvote.com

AFFIRMATION: Within the past five years, has your firm, any affiliate, any predecessor company or entity, owner, Director, officer, partner or proprietor been the subject of a Federal, State, Local government suspension or debarment?

YES _____ NO ☒ if yes, please explain _____

THIS PAGE SHALL HAVE ORIGINAL SIGNATURE, BE NOTARIZED AND BE RETURNED WITH YOUR PROPOSAL

SWORN TO AND SUBSCRIBED BEFORE ME this 12th day of January, 2018

Notary Public

My commission expires May 10, 2020

City of Omaha

County of Douglas

State of Nebraska

State of Nebraska - General Notary
LINDSAY M SCRANTON
My Commission Expires
May 10, 2020

STATE OF DELAWARE
Government Support Services

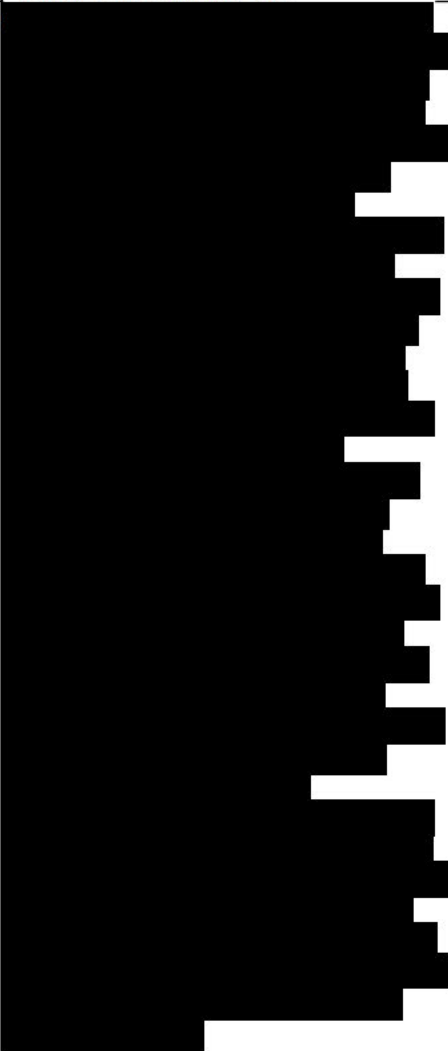
Attachment 3

Contract No. GSS18809-ELECTION_SYS
Contract Title: Elections System Solution

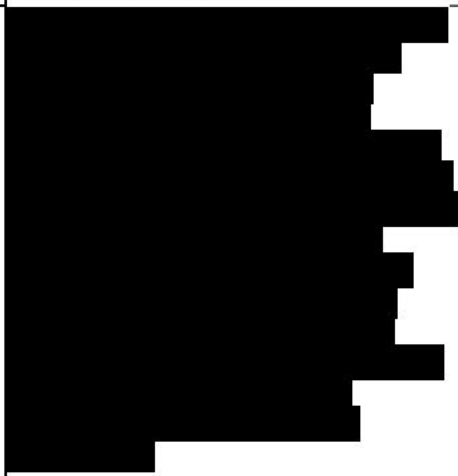

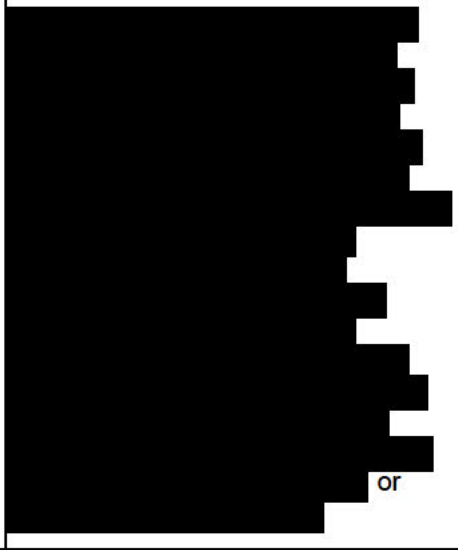
EXCEPTION FORM

Proposals must include all exceptions to the specifications, terms or conditions contained in this RFP. If the vendor is submitting the proposal without exceptions, please state so below.

☐ By checking this box, the Vendor acknowledges that they take no exceptions to the specifications, terms or conditions found in this RFP.

Paragraph # and page #	Exceptions to Specifications, terms or conditions	Proposed Alternative
Paragraph c, Page 18 – ACA Safe Harbor		
Paragraph f, Page 19 - Indemnification	See ES&S' response to the Indemnification provision in the Sample Form of Agreement set forth below.	
Paragraph I, Page 21 - Warranty	See ES&S' response to the Warranty provision in the Sample Form of Agreement set forth below.	

Paragraph # and page #	Exceptions to Specifications, terms or conditions	Proposed Alternative
Paragraph m, Page 21 – Costs and Payment Schedules	[REDACTED]	[REDACTED]
Paragraph o, Page 22 – Dispute Resolution	See ES&S' response to the Dispute Resolution provision in the Sample Form of Agreement set forth below.	
Paragraph p, Page 22 – Termination of Contract	See ES&S' response to the Termination provision in the Sample Form of Agreement set forth below.	
Paragraph x, Page 25 – Work Product	See ES&S' response to the Work Product provision in the Sample Form of Agreement set forth below.	

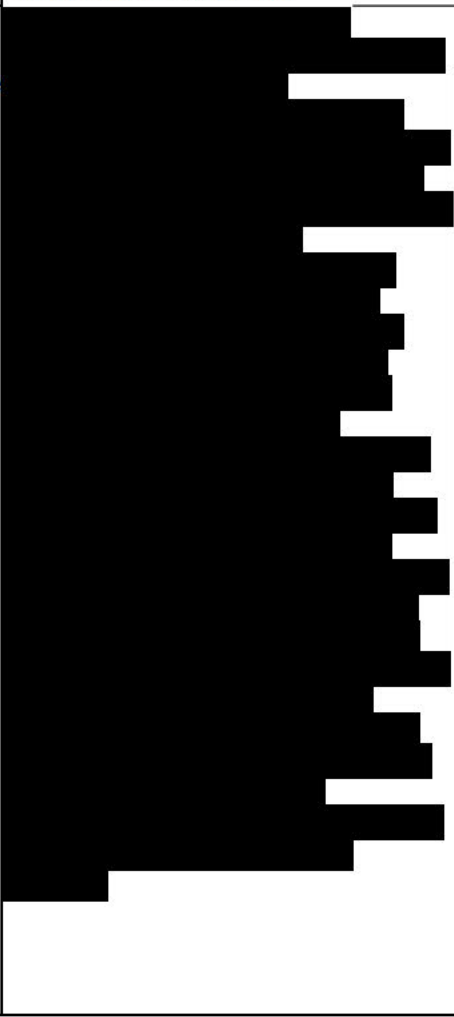

Paragraph # and page #	Exceptions to Specifications, terms or conditions	Proposed Alternative
Paragraph VI., Item 3 – Production Environment Requirements		
		
	 or	

Paragraph # and page #	Exceptions to Specifications, terms or conditions	Proposed Alternative
Sample Agreement, Paragraph 2.10, Page 3	ES&S understands the State's right to subtract any payment to be made to Vendor in the event the Vendor has caused damages, costs or expenses to the State due to the Vendor's negligence. However, such deductions should only occur after the State has provided the Vendor with proper written notice and the opportunity to cure any such damages which may have been incurred by the State due to the Vendor's negligence. In the event the Vendor fails to cure such items then the State shall be authorized to deduct any damages, costs or expenses caused by Vendor's negligence.	2.10. <u>After providing written notice to the Vendor and upon the expiration of all cure periods set forth herein and further provided Vendor has not cured any such errors or omissions in the Vendor's work products,</u> Delaware shall subtract from any payment made to Vendor all damages, costs and expenses caused by Vendor's negligence, resulting from or arising out of errors or omissions in Vendor's work products, which have not been previously paid to Vendor.
Sample Agreement, Paragraph 3.10, Page 4	ES&S acknowledges this provision and requests that such provision be applicable to both parties.	3.10. The rights and remedies of Delaware <u>each party</u> provided for in this Agreement are in addition to any other rights and remedies provided by law.

Paragraph # and page #	Exceptions to Specifications, terms or conditions	Proposed Alternative
Sample Agreement, Paragraph 6, Page 6 – Work Product	ES&S understands the State's request to own certain deliverables which are specifically created by ES&S for the State and which do not include any of ES&S' intellectual property. However, any deliverable provided by ES&S to the State under the Agreement which contains ES&S' intellectual property shall, at all times, remain owned by ES&S as ES&S must maintain the ability to continue to license its intellectual property to other existing and future customers	<p>6. Work Product.</p> <p>6.1. All materials, information, documents, and reports, whether finished, unfinished, or draft, <u>which are specifically</u> developed, prepared, completed, or acquired by Vendor <u>solely</u> for Delaware ("<u>Custom Developed Deliverable</u>") relating to the services to be performed hereunder shall become the property of Delaware and shall be delivered to Delaware's designated representative upon completion or termination of this Agreement, whichever comes first. Vendor shall not be liable for damages, claims, and losses arising out of any reuse of any <u>Custom Developed Deliverable</u> work products on any other project conducted by Delaware. Delaware shall have the right to reproduce all documentation supplied <u>with the Custom Developed Deliverable</u> pursuant to this Agreement.</p> <p>6.2. Vendor retains all title and interest to the data <u>and intellectual property</u> it furnished and/or generated pursuant to this Agreement. Retention of such title and interest does not conflict with Delaware's rights to the materials, information and documents developed in performing the project. Upon final payment <u>for any Custom Developed Deliverable specifically provided by Vendor to Delaware</u>, Delaware shall have a perpetual, nontransferable, non-exclusive paid-up right and license to use, copy, modify and prepare derivative works of all materials in which Vendor retains title, whether individually by Vendor or jointly with Delaware <u>such Custom Developed Deliverable</u>. Any and all source code developed in connection with the services Custom Developed Deliverable provided will be provided to Delaware, and the aforementioned right and license shall apply to source code. The parties will cooperate with each other and execute such other documents as may be reasonably deemed necessary to achieve the objectives of this Section.</p> <p>6.3. In no event shall Vendor be precluded from developing for itself, or for others, materials that are competitive with the <u>Custom Developed Deliverable or other Deliverables</u>, irrespective of their similarity to the <u>Custom Developed Deliverable or other Deliverables</u>. In addition, Vendor shall be free to use its general knowledge, skills and experience, and any ideas, concepts, know-how, and techniques within the scope of its consulting practice that are used in the course of providing the services.</p> <p>6.4. Notwithstanding anything to the contrary contained herein or in any attachment hereto, any and all intellectual property or other proprietary data owned by Vendor prior to the effective date of this Agreement ("Preexisting Information") shall remain the exclusive property of Vendor even if such Preexisting Information is embedded or otherwise incorporated into materials or products first produced as a result of this Agreement or used to develop such materials or products. Delaware's rights under this section shall not apply to any Preexisting Information or any component thereof regardless of form or media.</p>

Paragraph # and page #	Exceptions to Specifications, terms or conditions	Proposed Alternative
Sample Agreement, Paragraph 8, Page 6 – Warranty	ES&S acknowledges the State's request for the Vendor to provide a warranty for the deliverables to be provided under the Agreement and we propose that the parties utilize ES&S' standard warranty provision, which is tailored specifically for voting and voter registration systems. The content of the warranty provision is presented here for the State's review.	<p>8. Warranty.</p> <p><u>8.1. Vendor equipment/Vendor software. Vendor warrants that for a 1-year period (the "Warranty Period"), it will repair or replace any component of the Vendor equipment or Vendor software which, while under normal use and service: (i) fails to perform in accordance with its documentation in all material respects, or (ii) is defective in material or workmanship as more fully set forth in Vendor's hardware and software license, maintenance and support services agreements. The Warranty shall not include the repair or replacement of any Vendor equipment components that are consumed in the normal course of operating the equipment, including printer ribbons, printer cartridges, paper rolls, batteries, removable media storage devices, PCMCIA cards or marking devices. The Warranty Period will commence upon completion of systems acceptance. Any repaired or replaced item of Vendor equipment or Vendor software shall be warranted only for the unexpired term of the Warranty Period. All replaced components of the Vendor equipment or Vendor software will become the property of Vendor. This warranty is effective provided that (I) Delaware promptly notifies Vendor of the failure of performance or defect and is otherwise in compliance with its obligations hereunder, (II) the Vendor equipment or Vendor software to be repaired or replaced has not been repaired, changed, modified or altered except as authorized or approved by Vendor, (III) the Vendor equipment or Vendor software to be repaired or replaced is not damaged as a result of accident, theft, vandalism, neglect, abuse, use which is not in accordance with instructions or specifications furnished by Vendor or causes beyond the reasonable control of Vendor or Delaware, including, but not limited to, acts of God, fire, riots, acts of war, terrorism or insurrection, labor disputes, transportation delays, governmental regulations and utility or communication interruptions, and (IV) Delaware has installed and is using the most recent update, provided to it by Vendor. This warranty is void for any units of equipment which: (i) have not been stored or operated in a temperature range according their specifications, (ii) have been severely handled so as to cause mechanical damage to the unit, or (iii) have been operated or handled in a manner inconsistent with reasonable treatment of an electronic product.</u></p>

Paragraph # and page #	Exceptions to Specifications, terms or conditions	Proposed Alternative
Sample Agreement, Paragraph 8, Page 6 – Warranty (Continued)		<p>8.2. <u>System. Vendor warrants that the Vendor equipment and Vendor software will operate in conjunction with the third party products specified by ES&S during the Warranty Period, provided that (i) Delaware has installed and is using the most recent update, provided to it by Vendor, and (ii) the third party products are performing in accordance with their own specifications and documentation in all material respects and are not defective in material or workmanship. In the event of a breach of this warranty, Vendor will repair or replace the item of Vendor equipment or Vendor software that is causing such breach to occur. Delaware acknowledges that Vendor has merely purchased the third party products for resale or rental to Delaware, and that the proprietary and intellectual property rights to the third party products are owned by parties other than Vendor ("Third Parties"). Delaware further acknowledges that except for the payment to Vendor for the third party products, all of its rights and obligations with respect thereto flow from and to the Third Parties.</u></p> <p>8.1. Vendor warrants that its services will be performed in a good and workmanlike manner. Vendor agrees to re-perform any work not in compliance with this warranty brought to its attention within a reasonable time after that work is performed.</p> <p>8.2. Third party products within the scope of this Agreement are warranted solely under the terms and conditions of the licenses or other agreements by which such products are governed. With respect to all third party products and services purchased by Vendor for Delaware in connection with the provision of the Services, Vendor shall pass through or assign to Delaware the rights Vendor obtains from the manufacturers and/or vendors of such products and services (including warranty and indemnification rights), all to the extent that such rights are assignable.</p>

Paragraph # and page #	Exceptions to Specifications, terms or conditions	Proposed Alternative
Sample Agreement, Paragraph 9, Page 7 – Indemnification; Limitation of Liability.		A new Section 9.3 to be added to the current Section 9. 

Paragraph # and page #	Exceptions to Specifications, terms or conditions	Proposed Alternative
Sample Agreement, Paragraph 12, Page 8 – Dispute Resolution	ES&S understands the State's request to include a dispute resolution provision and ES&S agrees that resolving the matter amicably by the parties prior to litigating the matter is the more favorable approach by ES&S as it keeps costs down and provides for better working relationship. To that end, ES&S requests that in the event the parties are unable to amicably resolve any dispute that may arise between the parties, the parties shall agree to submit any ongoing dispute to non-binding mediation. In the event such mediation does not resolve the dispute then the parties can proceed to litigation if either party so chooses.	<p>12. Dispute Resolution.</p> <p>12.1. At the option of, and in the manner prescribed by the Office of Management and Budget (OMB) In the event of a dispute hereunder, the parties shall attempt in good faith to resolve any dispute arising out of or relating to this Agreement promptly by negotiation between executives who have authority to settle the controversy and who are at a higher level of management than the persons with direct responsibility for administration of this Agreement. All offers, promises, conduct and statements, whether oral or written, made in the course of the negotiation by any of the parties, their agents, employees, experts and attorneys are confidential, privileged and inadmissible for any purpose, including impeachment, in arbitration or other any proceeding involving the parties, provided evidence that is otherwise admissible or discoverable shall not be rendered inadmissible.</p> <p>12.2. If the matter is not resolved by negotiation, as outlined above, or, alternatively, OMB elects to the parties shall proceed directly to mediation, then the matter will proceed to mediation as set forth below. Any disputes, claims or controversies arising out of or relating to this Agreement shall be submitted to mediation by a mediator selected by OMBthe parties, and if the matter is not resolved through mediation, then it shall be submitted, in the sole discretion of OMB, to the Office of Management and Budget, Government Support Services Director, for final and binding arbitrationeither party may submit the dispute to a court of competent jurisdiction. OMB reserves the right to proceed directly to arbitration or litigation without negotiation or mediation. Any such proceedings held pursuant to this provision shall be governed by Delaware law and venue shall be in Delaware. The parties shall maintain the confidential nature of the arbitration mediation proceeding and the Award, including the Hearing, except as may be necessary to prepare for or conduct the arbitration hearingmediation on the merits. Each party shall bear its own costs of mediation, arbitration or litigation, including attorneys' fees.</p>

Paragraph # and page #	Exceptions to Specifications, terms or conditions	Proposed Alternative
Sample Agreement, Paragraph 14, Page 9 – Termination	It is ES&S' experience that in the event of a default under an agreement, the breaching party is generally provided a thirty (30) day period in which to cure such default. Therefore, ES&S requests that the County allow a thirty (30) day cure period in which to cure any default which may occur under a resulting agreement unless such thirty (30) day cure period would have a material detrimental impact on the County's ability to define and conduct elections or to tabulate or report election results in a satisfactory or timely manner. In such an instance, the parties shall mutually agree upon a shorter cure period.	<p>14. Termination.</p> <p>14.1. This Agreement may be terminated in whole or in part by either party in the event of substantial failure of the other party to fulfill its obligations under this Agreement through no fault of the terminating party; but only after the other party is given:</p> <p>a. <u>Written notice setting forth the default and no less than thirty (30) days or such other period of time as may be mutually agreed upon by the parties in which to cure any default under the Agreement; and</u></p> <p>b. <u>In the event the defaulting party fails to cure a default as set forth in subsection a, Not less than 20 calendar days written notice of intent to terminate; and</u> b. An opportunity for consultation with the terminating party prior to termination.</p> <p>14.2. This Agreement may be terminated in whole or in part by Delaware for its convenience, but only after Vendor is given:</p> <p>a. Not less than 20 calendar days written notice of intent to terminate; and</p> <p>b. An opportunity for consultation with Delaware prior to termination.</p> <p><u>Vendor shall be paid for all deliverables provides and services performed up through the effective date of termination.</u></p> <p>The remaining provisions of Section 14 (14.3 – 14.6) shall remain unchanged.</p>
DataManagement Policy.pdf (PL-GAS-001)		

Note: Vendor may use additional pages as necessary, but the format shall be the same as provided above.

STATE OF DELAWARE
Government Support Services

Attachment 4

Contract No. GSS18809-ELECTION_SYS
Contract Title: Elections System Solution

CONFIDENTIAL INFORMATION FORM

☐ By checking this box, the Vendor acknowledges that they are not providing any information they declare to be confidential or proprietary for the purpose of production under 29 Del. C. ch. 100, Delaware Freedom of Information Act.

Confidentiality and Proprietary Information
Election Systems & Software ("ES&S") Financial Statements
Government Systems, Software & Services ("GS3") Financial Statements
Poll Book Sample Voted List
Poll Book System Architecture
Poll Book Administrator Manual
Poll Book Poll Worker Manual
CentralPoint Training Manual
Poll Book Security Guidelines
Attachment 5 Business References

Note: Vendor may use additional pages as necessary, but the format shall be the same as provided above.

STATE OF DELAWARE
Government Support Services

Attachment 5

Contract No. GSS18809-ELECTION_SYS
Contract Title: Elections System Solution

BUSINESS REFERENCES

List a minimum of three business references, including the following information:

- Business Name and Mailing address
- Contact Name and phone number
- Number of years doing business with
- Type of work performed

Please do not list any Personal References or State Employees as a business reference. If you have held a State contract within the last 5 years, please provide a separate list of the contract(s).

1. Contact Name & Title:

Business Name:

Address:

Email:

Phone # / Fax #:

Current Vendor (YES or NO):

Years Associated & Type of
Work Performed:

2. Contact Name & Title:

Business Name:

Address:

Email:

Phone # / Fax #:

Current Vendor (YES or NO):

Years Associated & Type of
Work Performed:

3. Contact Name & Title:

Business Name:

Address:

Email:

Phone # / Fax #:

Current Vendor (YES or NO):

Years Associated & Type of
Work Performed:

STATE OF DELAWARE PERSONNEL

STATE OF DELAWARE
Government Support Services

Attachment 5

Contract No. GSS18809-ELECTION_SYS
Contract Title: Elections System Solution

BUSINESS REFERENCES

List a minimum of three business references, including the following information:

- Business Name and Mailing address
- Contact Name and phone number
- Number of years doing business with
- Type of work performed

Please do not list any Personal References or State Employees as a business reference. If you have held a State contract within the last 5 years, please provide a separate list of the contract(s).

1. **Contact Name & Title:**

Business Name:

Address:

Email:

Phone # / Fax #:

Current Vendor (YES or NO):

Years Associated & Type

Work Performed:

--

2. **Contact Name & Title:**

Business Name:

Address:

Email:

Phone # / Fax #:

Current Vendor (YES or NO):

Years Associated & Type of

Work Performed:

3. **Contact Name & Title:**

Business Name:

Address:

Email:

Phone # / Fax #:

Current Vendor (YES or NO):

Years Associated & Type of



Work Performed:

STATE OF DELAWARE PERSONNEL MAY NOT BE USED AS REFERENCES.

STATE OF DELAWARE
Government Support Services

Attachment 6

SUBCONTRACTOR INFORMATION FORM

PART I – STATEMENT BY PROPOSING VENDOR		
1. CONTRACT NO. GSS18809-ELECTION_SYS	2. Proposing Vendor Name: Election Systems & Software, LLC	3. Mailing Address 11208 John Galt Blvd. Omaha, NE 68137
4. SUBCONTRACTOR		
a. NAME ESSVR, LLC	4c. Company OSD Classification: n/a Certification Number: n/a	
b. Mailing Address: 11208 John Galt Blvd. Omaha, NE 68137	<div style="display: flex; justify-content: space-between;"> <div> 4d. Women Business Enterprise 4e. Minority Business Enterprise 4f. Disadvantaged Business Enterprise 4g. Veteran Owned Business Enterprise 4h. Service Disabled Veteran Owned Business Enterprise </div> <div> <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes </div> <div> <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> No </div> </div>	
5. DESCRIPTION OF WORK BY SUBCONTRACTOR ESSVR, LLC is a sister company to Election Systems & Software, LLC, and provides end-to-end voter registration solutions to state and local government. As such, ESSVR will supply the software, technology and resources needed to implement, host, and support the State's voter registration system.		
6a. NAME OF PERSON SIGNING Richard J. Jablonski	7. BY (Signature) 	8. DATE SIGNED January 12, 2018
6b. TITLE OF PERSON SIGNING VP of Finance		
PART II – ACKNOWLEDGEMENT BY SUBCONTRACTOR		
9a. NAME OF PERSON SIGNING Victor Williams	10. BY (Signature) 	11. DATE SIGNED January 12, 2018
9b. TITLE OF PERSON SIGNING VP of ESSVR, LLC		

* Use a separate form for each subcontractor

Please see included Letter of Intent
in Original bid binder.

STATE OF DELAWARE
Government Support Services

Attachment 10 will be completed
should ES&S be the successful
vendor.

Attachment 10

PERFORMANCE BOND

Bond Number: _____

KNOW ALL PERSONS BY THESE PRESENTS, that we, _____, as principal ("**Principal**"), and _____, a _____ corporation, legally authorized to do business in the State of Delaware, as surety ("**Surety**"), are held and firmly bound unto the _____ ("**Owner**") (*insert State agency name*), in the amount of _____ (\$_____), to be paid to **Owner**, for which payment well and truly to be made, we do bind ourselves, our and each and every of our heirs, executors, administrations, successors and assigns, jointly and severally, for and in the whole, firmly by these presents.

Sealed with our seals and dated this _____ day of _____, 20__.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH, that if **Principal**, who has been awarded by **Owner** that certain contract known as Contract No. _____ dated the _____ day of _____, 20__ (the "Contract"), which Contract is incorporated herein by reference, shall well and truly provide and furnish all materials, appliances and tools and perform all the work required under and pursuant to the terms and conditions of the Contract and the Contract Documents (as defined in the Contract) or any changes or modifications thereto made as therein provided, shall make good and reimburse **Owner** sufficient funds to pay the costs of completing the Contract that **Owner** may sustain by reason of any failure or default on the part of **Principal**, and shall also indemnify and save harmless **Owner** from all costs, damages and expenses arising out of or by reason of the performance of the Contract and for as long as provided by the Contract; then this obligation shall be void, otherwise to be and remain in full force and effect.

Surety, for value received, hereby stipulates and agrees, if requested to do so by **Owner**, to fully perform and complete the work to be performed under the Contract pursuant to the terms, conditions and covenants thereof, if for any cause **Principal** fails or neglects to so fully perform and complete such work.

Surety, for value received, for itself and its successors and assigns, hereby stipulates and agrees that the obligation of **Surety** and its bond shall be in no way impaired or affected by any extension of time, modification, omission, addition or change in or to the Contract or the work to be performed thereunder, or by any payment thereunder before the time required therein, or by any waiver of any provisions thereof, or by any assignment, subletting or other transfer thereof or of any work to be performed or any monies due or to become due thereunder; and **Surety** hereby waives notice of any and all such extensions, modifications, omissions, additions, changes, payments, waivers, assignments, subcontracts and transfers and hereby expressly stipulates and agrees that any and all things done and omitted to be done by and in relation to assignees, subcontractors, and other transferees shall have the same effect as to **Surety** as though done or omitted to be done by or in relation to **Principal**.

Surety hereby stipulates and agrees that no modifications, omissions or additions in or to the terms of the Contract shall in any way whatsoever affect the obligation of **Surety** and its bond.

STATE OF DELAWARE
Government Support Services

Any proceeding, legal or equitable, under this Bond may be brought in any court of competent jurisdiction in the State of Delaware. Notices to **Surety** or Contractor may be mailed or delivered to them at their respective addresses shown below.

IN WITNESS WHEREOF, **Principal** and **Surety** have hereunto set their hand and seals, and such of them as are corporations have caused their corporate seal to be hereto affixed and these presents to be signed by their duly authorized officers, the day and year first above written.

PRINCIPAL

Name: _____

Witness or Attest: Address: _____

_____ Name: (Corporate Seal)	By: _____(SEAL) Name: Title:
--	------------------------------------

SURETY

Name: _____

Witness or Attest: Address: _____

_____ Name: (Corporate Seal)	By: _____(SEAL) Name: Title:
--	------------------------------------



State Of Delaware
Division Of Revenue
~~~ Valid For 60 Days ~~~
- Bidding Purposes Only License -

Temporary ID Number

2017122080748

Transaction Number

9000000000004871

Taxpayer(s) Name

ELECTION SYSTEMS & SOFTWARE LLC

Address

**11208 JOHN GALT BLVD
 OMAHA, NE 68137**

Revenue Code	Subtype	Tax Year	Tax Period	Business Code	Amount
0101	04	2017	12/14/2017	888 Bidding License	\$0.00
Receipt Date	Officer				
12/20/2017	FDOR415				



CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)
11/29/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s)

Holder Identifier :

Certificate No : 5700693336563



EXHIBIT C – FINANCIAL STATEMENTS

Please see separate envelope “Confidential Information” for ES&S and GS3 financial statements.

EXHIBIT D – POLL BOOK SAMPLE VOTED LIST

Please see separate envelope “Confidential Information” for poll book sample voted list.

EXHIBIT E – EXPRESSPOLL SYSTEM ARCHITECTURE

Please see separate envelope “Confidential Information” for poll book system architecture diagram.

EXHIBIT F – EXPRESSPOLL USER MANUALS

Please see separate envelope “Confidential Information” for poll book administrator, poll worker, and Central Point user manuals.

EXHIBIT G – EXPRESSPOLL SECURITY GUIDELINES

Please see separate envelope “Confidential Information” for poll book security guidelines.

maintaining voter confidence



Request for Proposals for
Professional Services Elections
Systems Solution – Contract No.
GSS18809-ELECTION_SYS

CONFIDENTIAL BUSINESS
INFORMATION

January 18, 2018

Election Systems & Software, LLC
11208 John Galt Boulevard
Omaha, NE 68137

Christine Valeriano, Regional Sales Manager
856-536-0579; christine.valeriano@essvote.com

enhancing the voter experience



ENHANCING THE STATE OF DELAWARE ELECTION PROCESS



RFP FOR PROFESSIONAL SERVICES ELECTIONS SYSTEM SOLUTION

CONTRACT NUMBER GSSI8809-
ELECTION_SYS

CONFIDENTIAL BUSINESS
INFORMATION

January 18, 2018

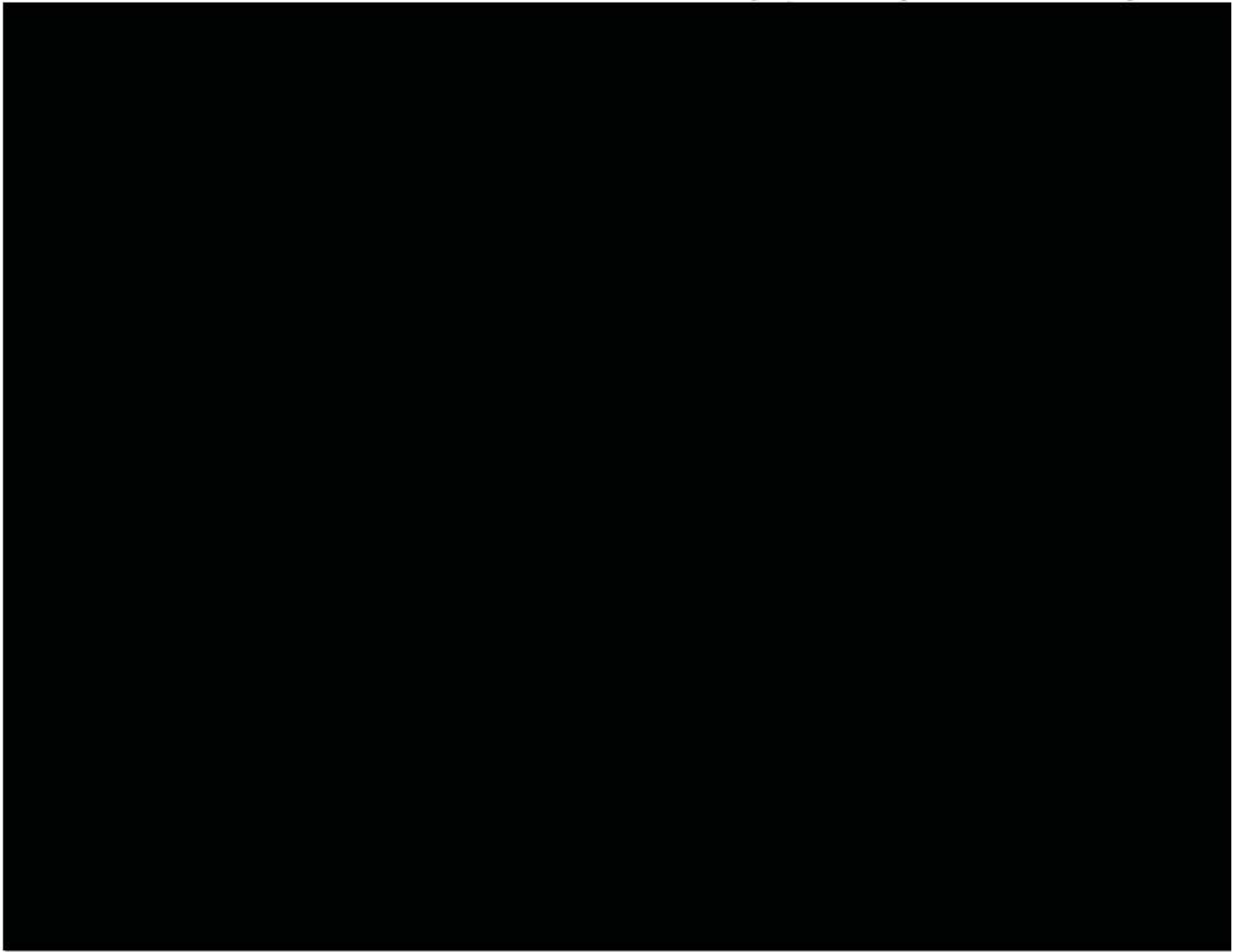
January 18, 2018

Michael Bacu
Government Support Services
100 Enterprise Place, Suite 4
Dover, DE 19904

RE: Confidential Business Information – Request for Non-Disclosure under the Request for Proposal for Professional Services Election System Solution Issued by the Delaware Government Support Services, Contract Number GSS18809-Election_Sys (“RFP”)

Dear Mr. Bacu:

Pursuant to Section IV, Professional Services RFP Administrative Information, Subsection B, RFP Submissions, Item 11, Confidentiality of Documents, of the RFP, ES&S respectfully requests that the information set forth in this letter be considered Confidential Business Information and not deemed a “public record” pursuant to 29 Del. C. §10002.



ES&S represents, in good faith, that the above documents contain ES&S Confidential Business Information and should not be considered a public record as defined under the State of Delaware Freedom of Information Act.

If you have any questions or need additional information, please do not hesitate to contact me directly.

Sincerely,



Timothy J. Hallett
Associate General Counsel

CONFIDENTIAL FINANCIAL STATEMENTS

Following are our confidential audited financial statements for Elections Systems & Software, LLC and Government Systems, Software, & Services, Inc. for our fiscal years ending in 2012, 2013, 2014, 2015, and 2016.

ES&S requests that these financial statements be designated as Confidential Information and not subject to disclosure. As ES&S is not a public company, ES&S is not required to disclose its financial information. In the event a request is made for ES&S' financial statements or other Confidential Information, ES&S requests that the County notify ES&S prior to releasing any Confidential Information so that ES&S may obtain an appropriate protective order to prevent the release of ES&S' Confidential Information.

Election Systems & Software, LLC and Subsidiaries

Consolidated Financial Statements as of and for the
Years Ended September 30, 2013 and 2012, and
Independent Auditors' Report

ELECTION SYSTEMS & SOFTWARE, LLC AND SUBSIDIARIES

TABLE OF CONTENTS

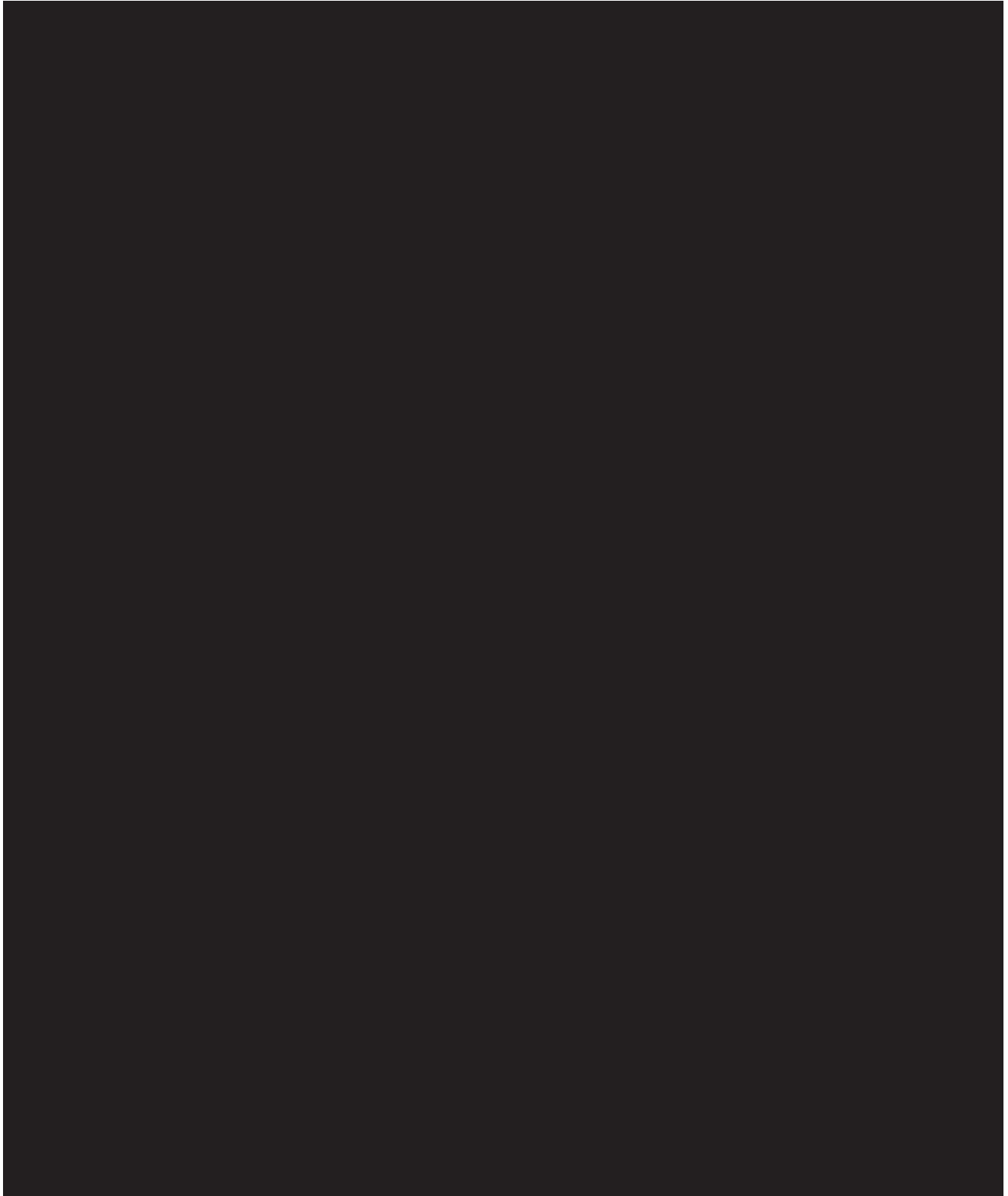
	Page
INDEPENDENT AUDITORS' REPORT	1-2
CONSOLIDATED FINANCIAL STATEMENTS AS OF AND FOR THE YEARS ENDED SEPTEMBER 30, 2013 AND 2012:	
Balance Sheets	3
Statements of Comprehensive Income	4
Statements of Member's Equity	5
Statements of Cash Flows	6
Notes to Consolidated Financial Statements	7-17

[Redacted]



ELECTION SYSTEMS & SOFTWARE, LLC AND SUBSIDIARIES

CONSOLIDATED BALANCE SHEETS AS OF SEPTEMBER 30, 2013 AND 2012



ELECTION SYSTEMS & SOFTWARE, LLC AND SUBSIDIARIES

CONSOLIDATED STATEMENTS OF COMPREHENSIVE INCOME FOR THE YEAR ENDED SEPTEMBER 30, 2013 AND 2012



ELECTION SYSTEMS & SOFTWARE, LLC AND SUBSIDIARIES

CONSOLIDATED STATEMENTS OF MEMBER'S EQUITY FOR THE YEAR ENDED SEPTEMBER 30, 2013 AND 2012



ELECTION SYSTEMS & SOFTWARE, LLC AND SUBSIDIARIES

CONSOLIDATED STATEMENTS OF CASH FLOWS FOR THE YEAR ENDED SEPTEMBER 30, 2013 AND 2012



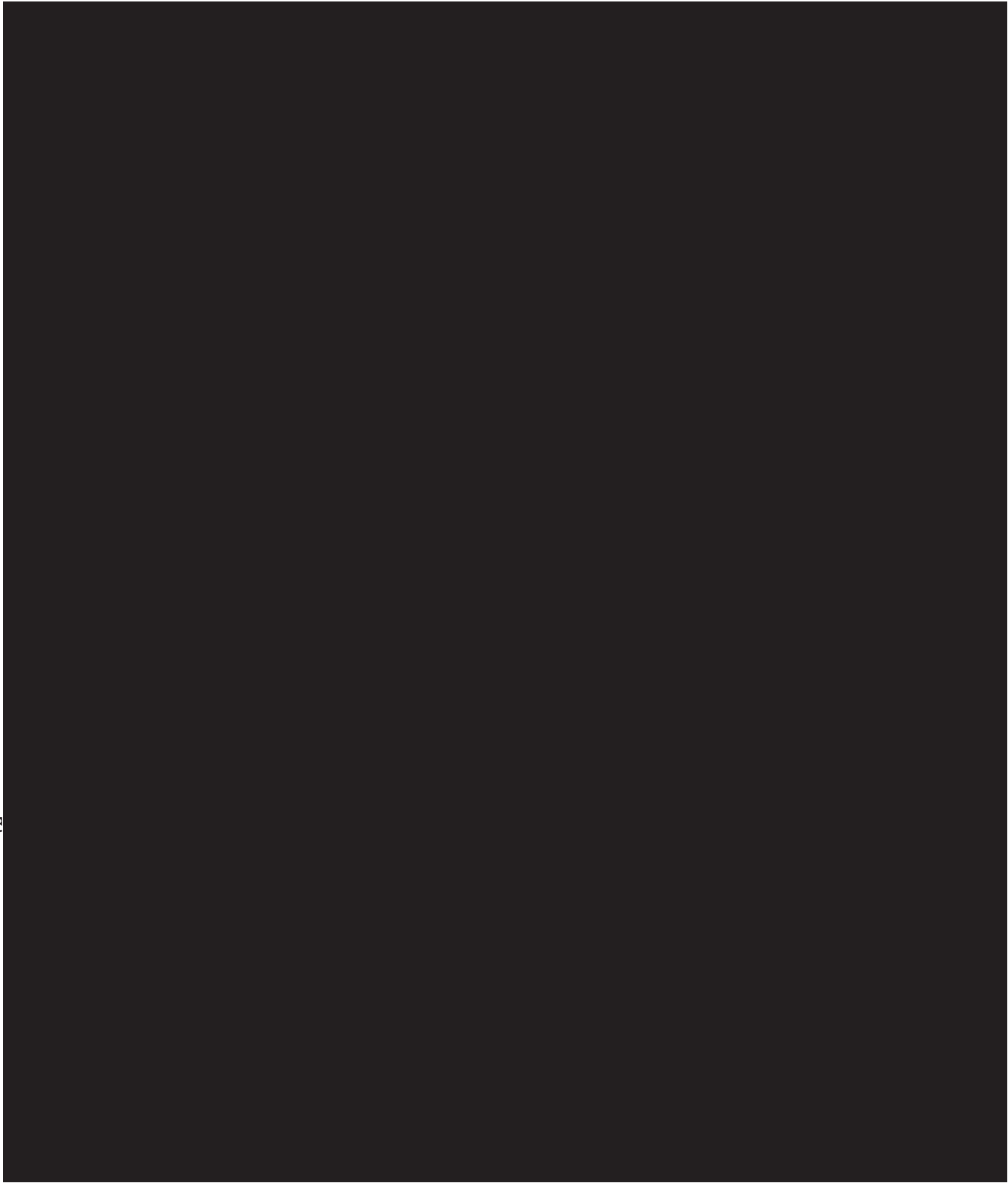
ELECTION SYSTEMS & SOFTWARE, LLC AND SUBSIDIARIES

**NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
AS OF AND FOR THE YEARS ENDED SEPTEMBER 30, 2013 AND 2012**









2



The first part of the paper discusses the importance of understanding the cultural context of the research. It highlights the need for researchers to be sensitive to the values and beliefs of the communities they are studying. This is particularly important in the field of education, where cultural differences can significantly impact learning outcomes. The paper then moves on to discuss the challenges of conducting research in culturally diverse settings. It notes that researchers often face difficulties in establishing rapport with participants and in interpreting their responses. To address these challenges, the paper suggests several strategies, including the use of local informants and the development of culturally appropriate research instruments. The final part of the paper discusses the importance of ethical considerations in cross-cultural research. It emphasizes the need for researchers to obtain informed consent from participants and to ensure that their research does not cause harm or exploitation. The paper concludes by noting that while cross-cultural research is a complex and challenging endeavor, it is also a highly rewarding one that can lead to a deeper understanding of human behavior and culture.

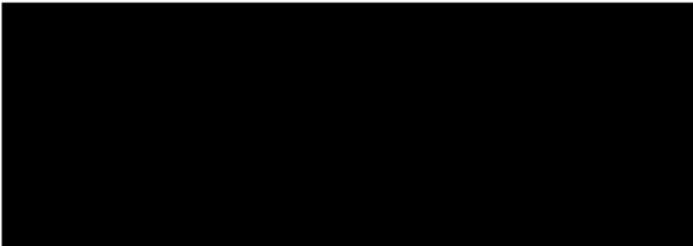












ELECTION SYSTEMS & SOFTWARE, LLC AND SUBSIDIARIES

Consolidated Financial Statements

September 30, 2015 and 2014

(With Independent Auditors' Report Thereon)

ELECTION SYSTEMS & SOFTWARE, LLC AND SUBSIDIARIES

Table of Contents

	Page(s)
Independent Auditors' Report	1-2
Consolidated Financial Statements:	
Consolidated Balance Sheets	3
Consolidated Statements of Comprehensive Income	4
Consolidated Statements of Member's Equity	5
Consolidated Statements of Cash Flows	6
Notes to Consolidated Financial Statements	7-18

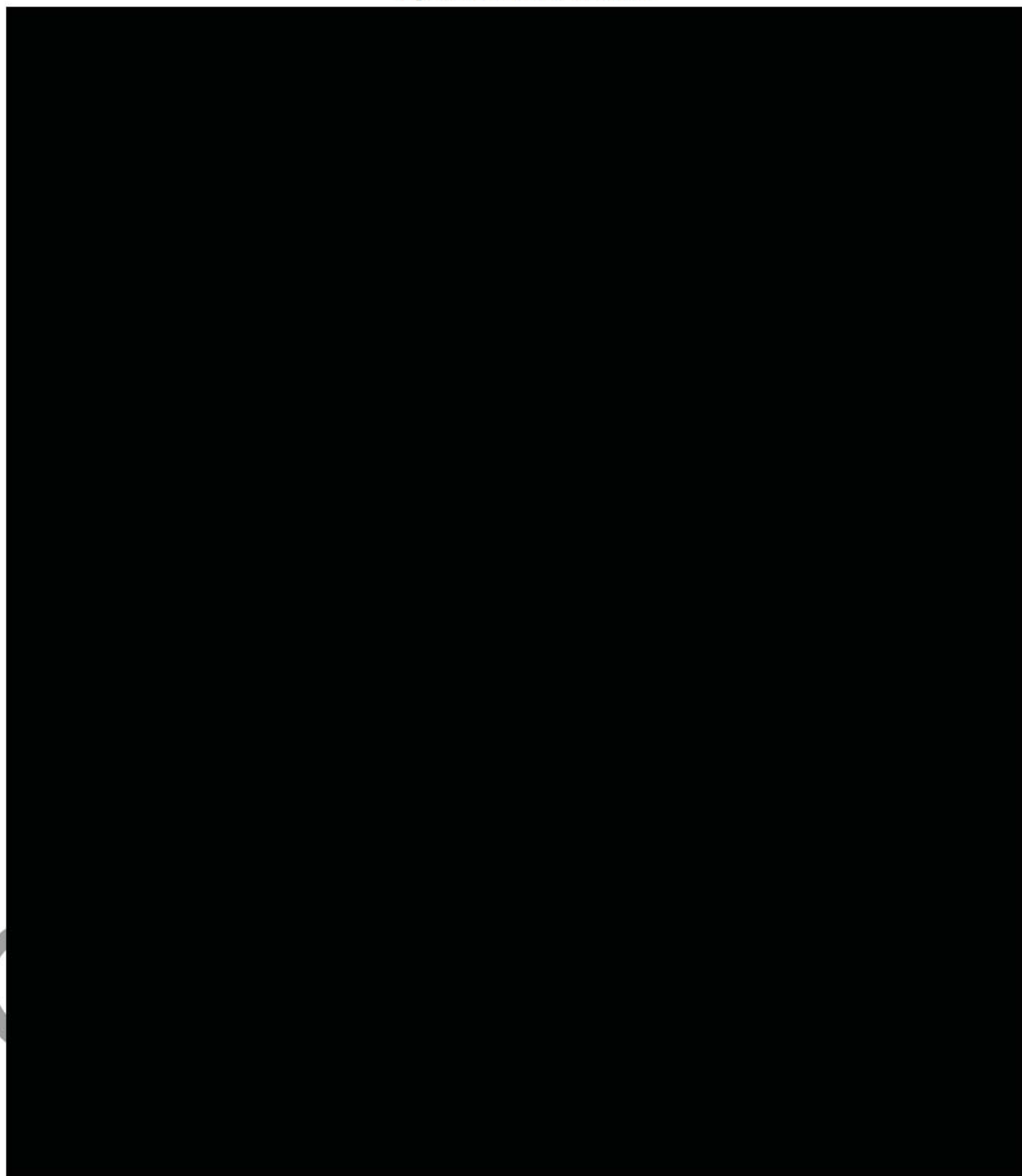


CONFIDENTIAL

ELECTION SYSTEMS & SOFTWARE, LLC AND SUBSIDIARIES

Consolidated Balance Sheets

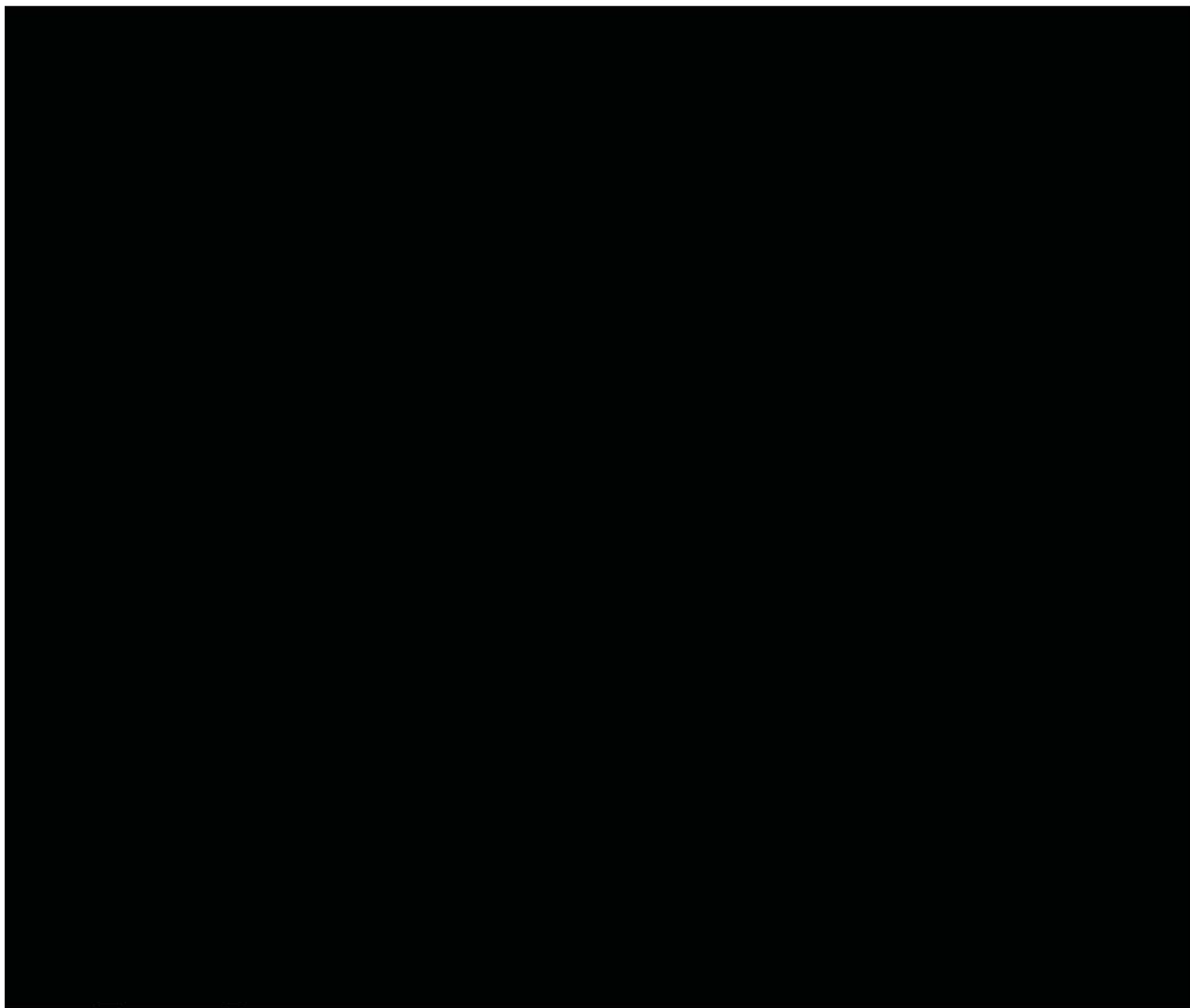
September 30, 2015 and 2014



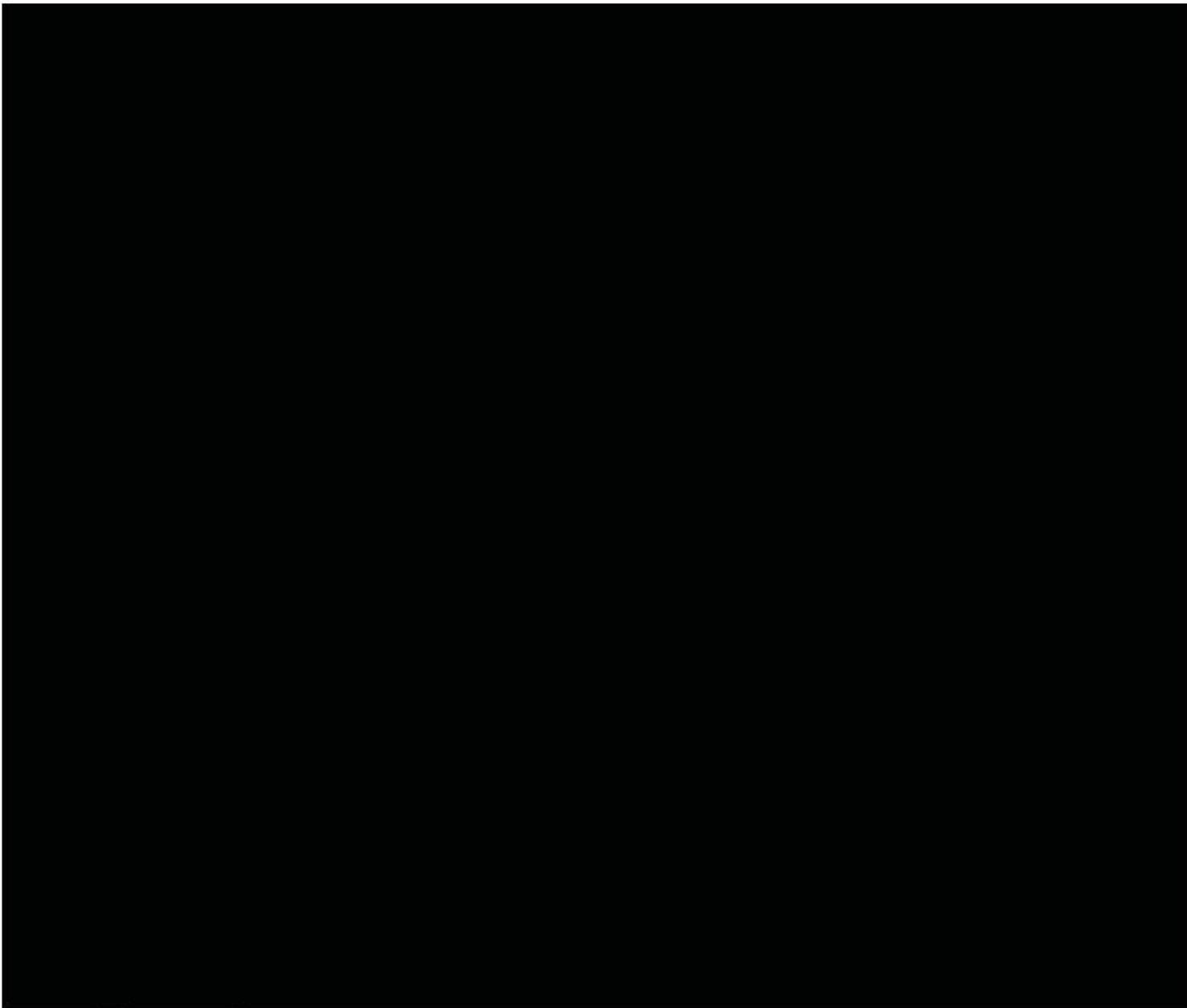
ELECTION SYSTEMS & SOFTWARE, LLC AND SUBSIDIARIES

Consolidated Statements of Comprehensive Income

Years ended September 30, 2015 and 2014



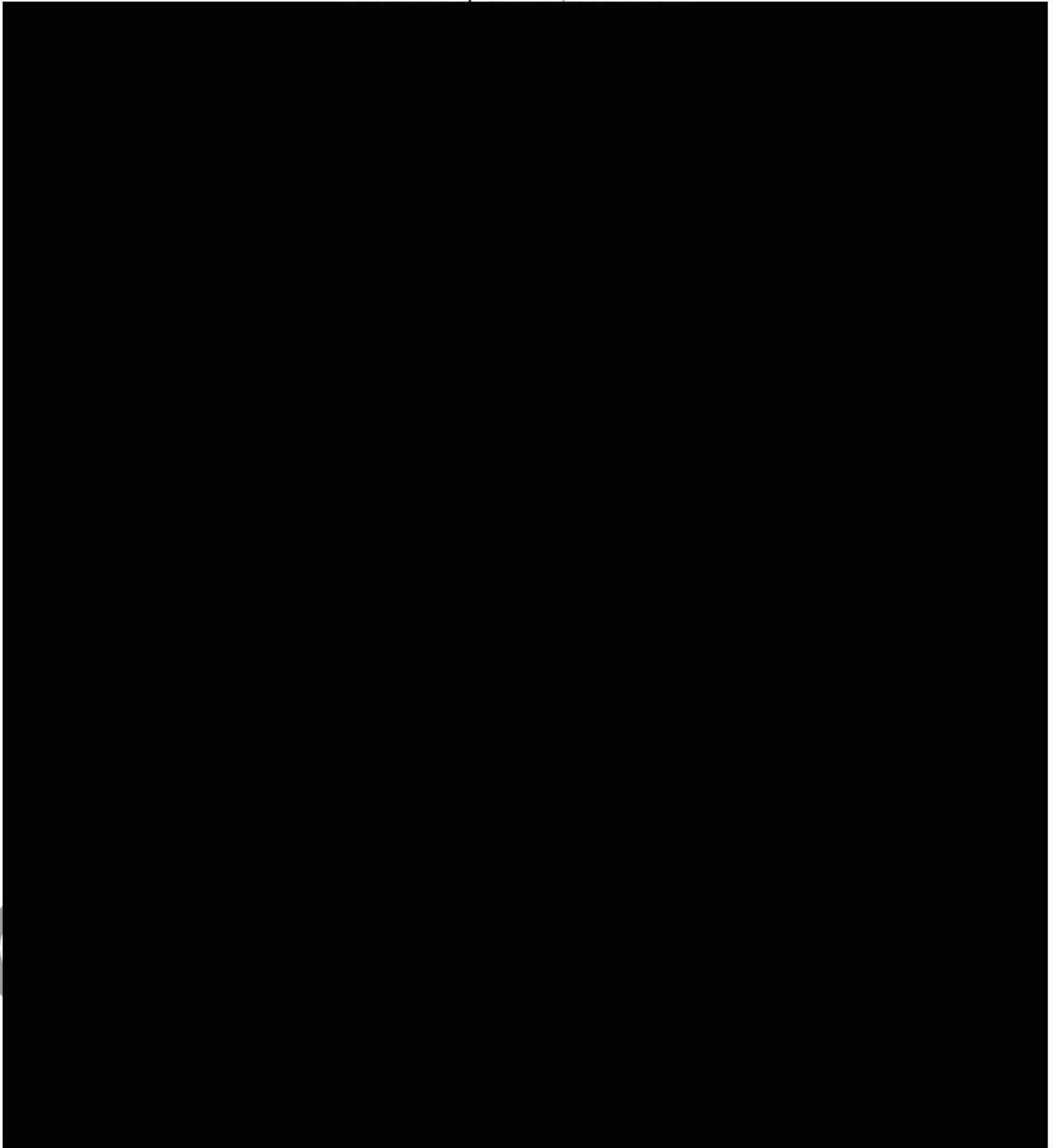
ELECTION SYSTEMS & SOFTWARE, LLC AND SUBSIDIARIES
Consolidated Statements of Member's Equity
Years ended September 30, 2015 and 2014



ELECTION SYSTEMS & SOFTWARE, LLC AND SUBSIDIARIES

Consolidated Statements of Cash Flows

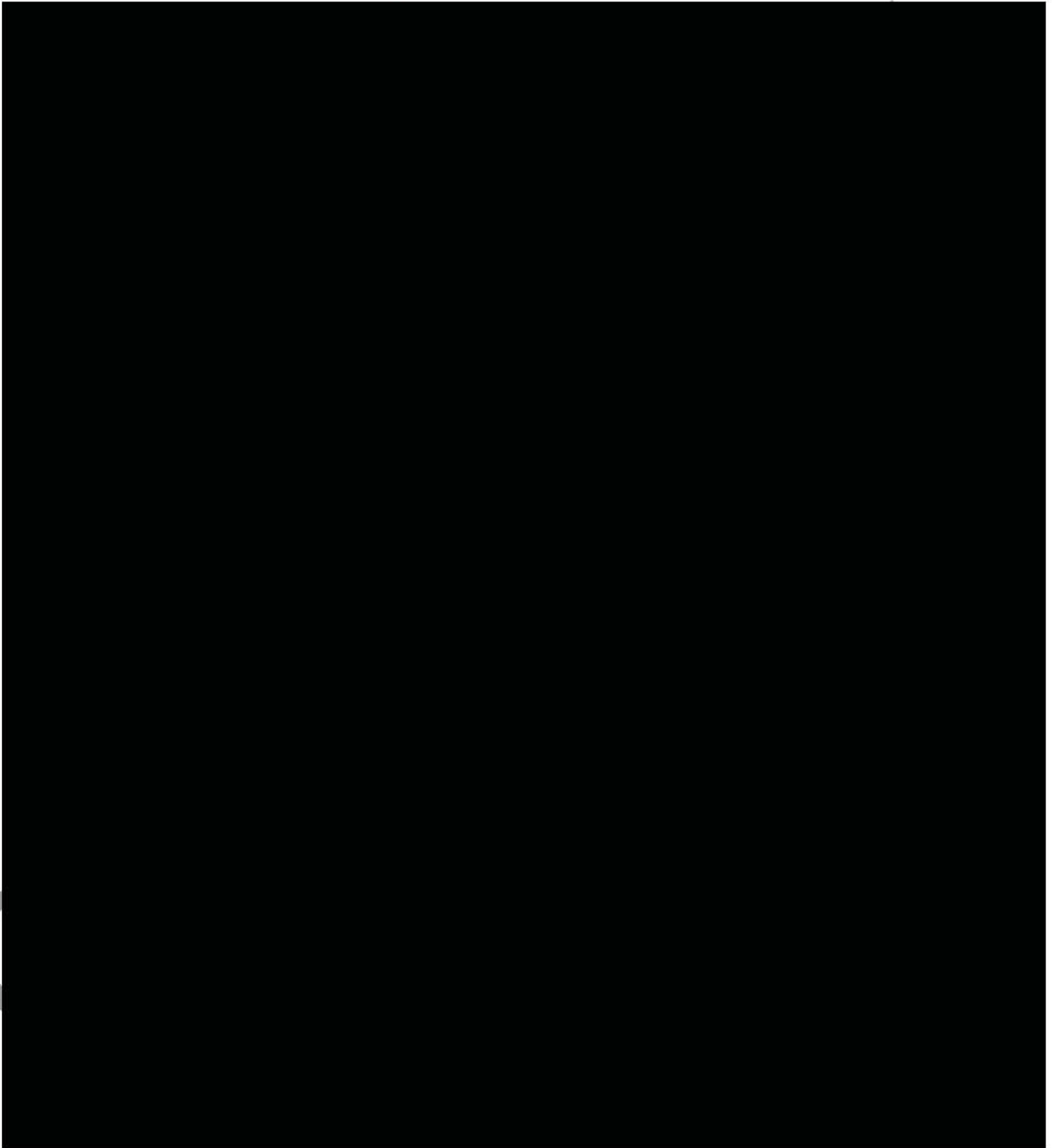
Years ended September 30, 2015 and 2014



ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

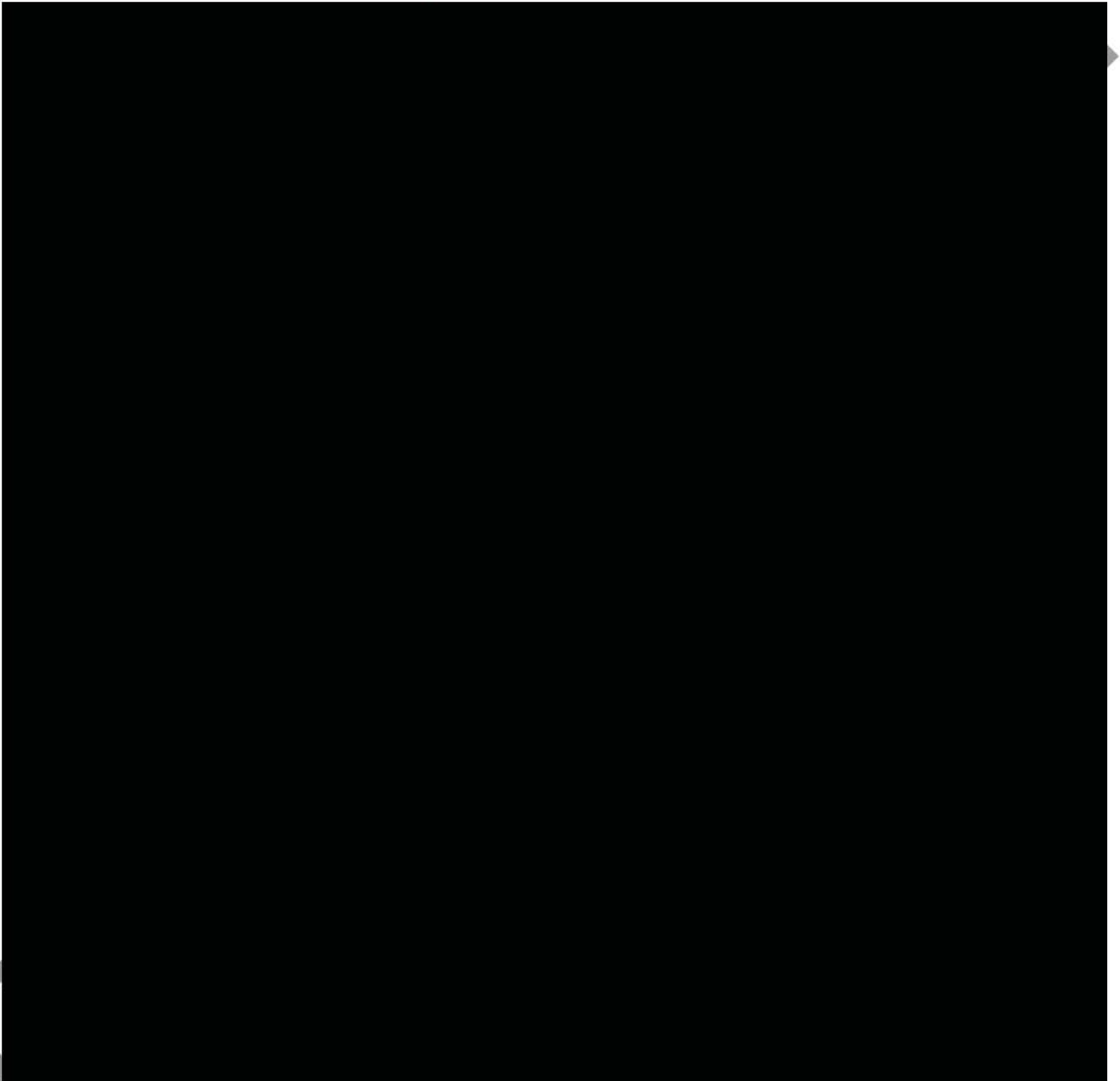
September 30, 2015 and 2014



ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

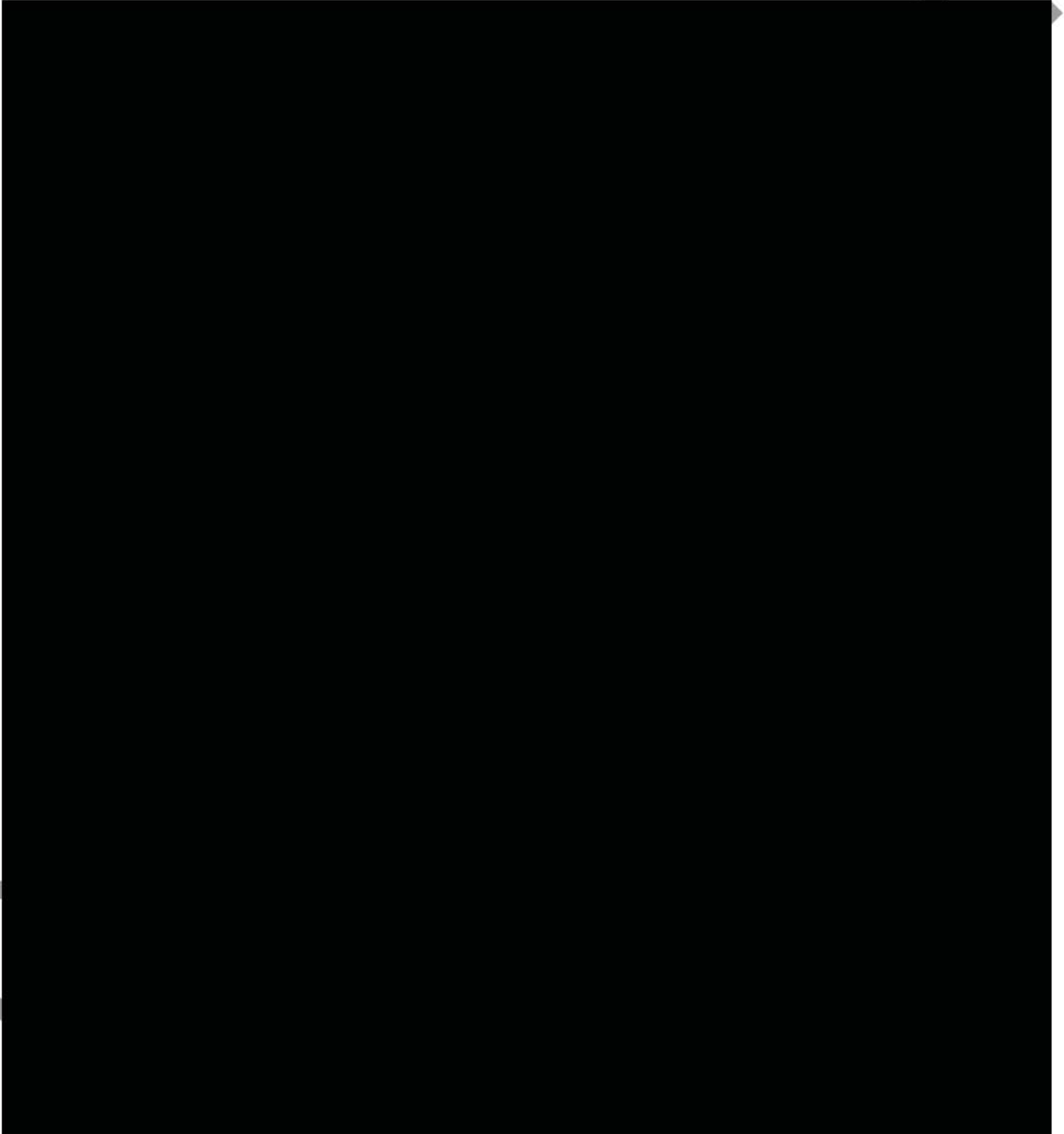
September 30, 2015 and 2014



ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

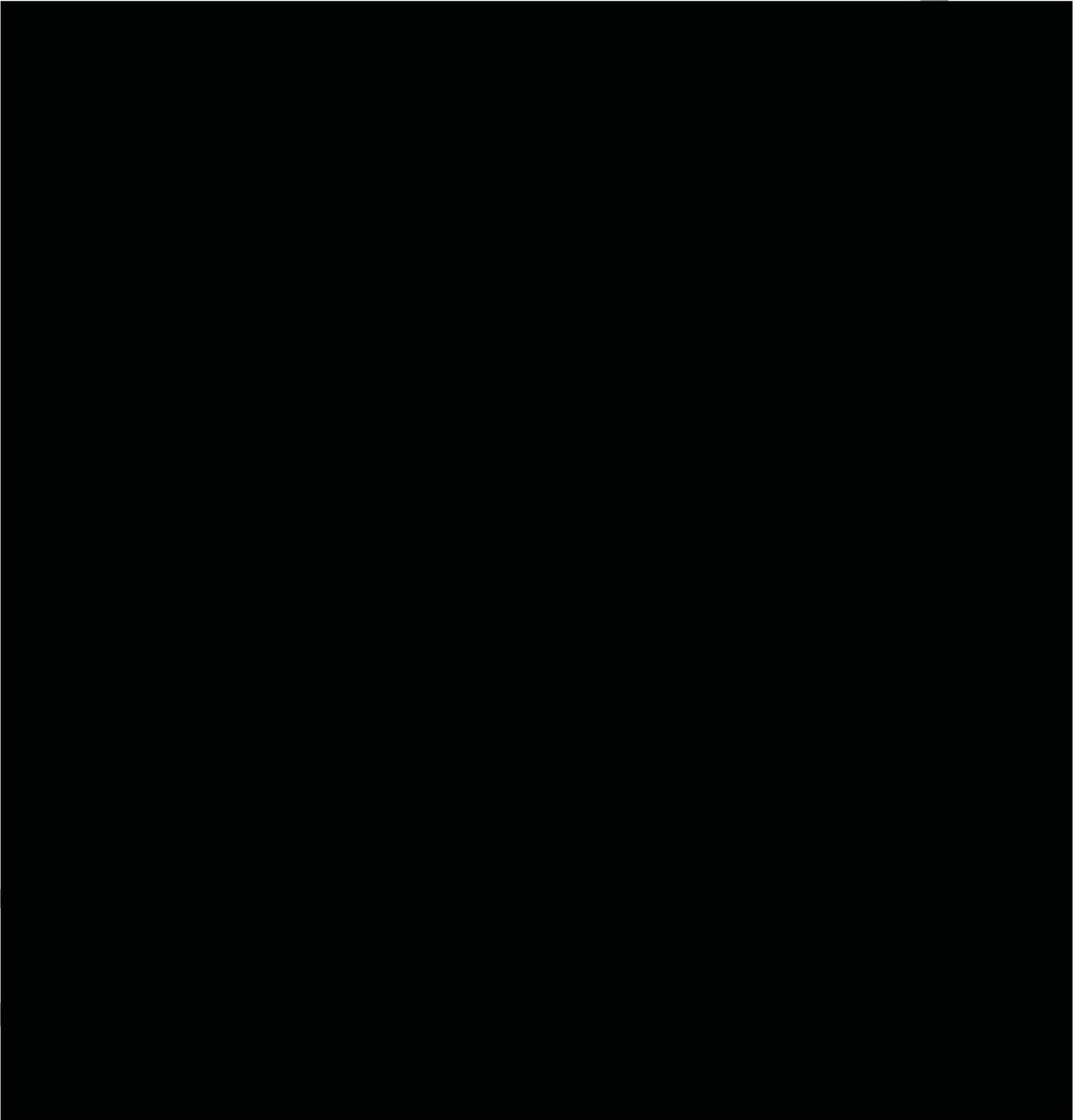
September 30, 2015 and 2014



ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

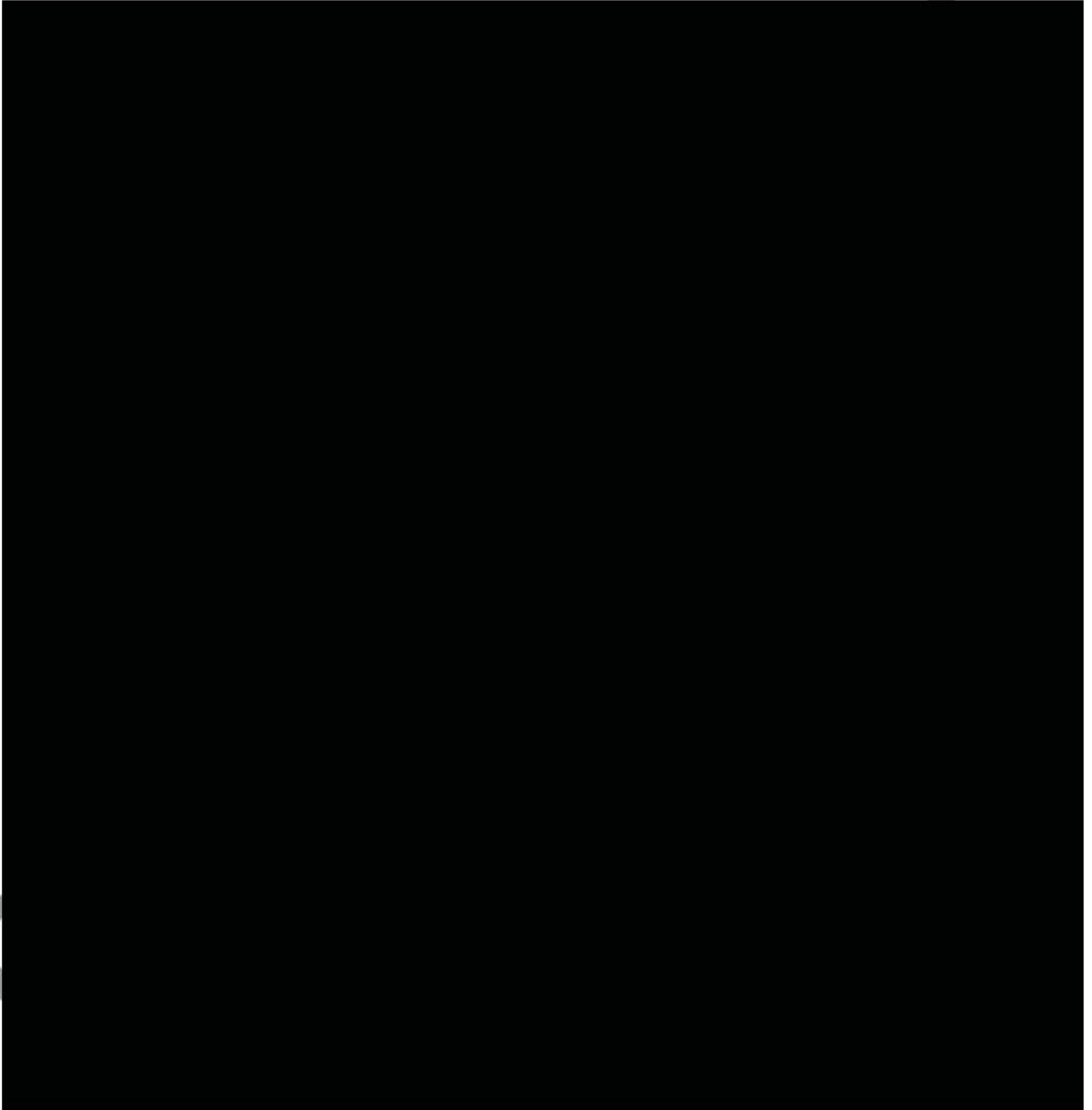
September 30, 2015 and 2014



ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

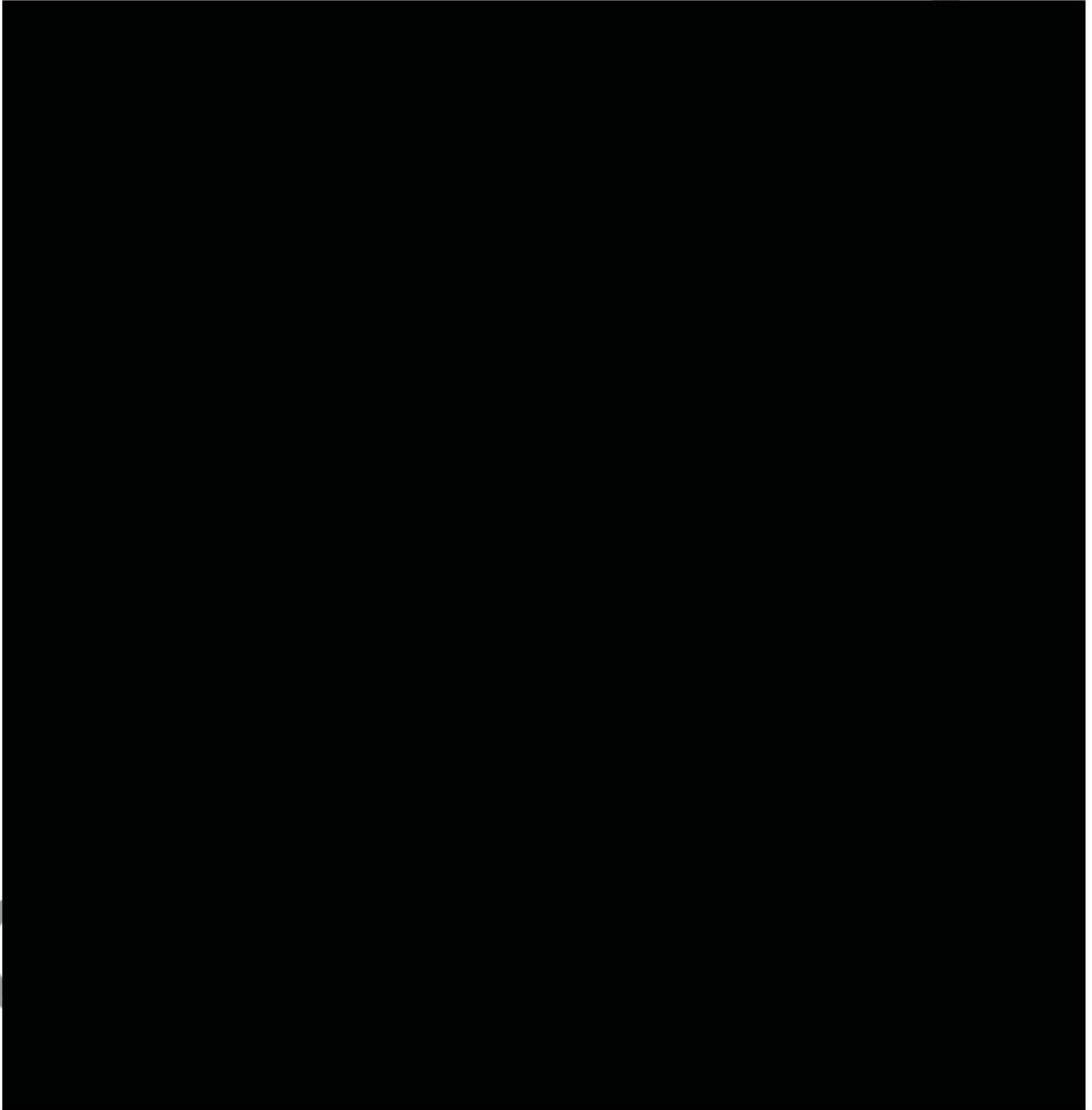
September 30, 2015 and 2014



ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

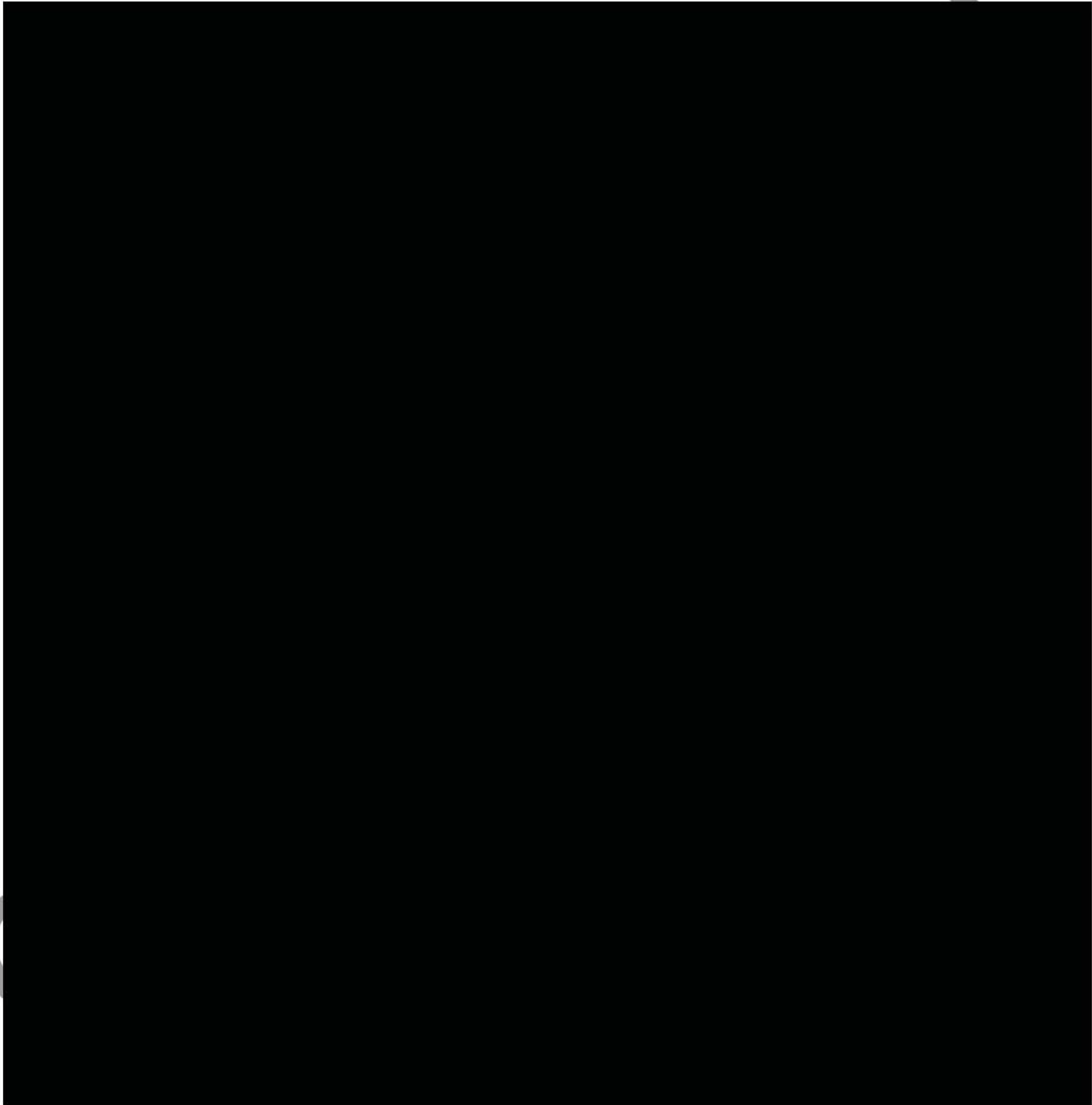
September 30, 2015 and 2014



ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

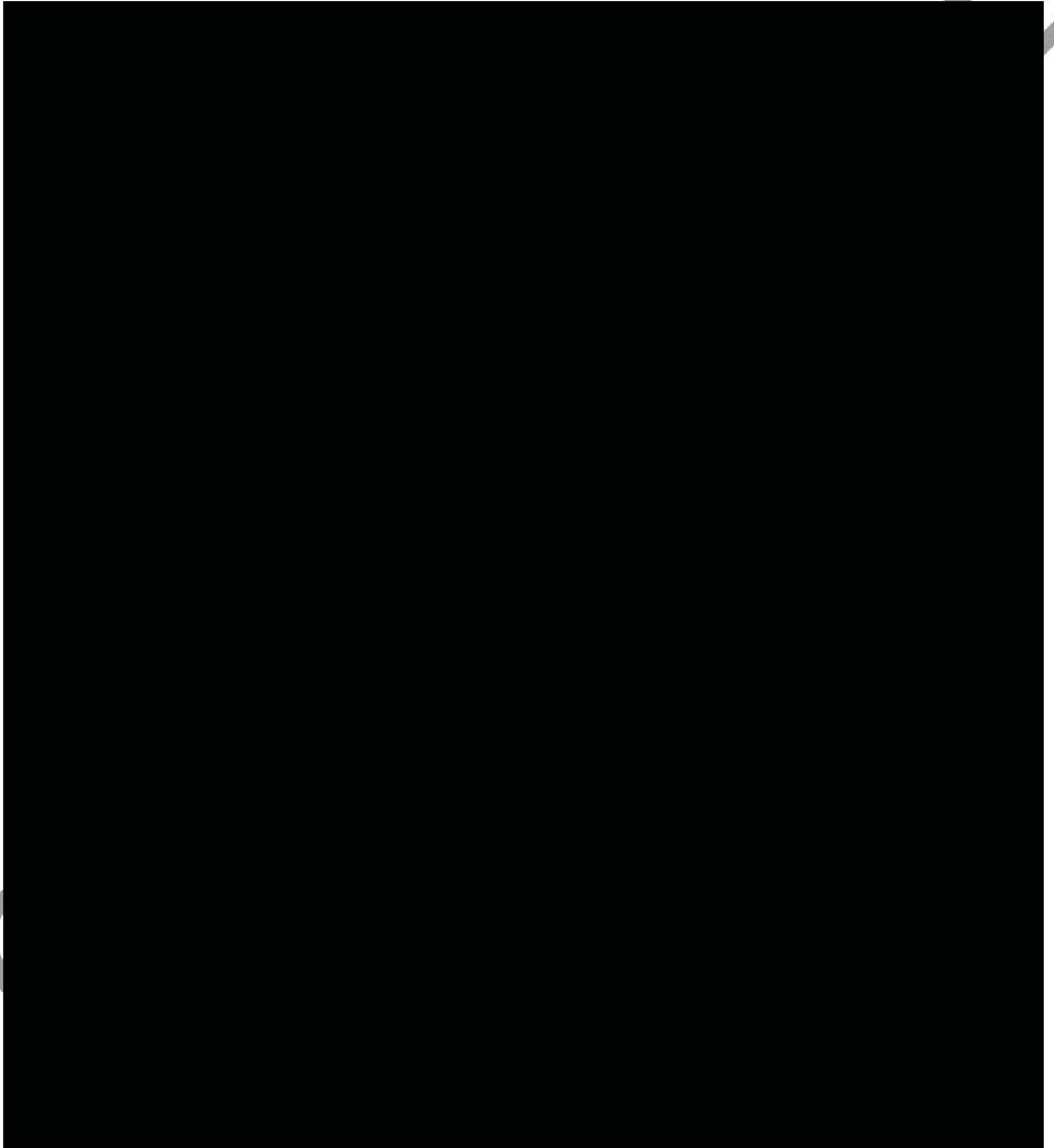
September 30, 2015 and 2014



ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

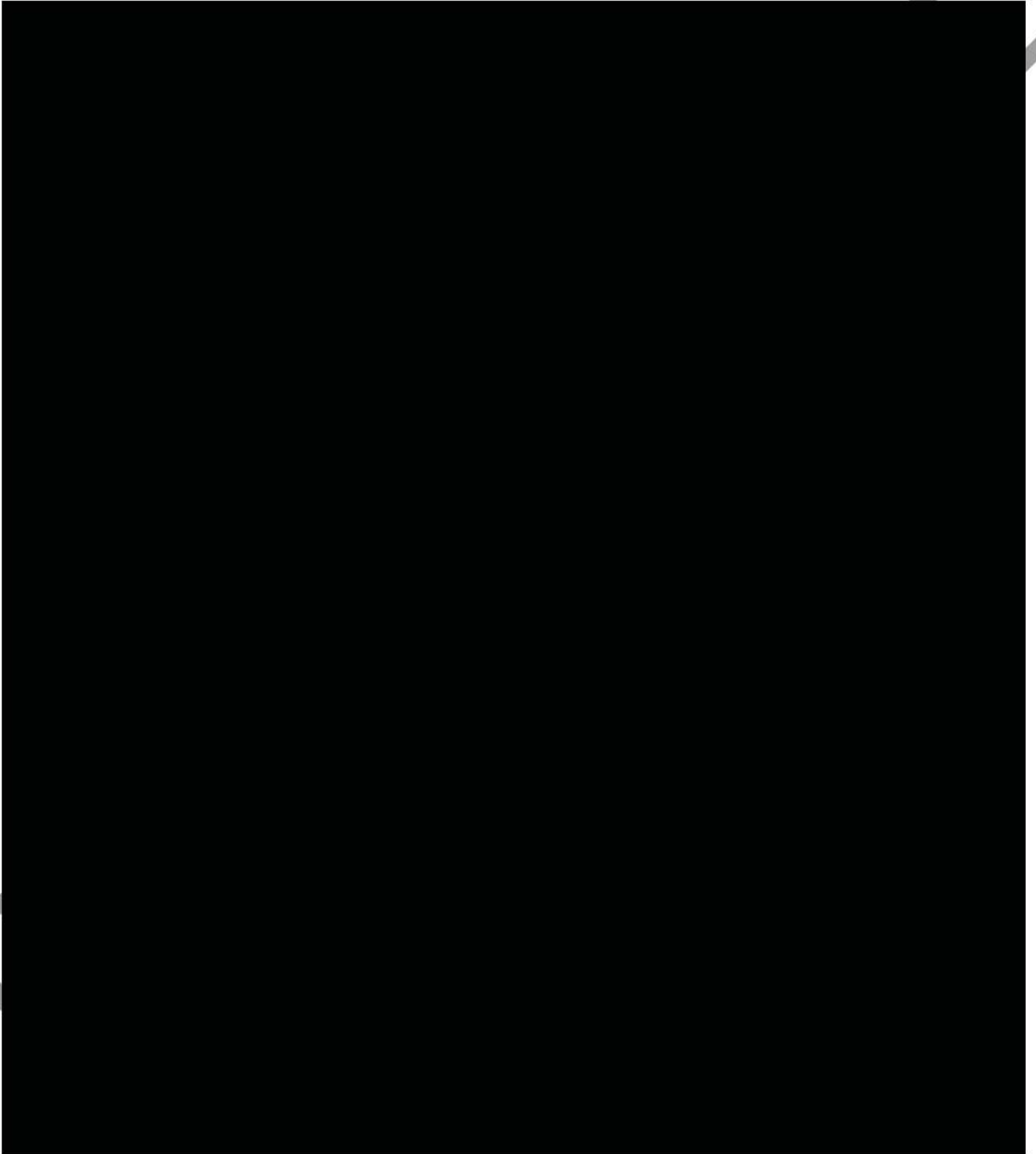
September 30, 2015 and 2014



ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

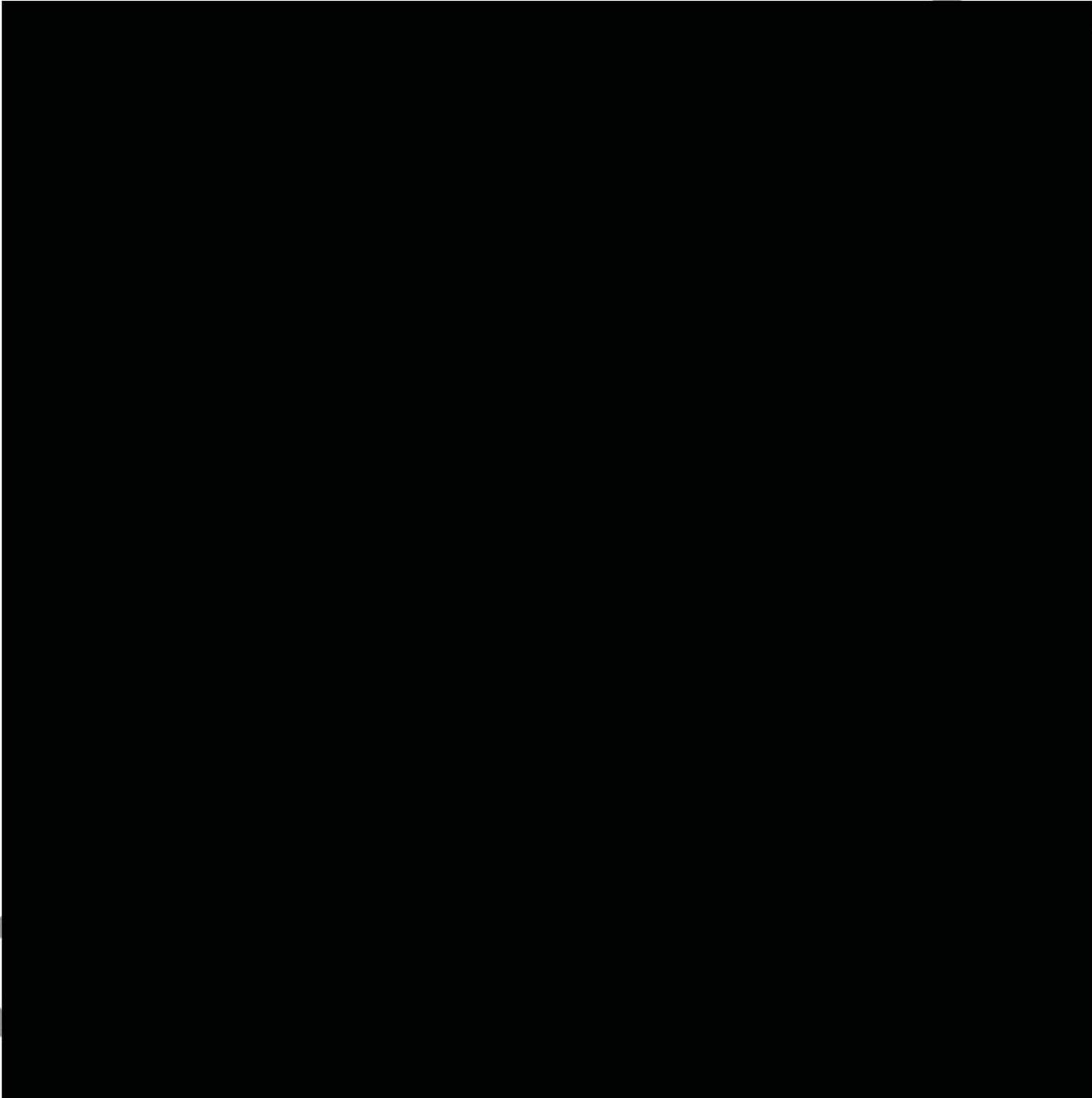
September 30, 2015 and 2014



ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

September 30, 2015 and 2014



ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

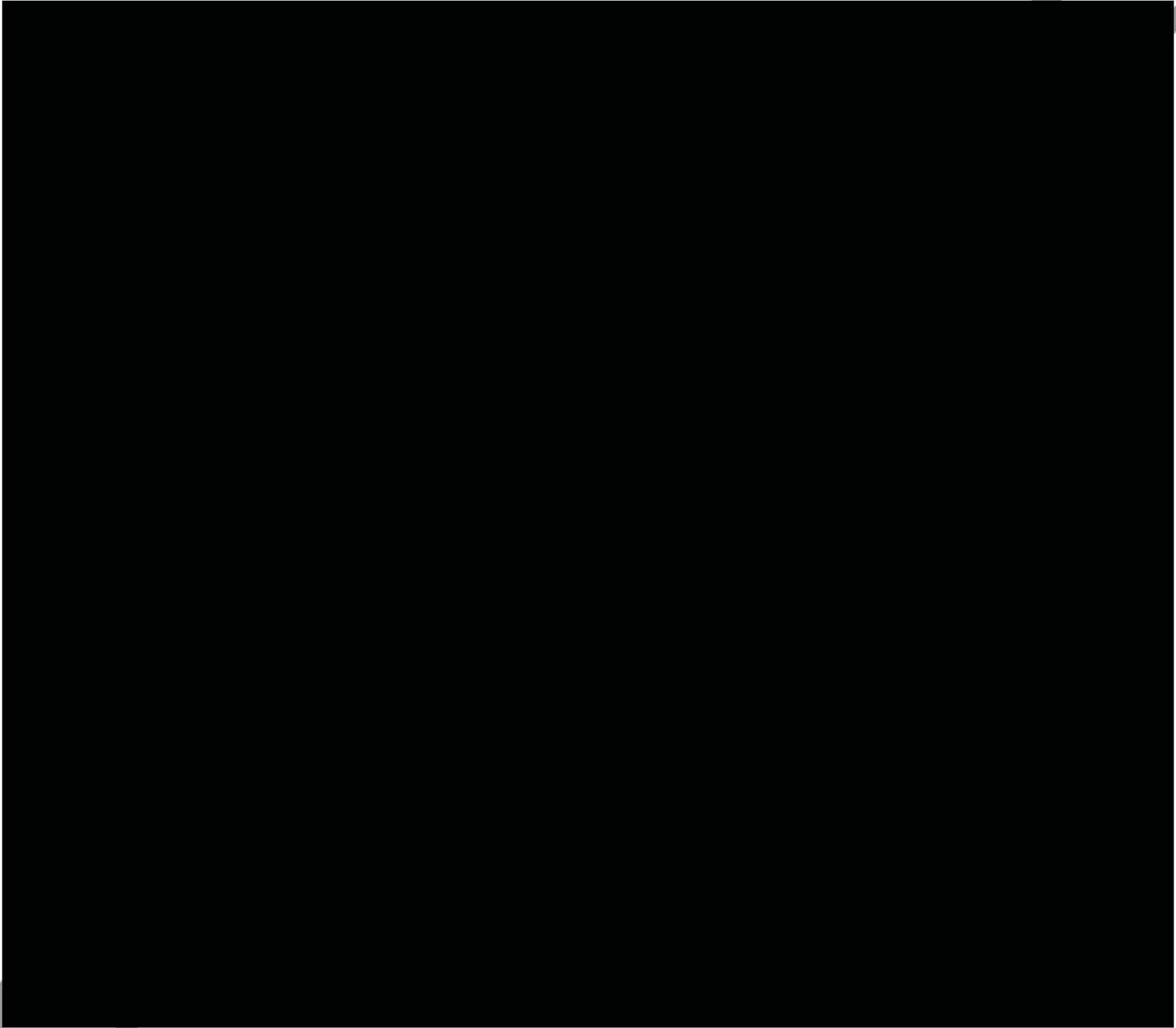
September 30, 2015 and 2014



ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

September 30, 2015 and 2014





ELECTION SYSTEMS & SOFTWARE, LLC AND SUBSIDIARIES

Consolidated Financial Statements

September 30, 2016 and 2015

(With Independent Auditors' Report Thereon)

ELECTION SYSTEMS & SOFTWARE, LLC AND SUBSIDIARIES

Table of Contents

	Page(s)
Independent Auditors' Report	1-2
Consolidated Financial Statements:	
Consolidated Balance Sheets	3
Consolidated Statements of Comprehensive Income	4
Consolidated Statements of Member's Equity	5
Consolidated Statements of Cash Flows	6
Notes to Consolidated Financial Statements	7-19

the 1990s, the number of people in the world who are under 15 years of age has increased by 1.2 billion, from 1.1 billion in 1980 to 2.3 billion in 1999. The number of people aged 15 years and over has increased by 1.5 billion, from 2.5 billion in 1980 to 4.0 billion in 1999.

There are a number of reasons why the world population is growing so rapidly. One of the main reasons is that the number of children born to each woman has increased. In 1980, the average woman in the world had 2.5 children. In 1999, the average woman in the world had 2.8 children.

Another reason why the world population is growing so rapidly is that the number of people who are surviving to old age has increased. In 1980, the average person in the world lived for 60 years. In 1999, the average person in the world lived for 65 years.

There are a number of reasons why the number of people who are surviving to old age has increased. One of the main reasons is that the number of people who are surviving to old age has increased. In 1980, the average person in the world lived for 60 years. In 1999, the average person in the world lived for 65 years.

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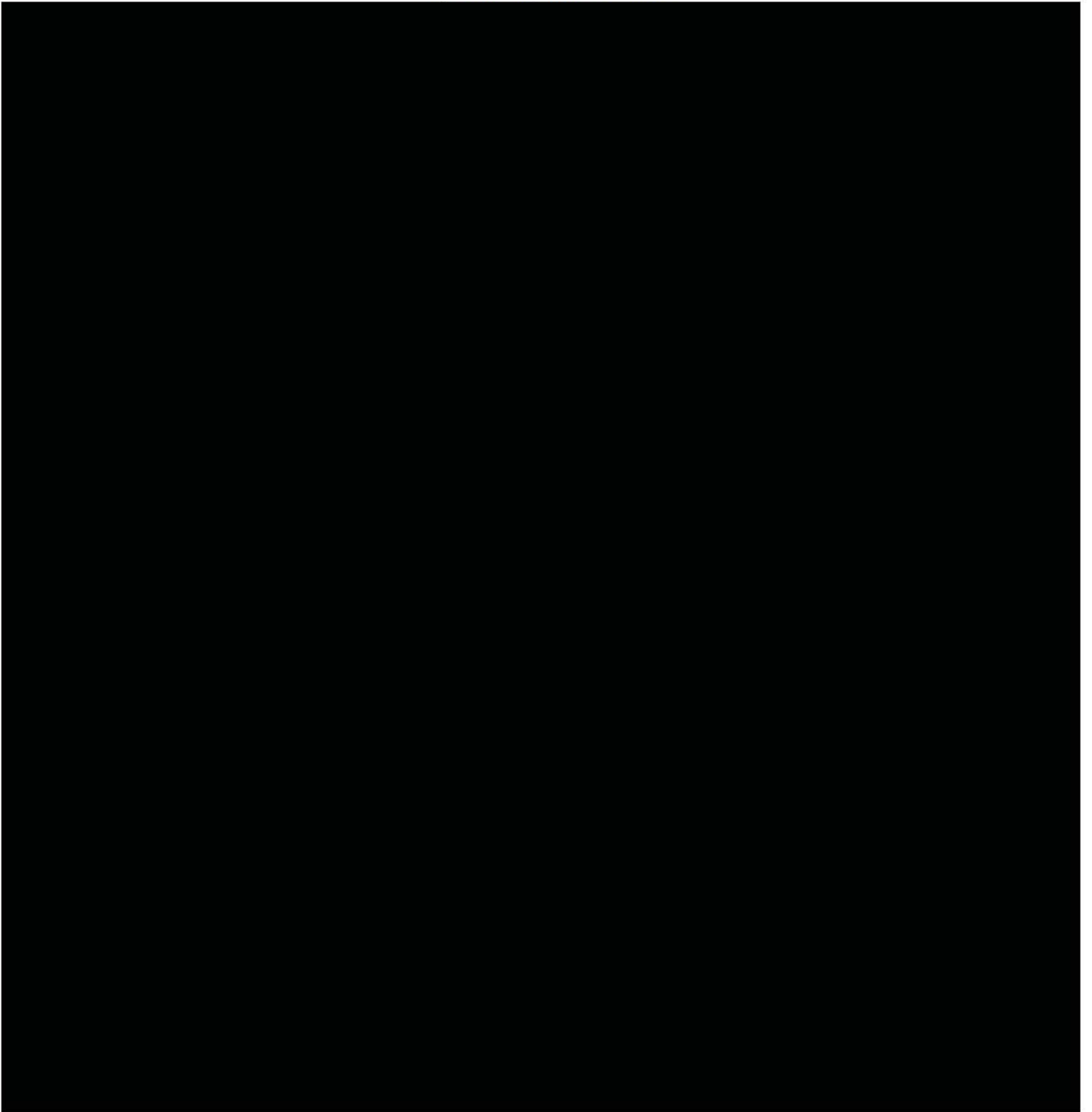


Confidential

ELECTION SYSTEMS & SOFTWARE, LLC AND SUBSIDIARIES

Consolidated Balance Sheets

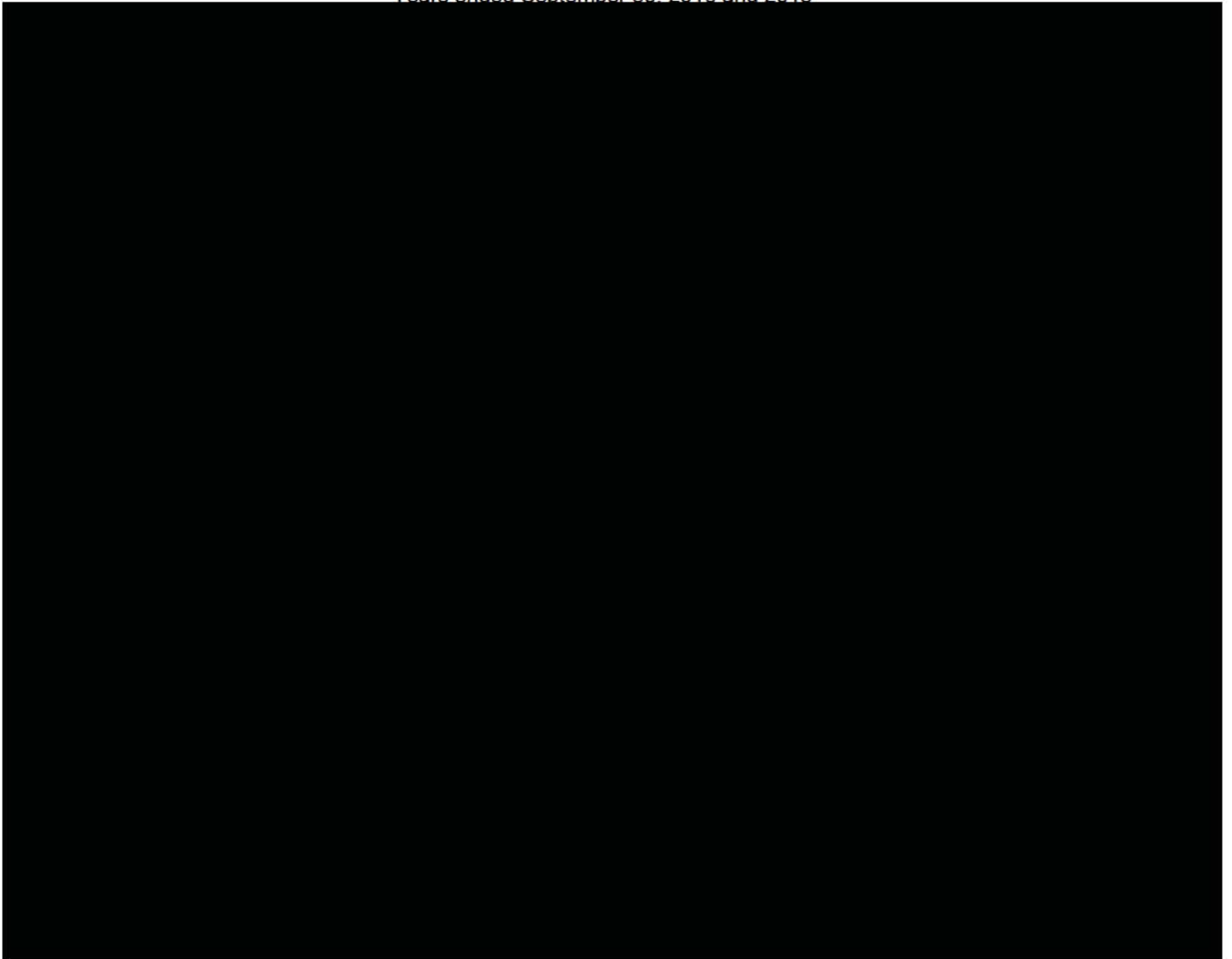
September 30, 2016 and 2015



ELECTION SYSTEMS & SOFTWARE, LLC AND SUBSIDIARIES

Consolidated Statements of Comprehensive Income

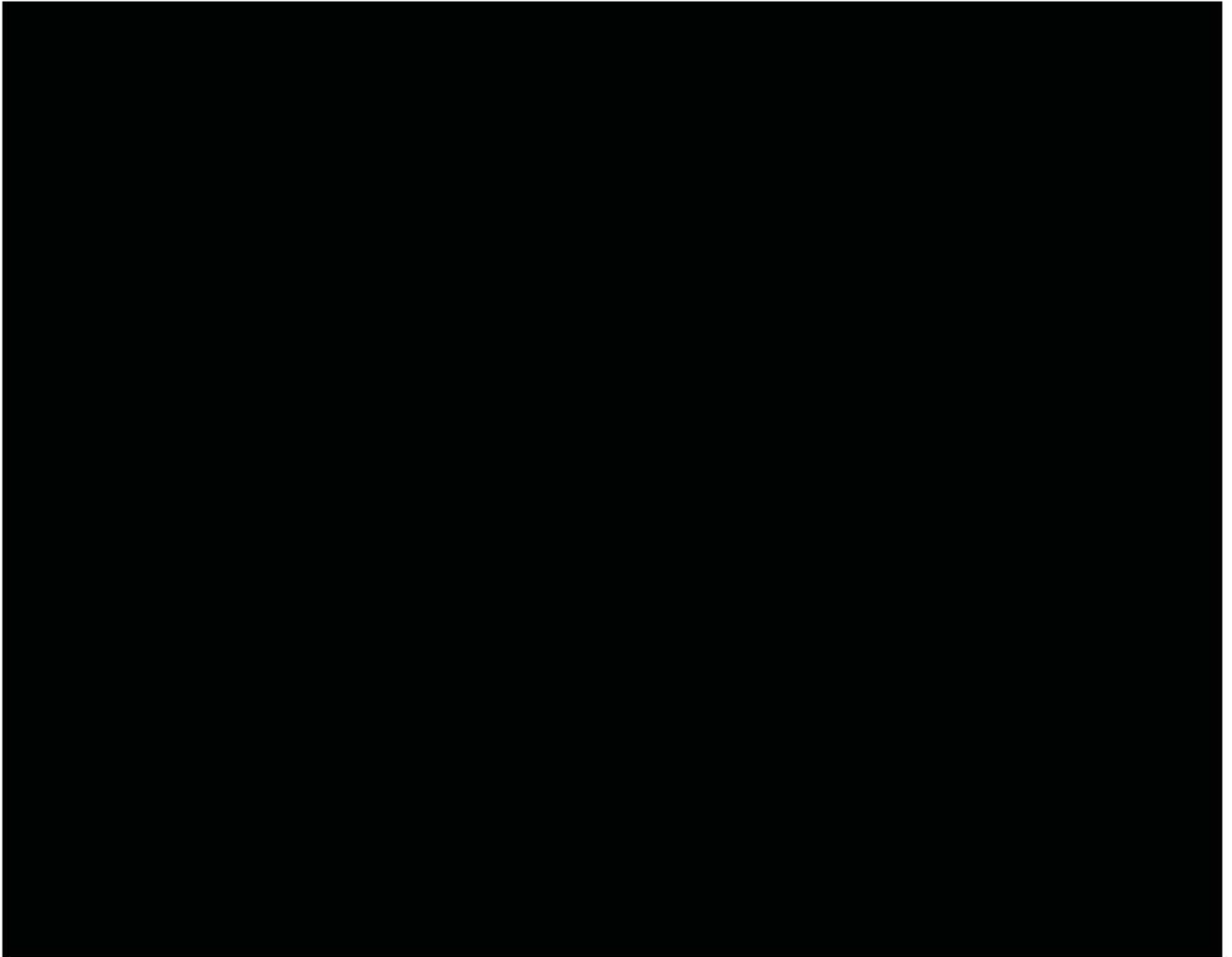
Years ended September 30, 2016 and 2015



ELECTION SYSTEMS & SOFTWARE, LLC AND SUBSIDIARIES

Consolidated Statements of Member's Equity

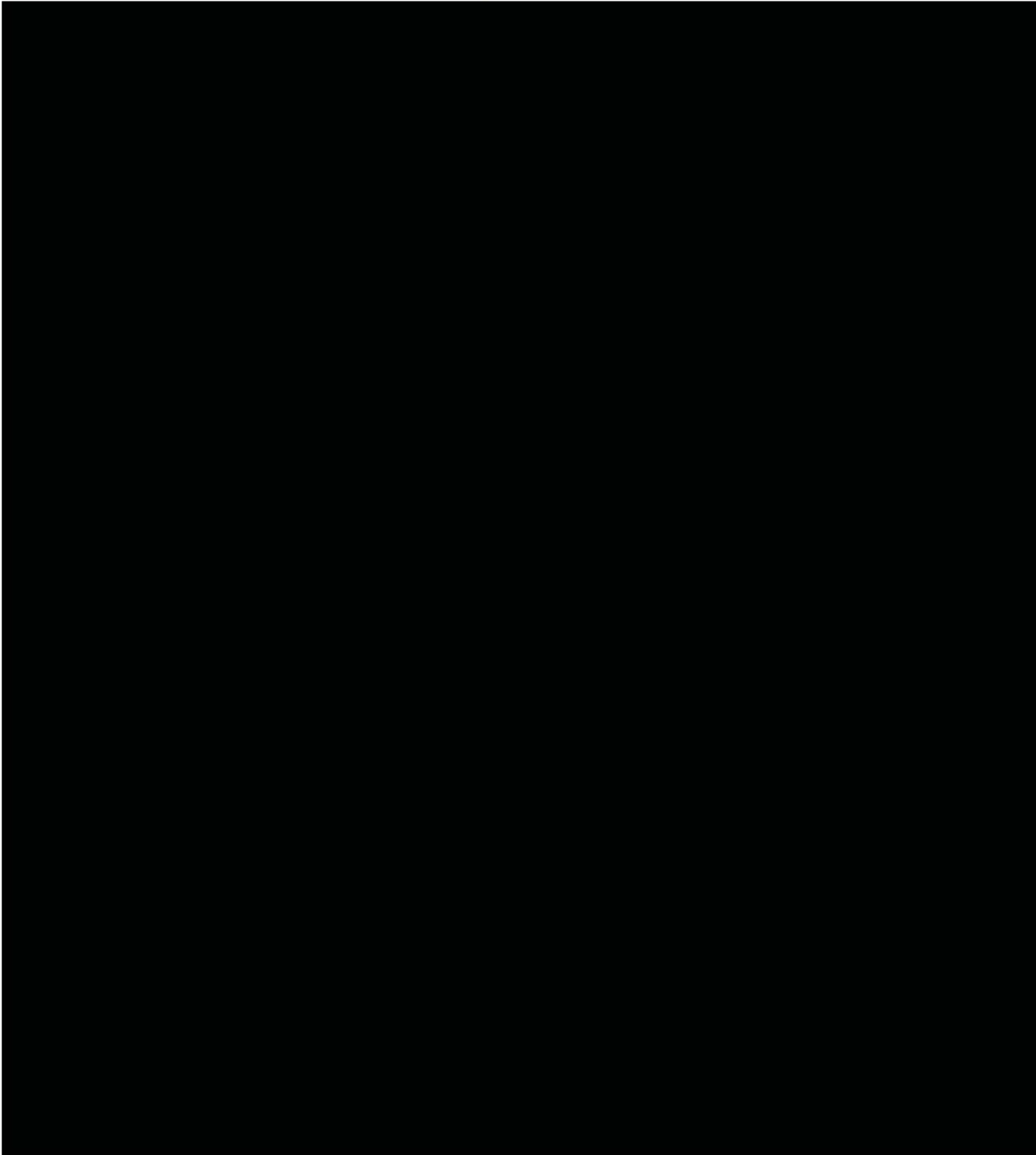
Years ended September 30, 2016 and 2015



ELECTION SYSTEMS & SOFTWARE, LLC AND SUBSIDIARIES

Consolidated Statements of Cash Flows

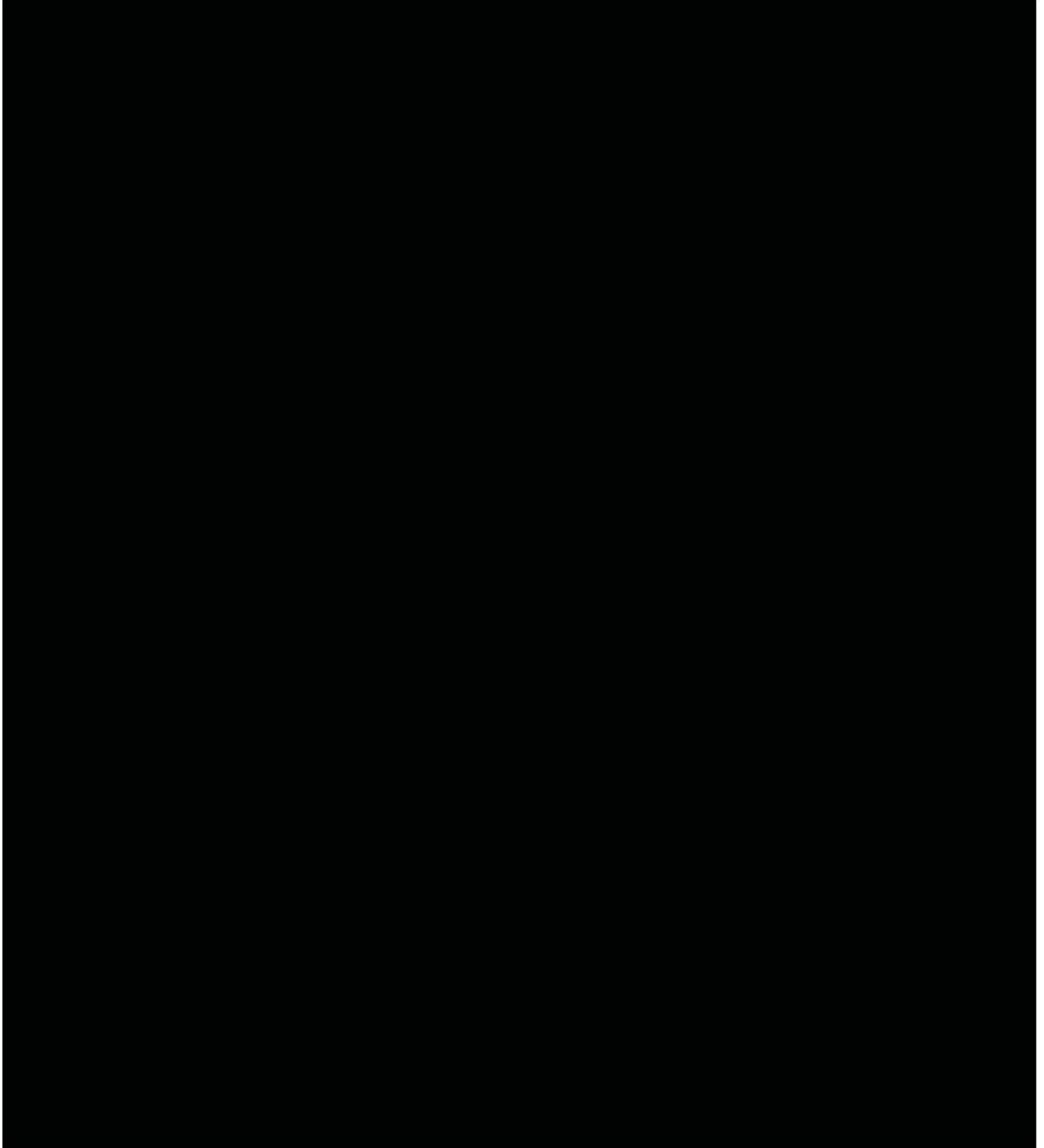
Years ended September 30, 2016 and 2015



ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

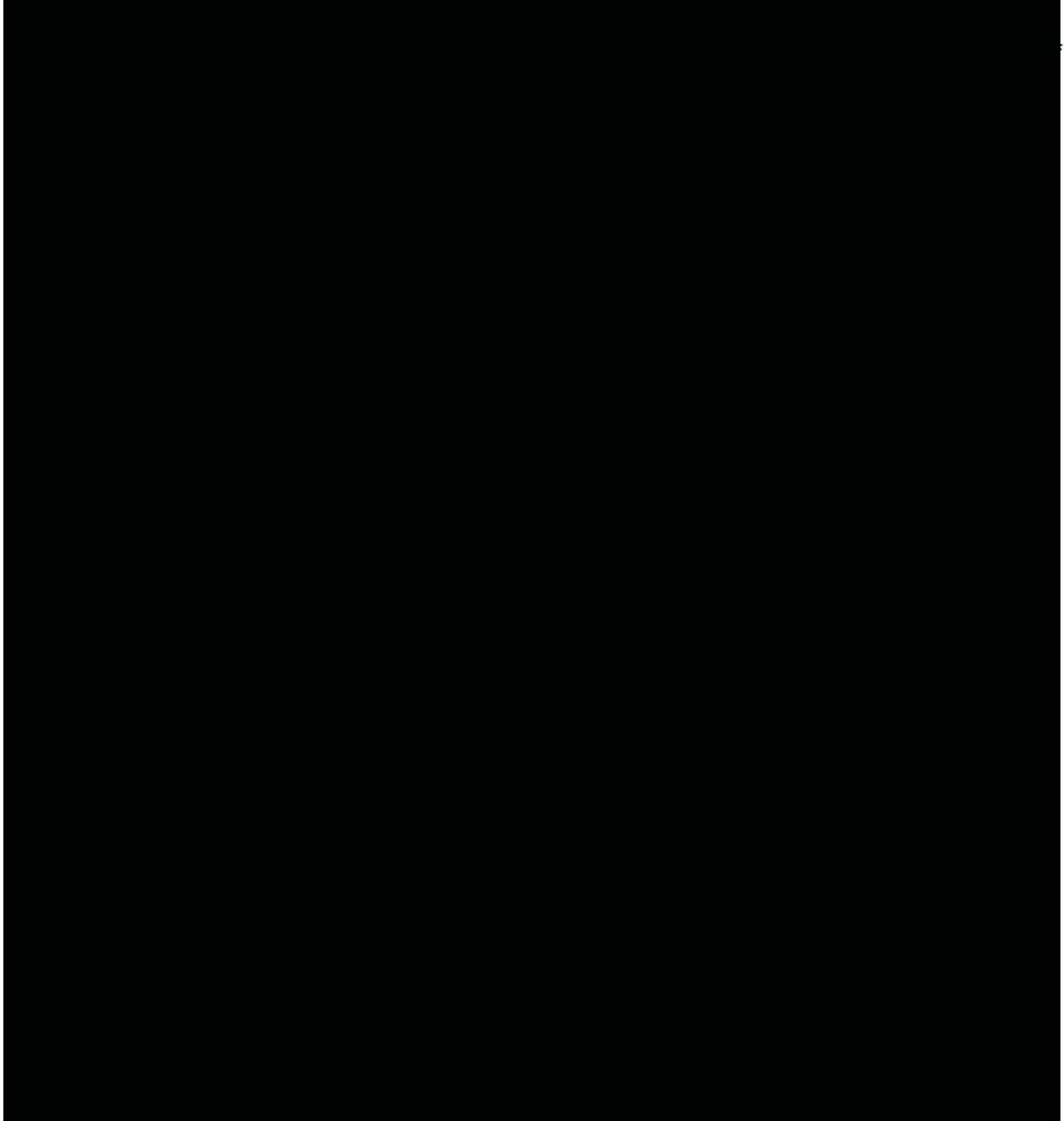
September 30, 2016 and 2015



ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

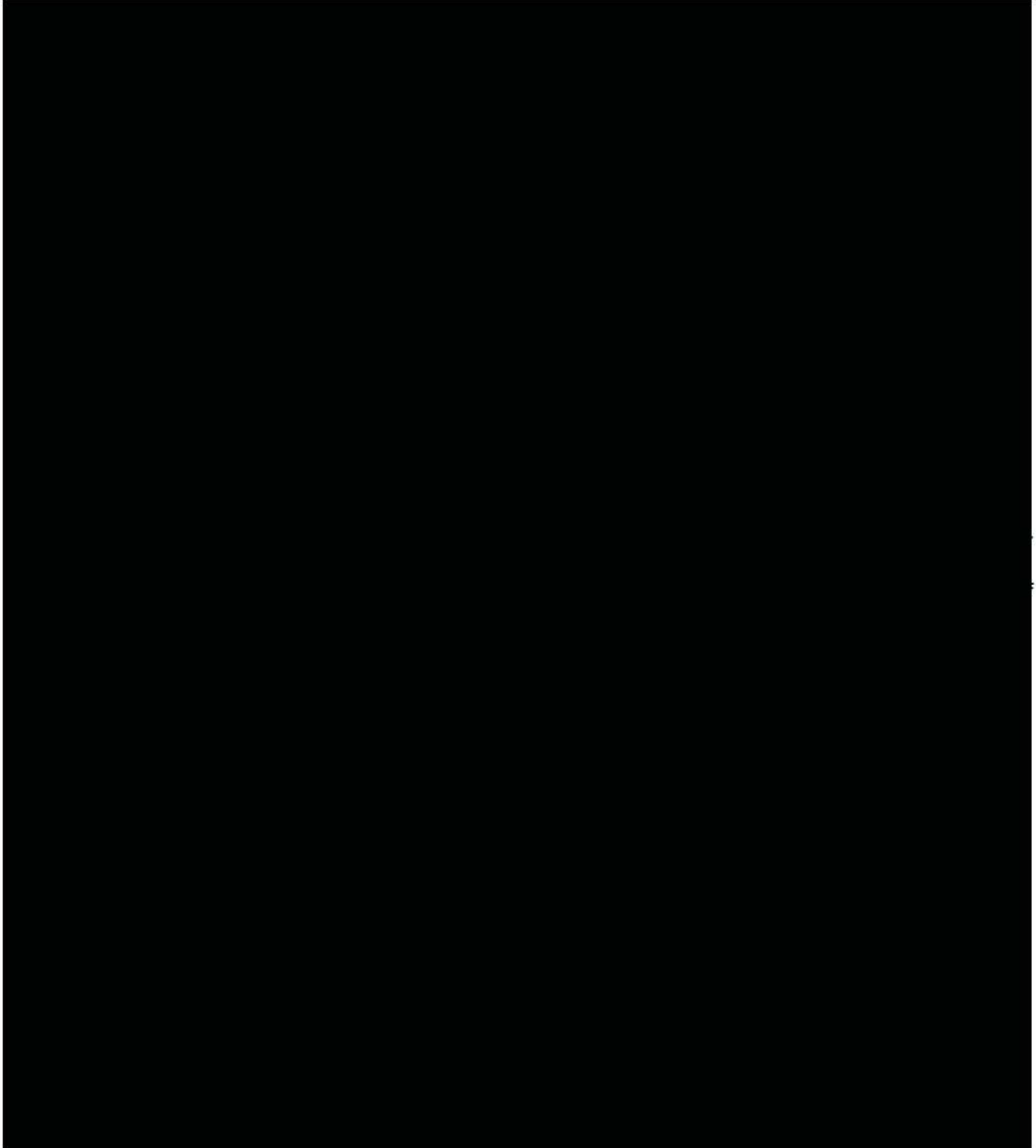
September 30, 2016 and 2015



ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

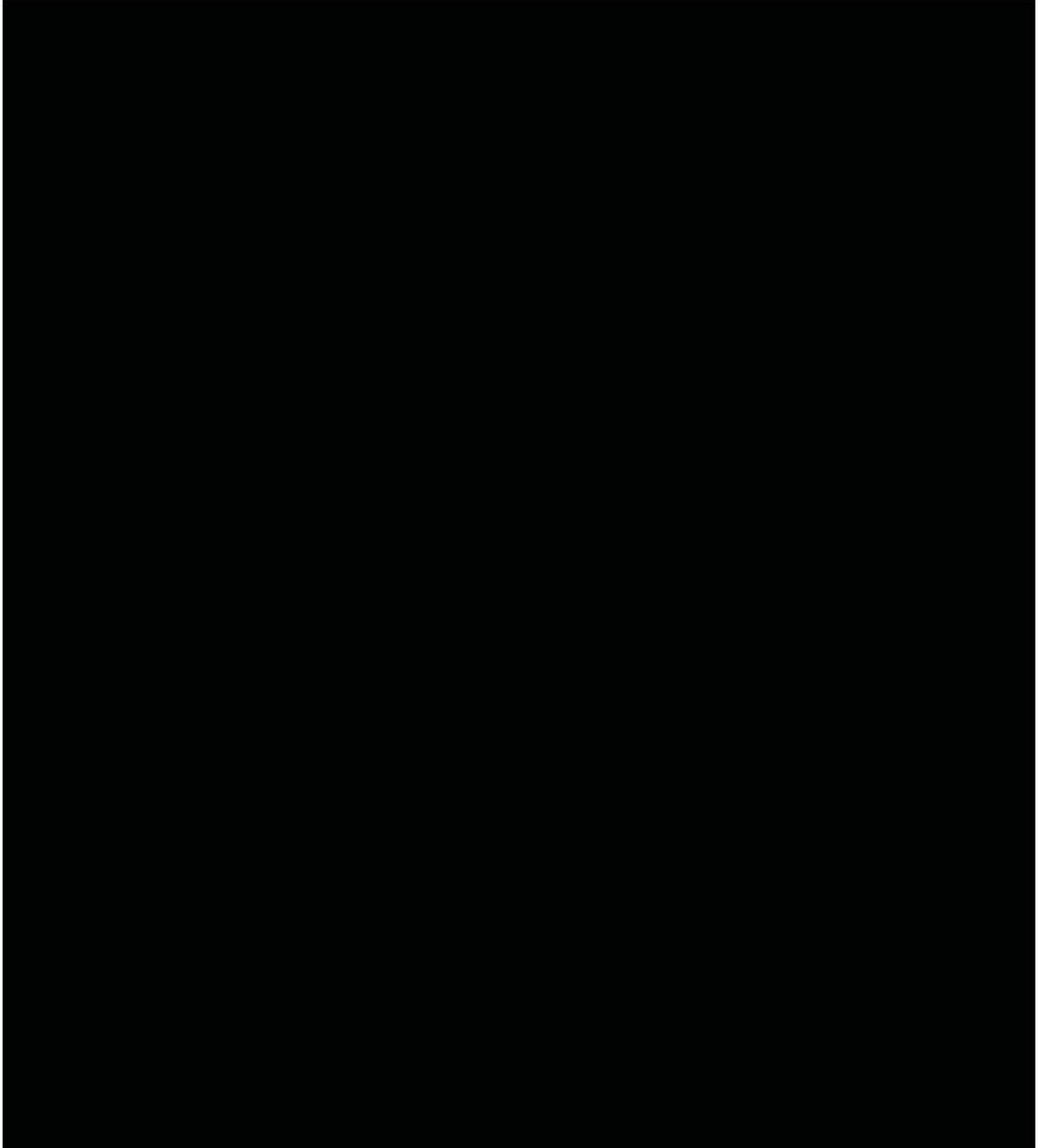
September 30, 2016 and 2015



ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

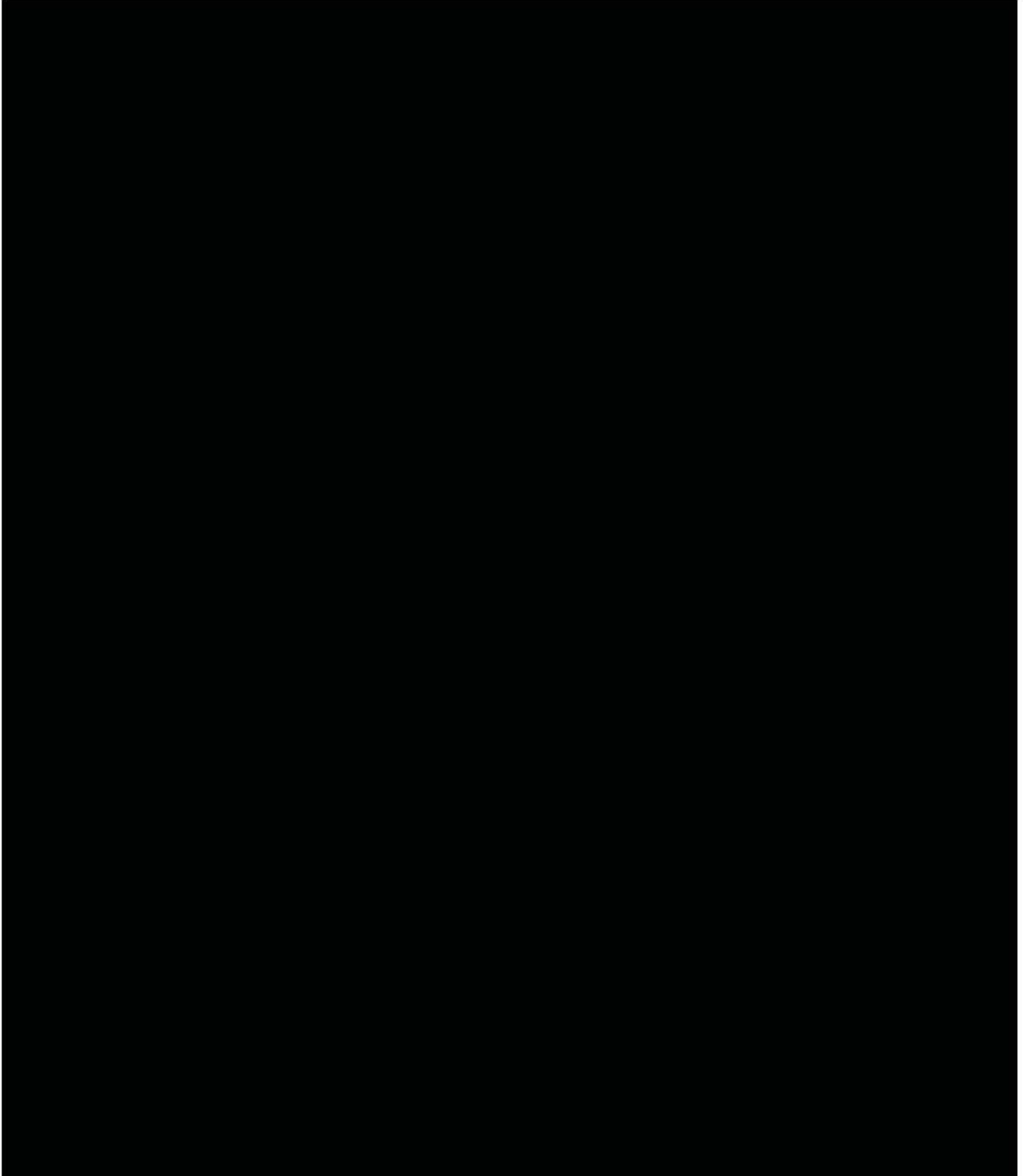
September 30, 2016 and 2015



ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

September 30, 2016 and 2015



ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

September 30, 2016 and 2015

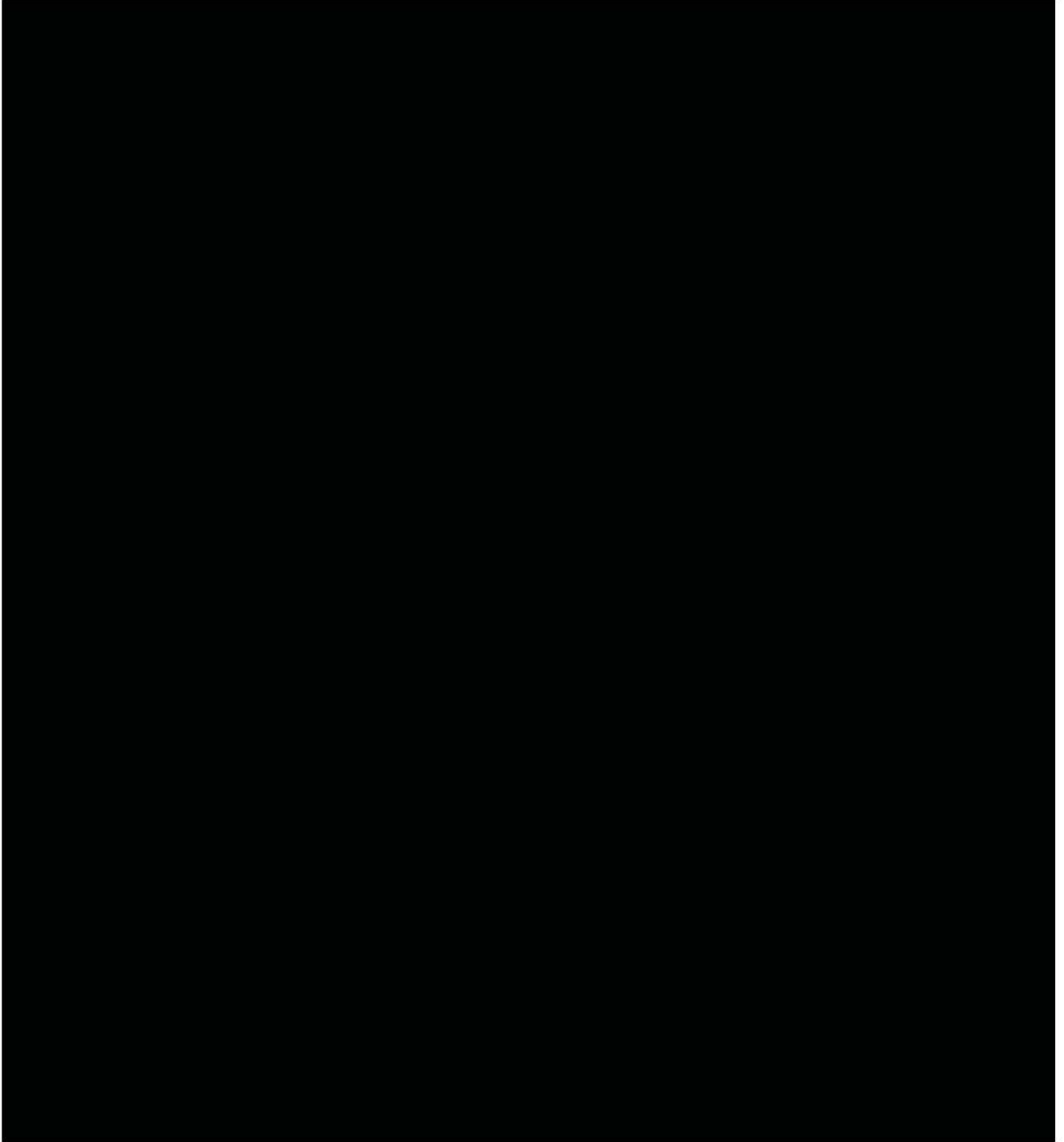
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ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

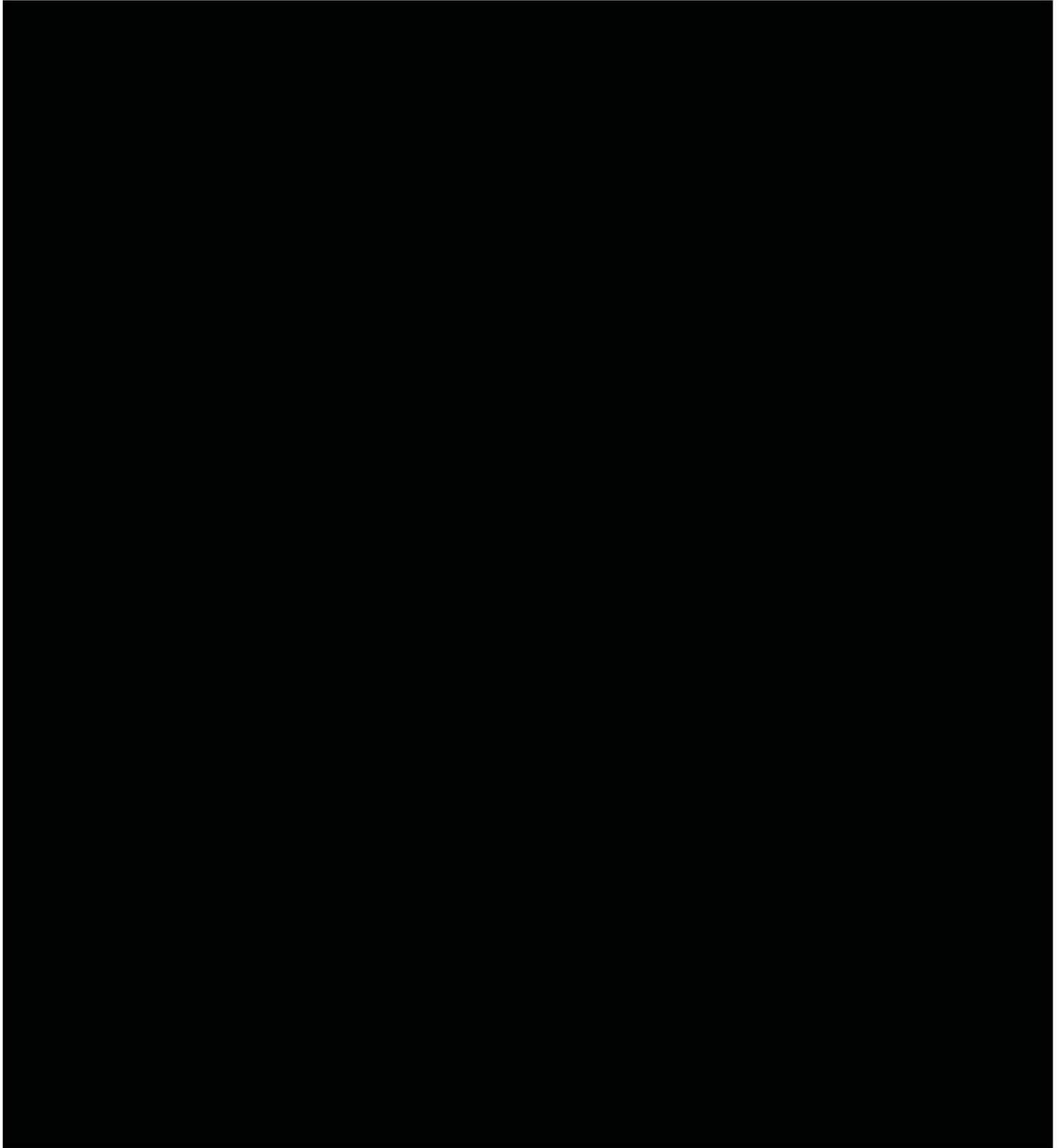
September 30, 2016 and 2015



ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

September 30, 2016 and 2015



ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

September 30, 2016 and 2015

ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

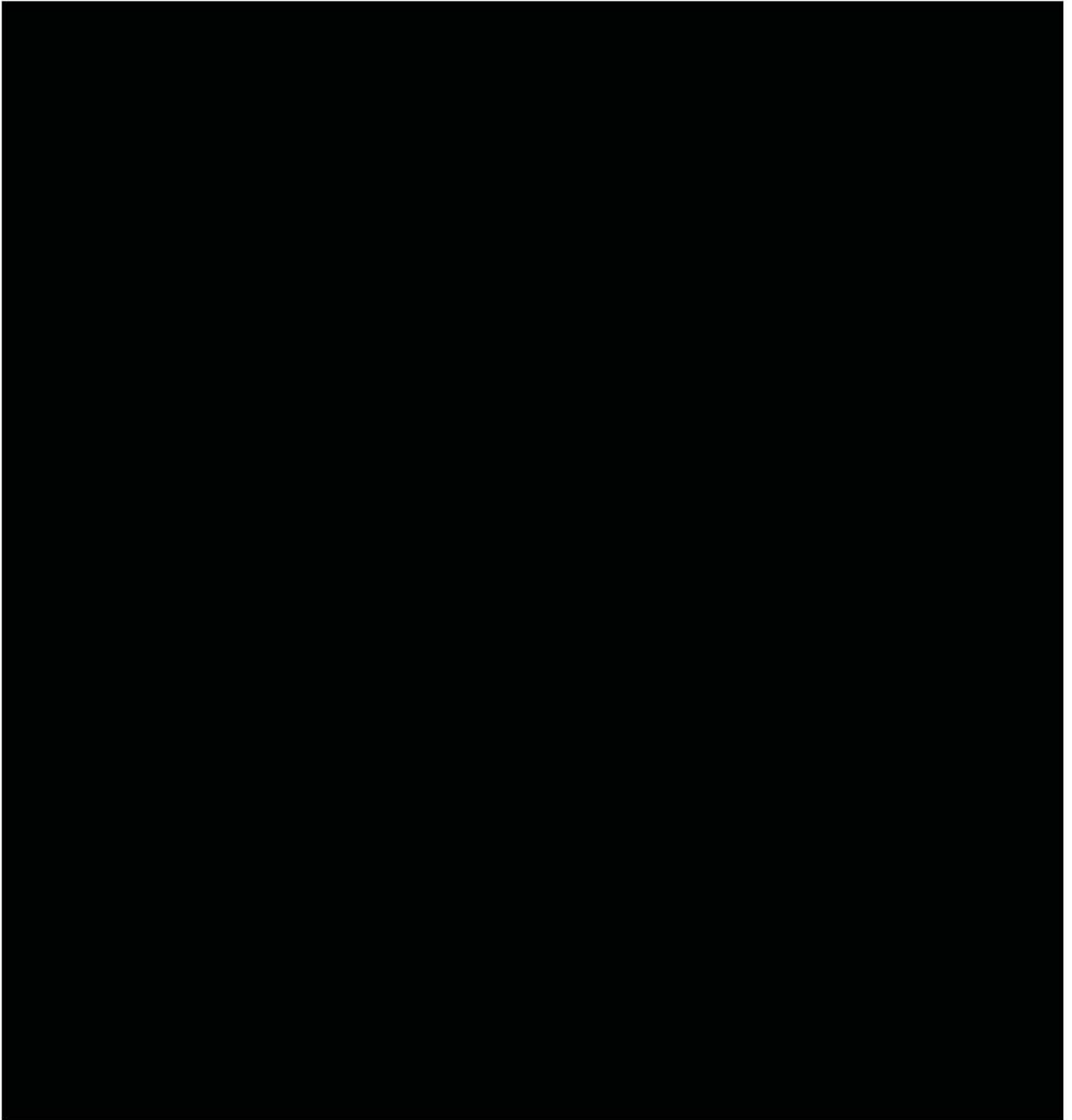
Notes to Consolidated Financial Statements

September 30, 2016 and 2015

ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

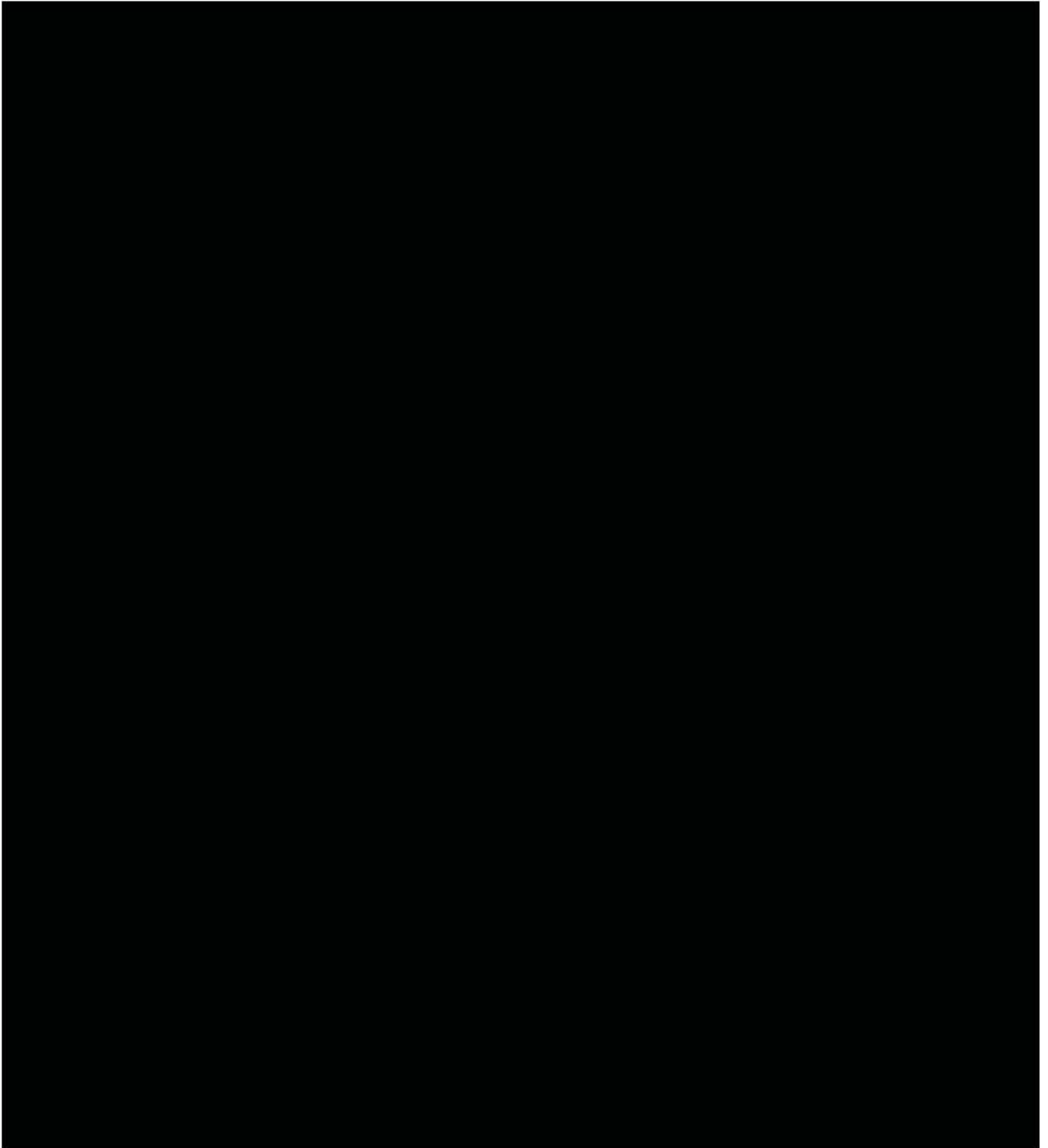
September 30, 2016 and 2015



ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

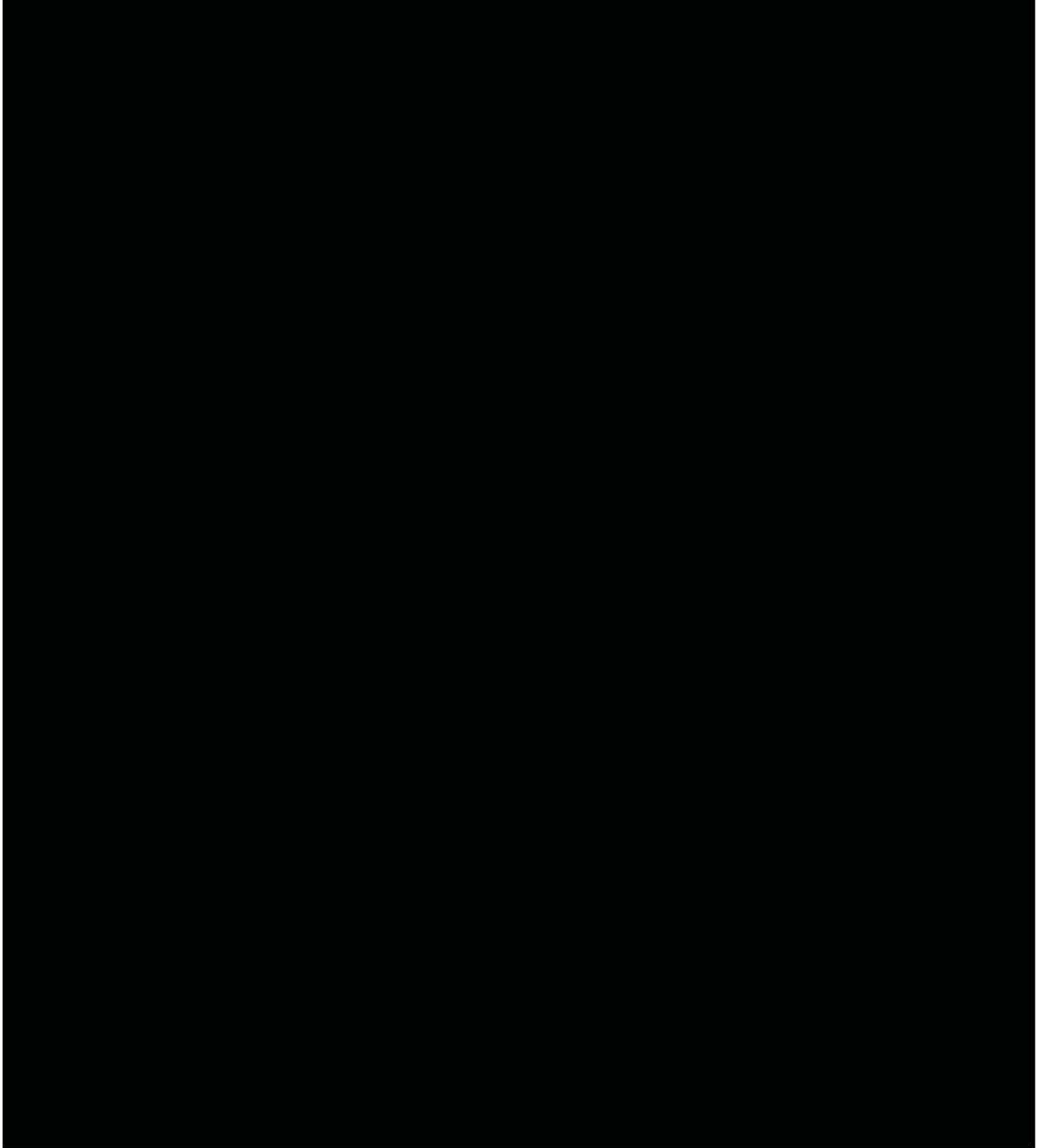
September 30, 2016 and 2015



ELECTION SYSTEMS & SOFTWARE LLC AND SUBSIDIARIES

Notes to Consolidated Financial Statements

September 30, 2016 and 2015



Government Systems, Software & Services, Inc. and Subsidiaries

Consolidated Financial Statements as of and for the
Years Ended September 30, 2013 and 2012, and
Independent Auditors' Report

GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC. AND SUBSIDIARIES

TABLE OF CONTENTS

	Page
INDEPENDENT AUDITORS' REPORT	1–2
CONSOLIDATED FINANCIAL STATEMENTS AS OF AND FOR THE YEARS ENDED SEPTEMBER 30, 2013 AND 2012:	
Balance Sheets	3
Statements of Comprehensive Income	4
Statements of Stockholders' Equity	5
Statements of Cash Flows	6
Notes to Consolidated Financial Statements	7–19

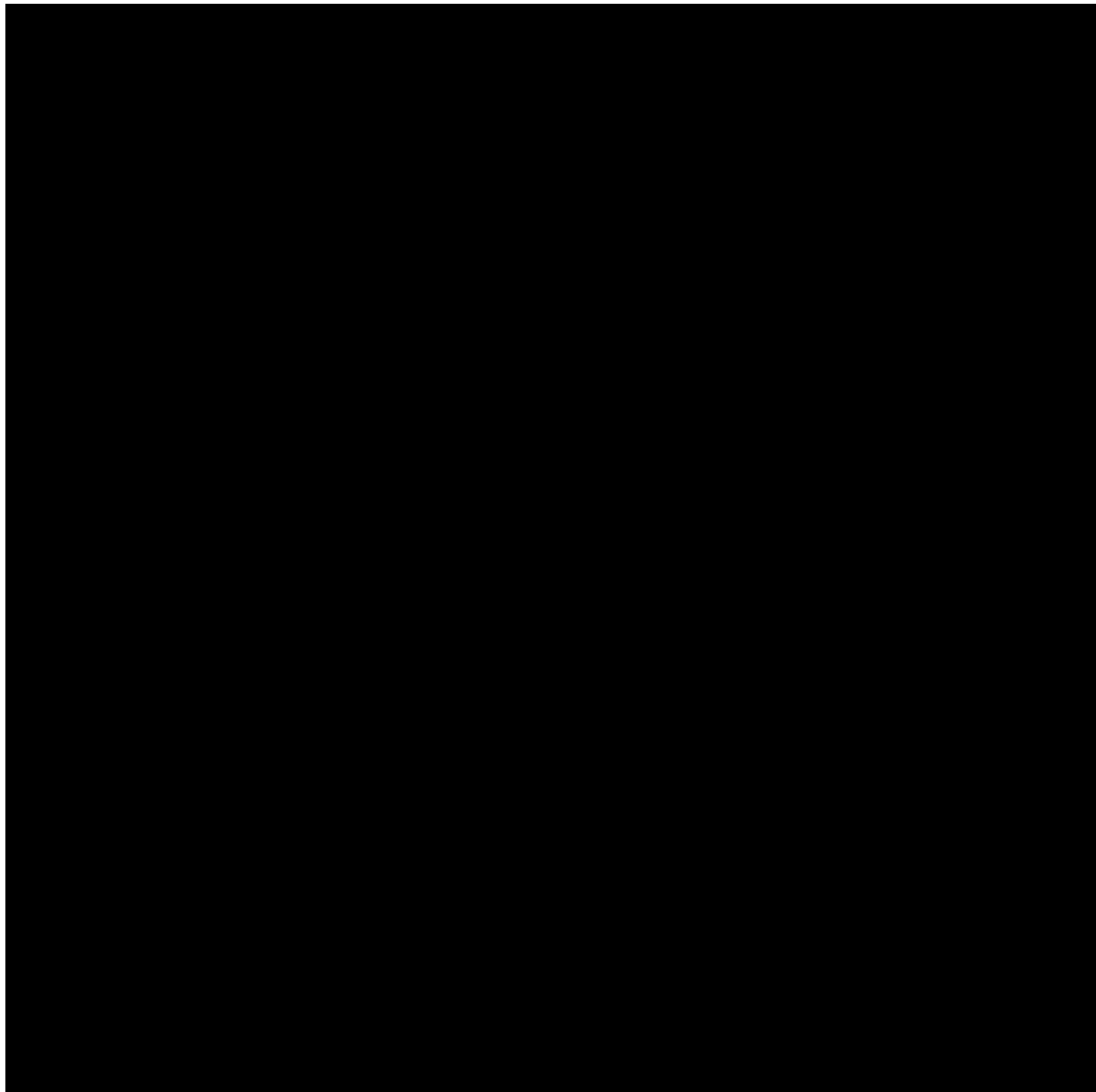


**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

**CONSOLIDATED BALANCE SHEETS
AS OF SEPTEMBER 30, 2013 AND 2012**

**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

**CONSOLIDATED STATEMENTS OF COMPREHENSIVE INCOME
FOR THE YEARS ENDED SEPTEMBER 30, 2013 AND 2012**



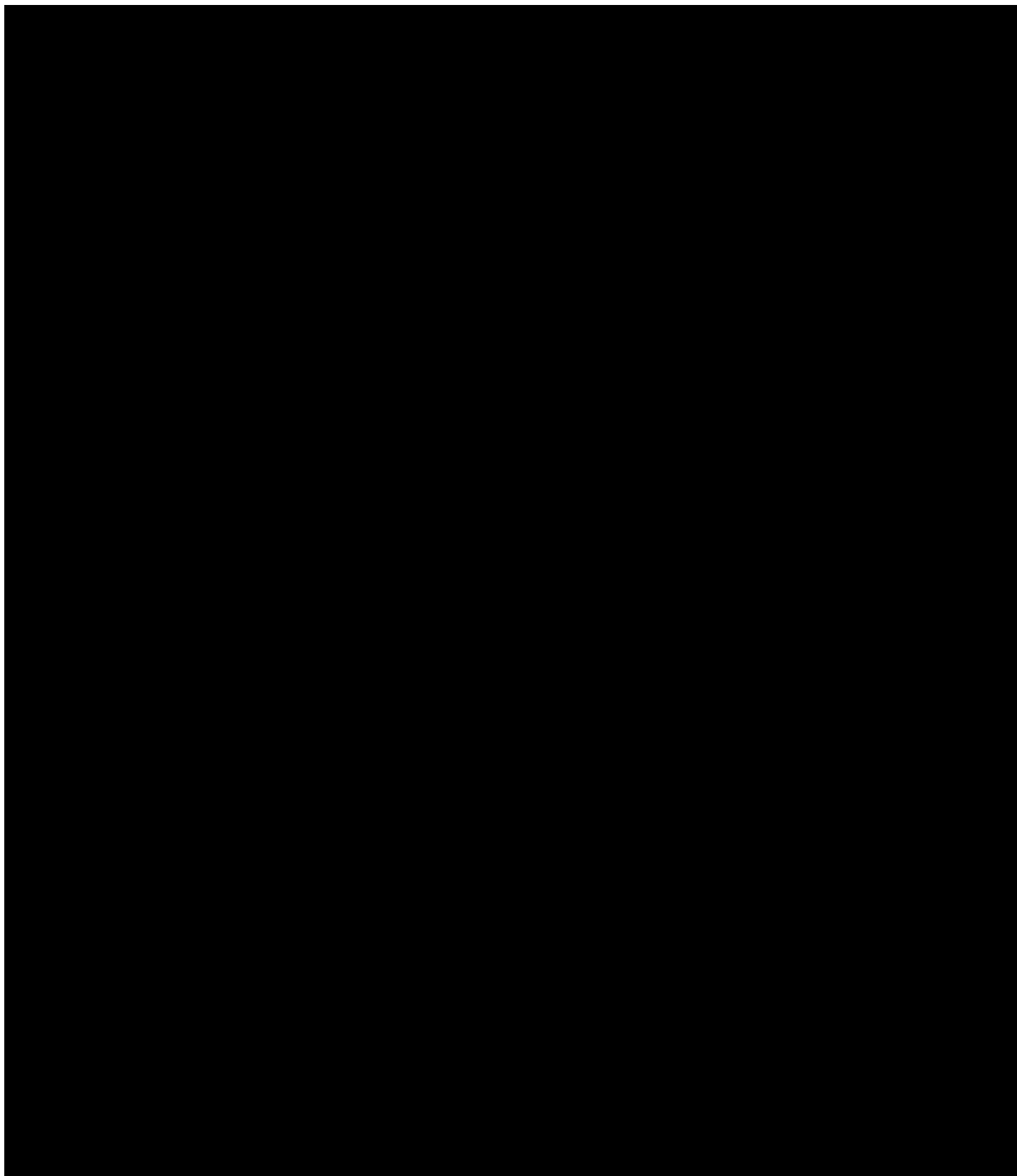
**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

**CONSOLIDATED STATEMENTS OF STOCKHOLDERS' EQUITY
FOR THE YEARS ENDED SEPTEMBER 30, 2013 AND 2012**



**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

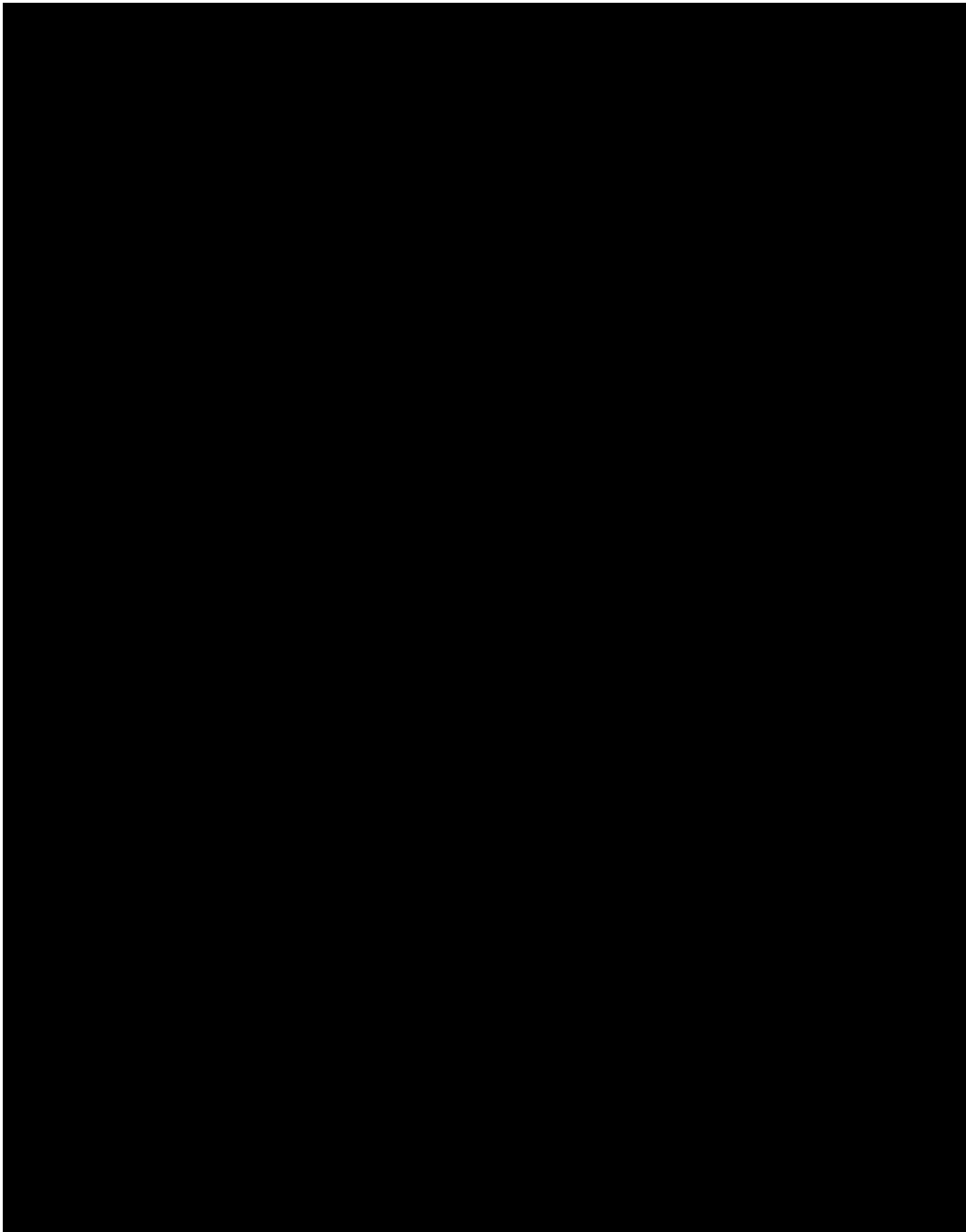
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FOR THE YEARS ENDED SEPTEMBER 30, 2013 AND 2012**

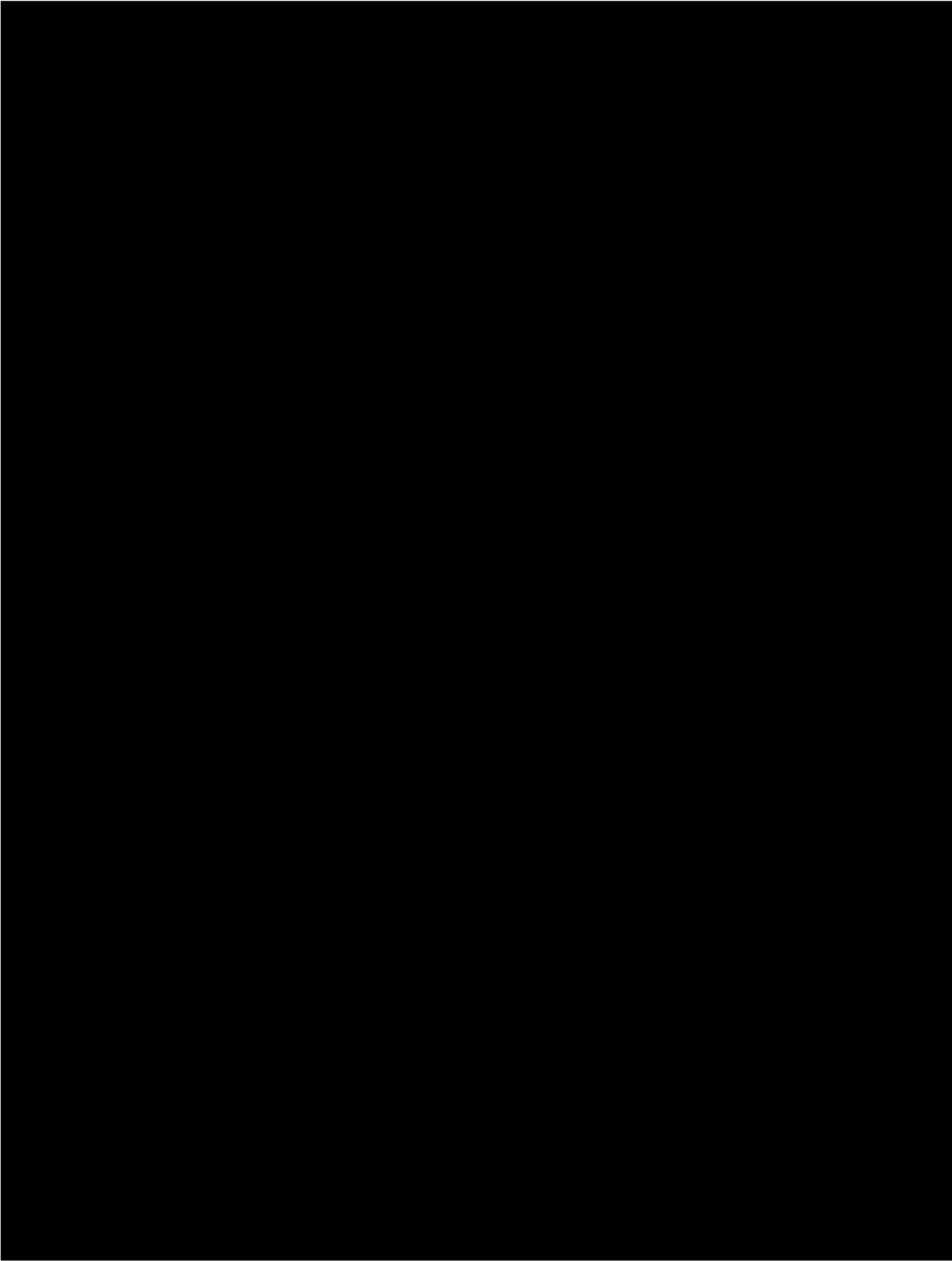


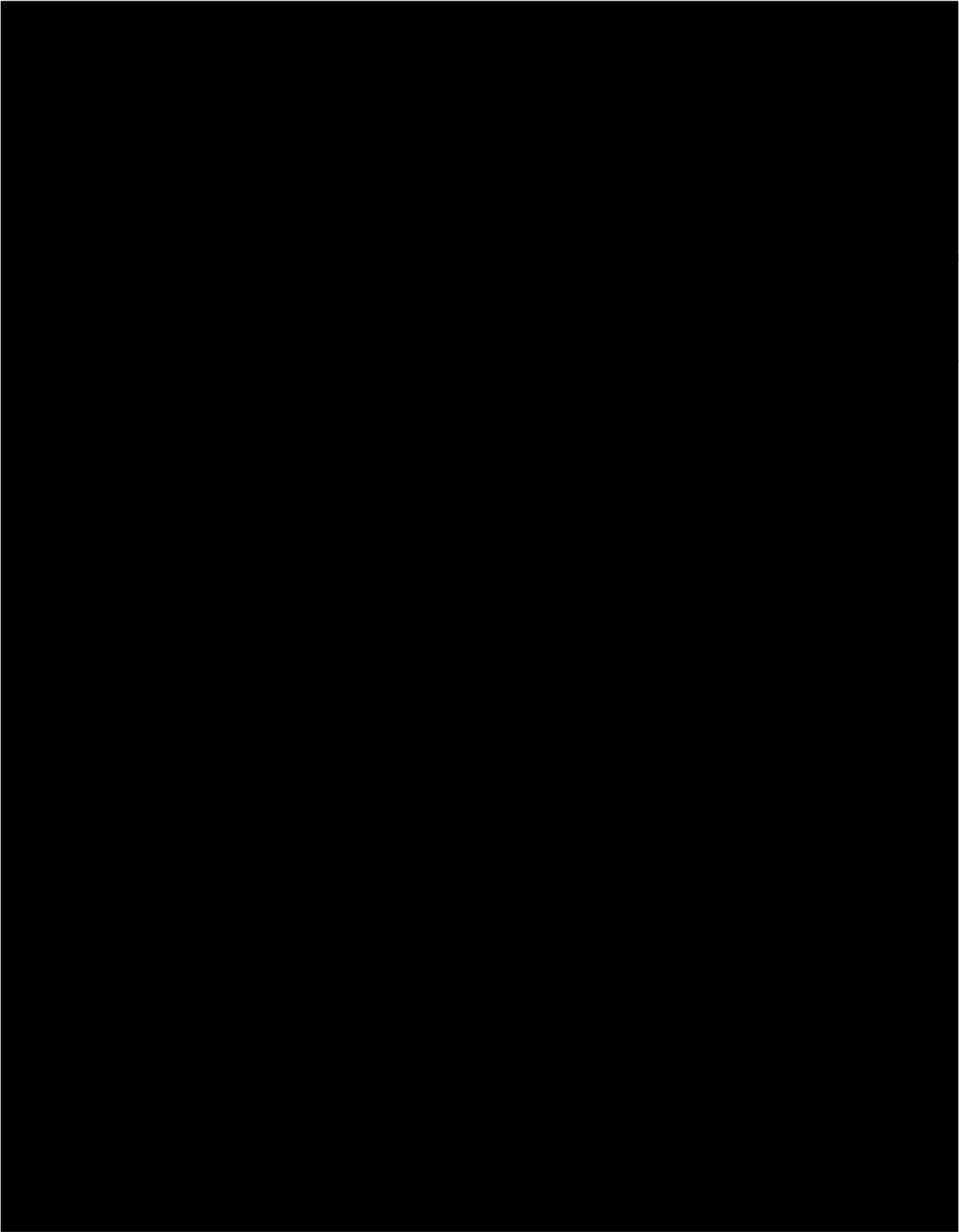
**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

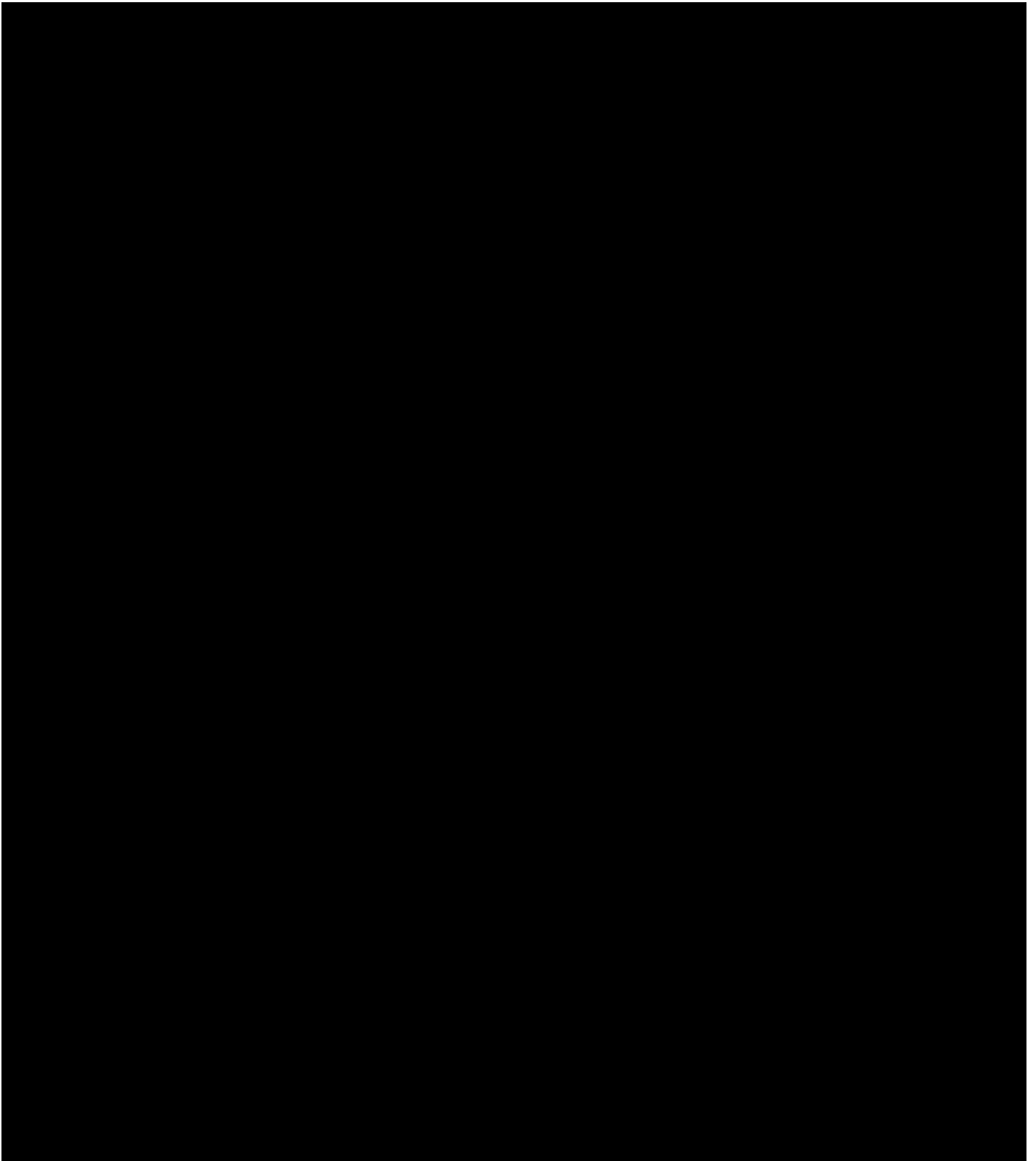
**NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
AS OF AND FOR THE YEARS ENDED SEPTEMBER 30, 2013 AND 2012**

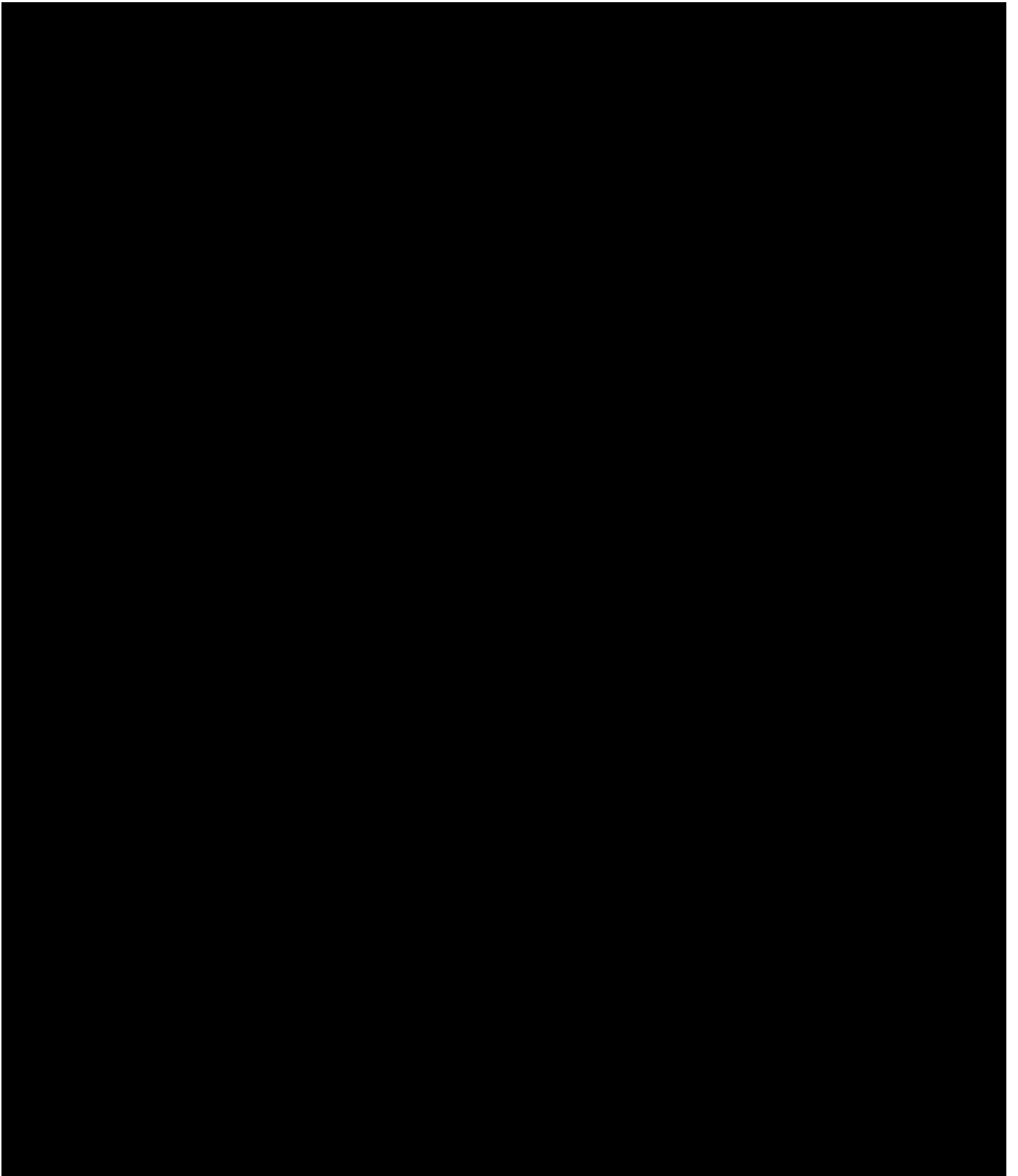


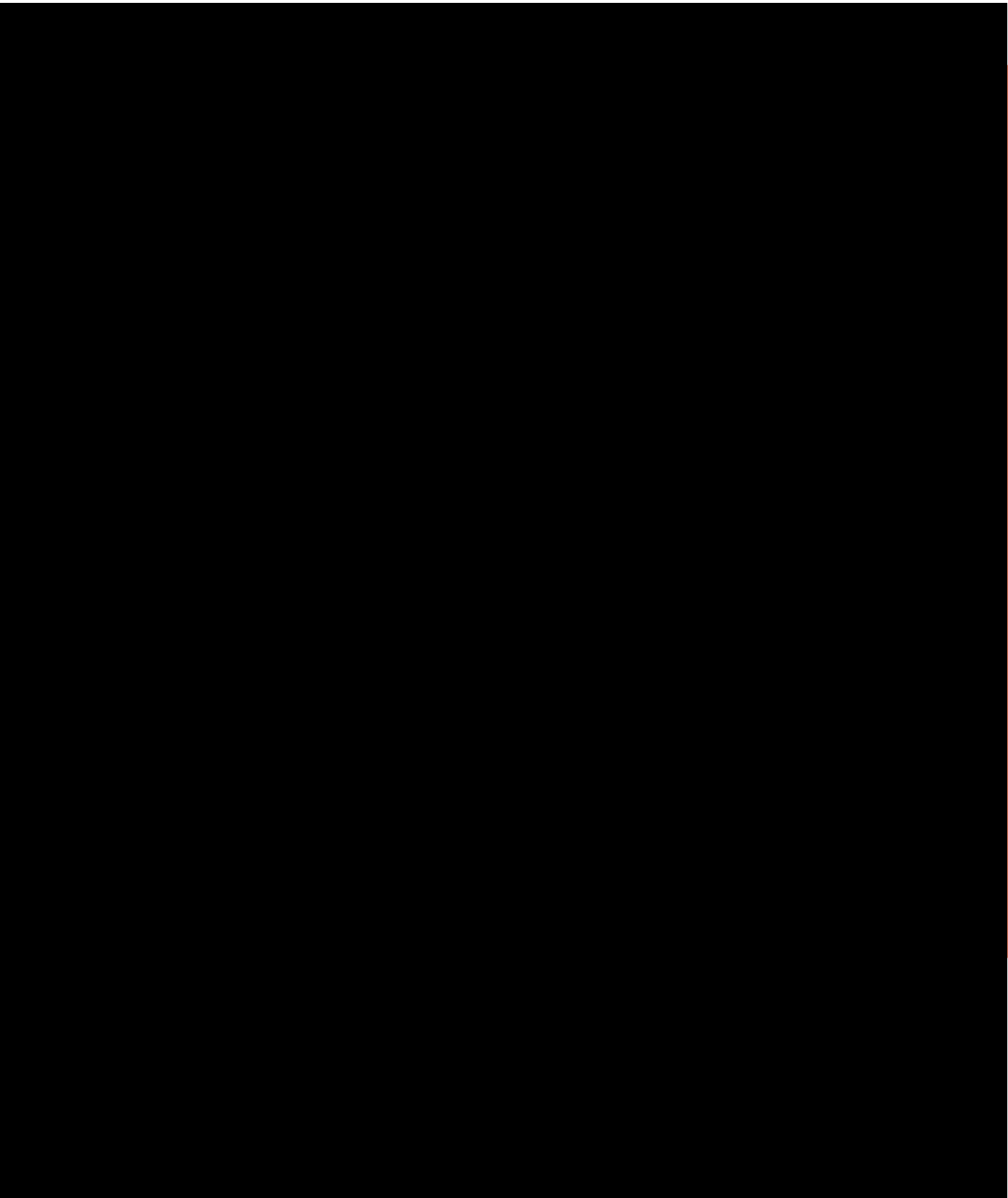


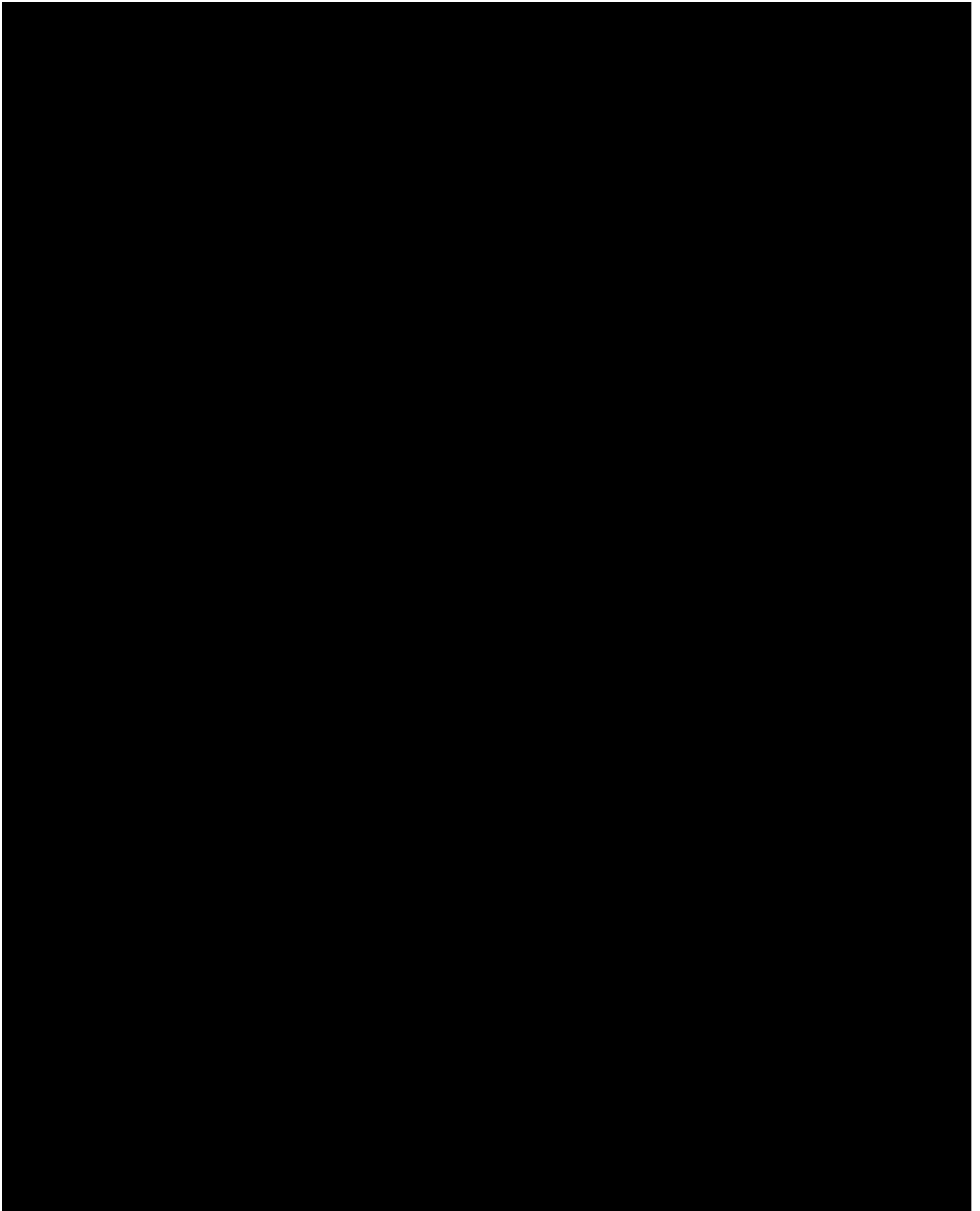


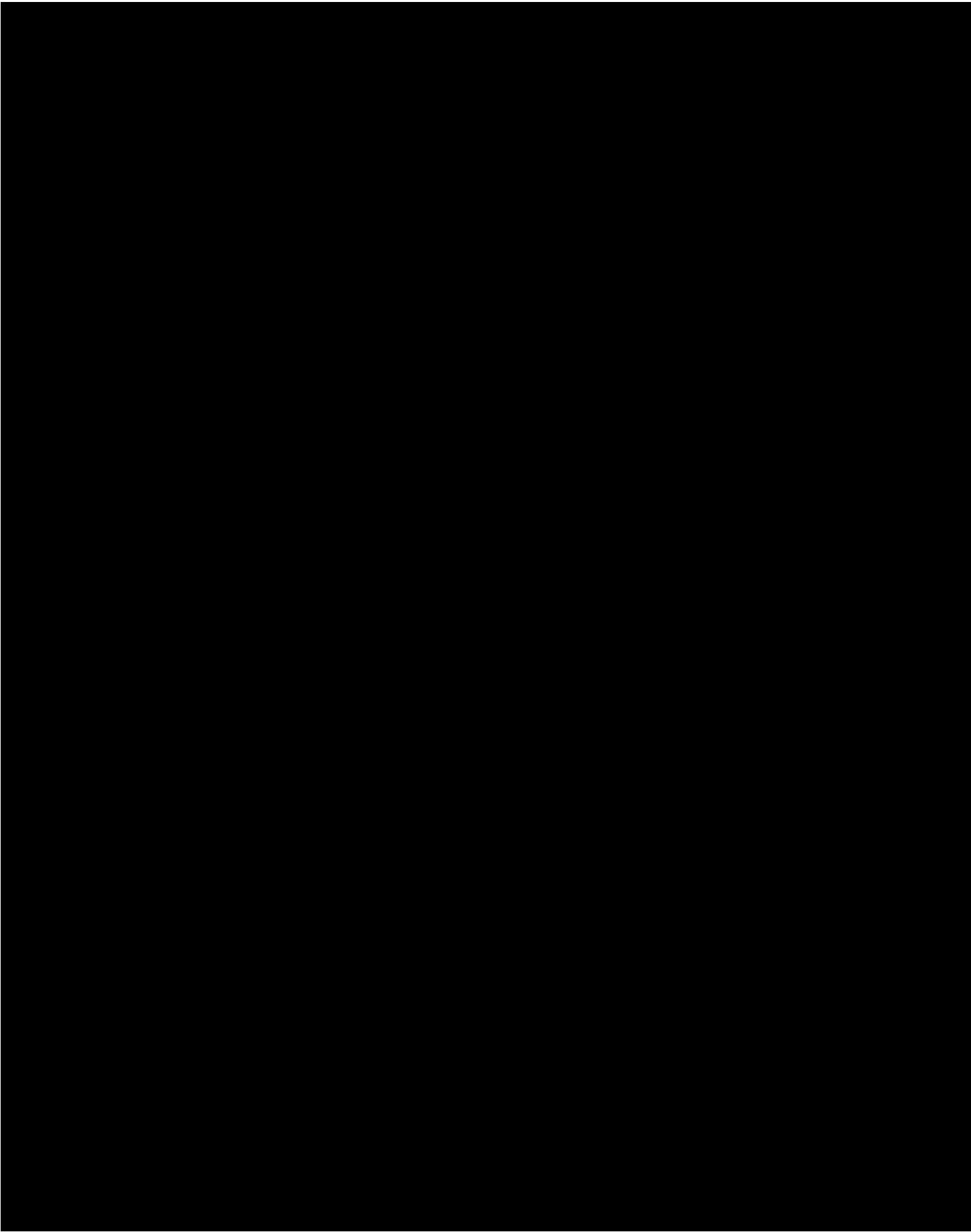


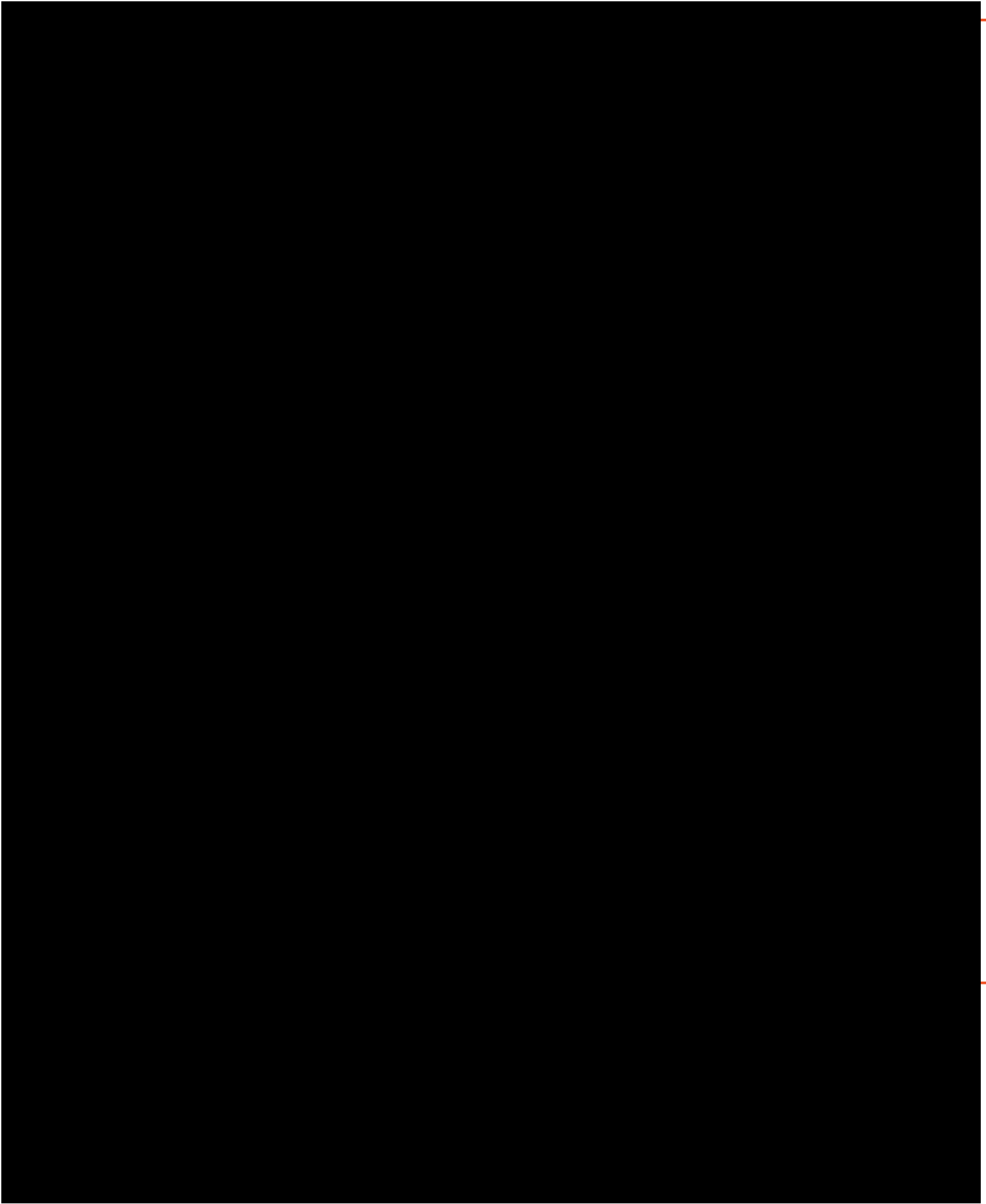


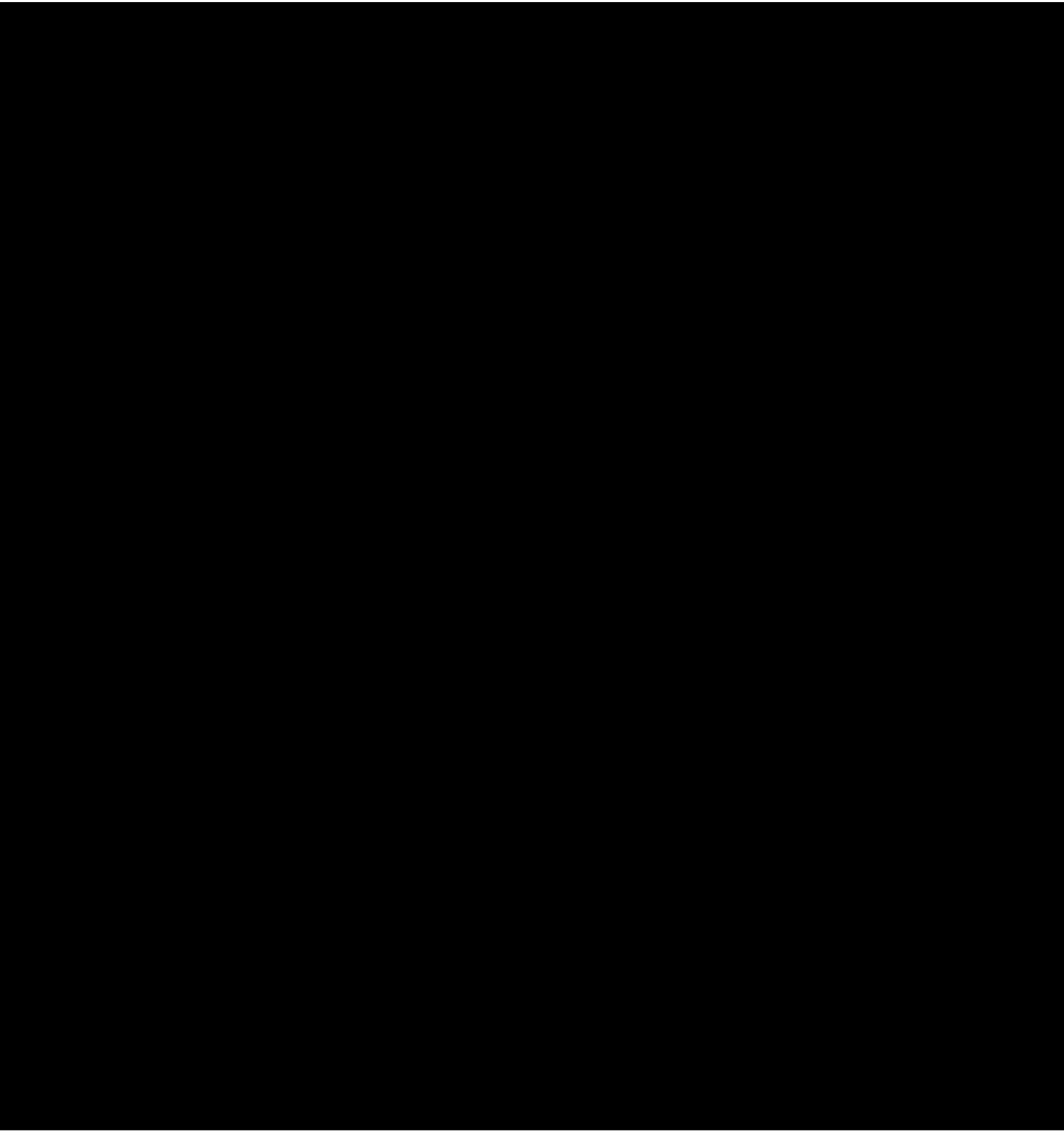












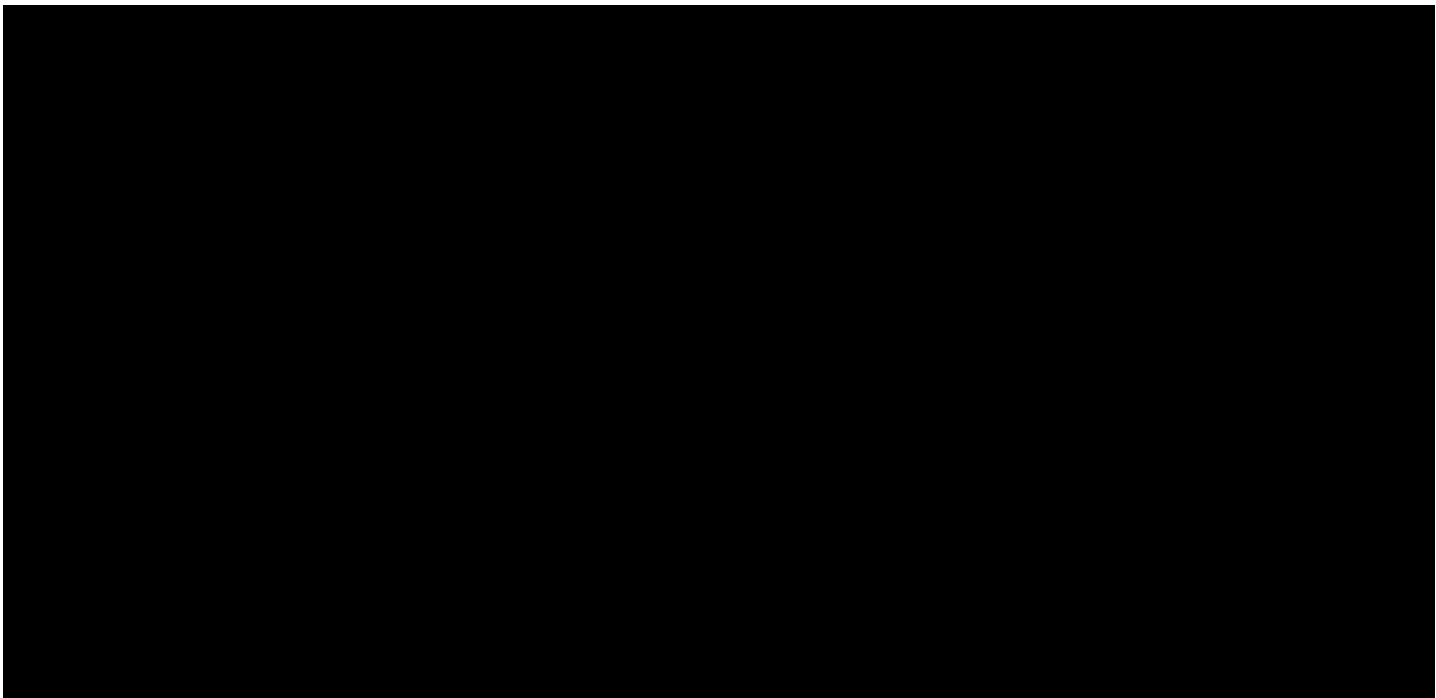
Government Systems, Software & Services, Inc. and Subsidiaries

Consolidated Financial Statements and of and for the
Years Ended September 30, 2014 and 2013, and
Independent Auditors' Report

GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC. AND SUBSIDIARIES

TABLE OF CONTENTS

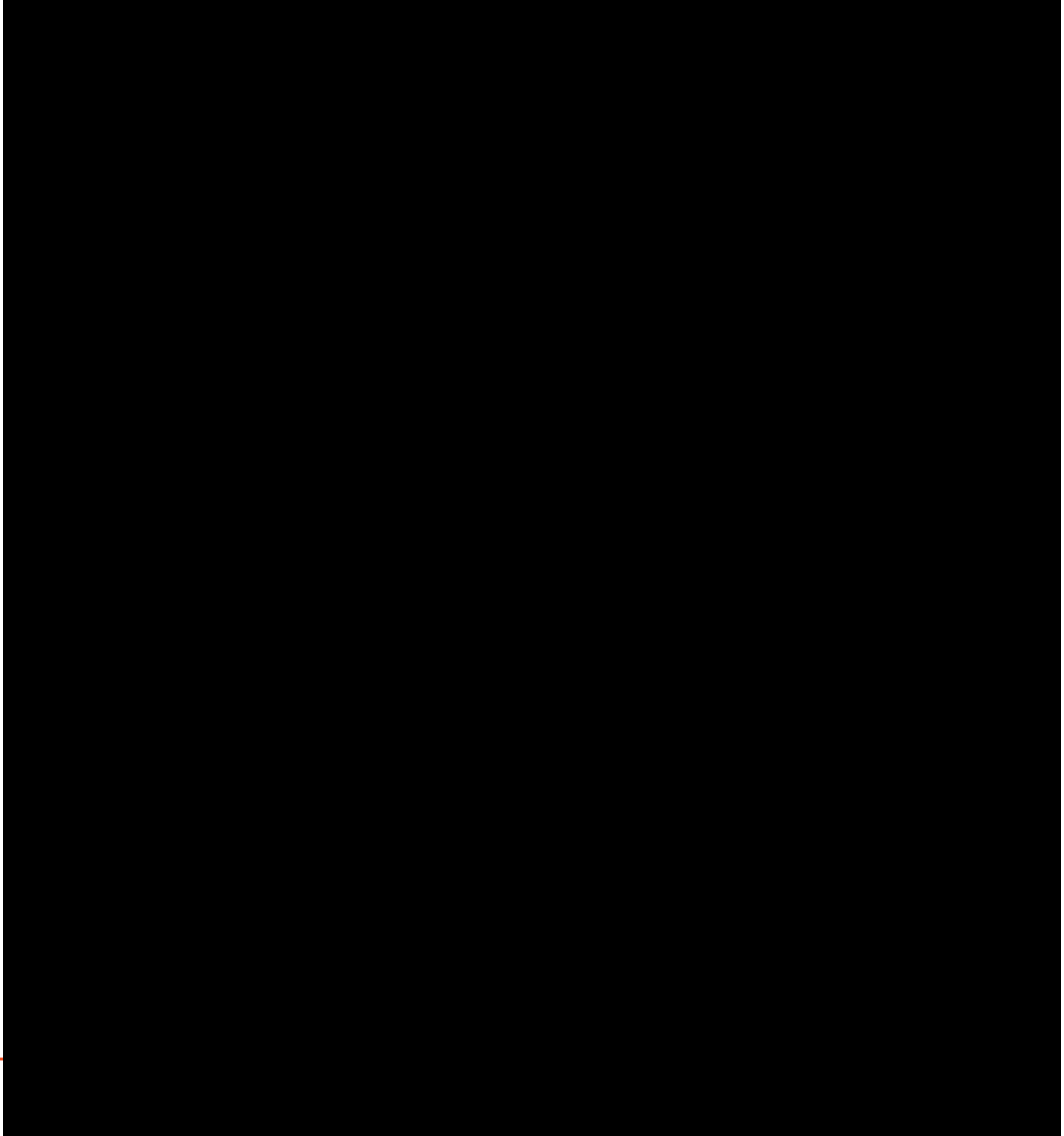
	Page
INDEPENDENT AUDITORS' REPORT	1-2
CONSOLIDATED FINANCIAL STATEMENTS AS OF AND FOR THE YEARS ENDED SEPTEMBER 30, 2014 AND 2013:	
Balance Sheets	3
Statements of Comprehensive Income	4
Statements of Stockholders' Equity	5
Statements of Cash Flows	6
Notes to Consolidated Financial Statements	7-18



CONFIDENTIAL

**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

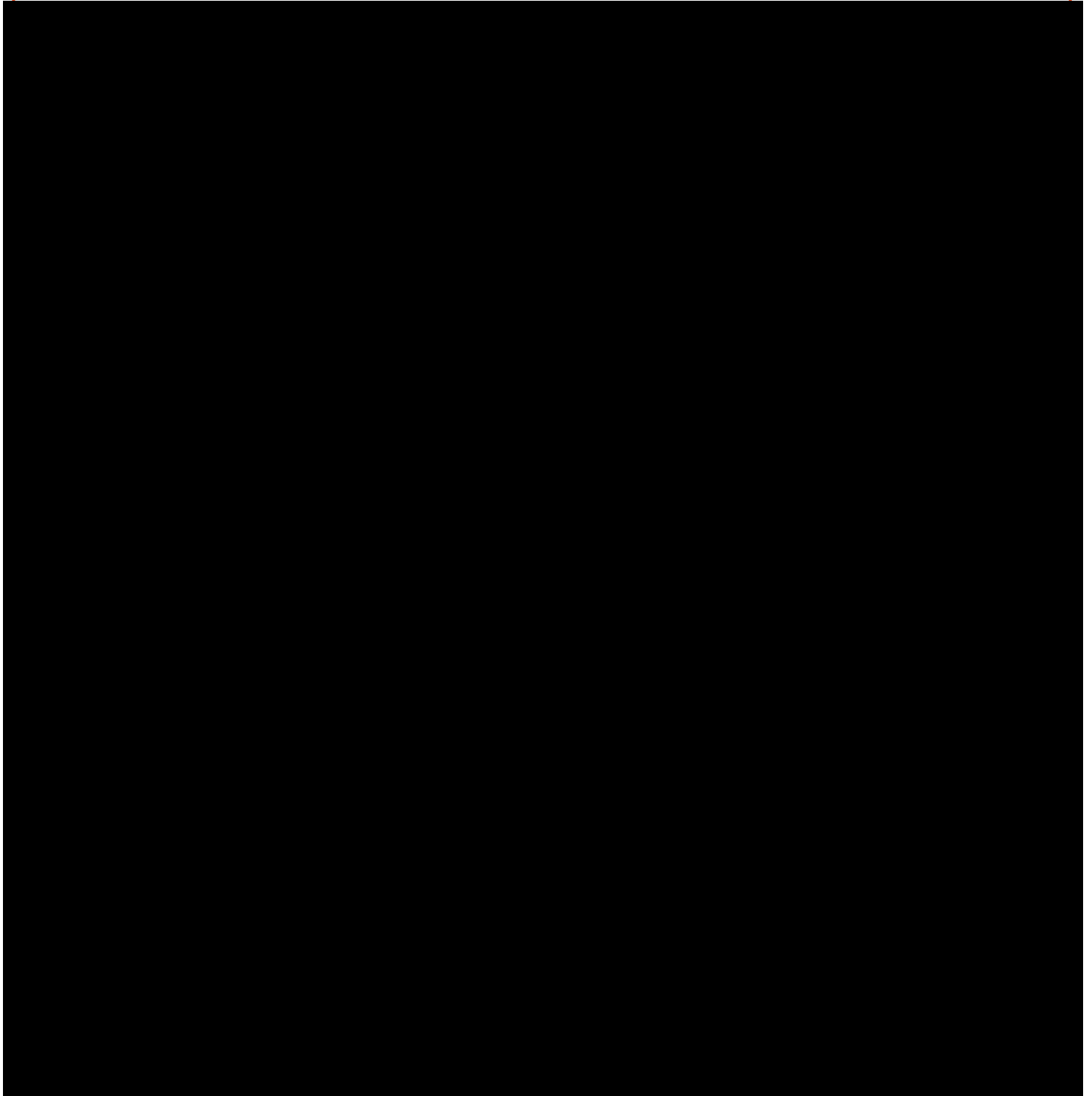
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AS OF SEPTEMBER 30, 2014 AND 2013**



**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

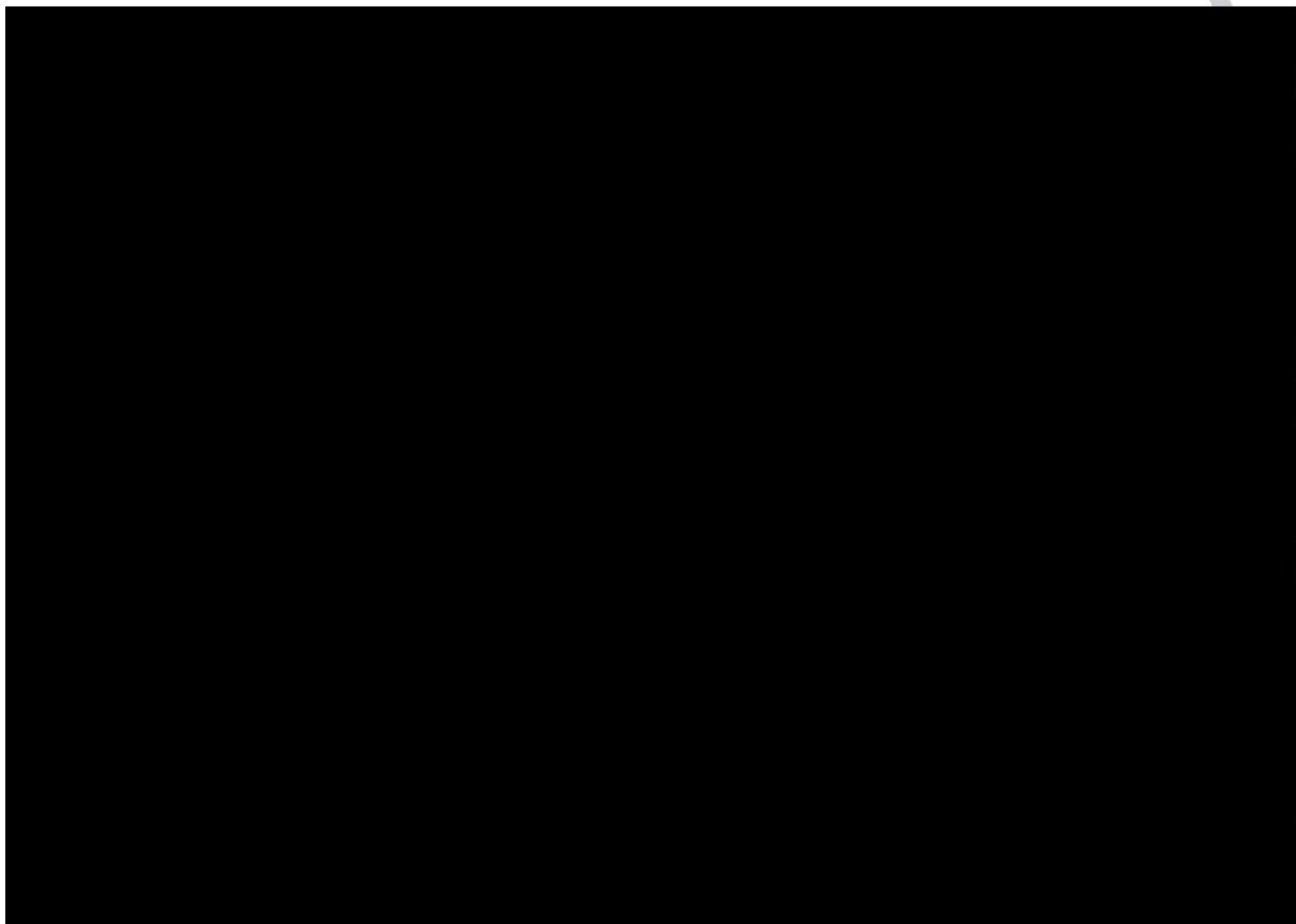
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FOR THE YEARS ENDED SEPTEMBER 30, 2014 AND 2013



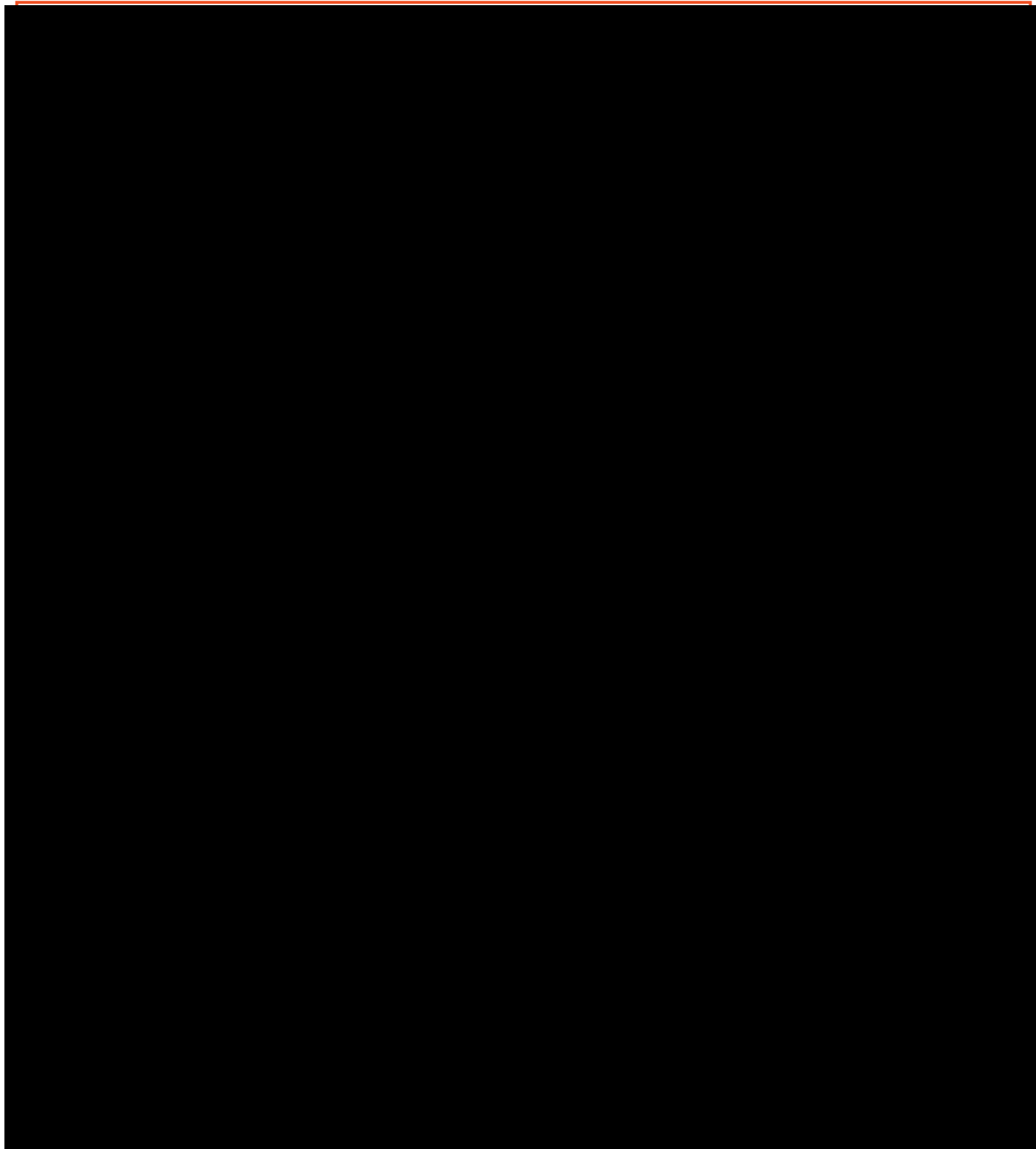
**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

**CONSOLIDATED STATEMENTS OF STOCKHOLDERS' EQUITY
FOR THE YEARS ENDED SEPTEMBER 30, 2014 AND 2013**



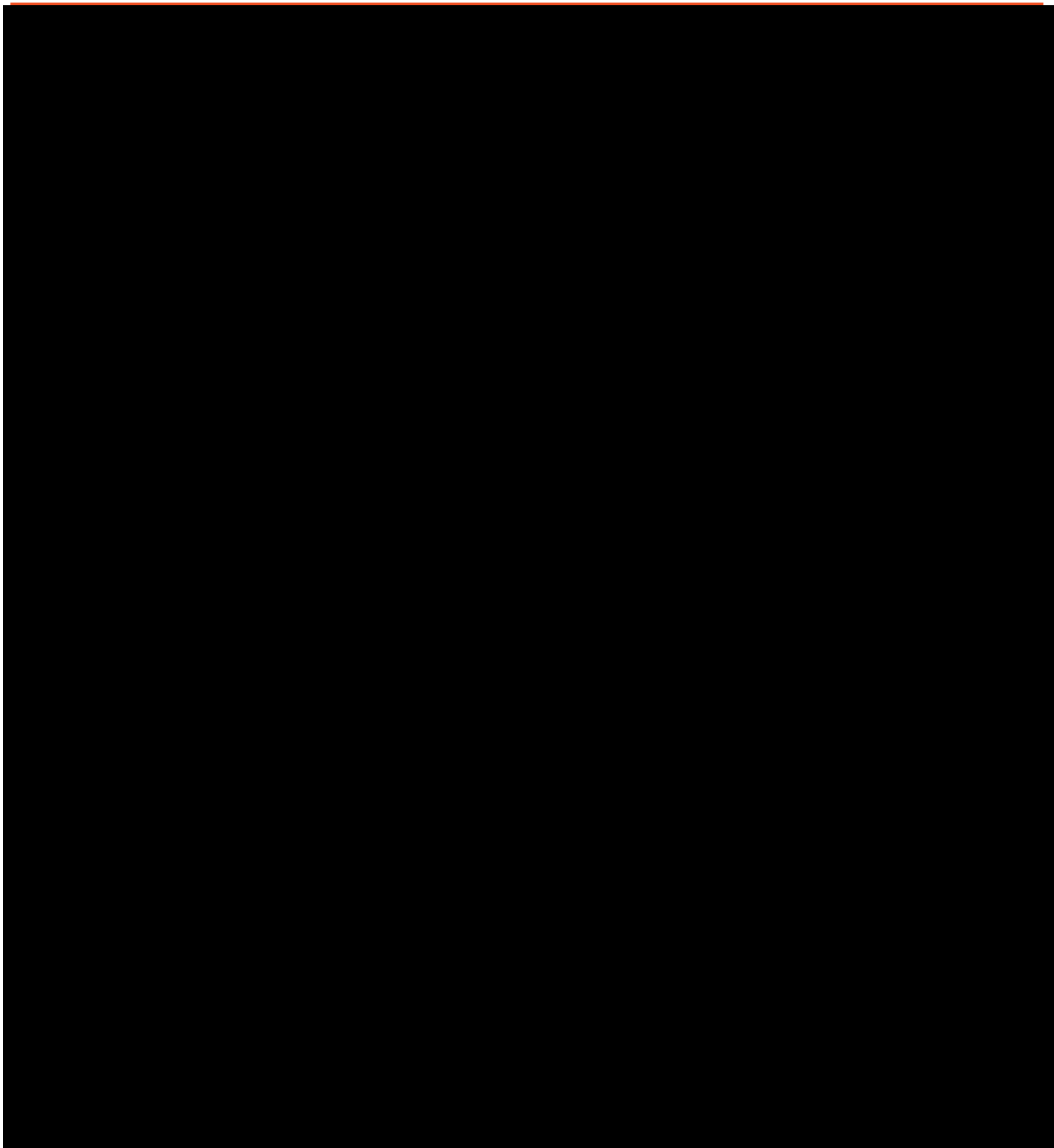
**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

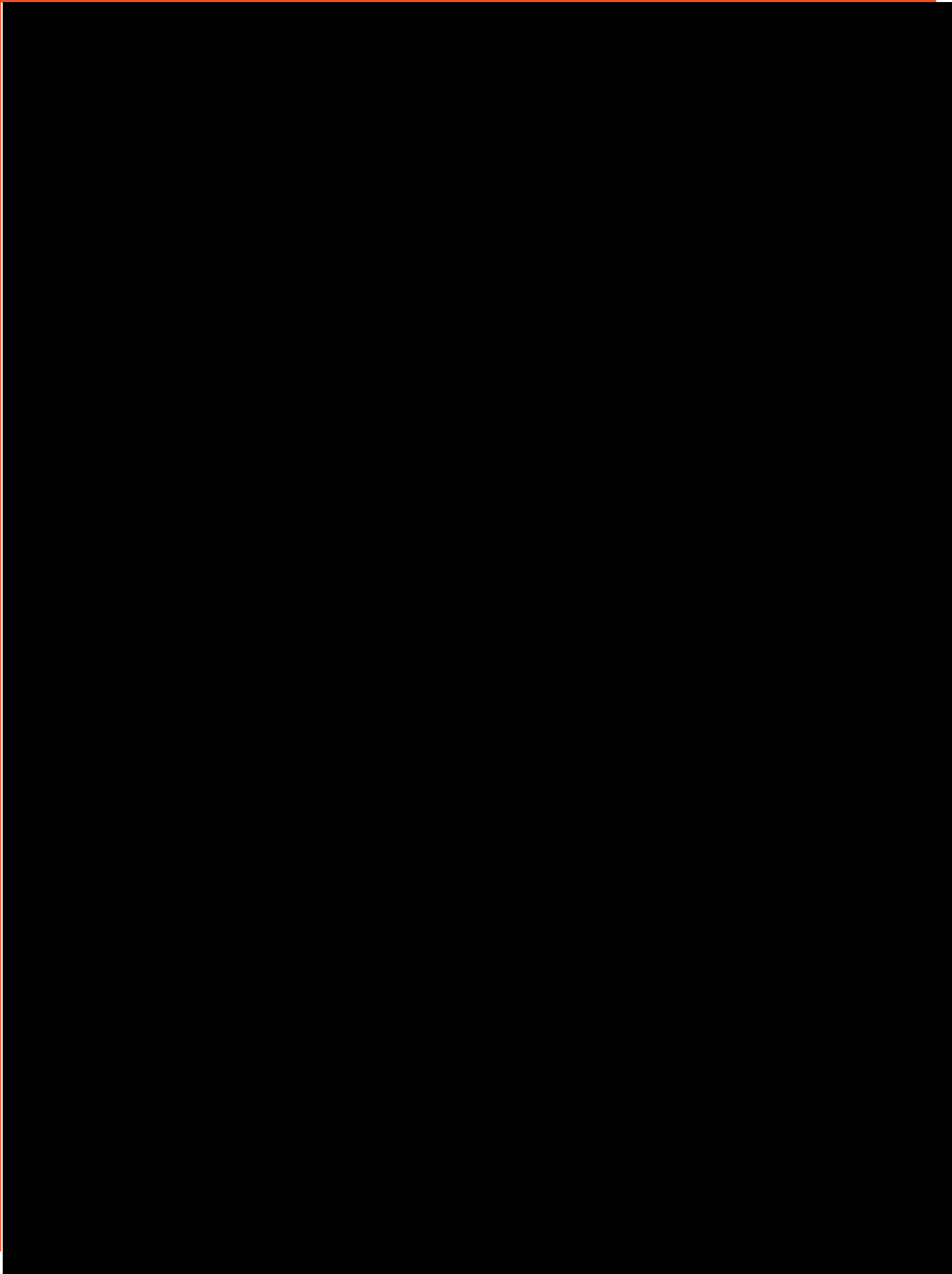
**CONSOLIDATED STATEMENTS OF CASH FLOWS
FOR THE YEARS ENDED SEPTEMBER 30, 2014 AND 2013**

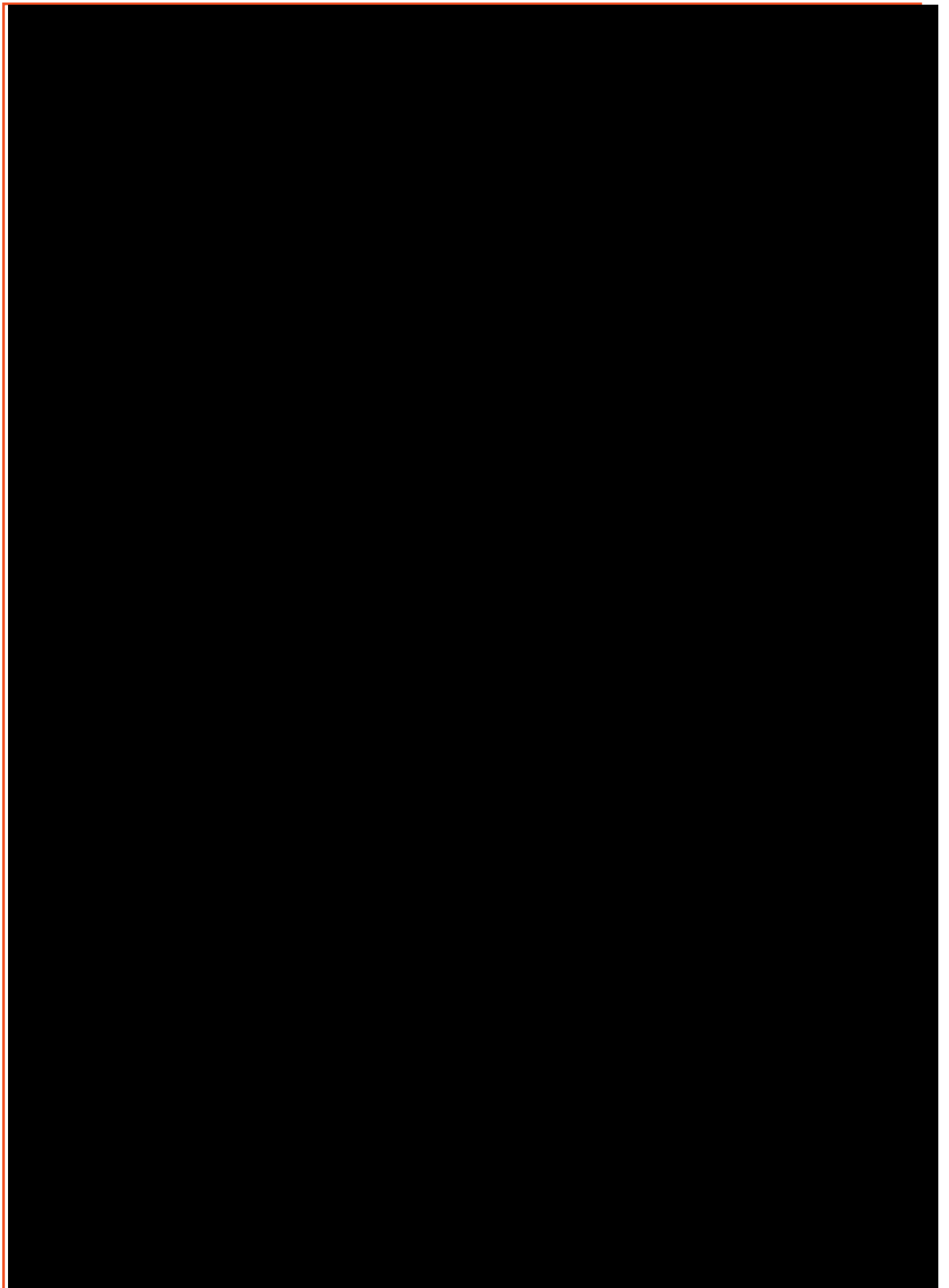


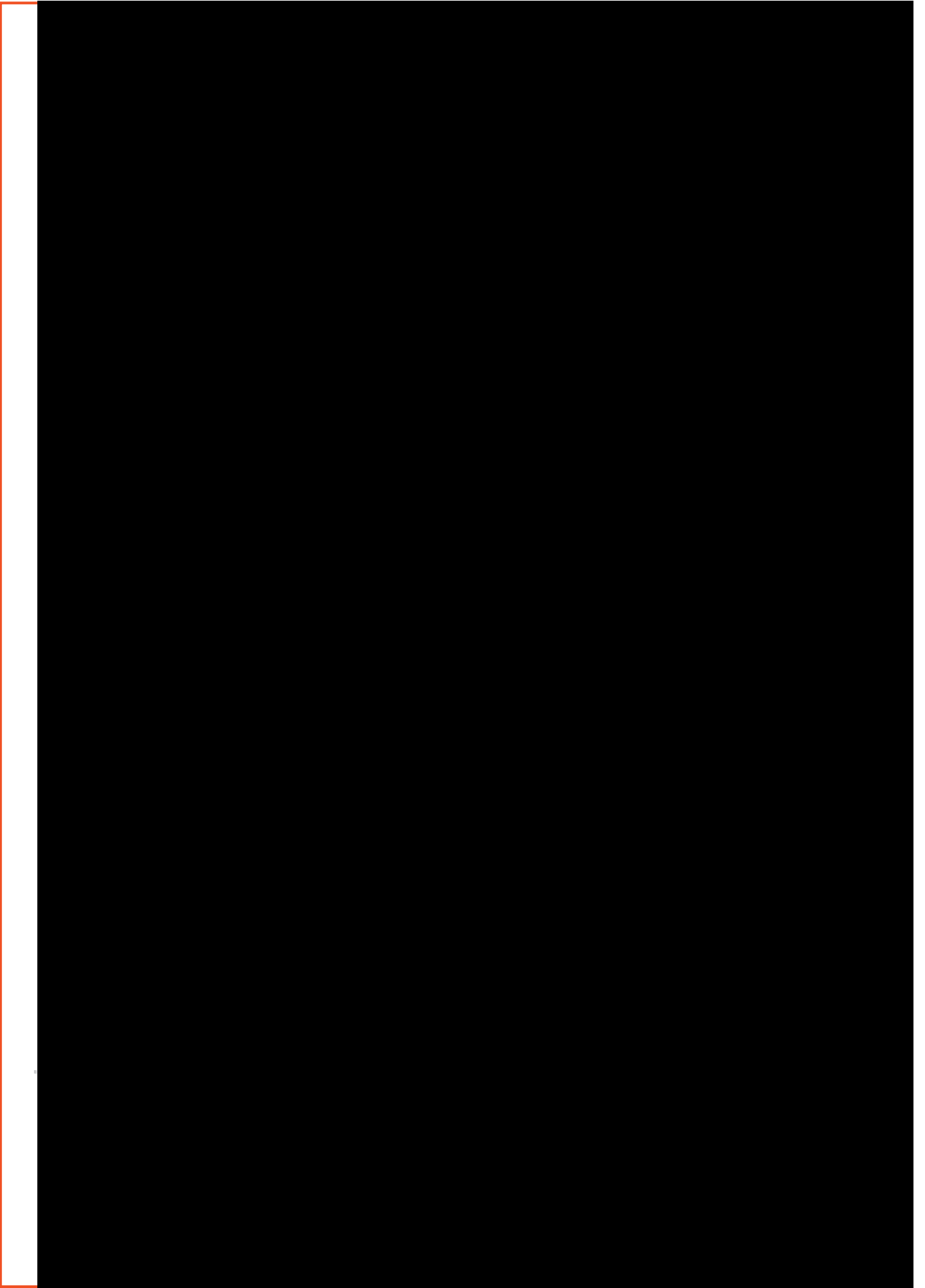
**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

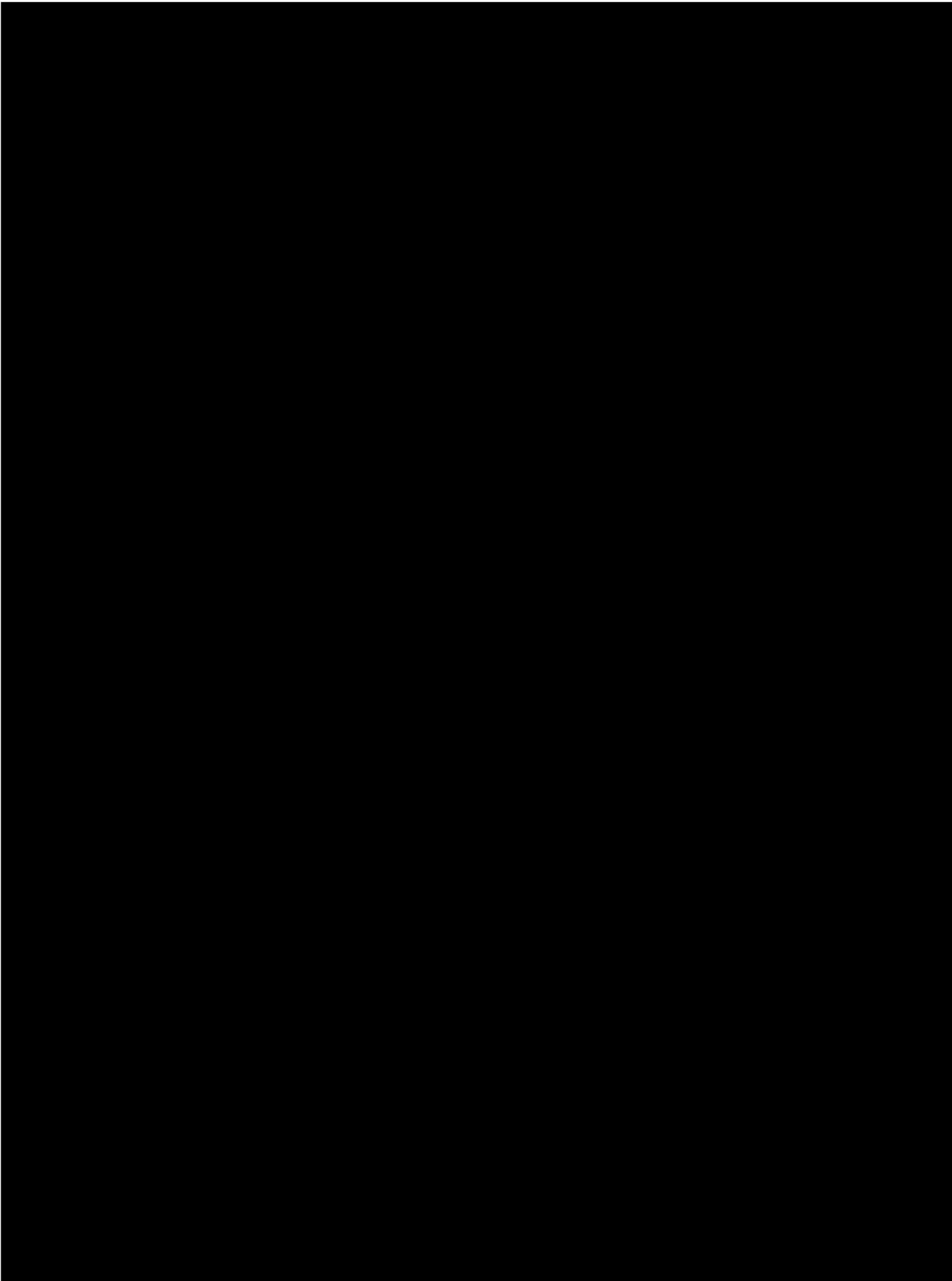
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AS OF AND FOR THE YEARS ENDED SEPTEMBER 30, 2014 AND 2013**

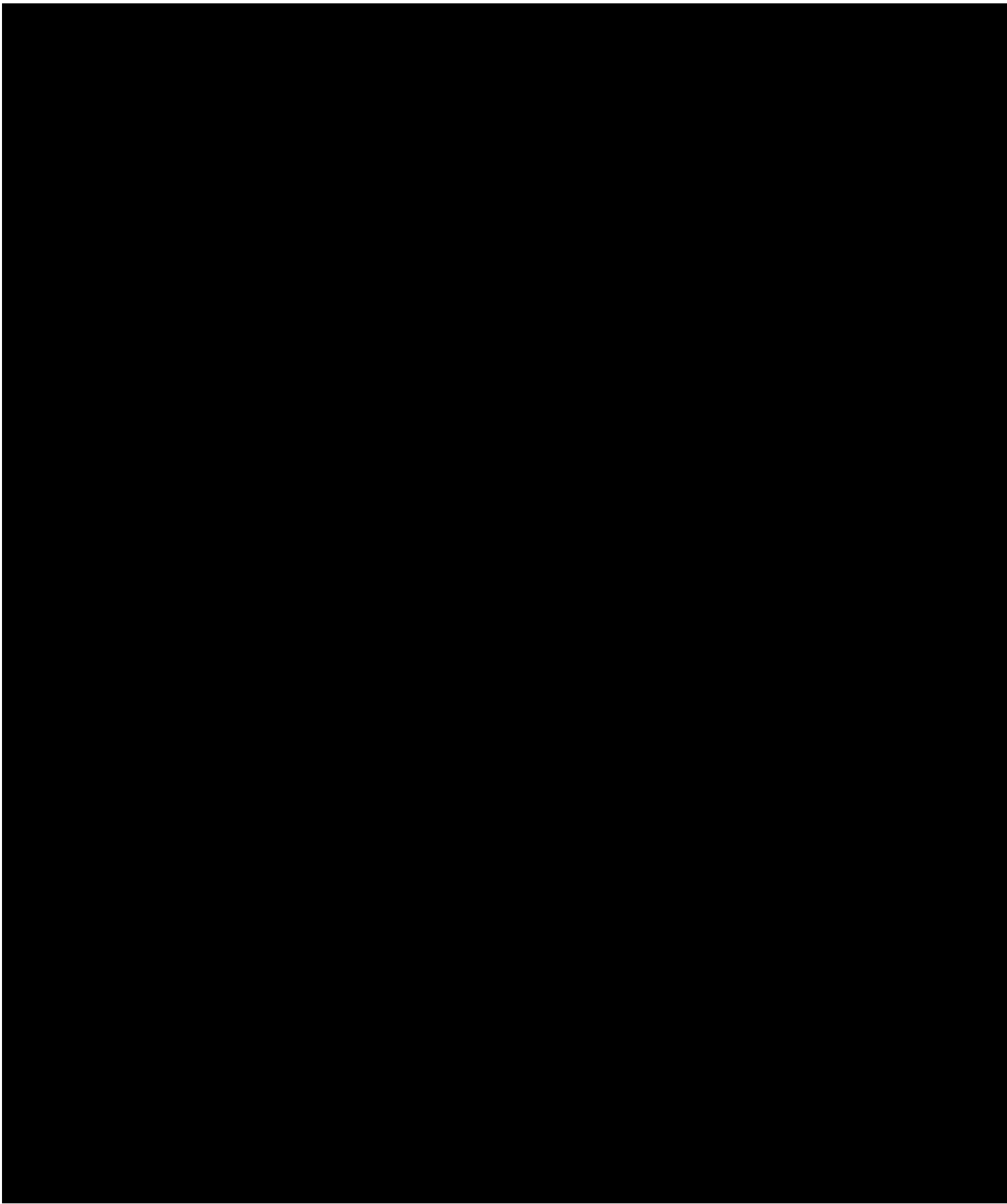


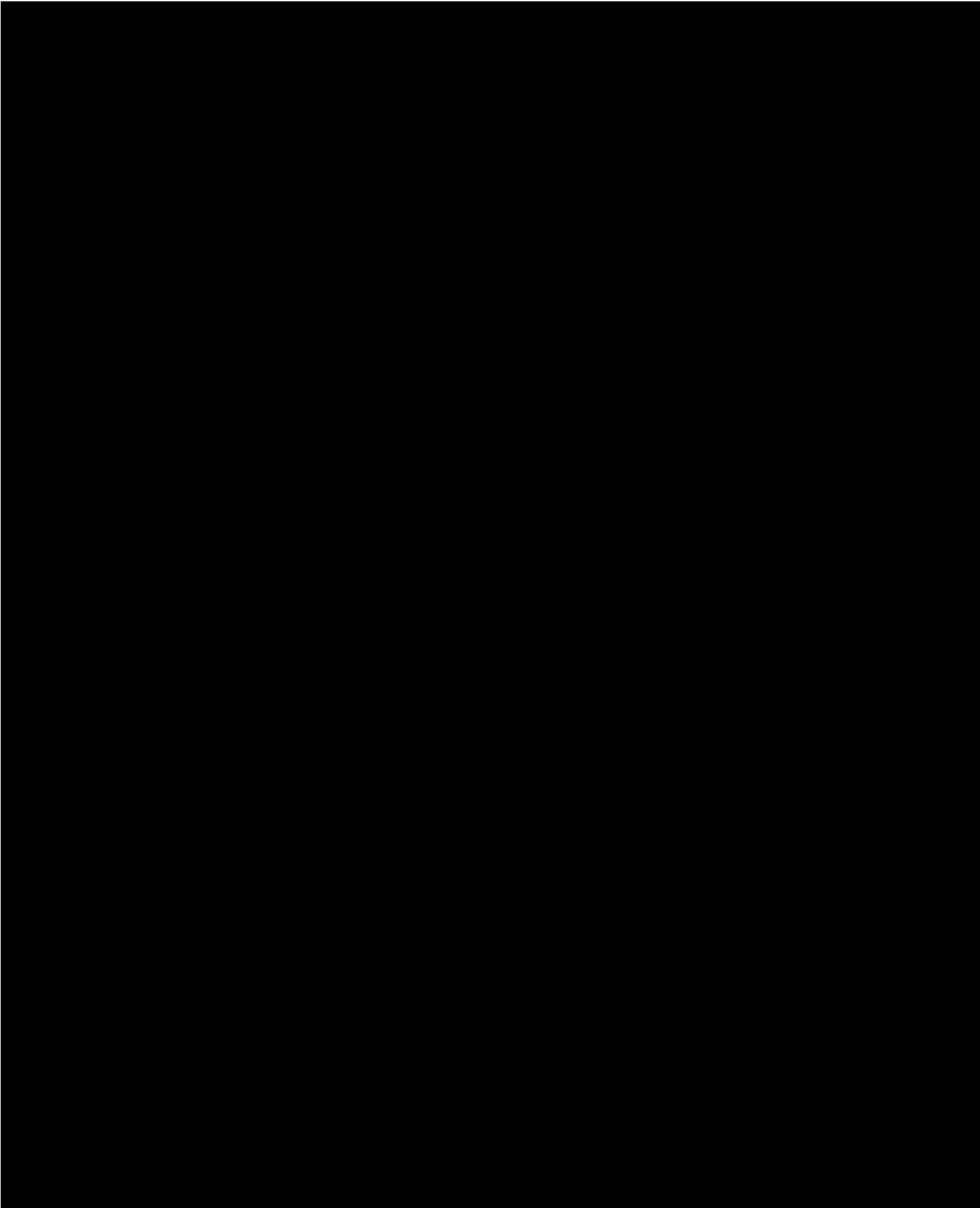


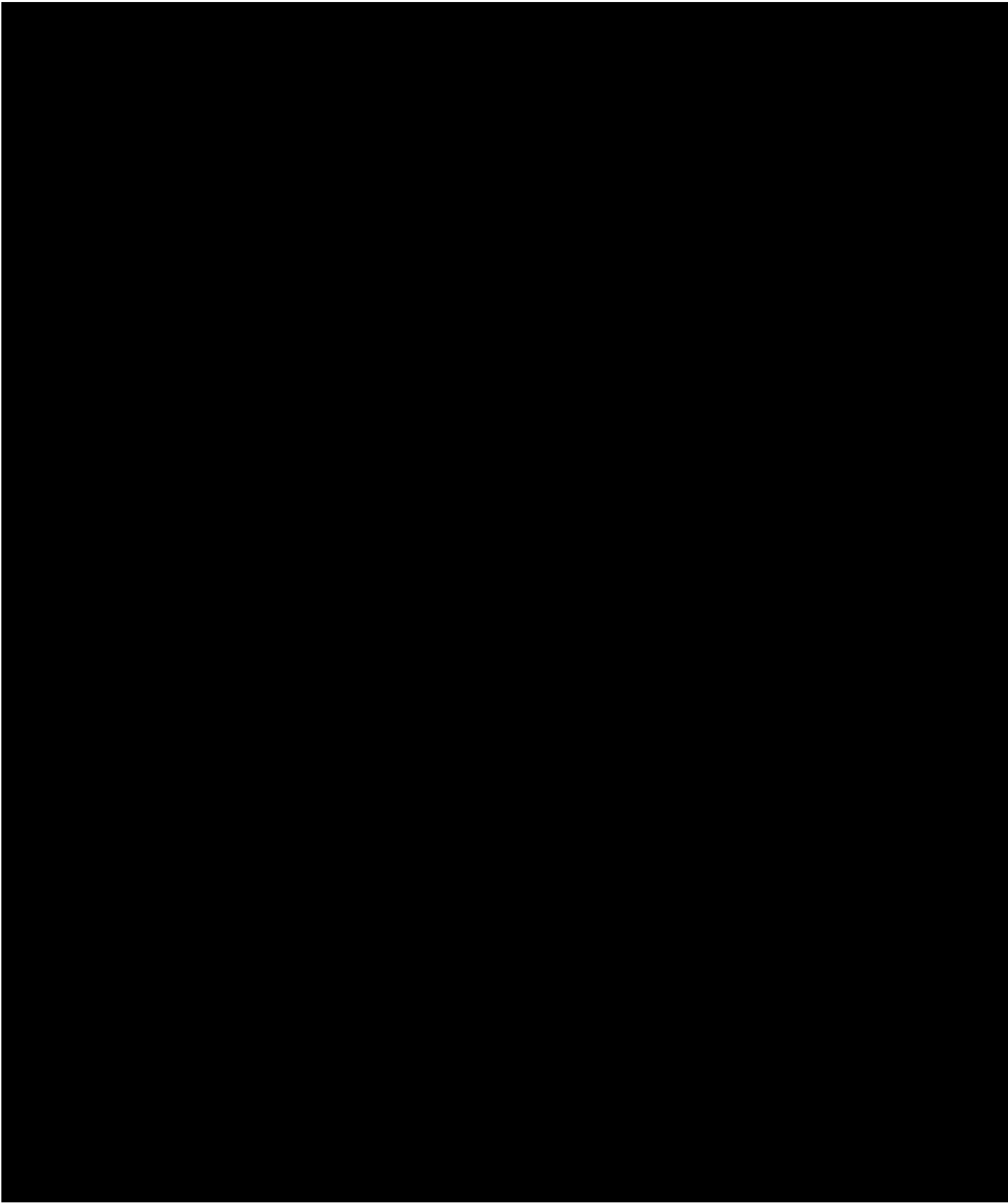


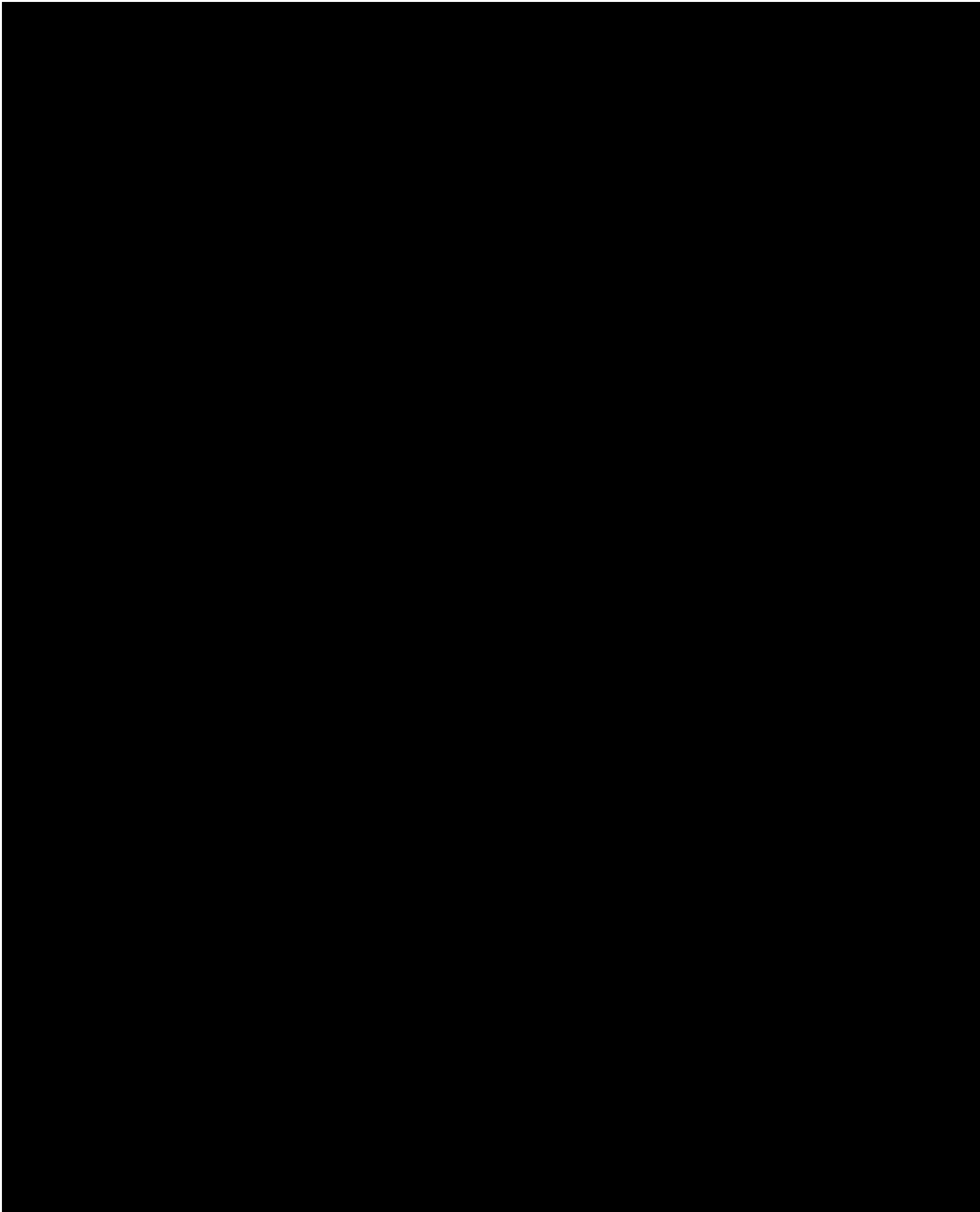


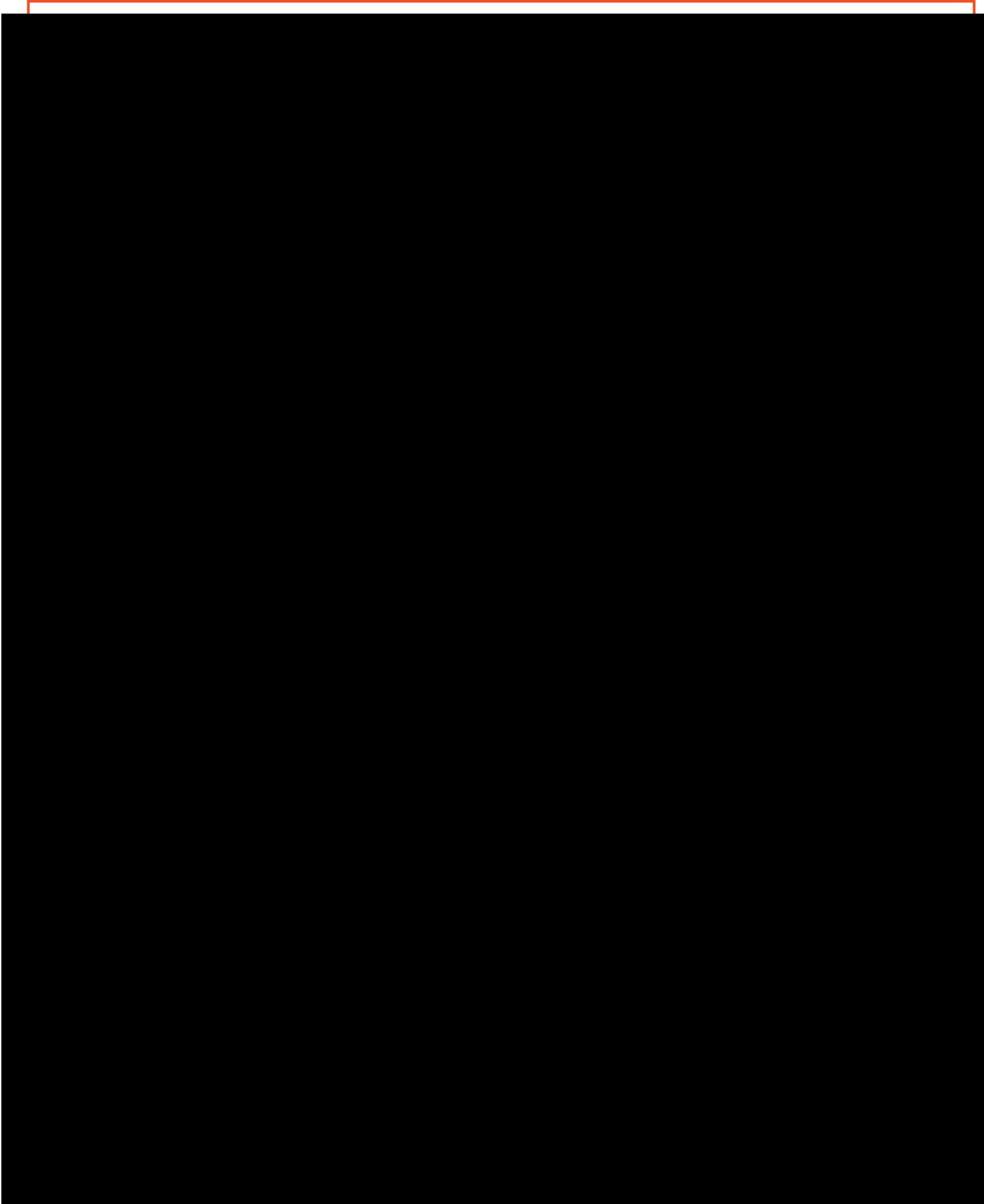


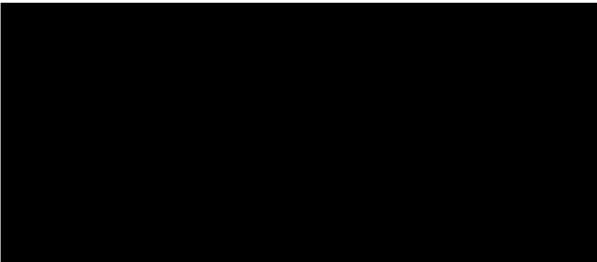












**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

Consolidated Financial Statements

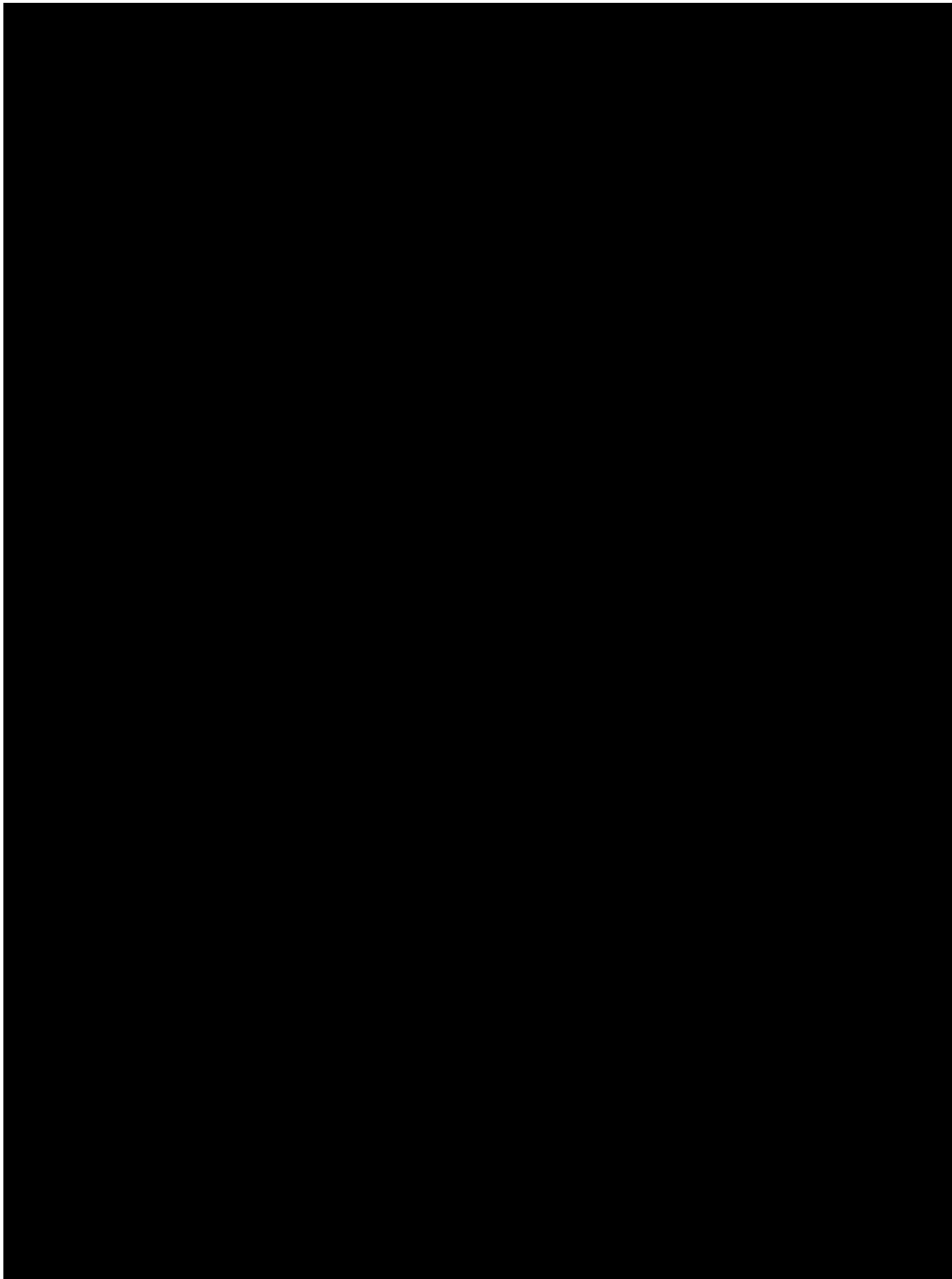
September 30, 2016 and 2015

(With Independent Auditors' Report Thereon)

**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

Table of Contents

	Page(s)
Independent Auditors' Report	1-2
Consolidated Financial Statements:	
Consolidated Balance Sheets	3
Consolidated Statements of Comprehensive Income	4
Consolidated Statements of Stockholders' Equity	5
Consolidated Statements of Cash Flows	6
Notes to Consolidated Financial Statements	7-22




CONFIDENTIAL

**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

Consolidated Balance Sheets

September 30, 2016 and 2015



**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

Consolidated Statements of Comprehensive Income

Years ended September 30, 2016 and 2015

**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

Consolidated Statements of Stockholders' Equity

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AND SUBSIDIARIES**

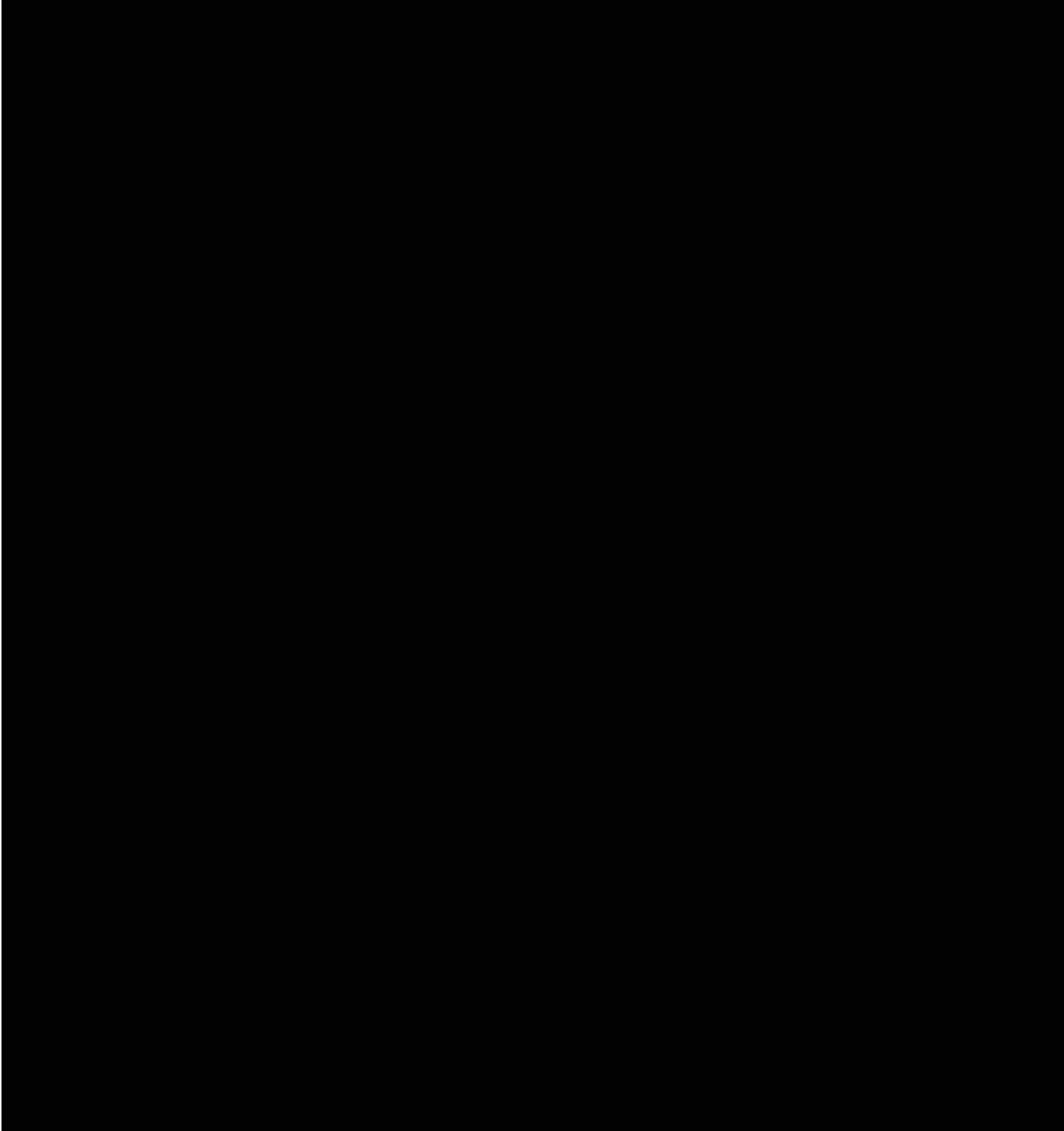
Consolidated Statements of Cash Flows

~~Years ended September 30, 2016 and 2015~~

**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

Notes to Consolidated Financial Statements

September 30, 2016 and 2015



**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

Notes to Consolidated Financial Statements

September 30, 2016 and 2015

**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

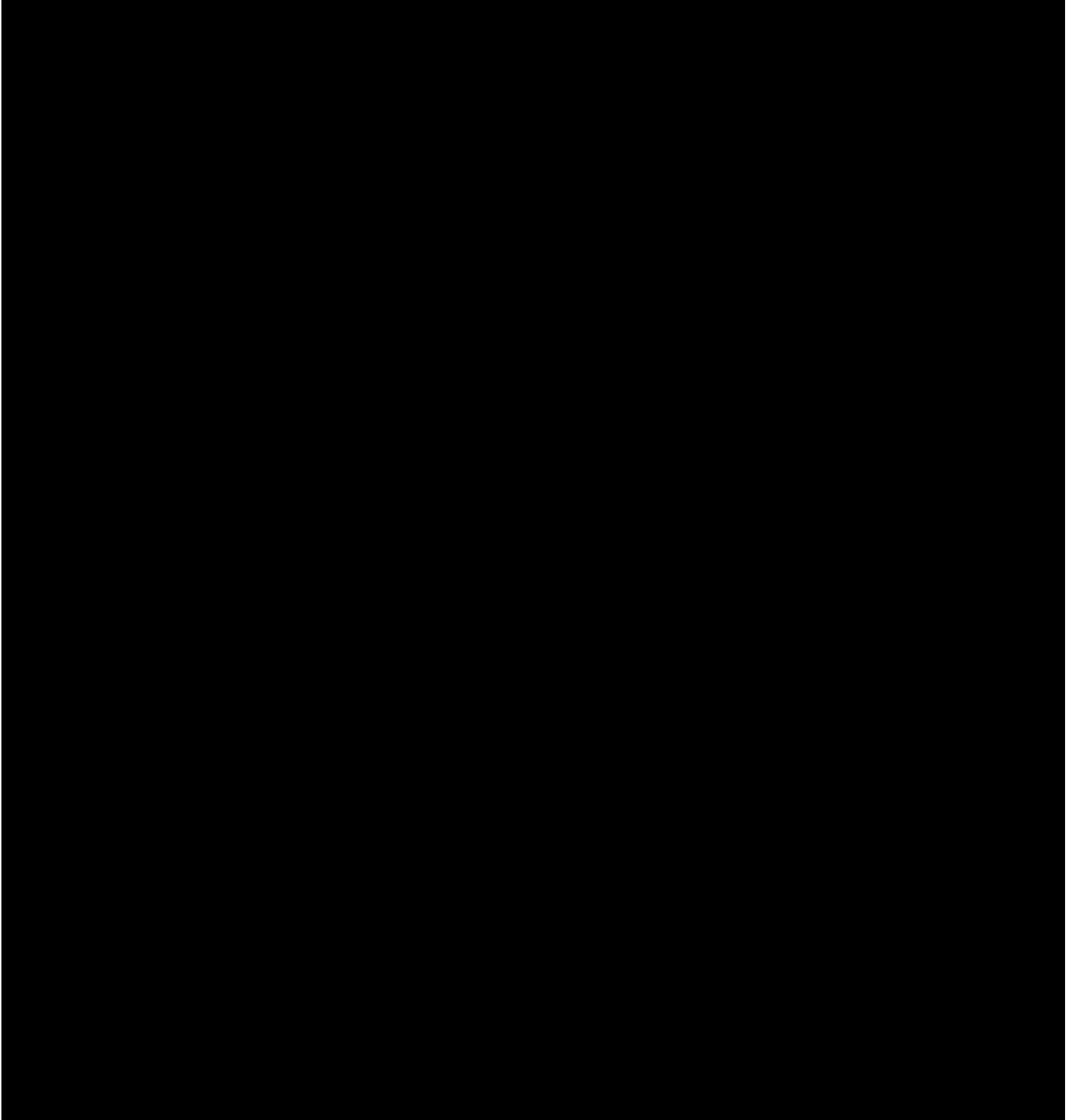
Notes to Consolidated Financial Statements

September 30, 2016 and 2015

**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

Notes to Consolidated Financial Statements

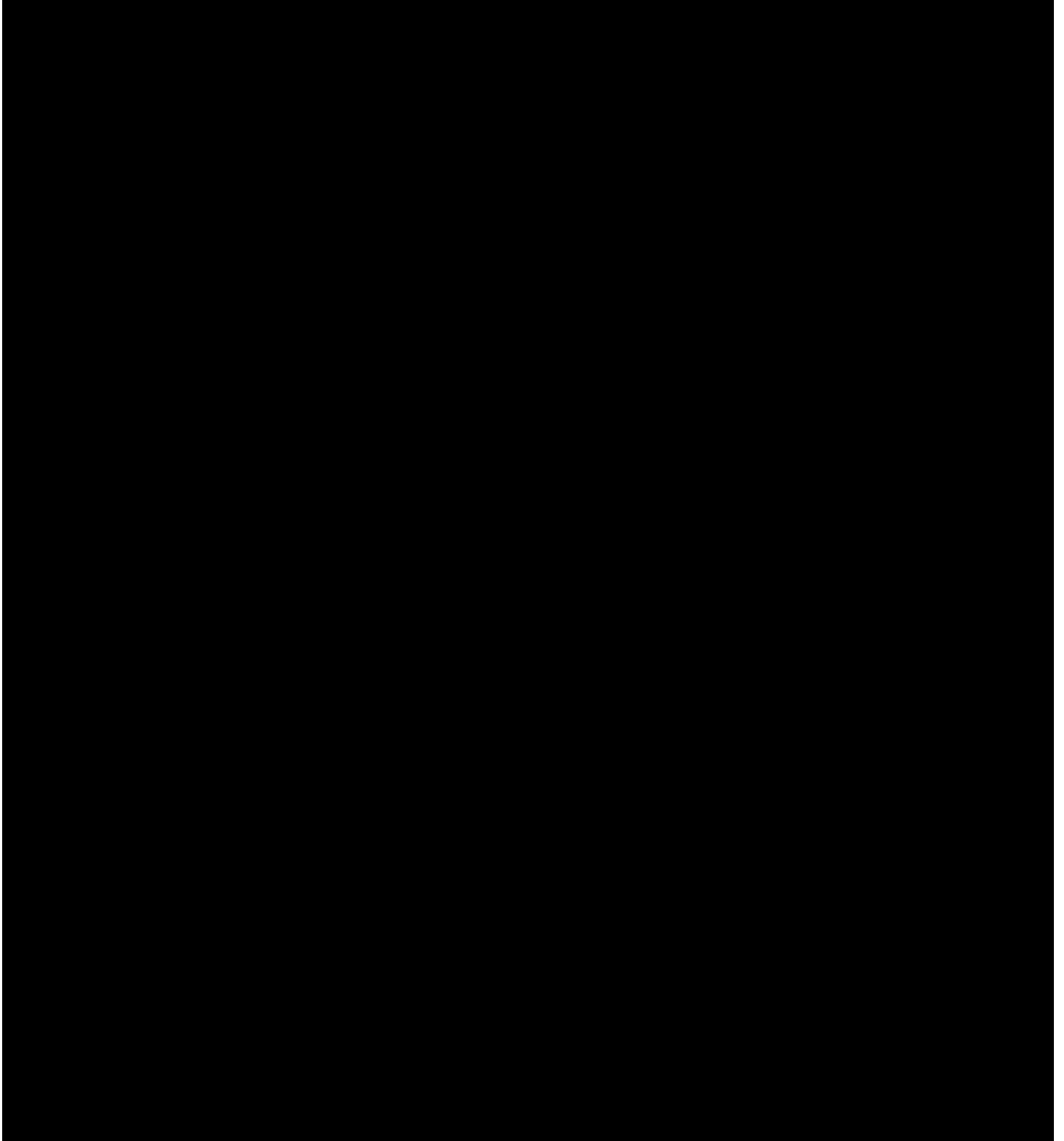
September 30, 2016 and 2015



**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

Notes to Consolidated Financial Statements


September 30, 2016 and 2015



**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

Notes to Consolidated Financial Statements

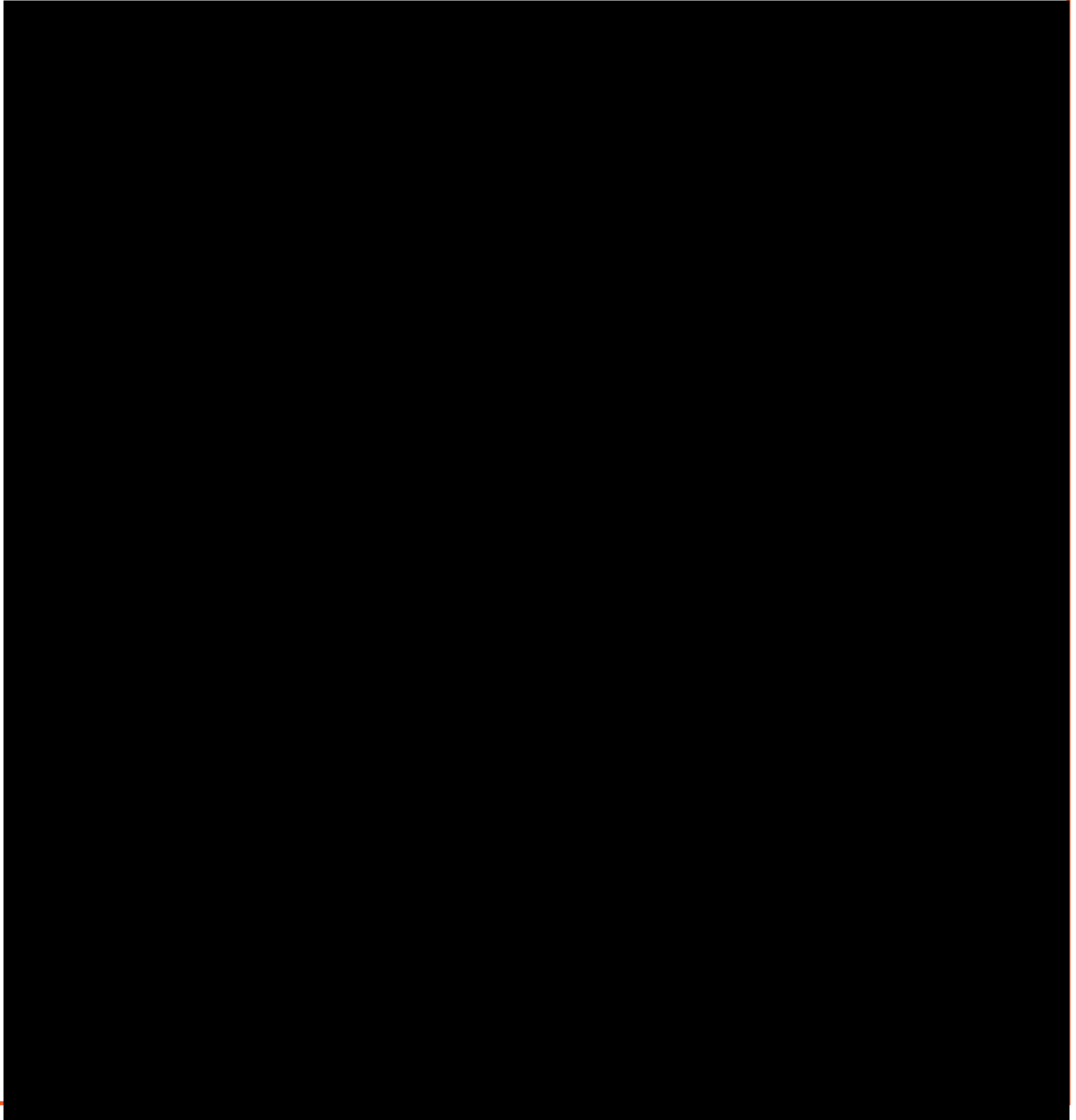
~~September 30, 2016 and 2015~~



**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

Notes to Consolidated Financial Statements

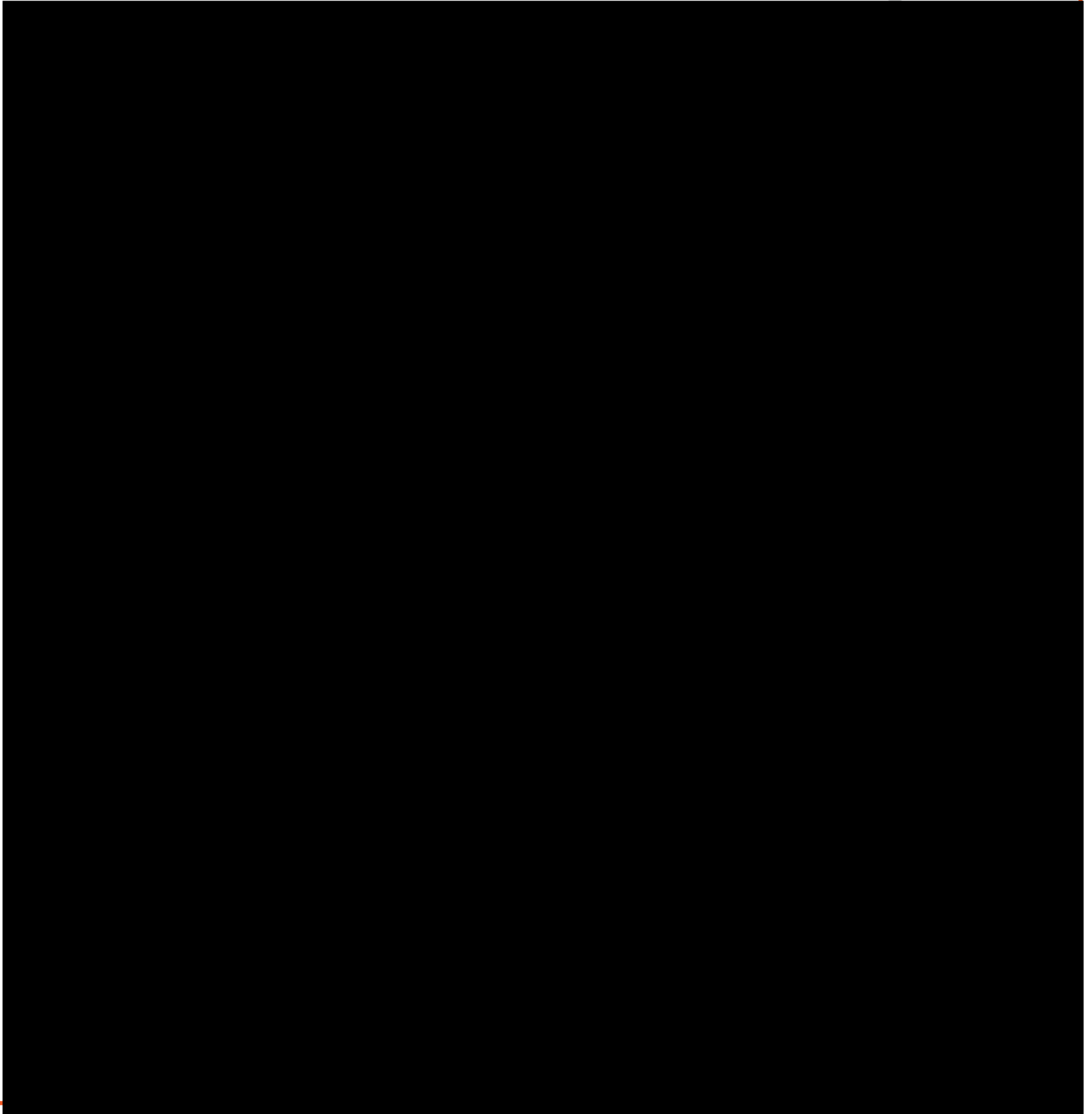
September 30, 2016 and 2015



**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

Notes to Consolidated Financial Statements

September 30, 2016 and 2015



**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

Notes to Consolidated Financial Statements

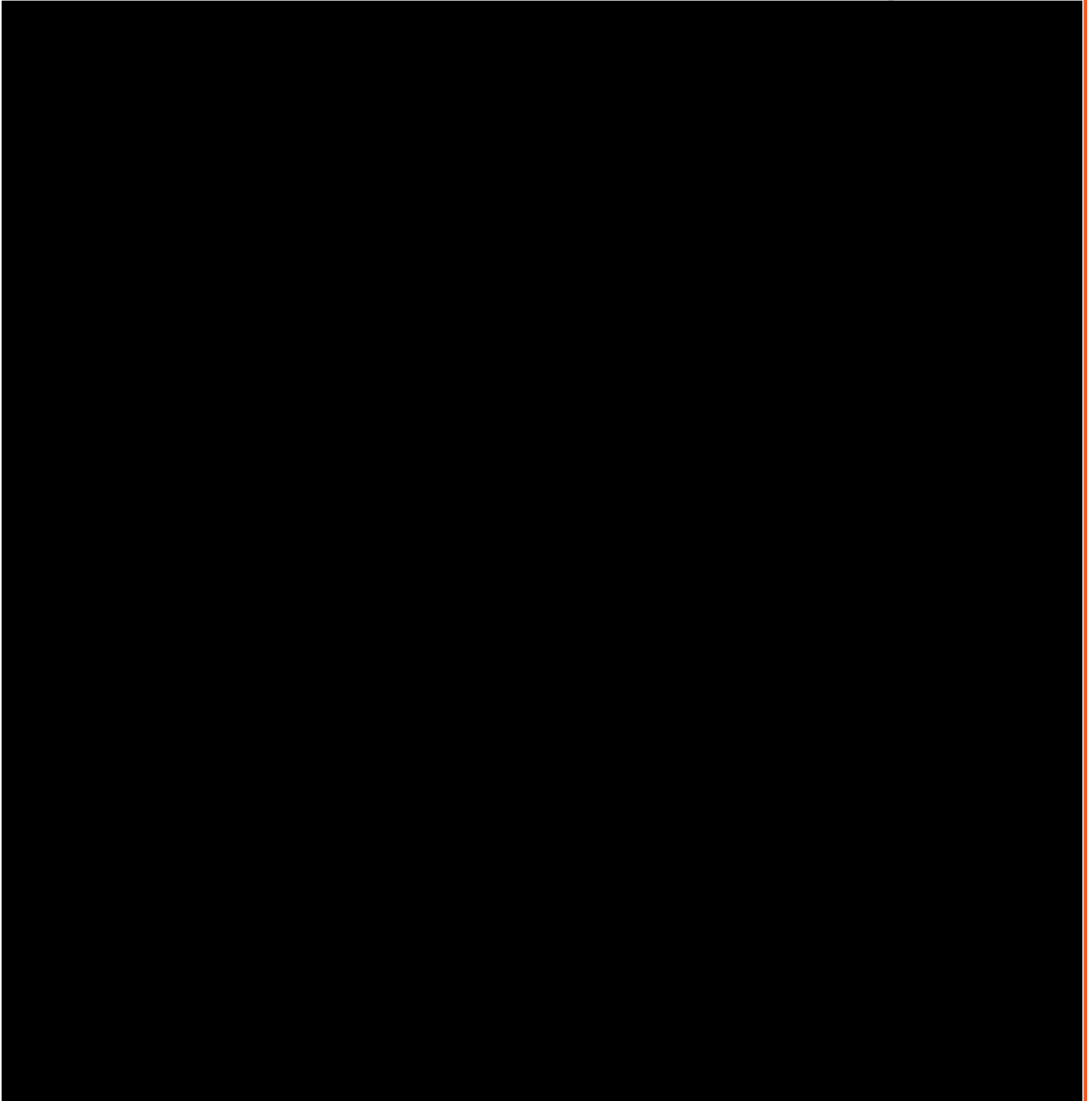
September 30, 2016 and 2015



**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

Notes to Consolidated Financial Statements

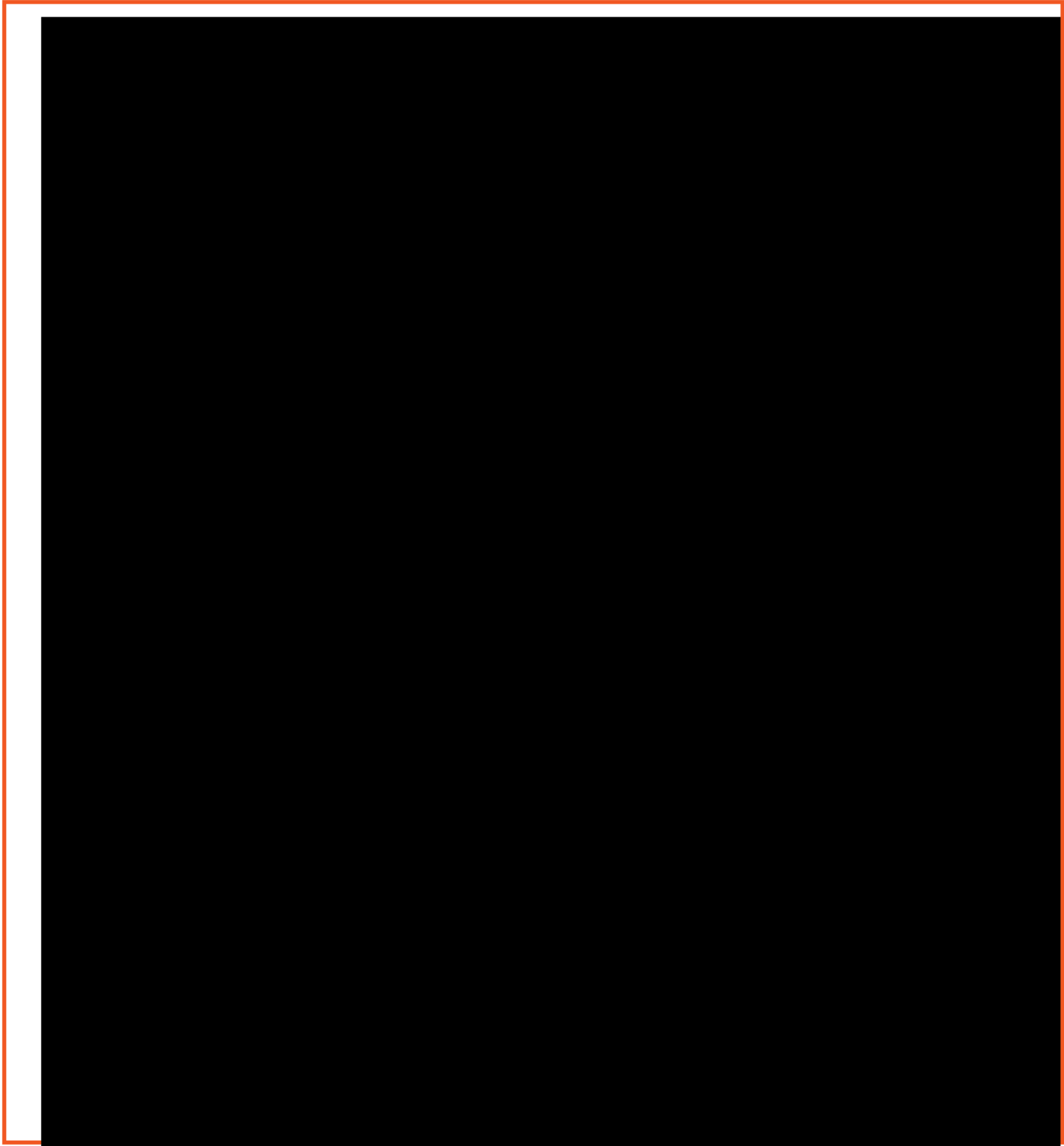
September 30, 2016 and 2015



**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

Notes to Consolidated Financial Statements

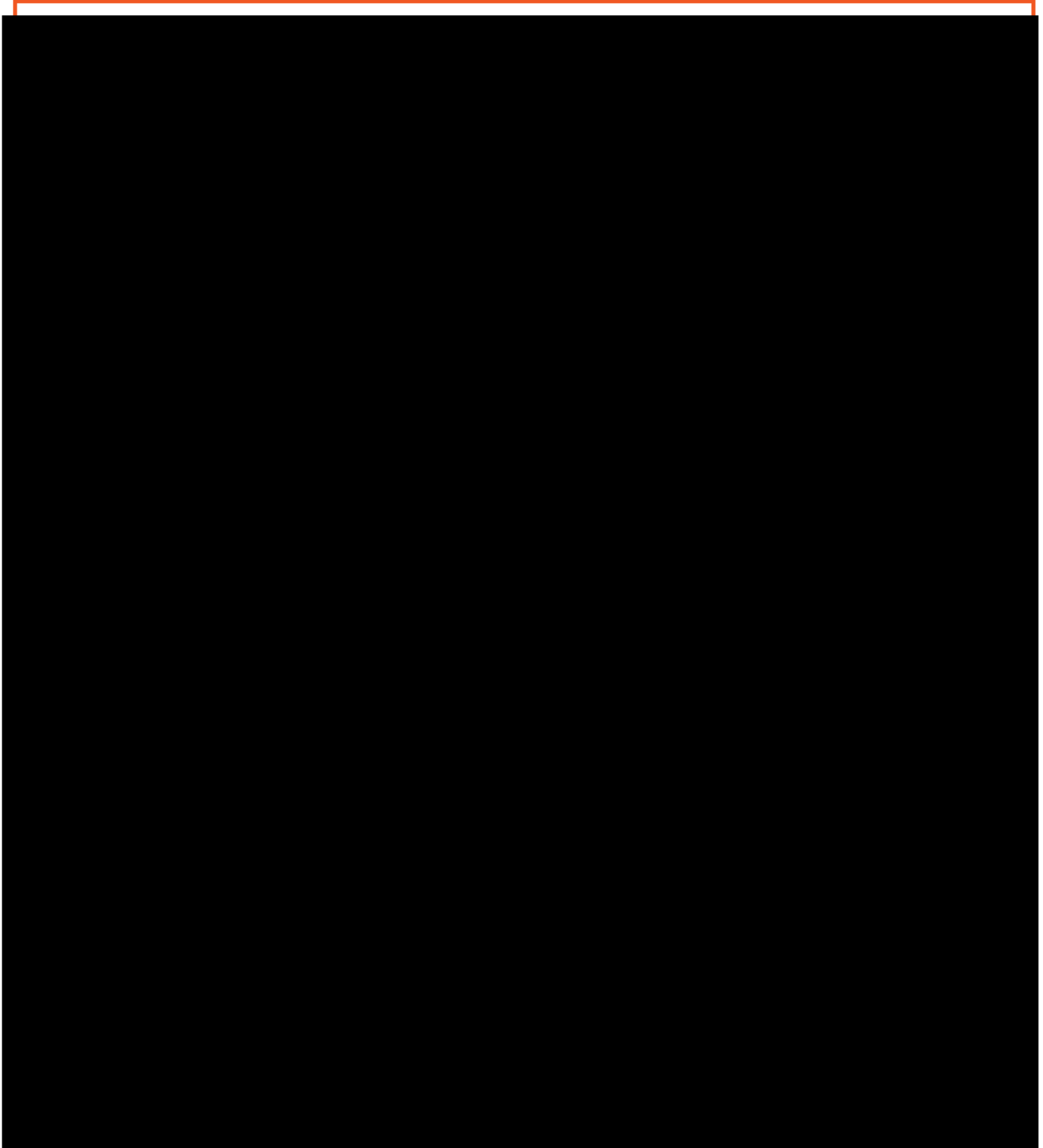
September 30, 2016 and 2015



**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

Notes to Consolidated Financial Statements

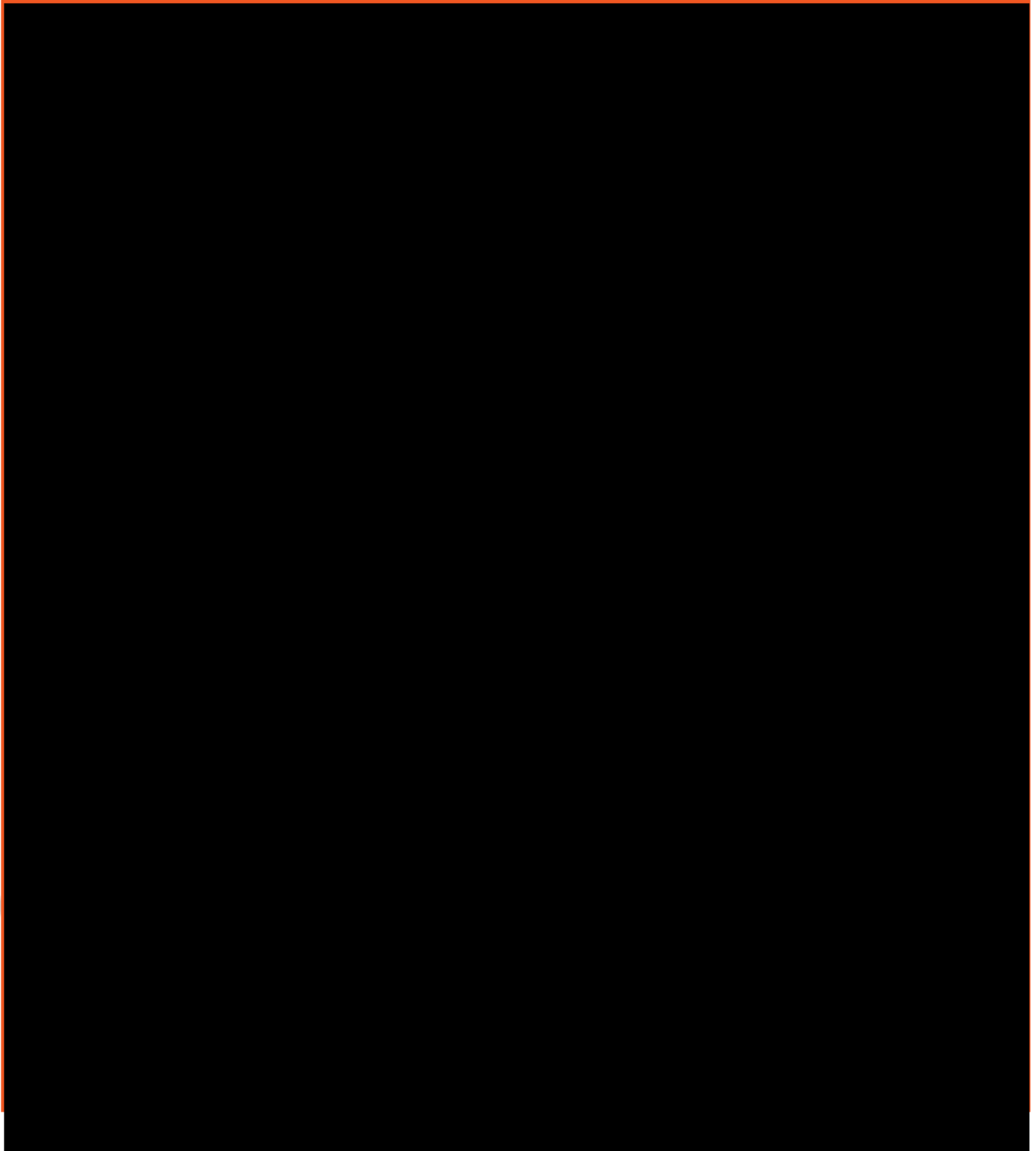
September 30, 2016 and 2015



**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

Notes to Consolidated Financial Statements

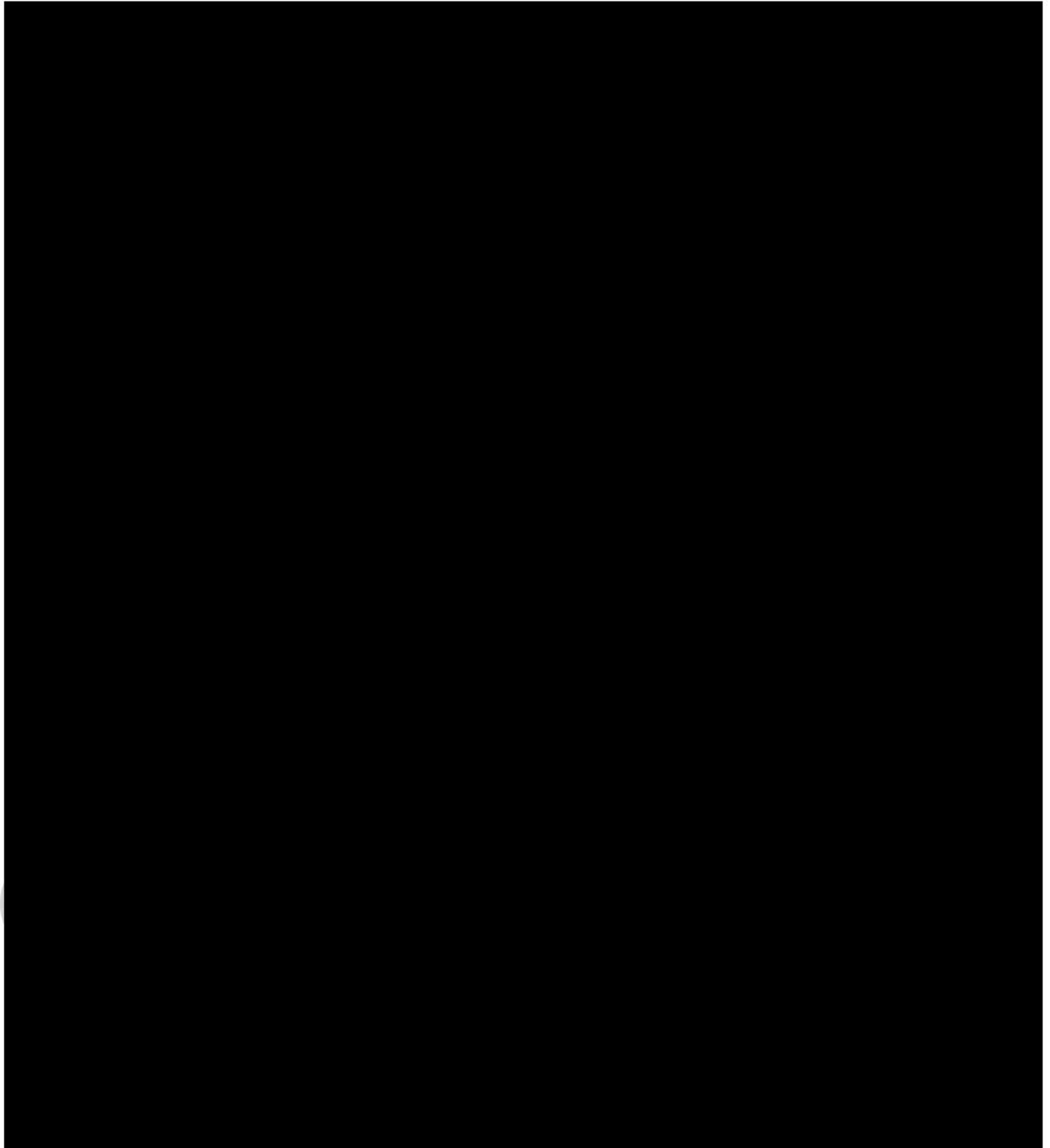
September 30, 2016 and 2015



**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

Notes to Consolidated Financial Statements

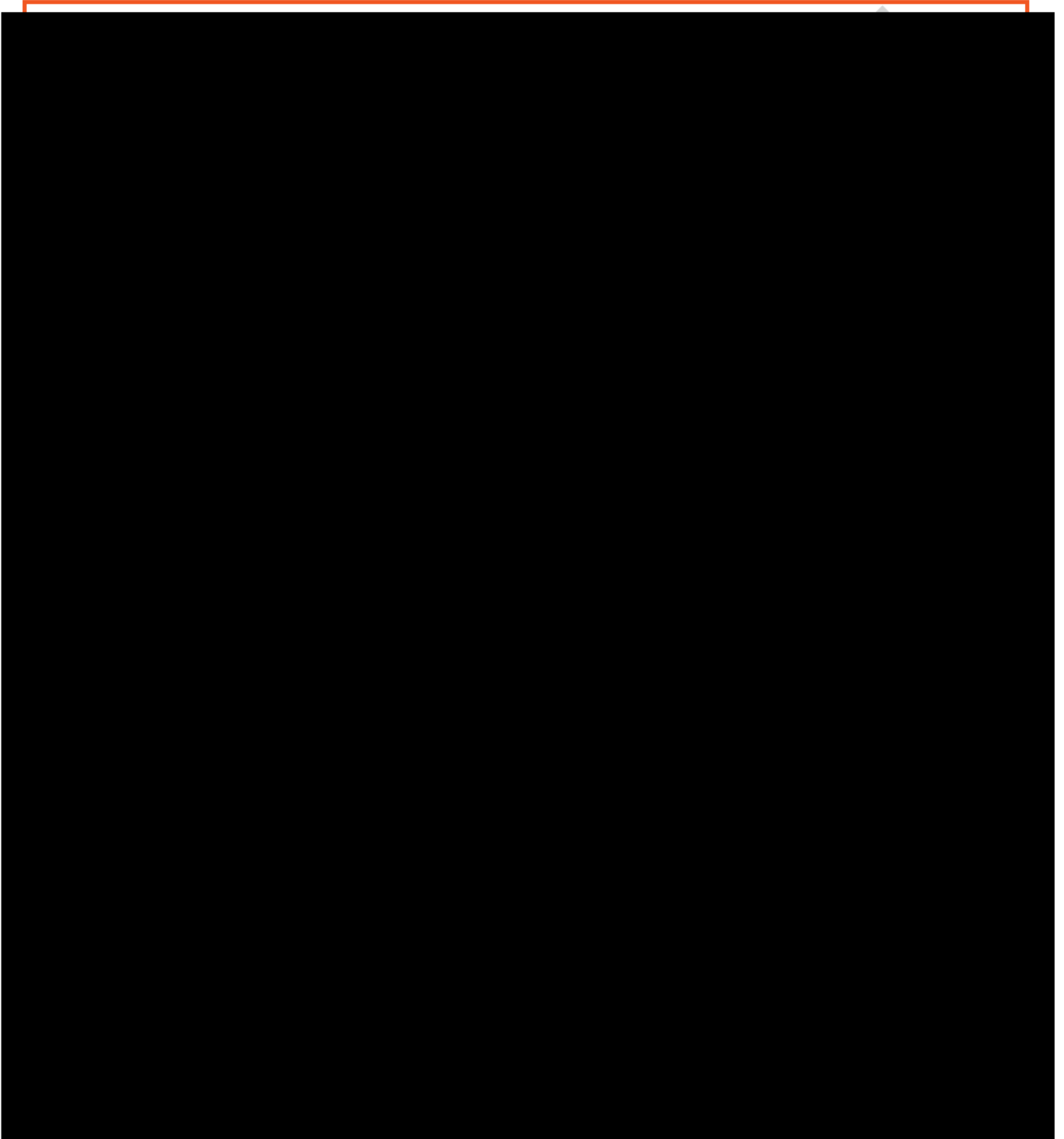
September 30, 2016 and 2015



**GOVERNMENT SYSTEMS, SOFTWARE & SERVICES, INC.
AND SUBSIDIARIES**

Notes to Consolidated Financial Statements

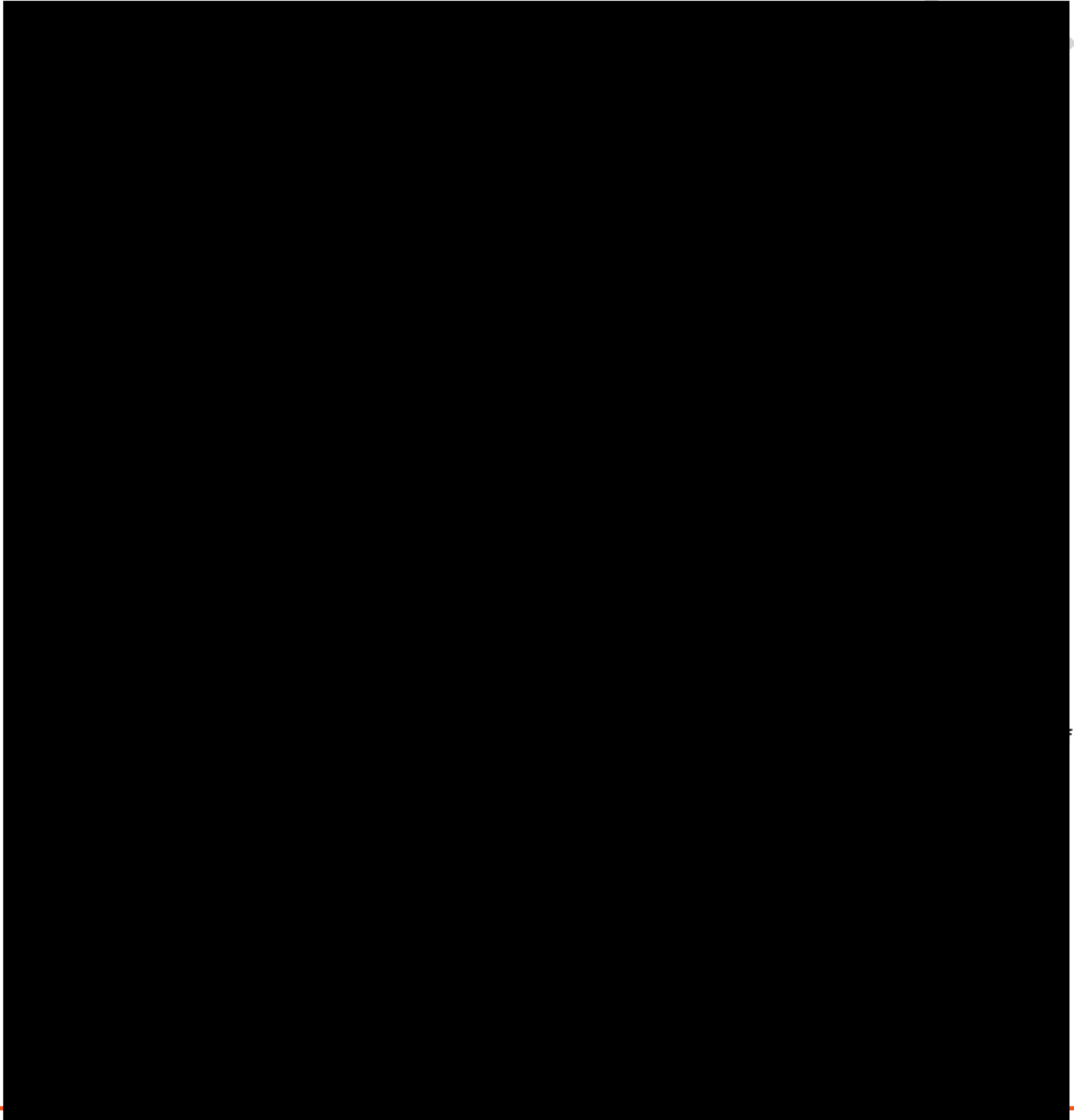
September 30, 2016 and 2015



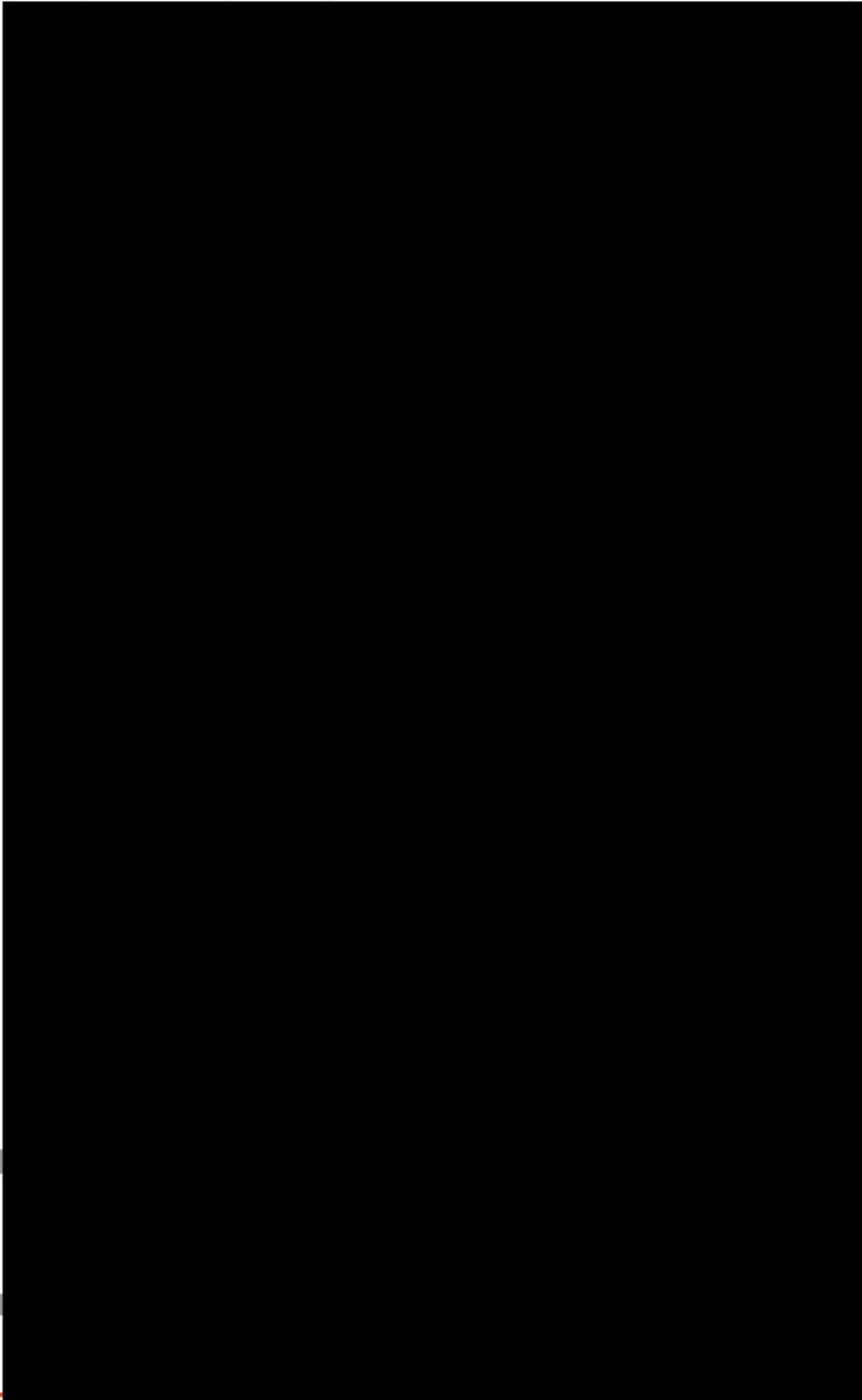
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AND SUBSIDIARIES**

Notes to Consolidated Financial Statements

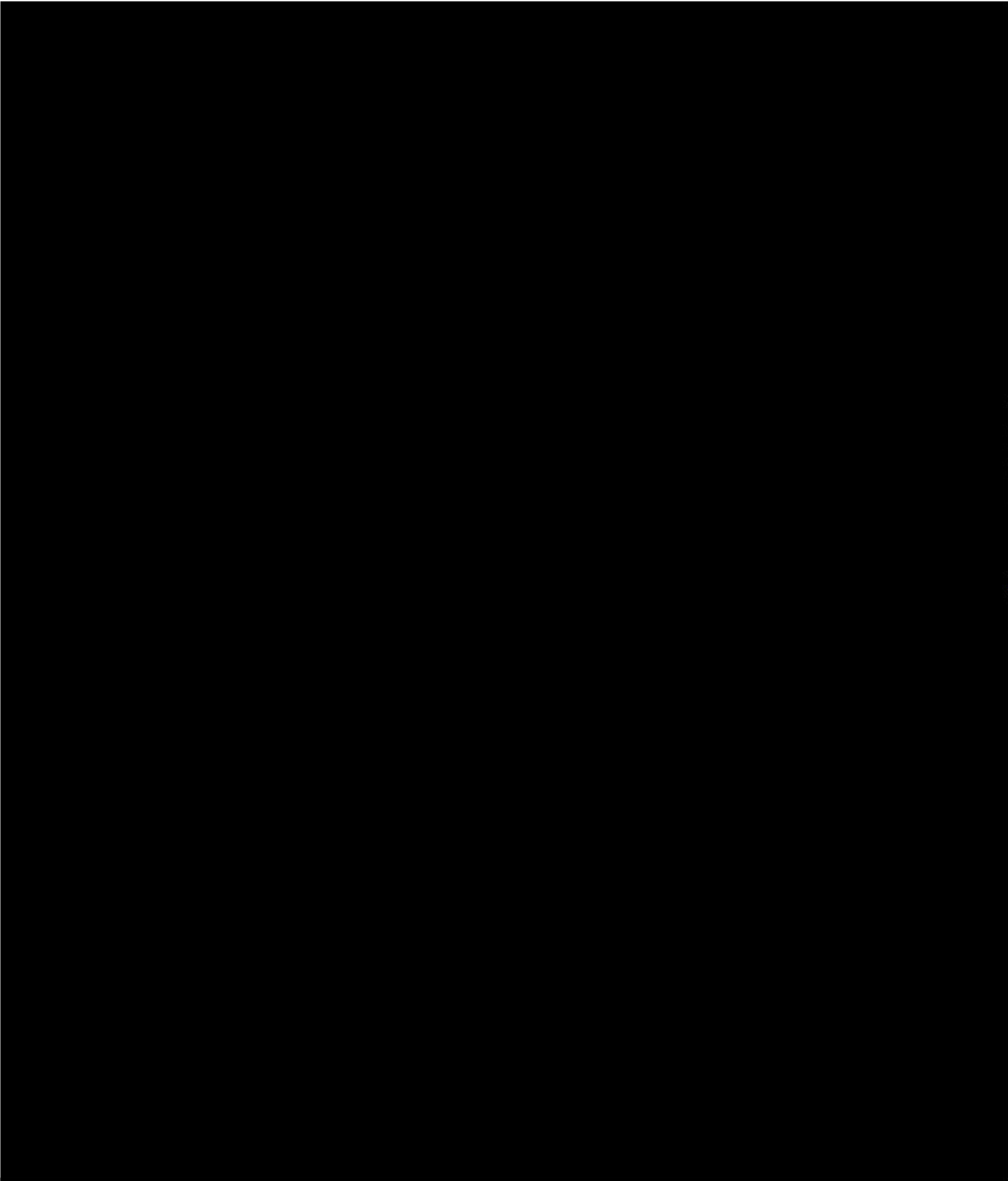
September 30, 2016 and 2015



Poll Book Sample Voted List



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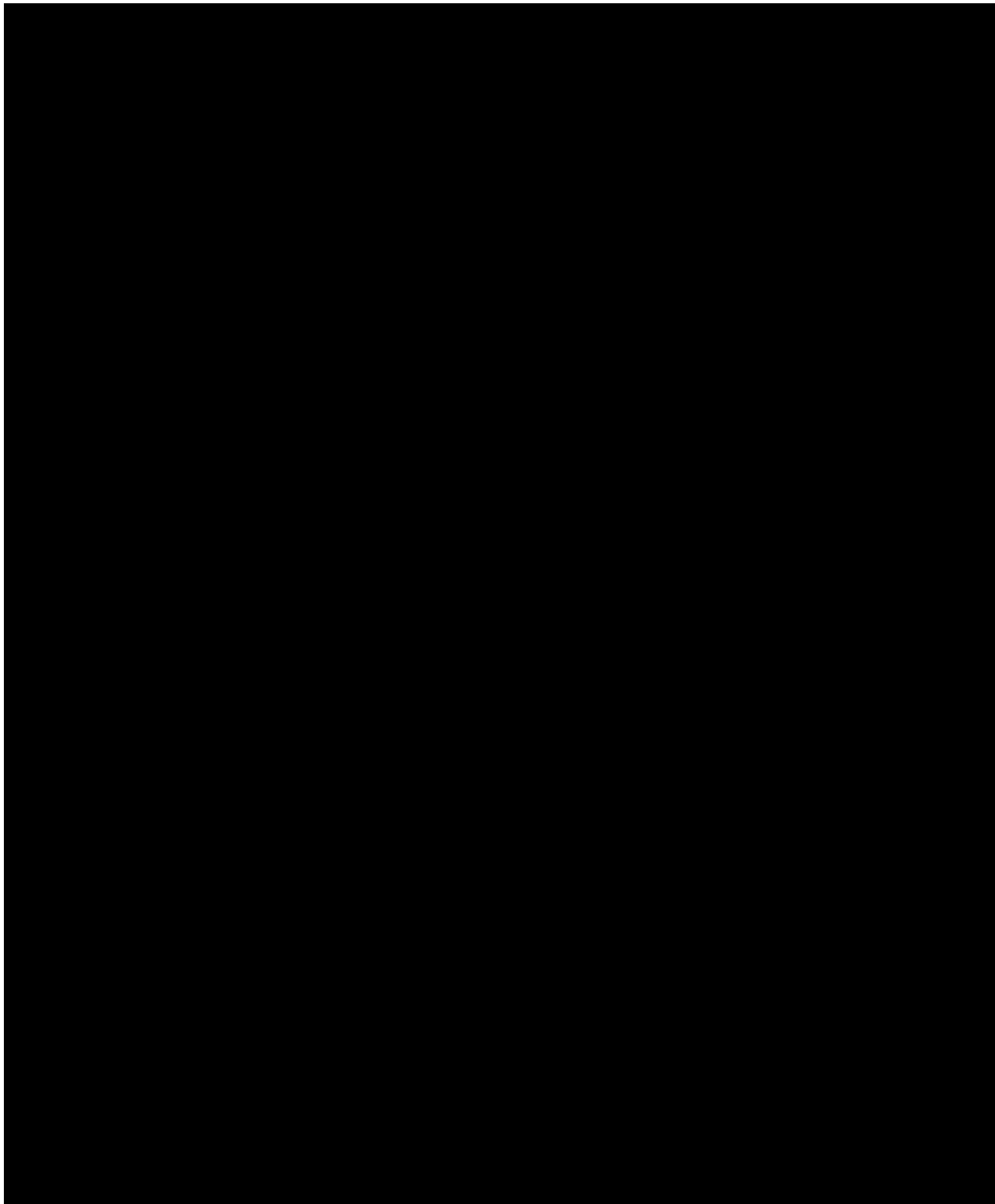
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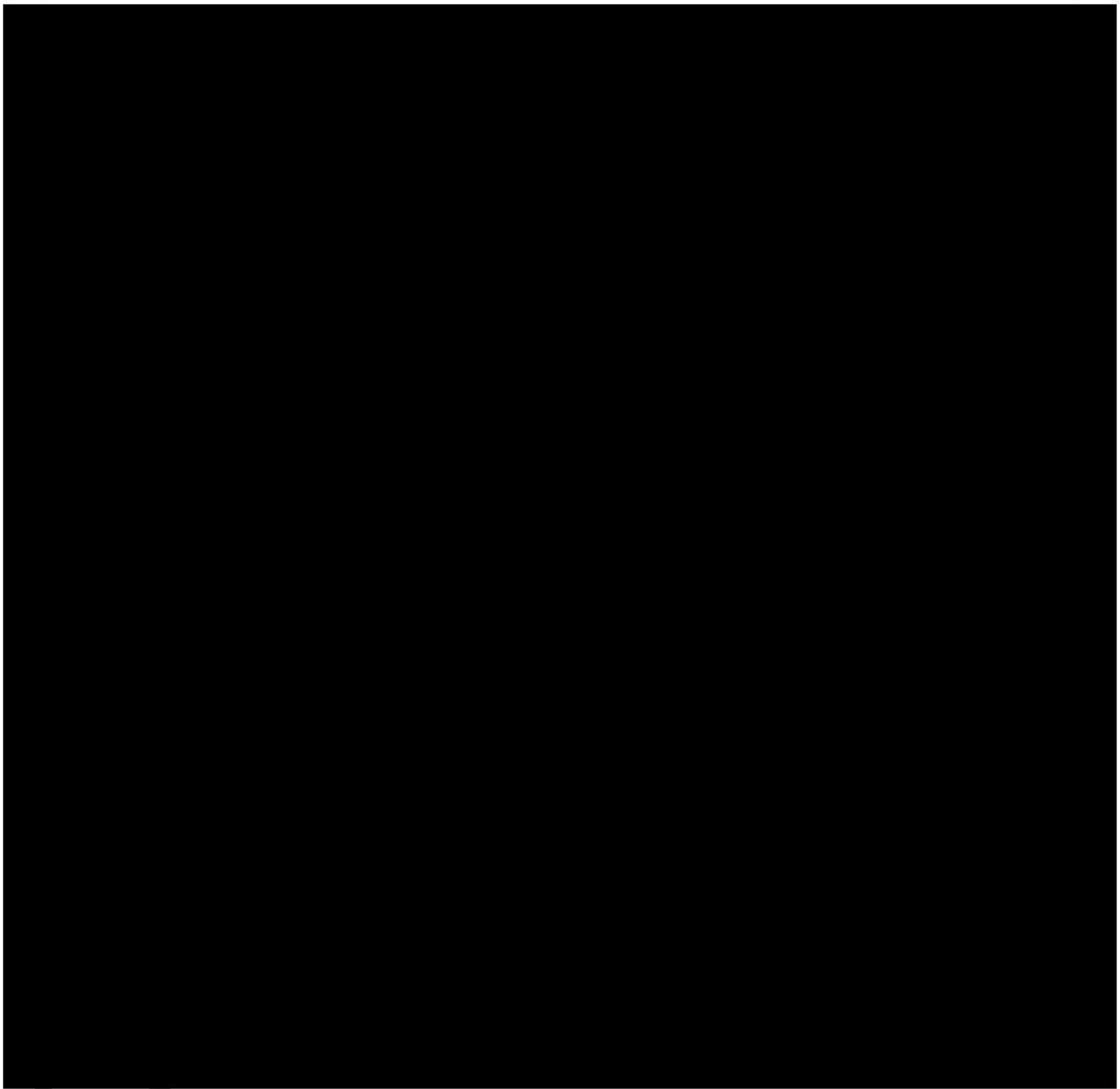
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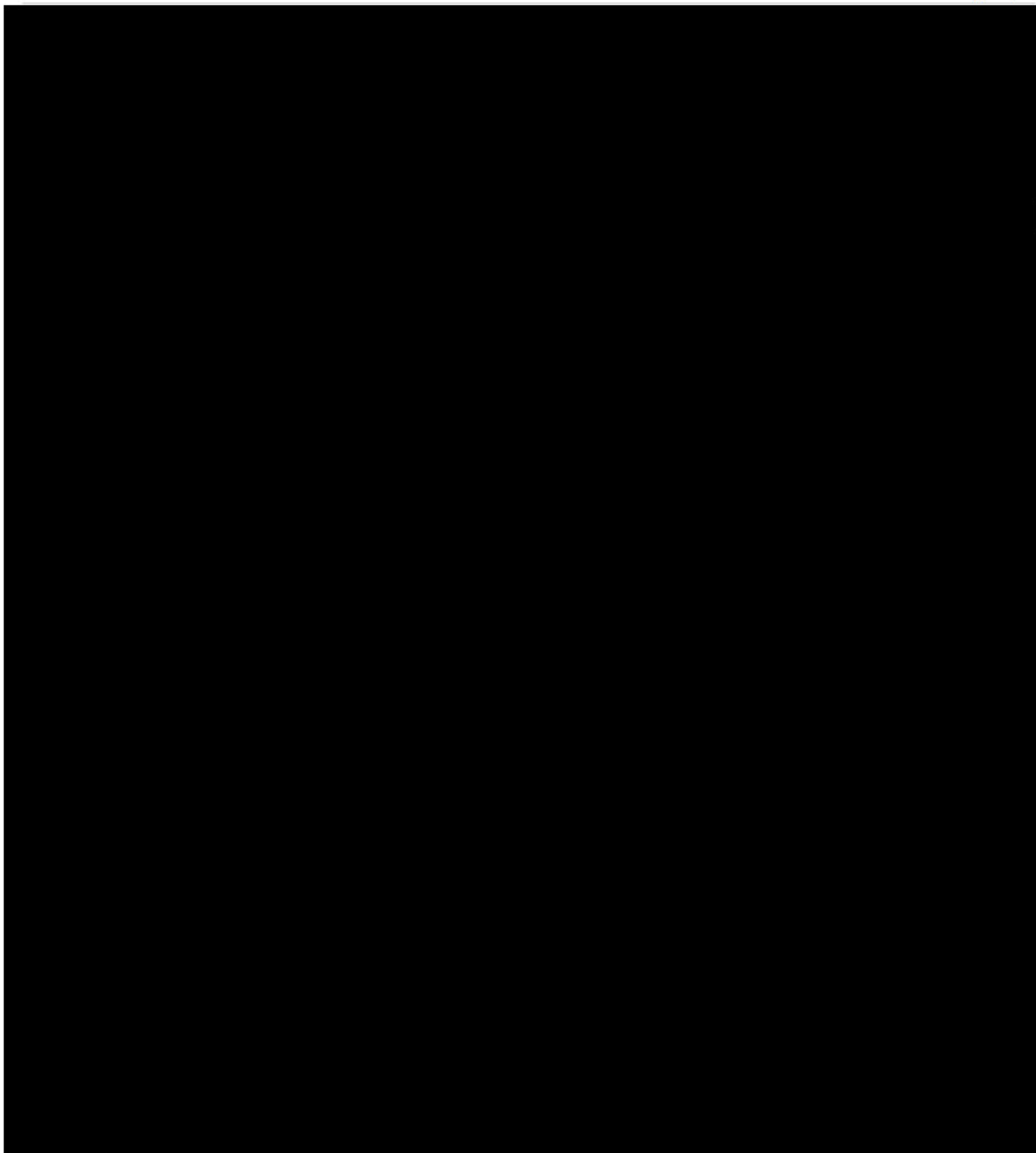
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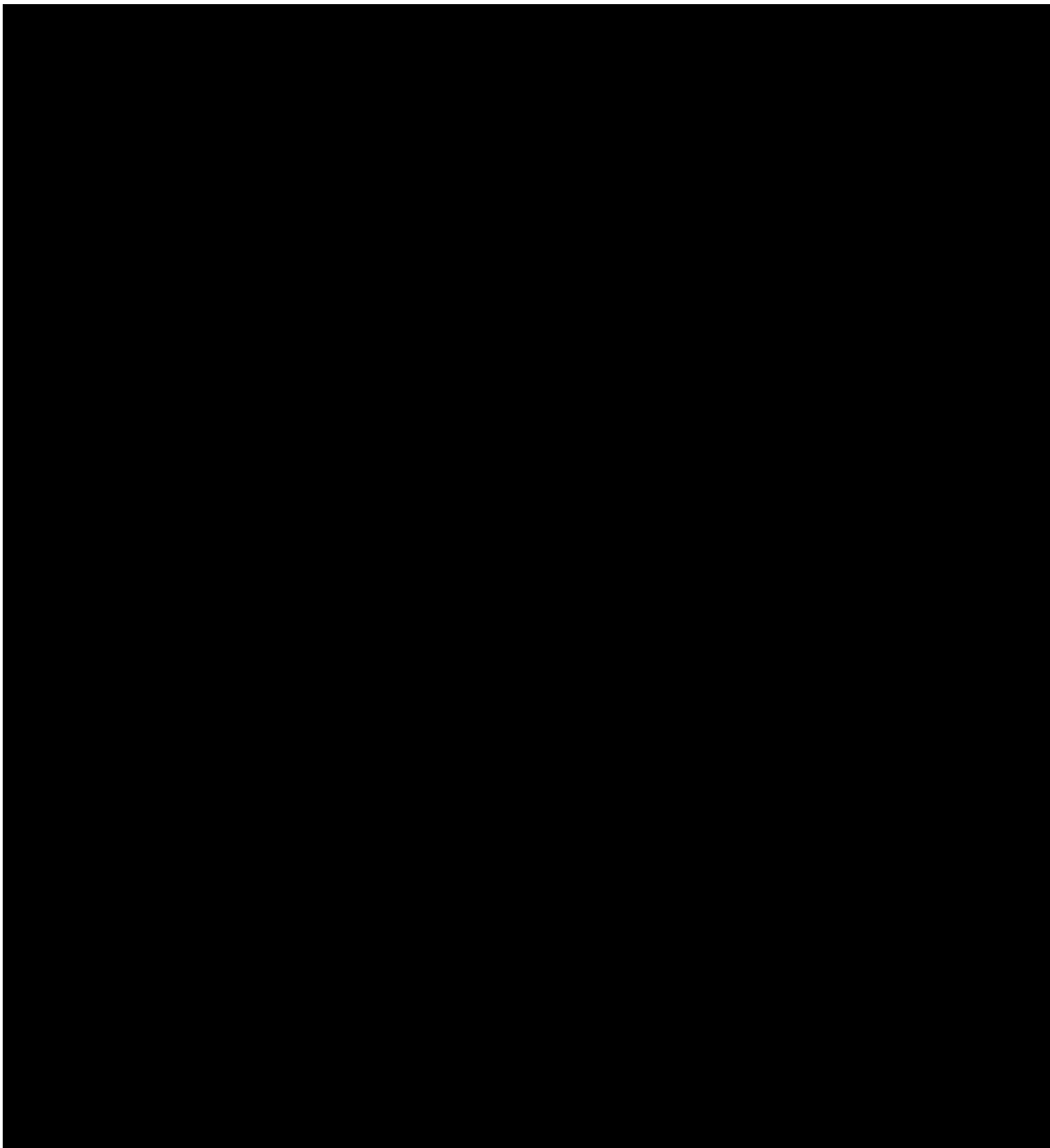
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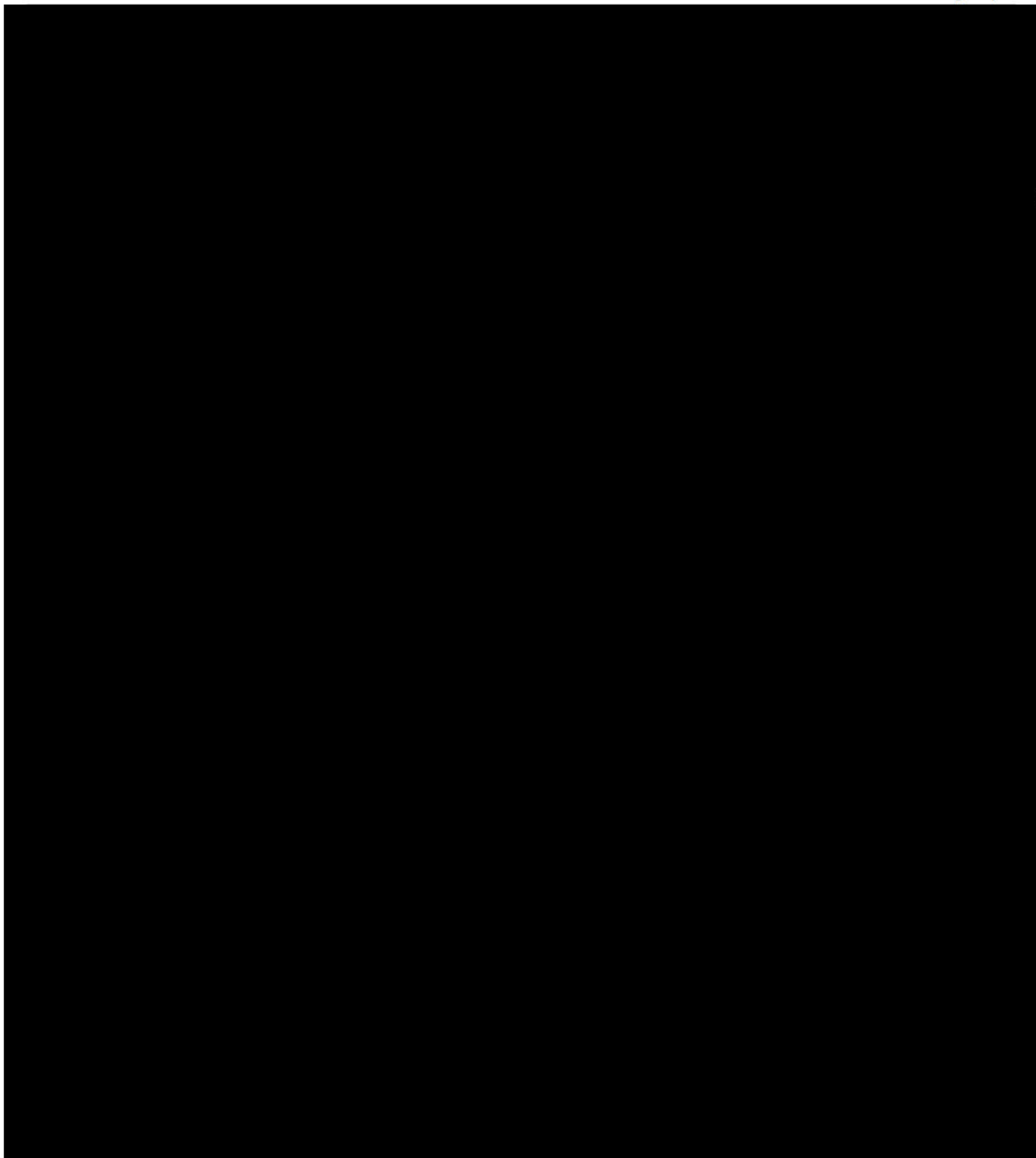
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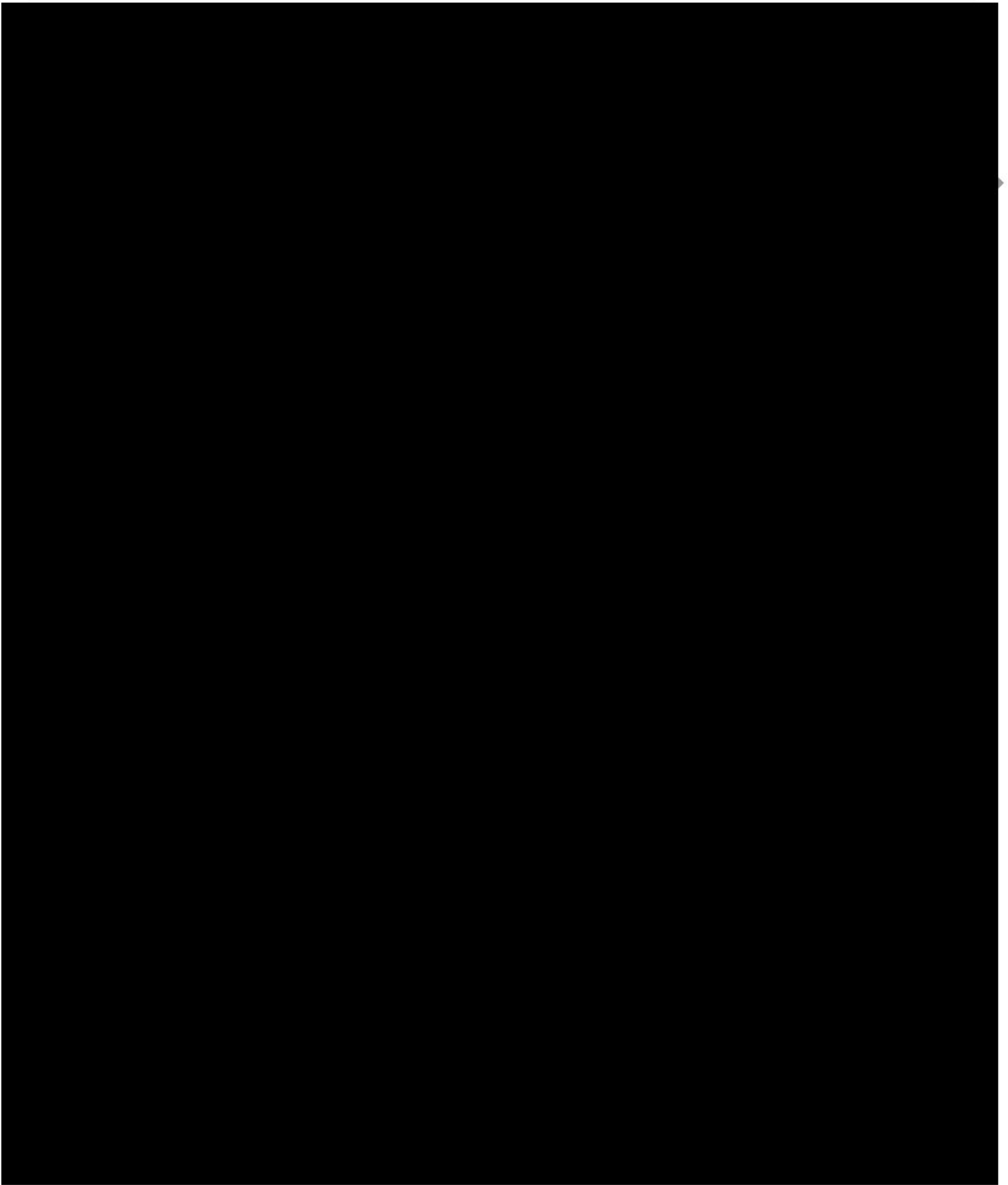


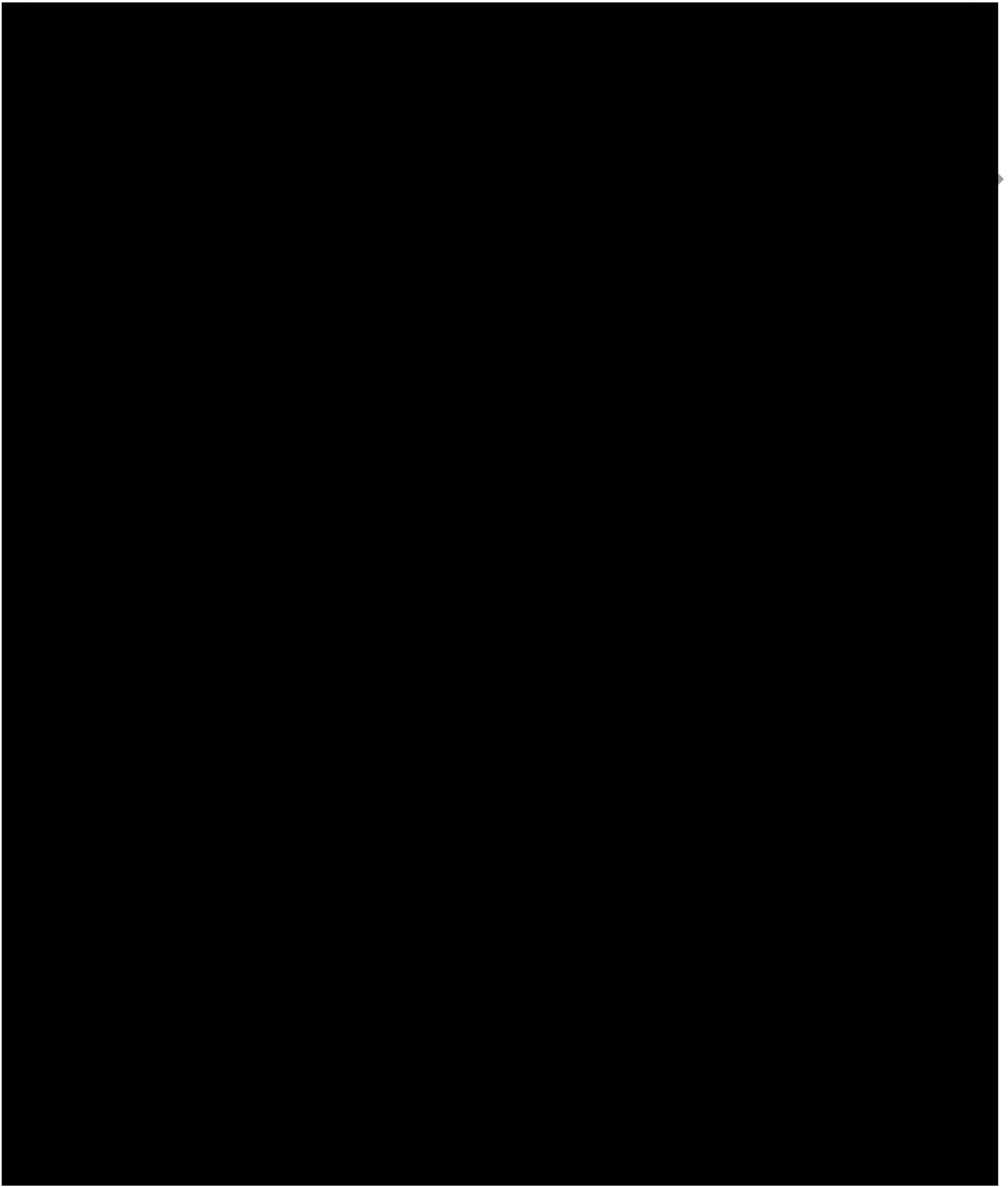


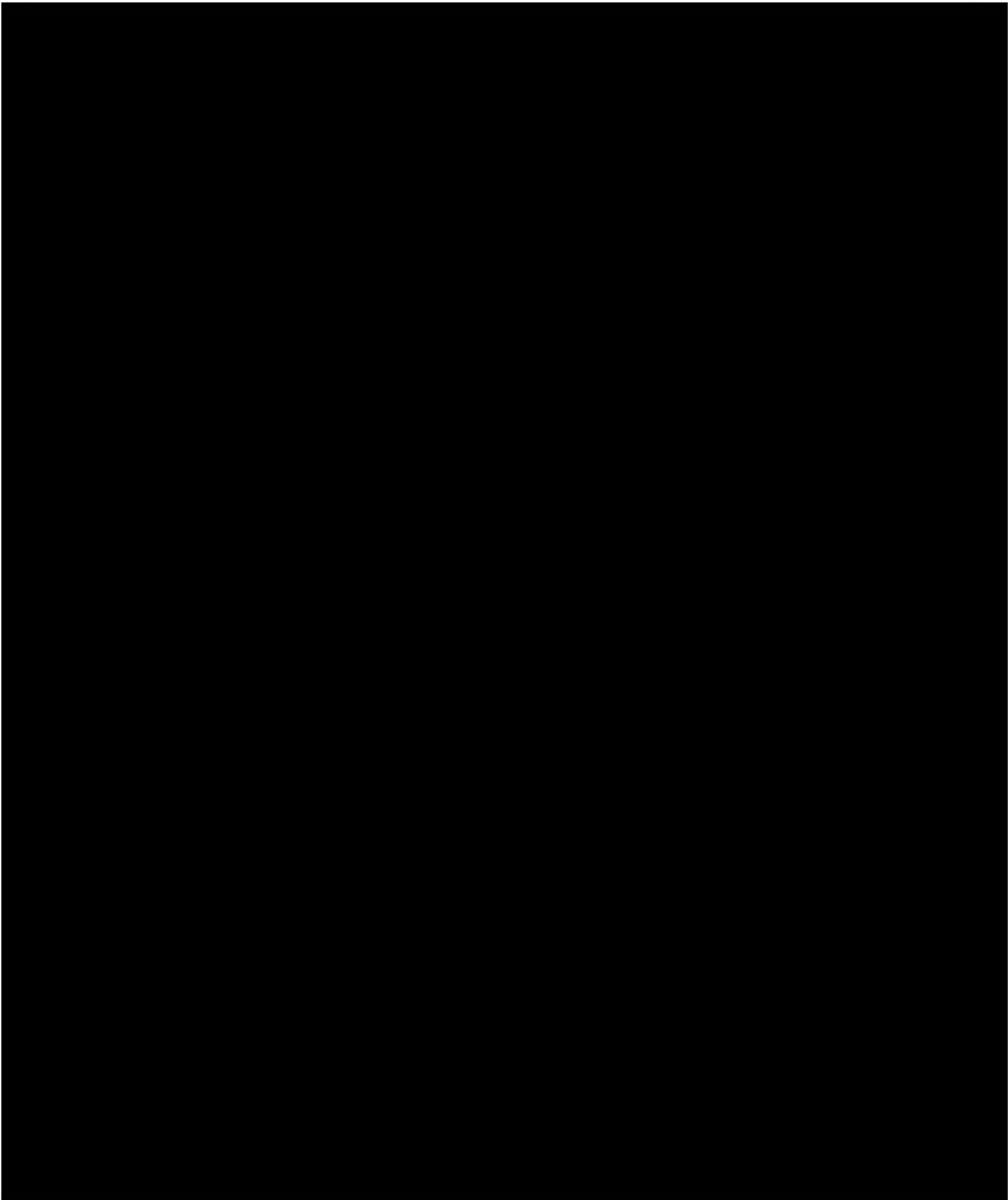


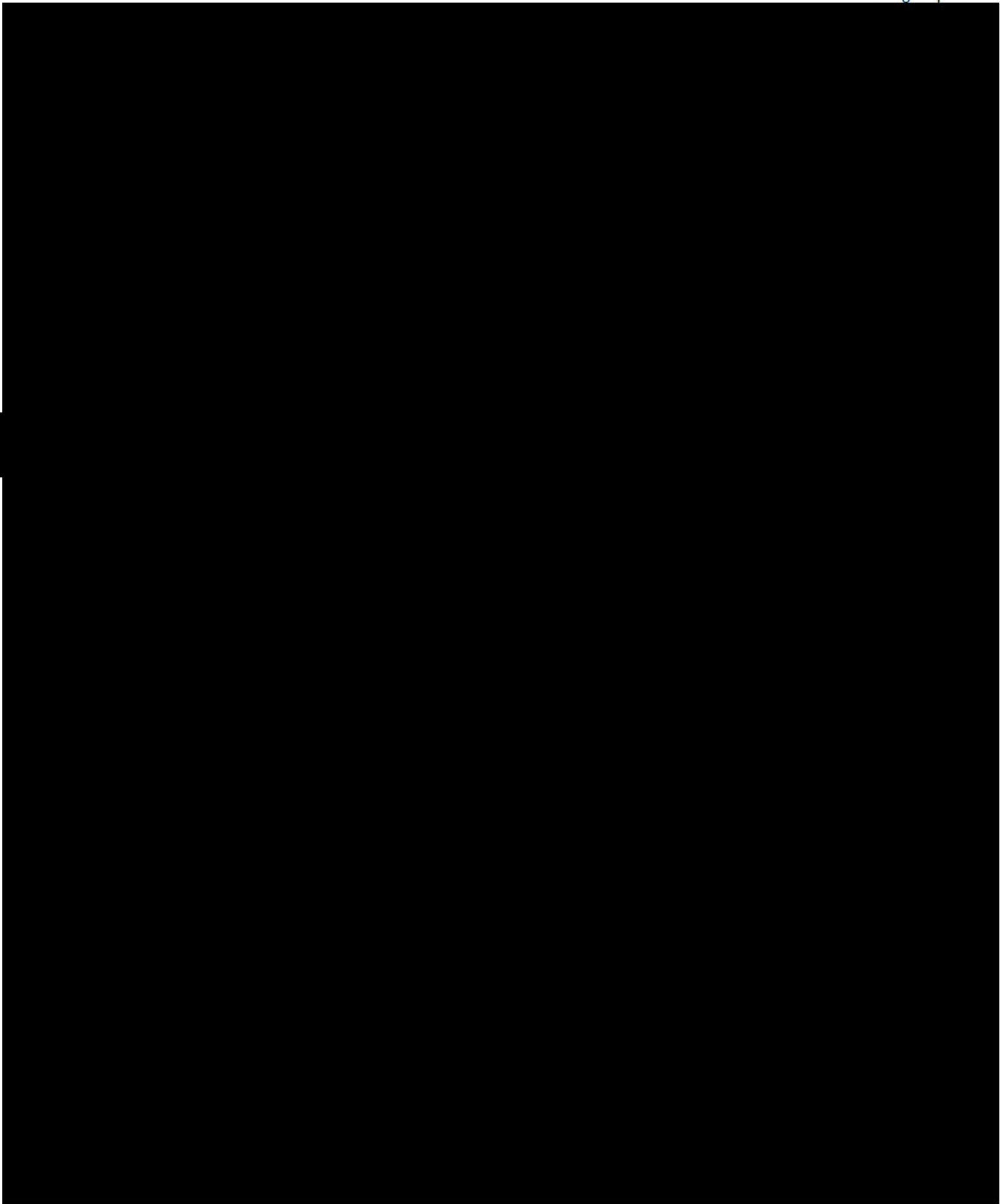












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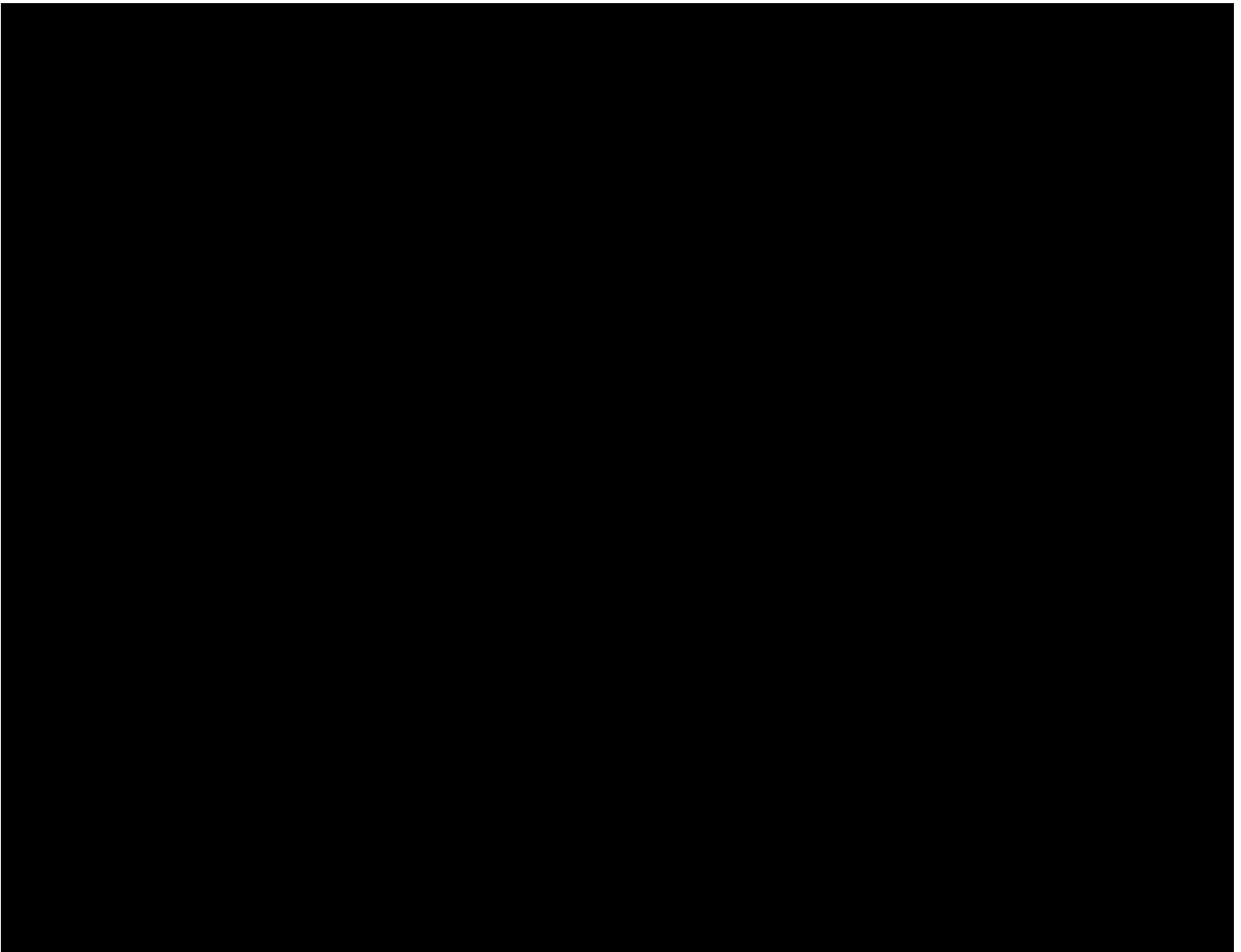
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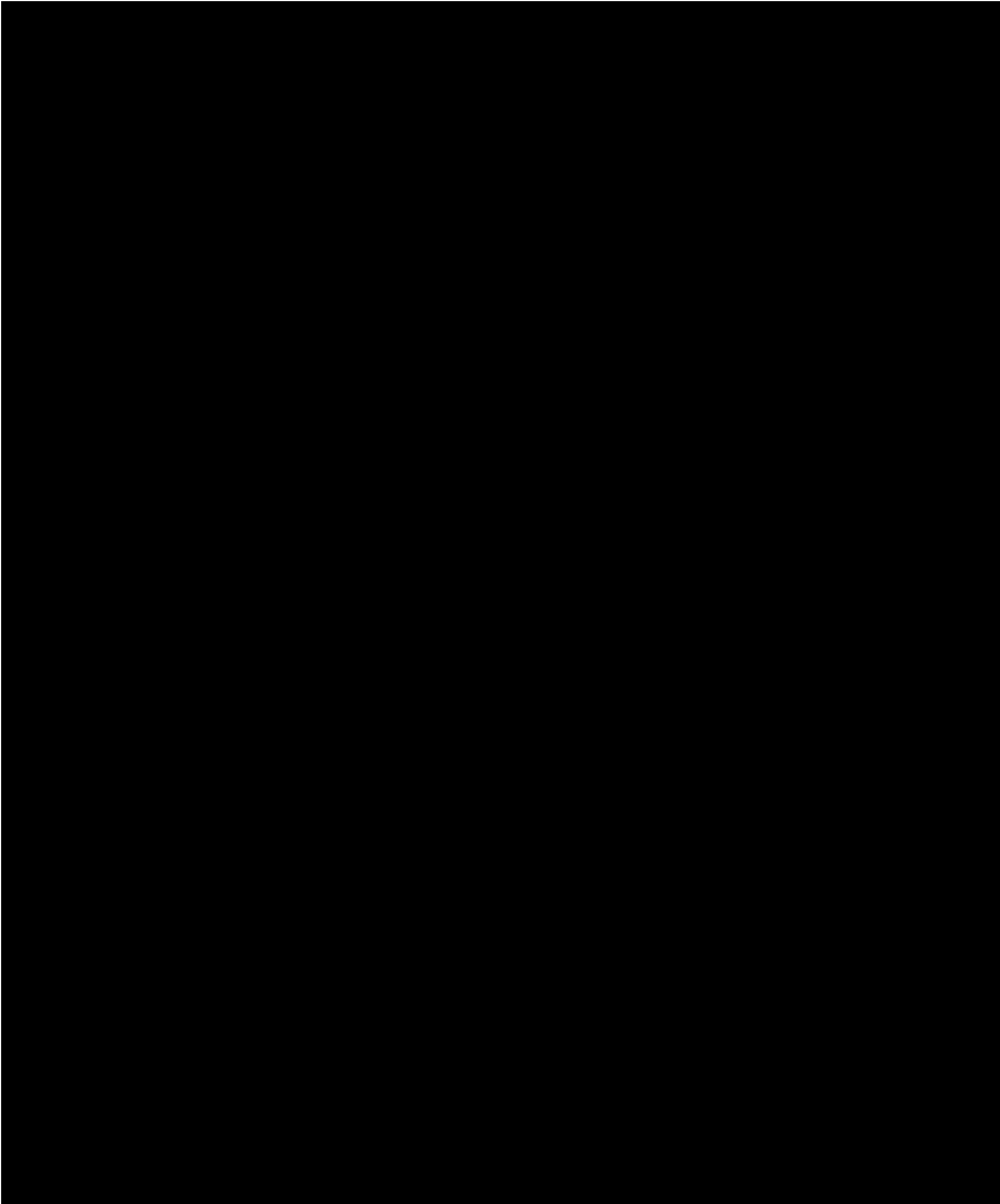
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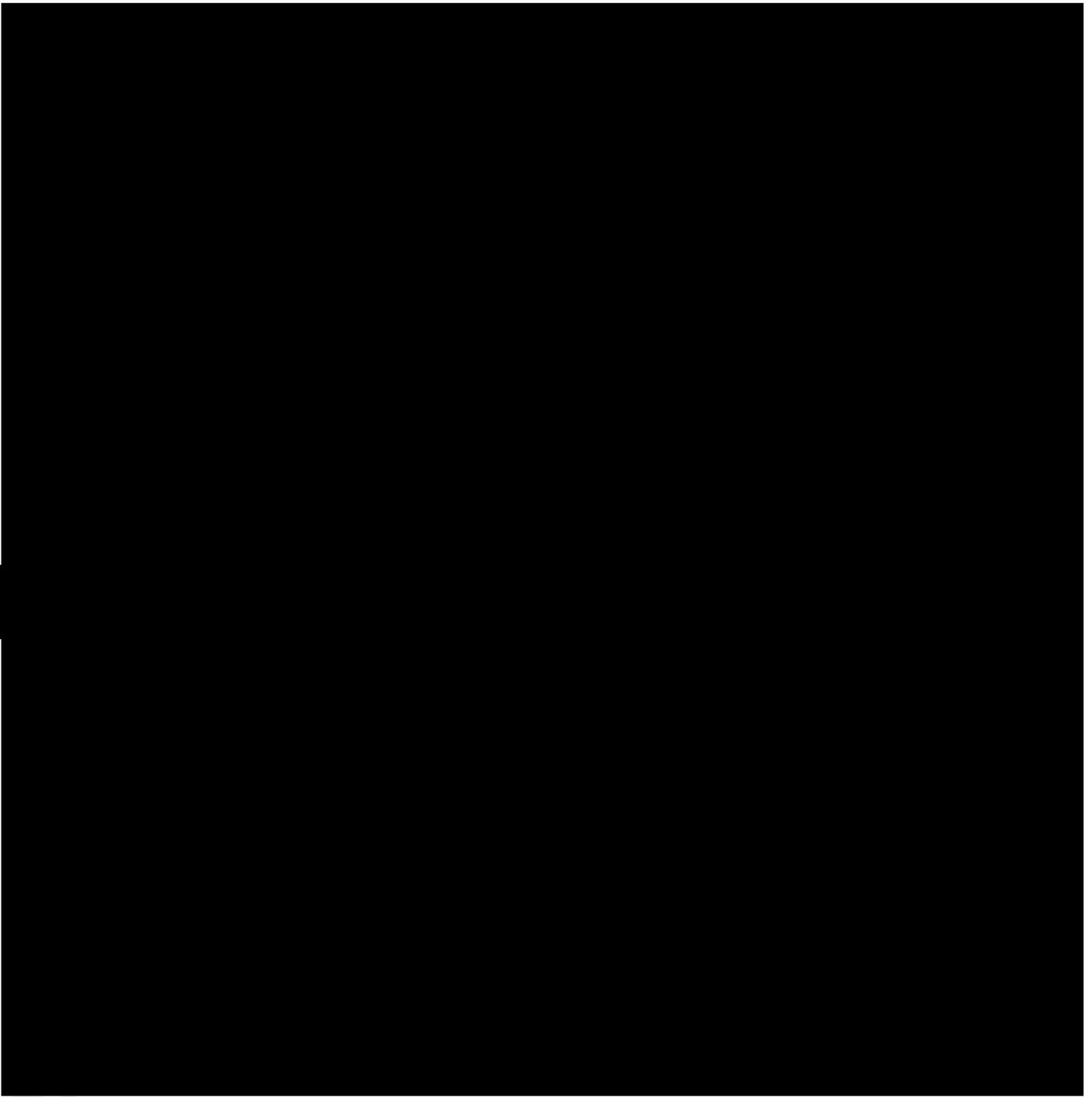
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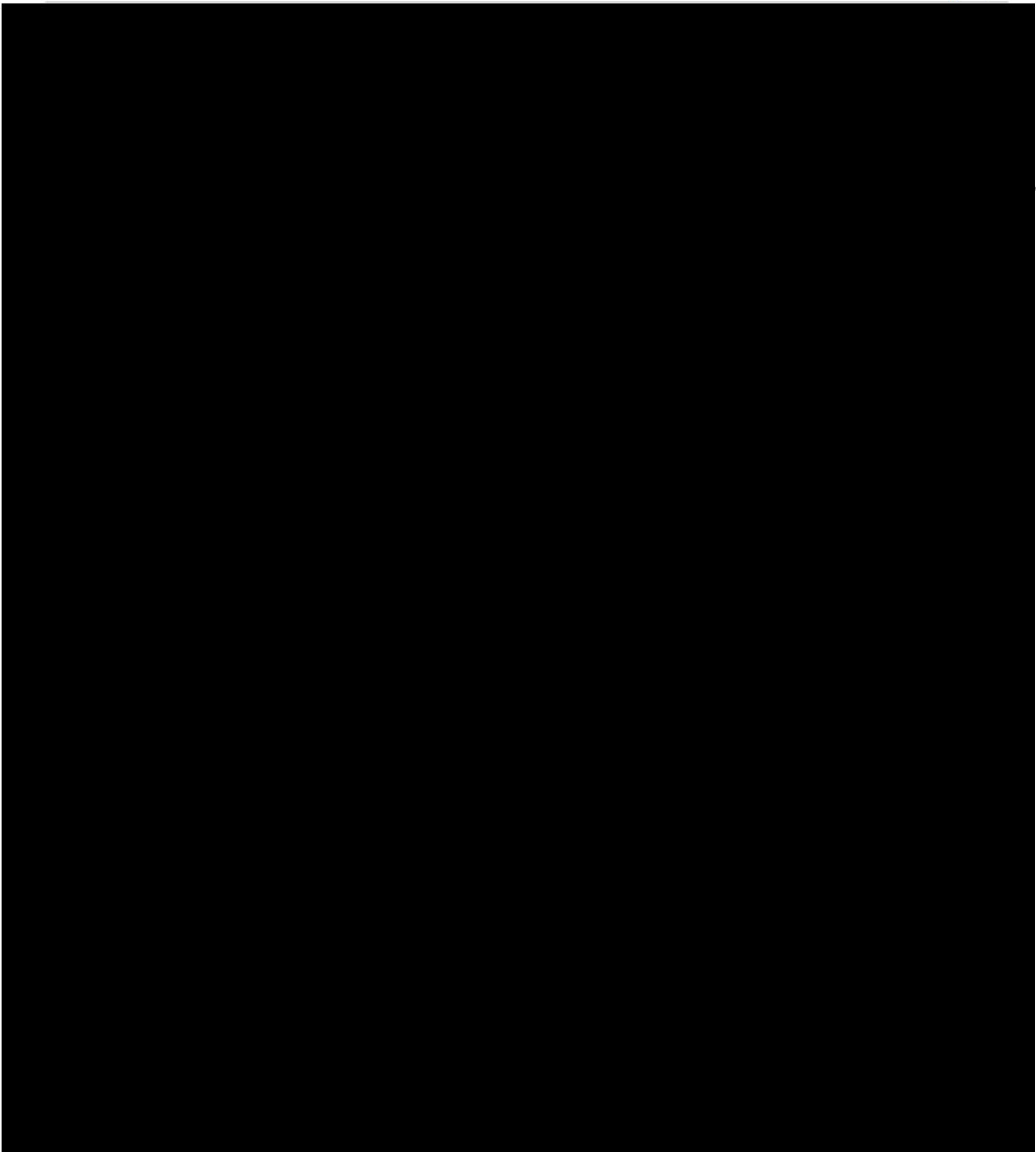
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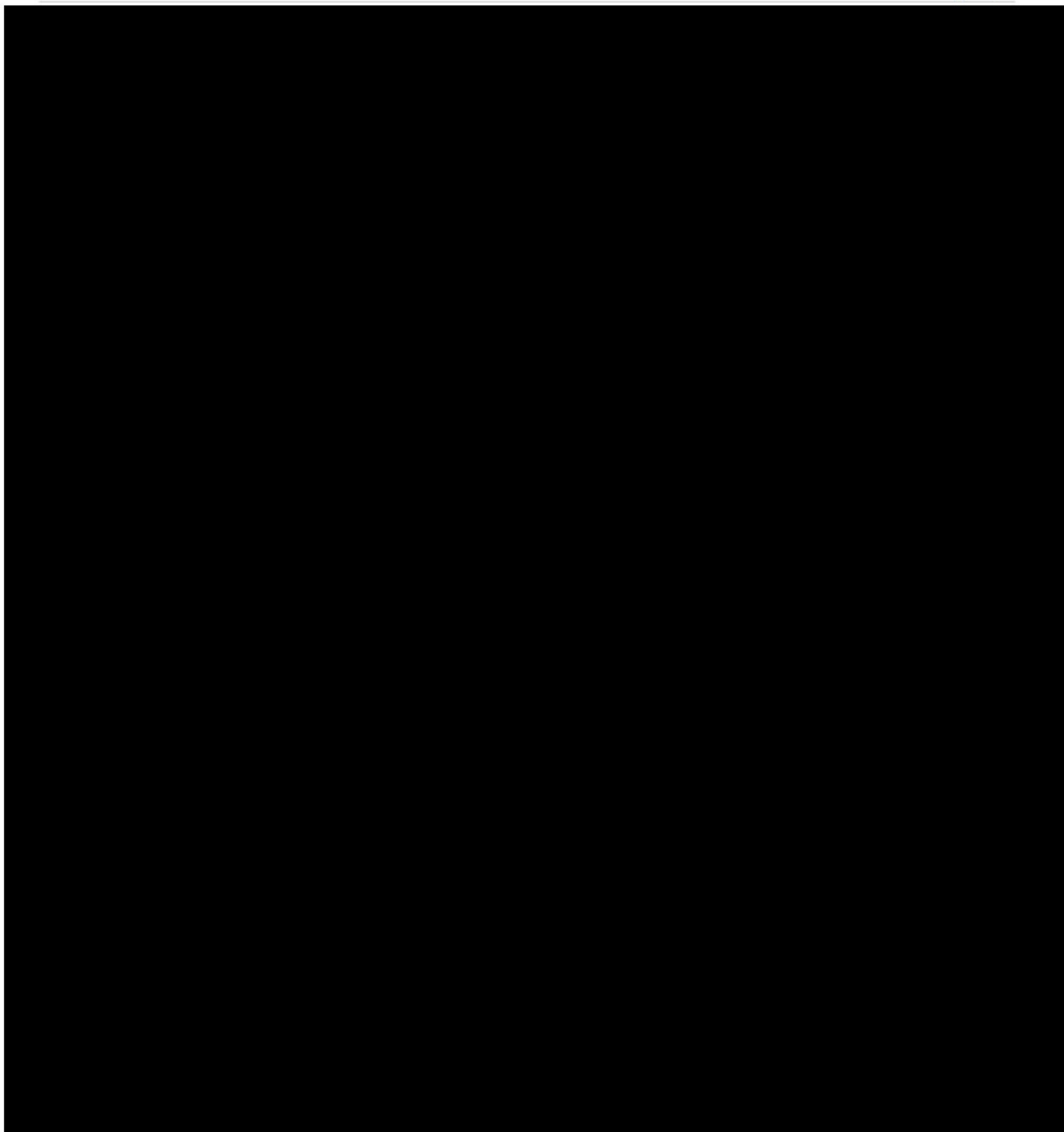
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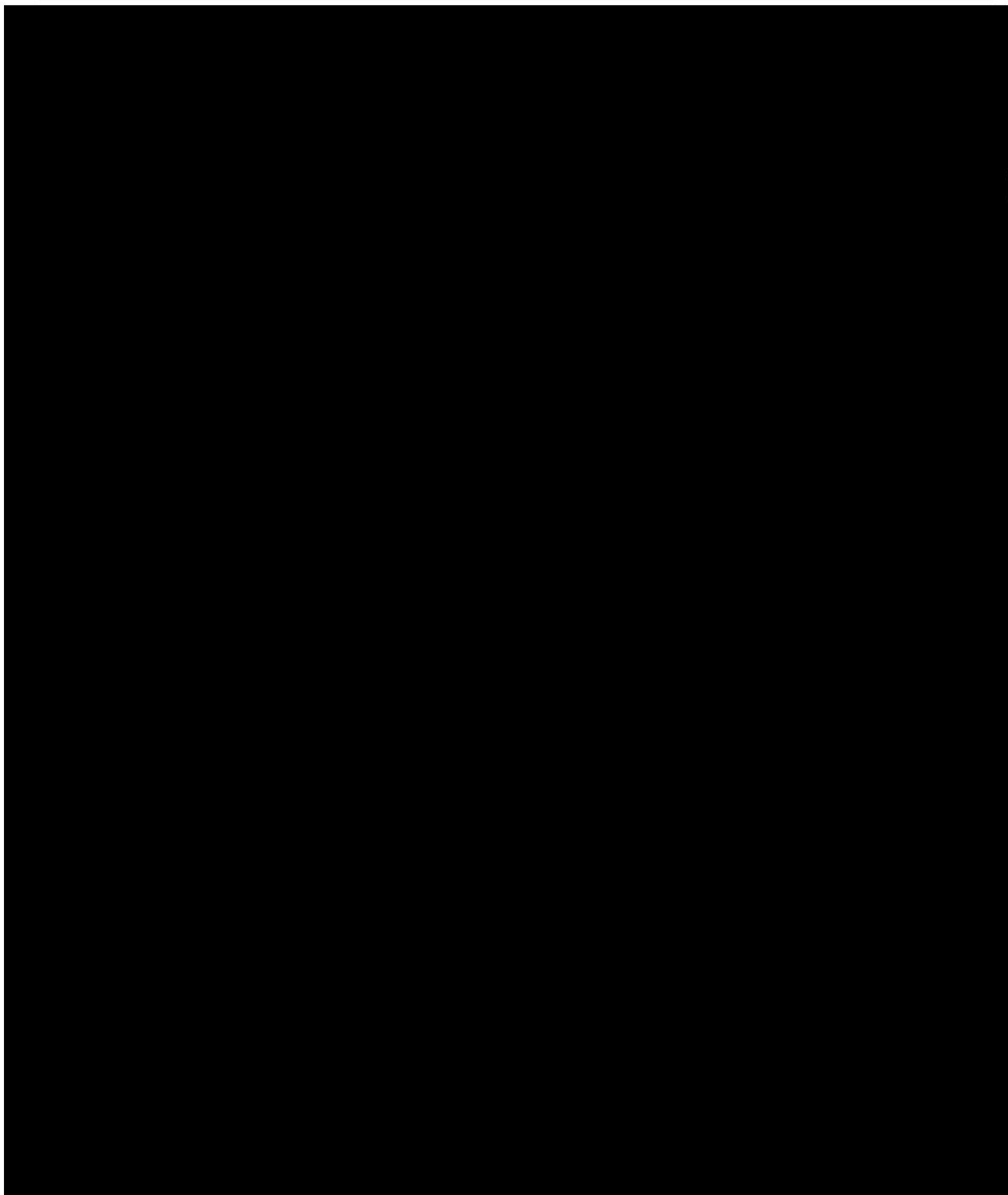
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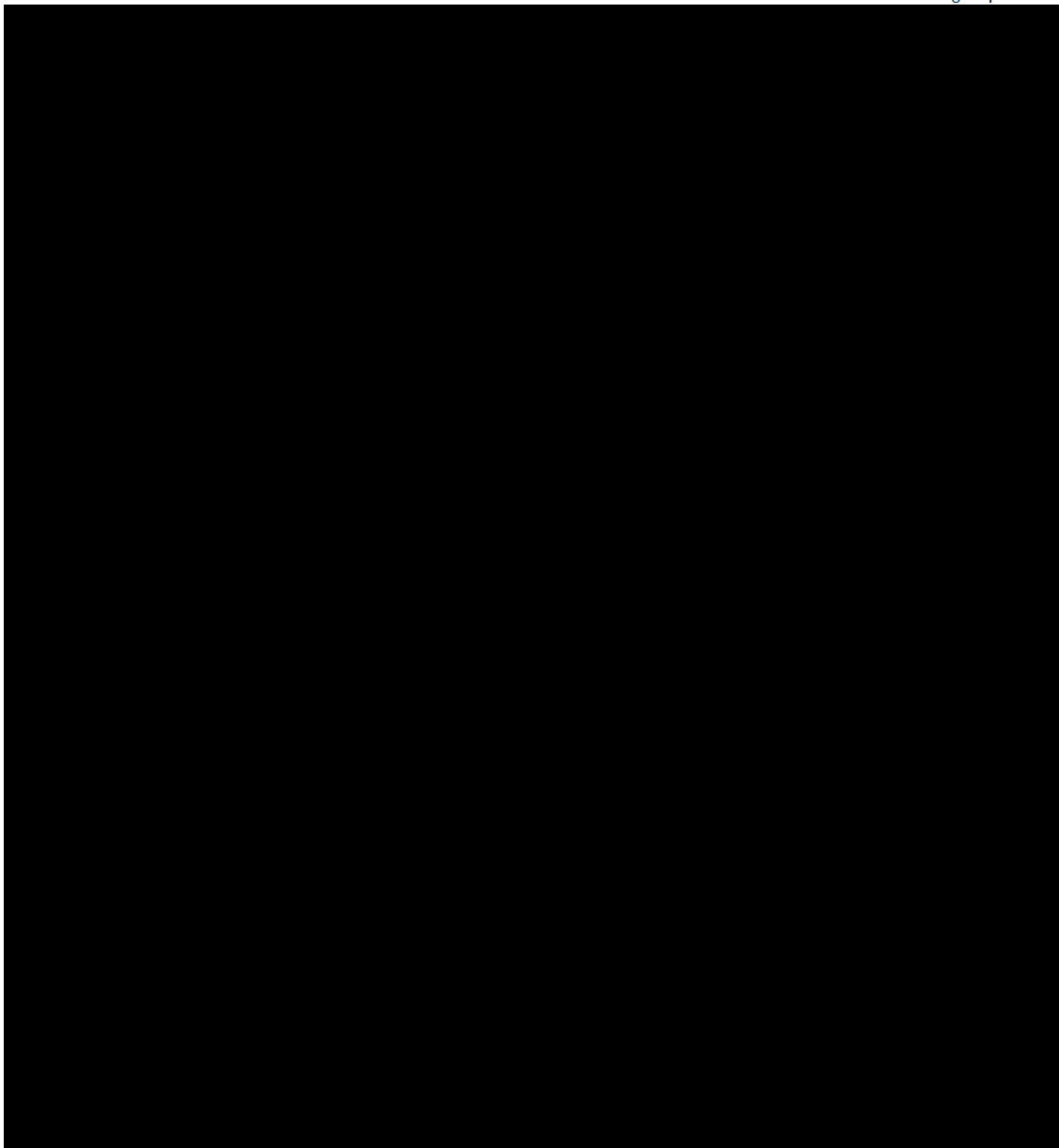
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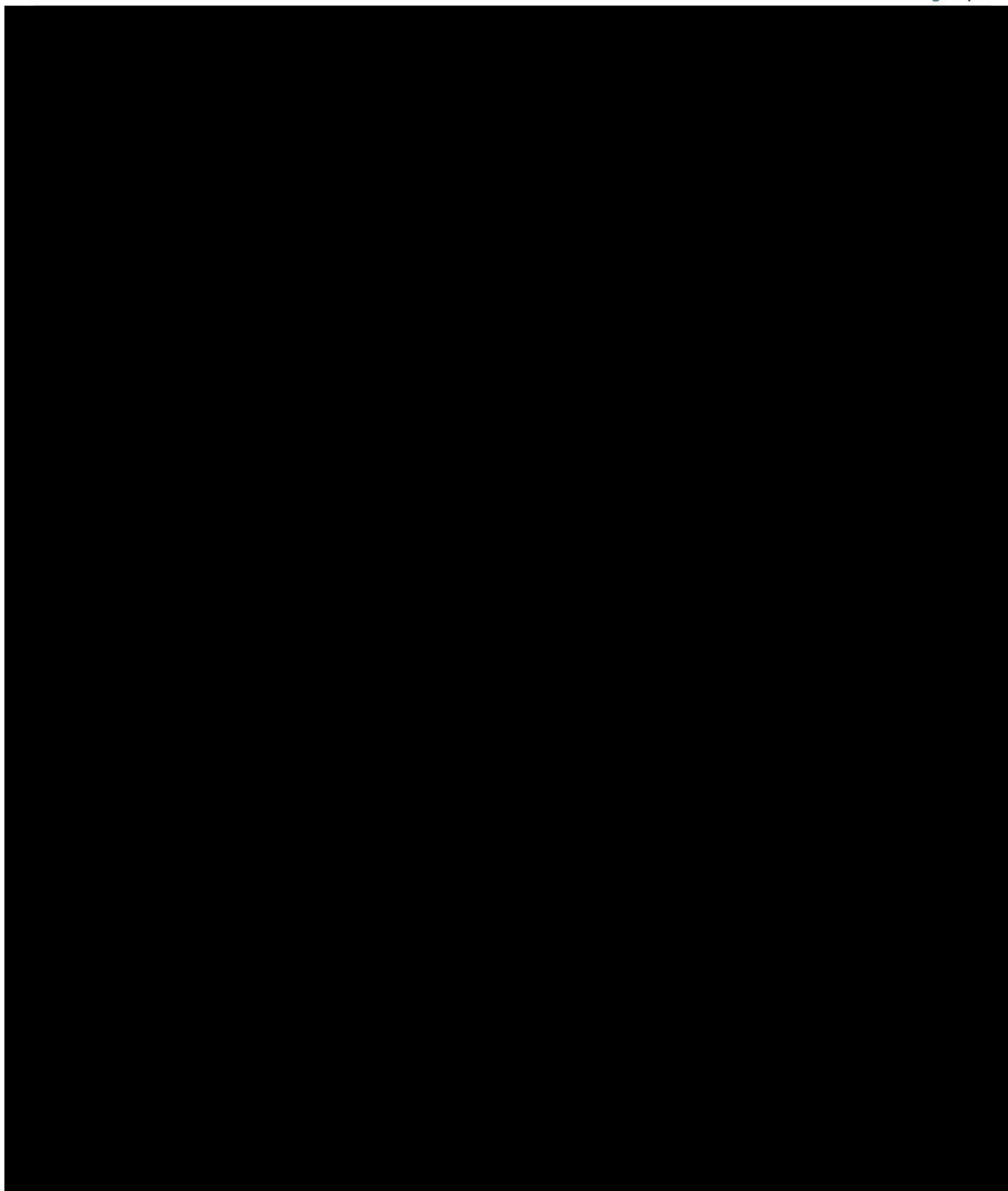
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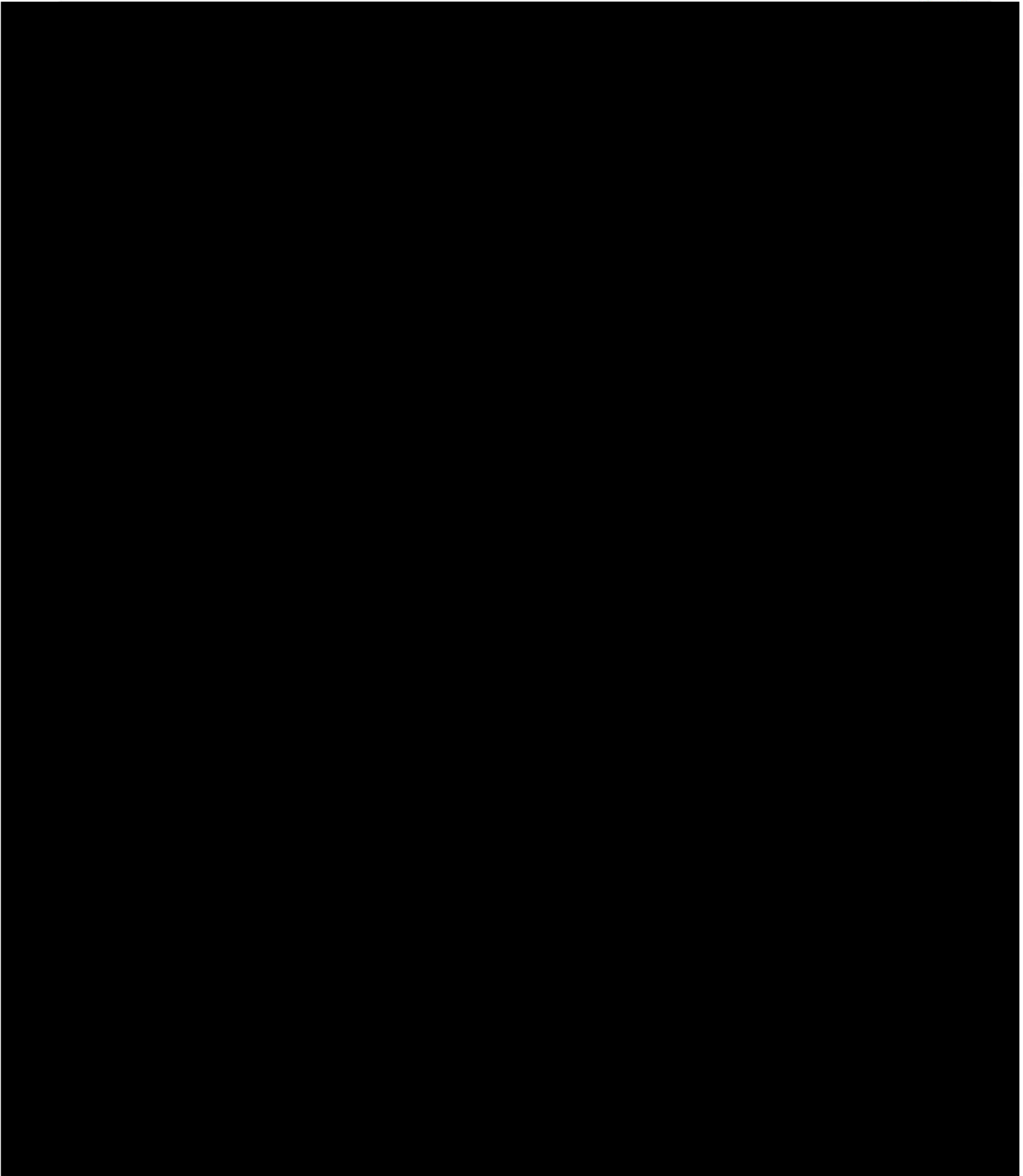












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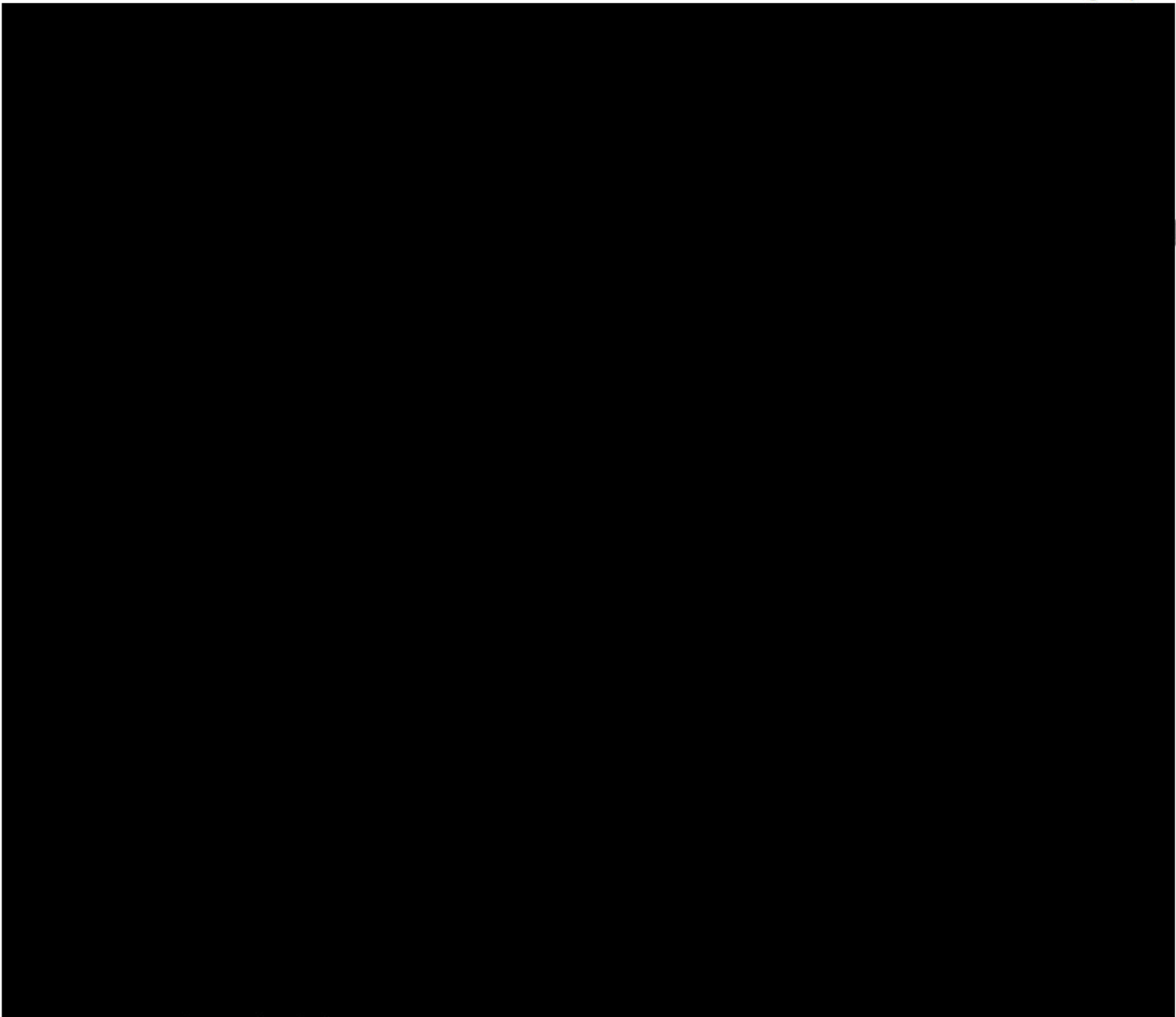
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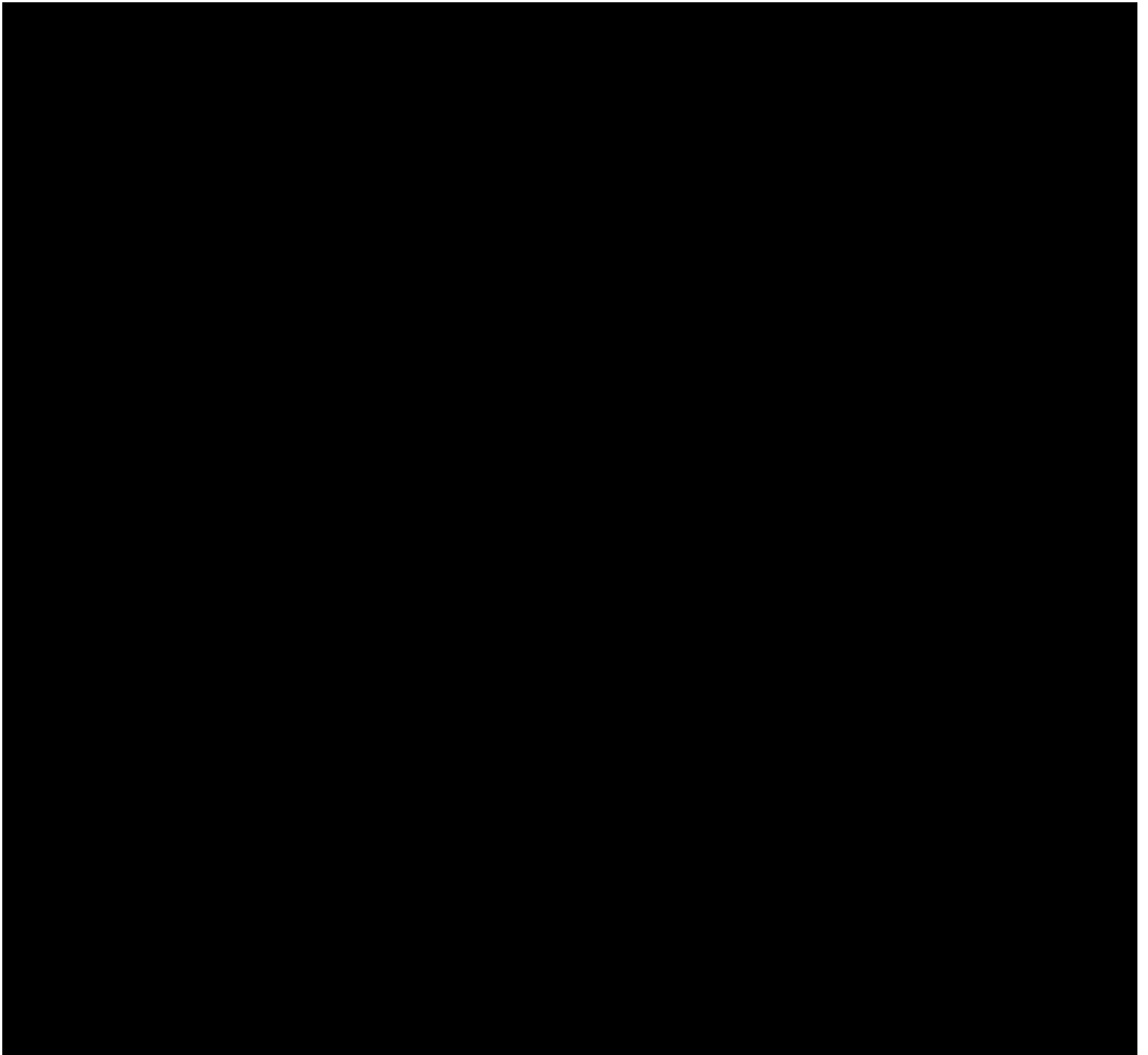


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CentralPoint Training Manual

Document Version 2.0



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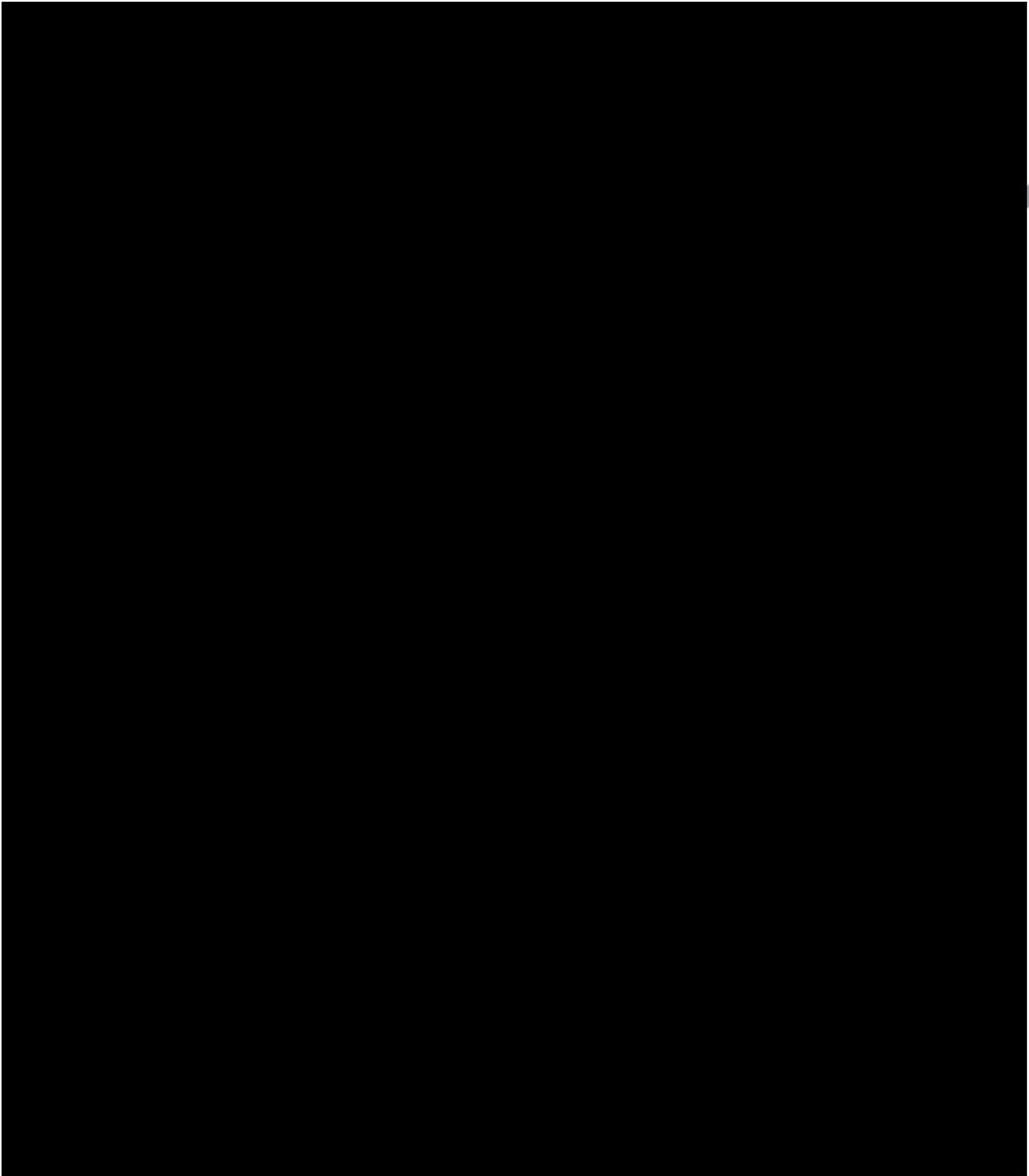
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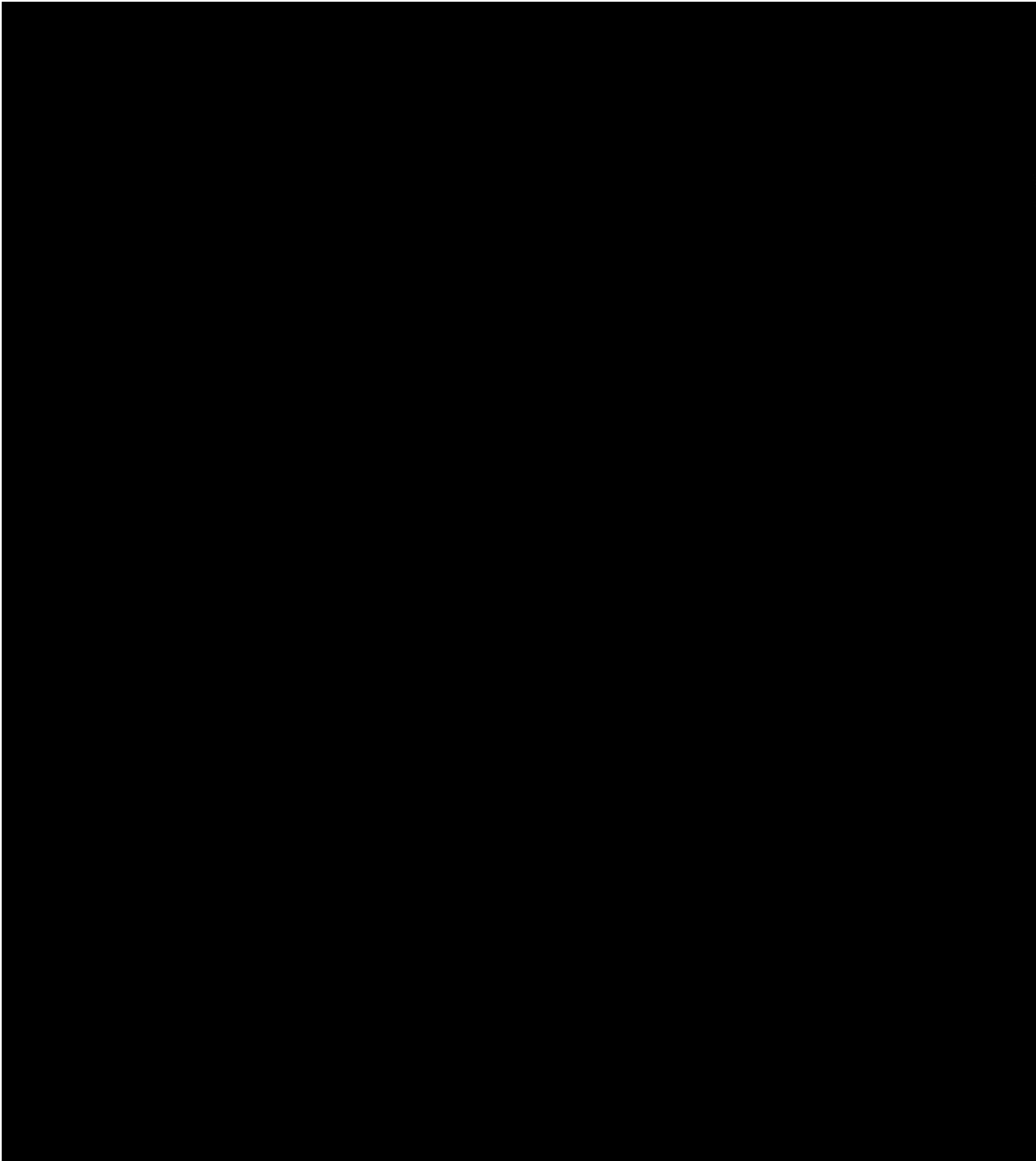
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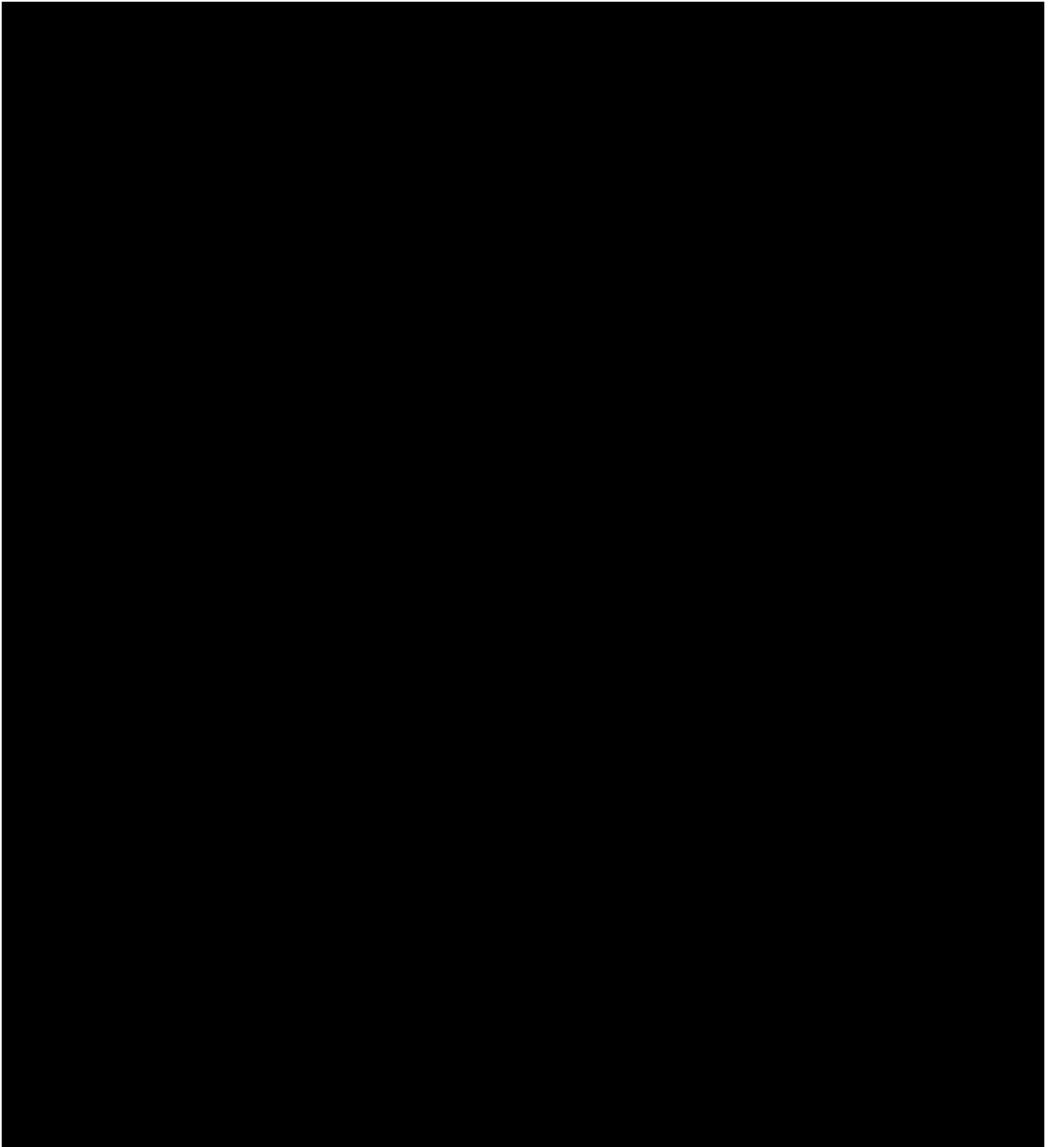
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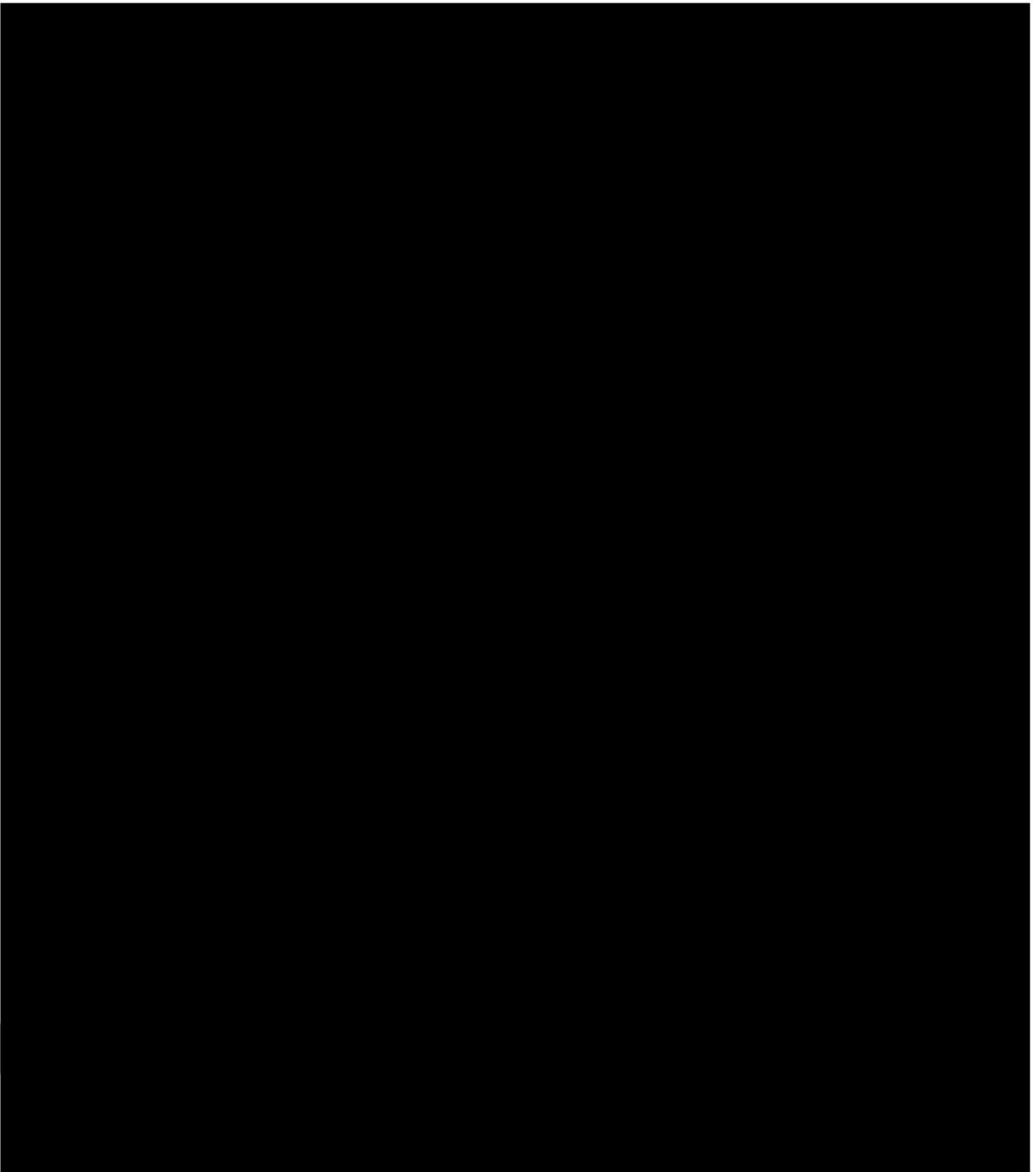
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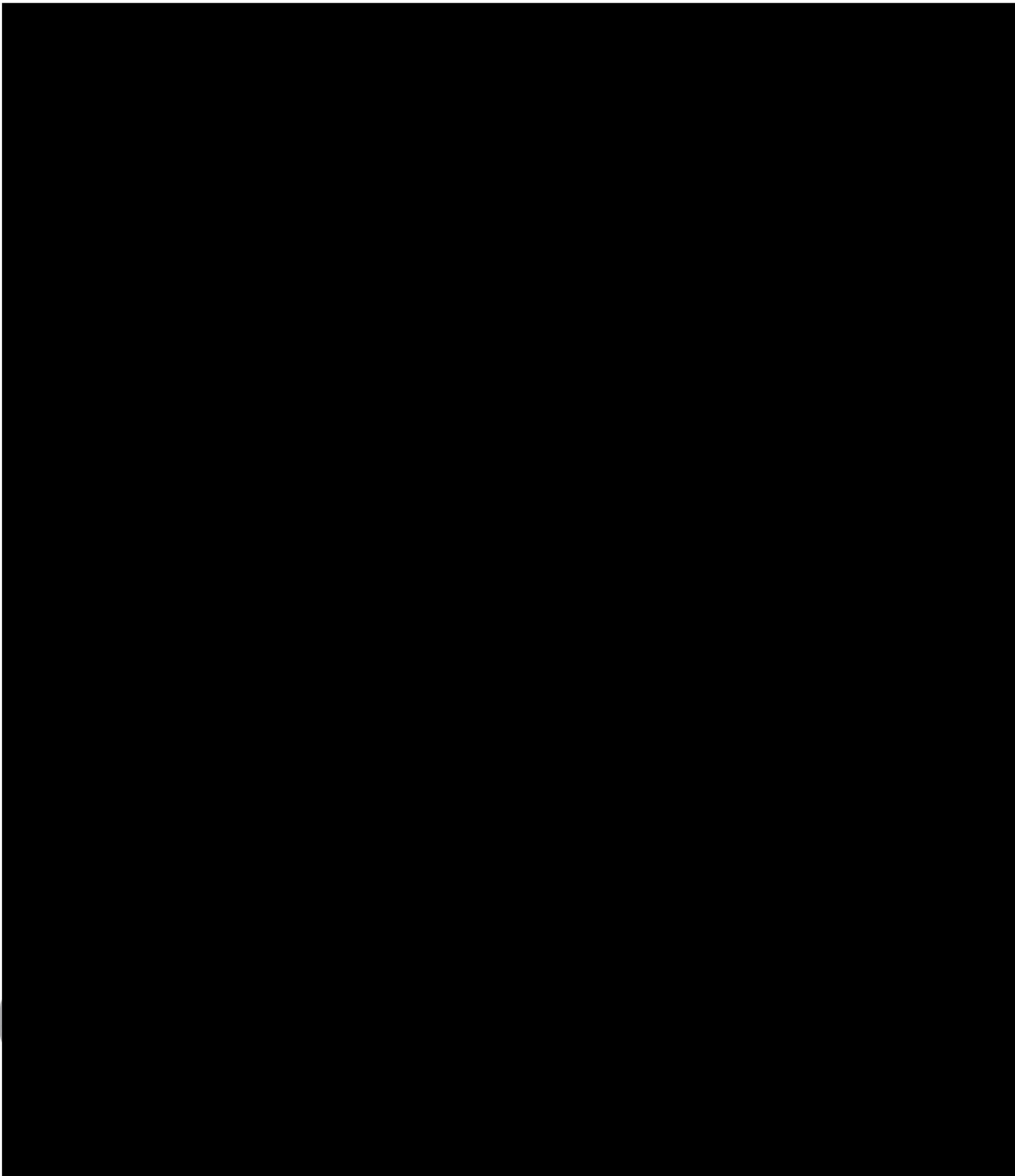
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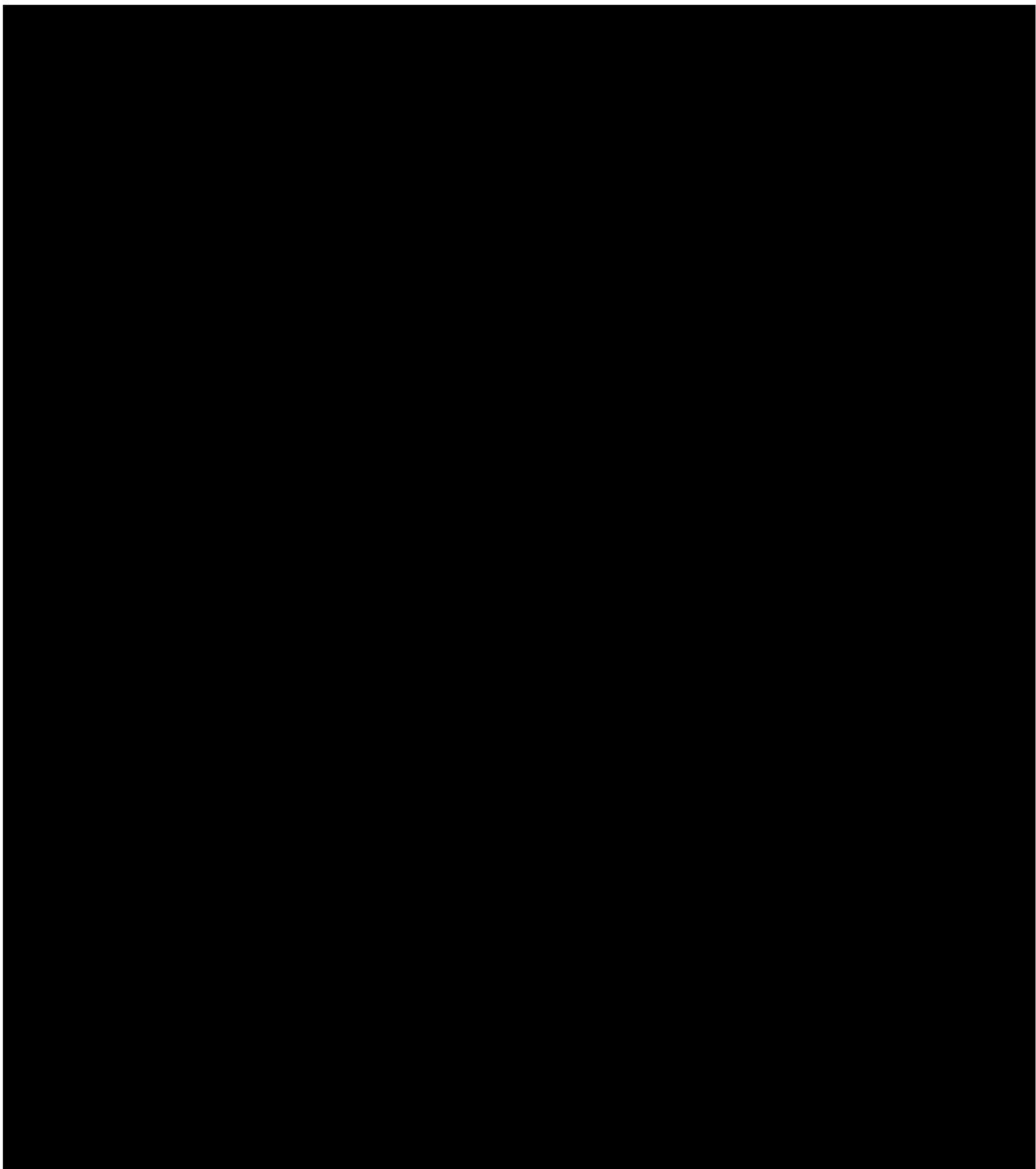


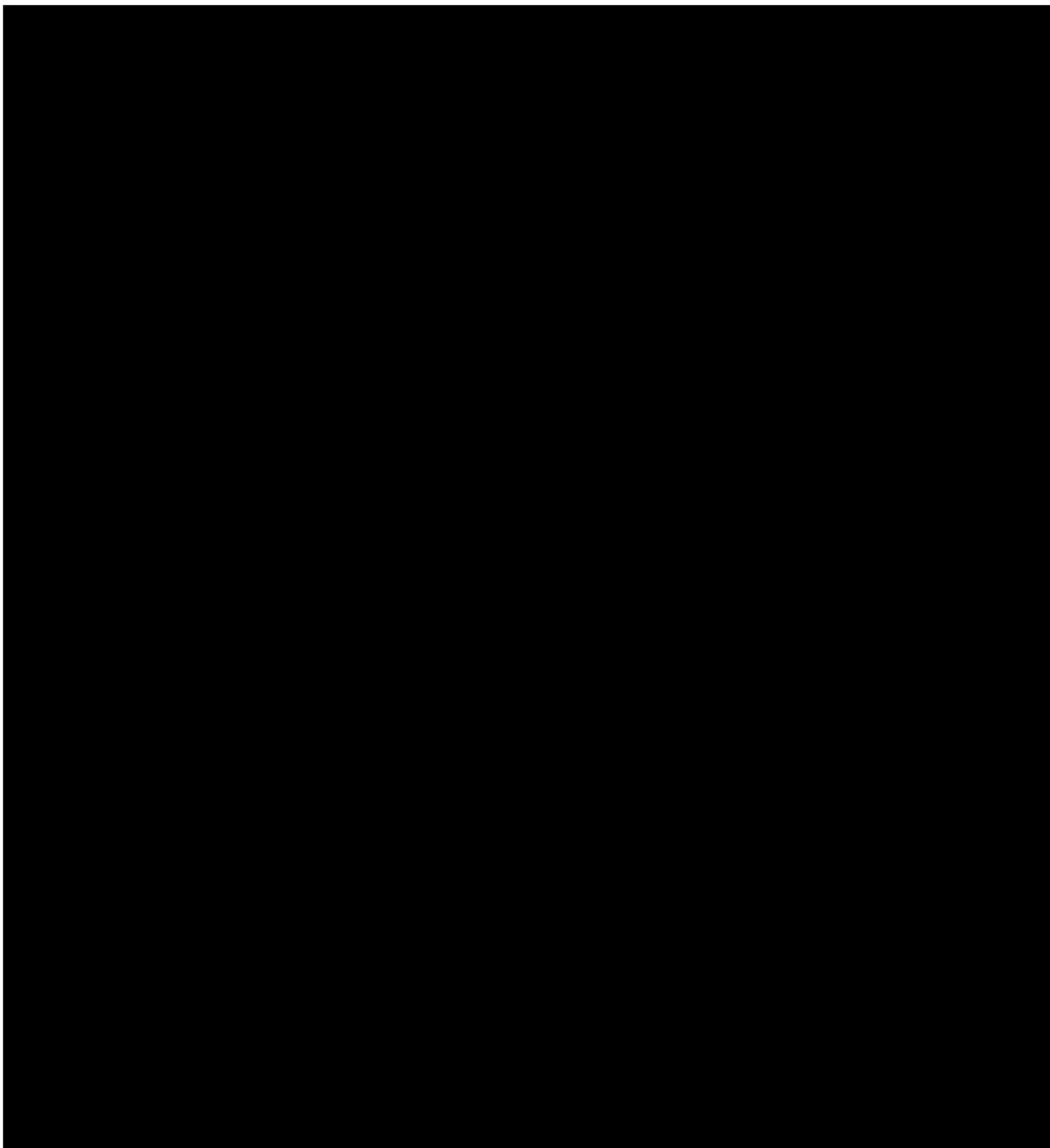


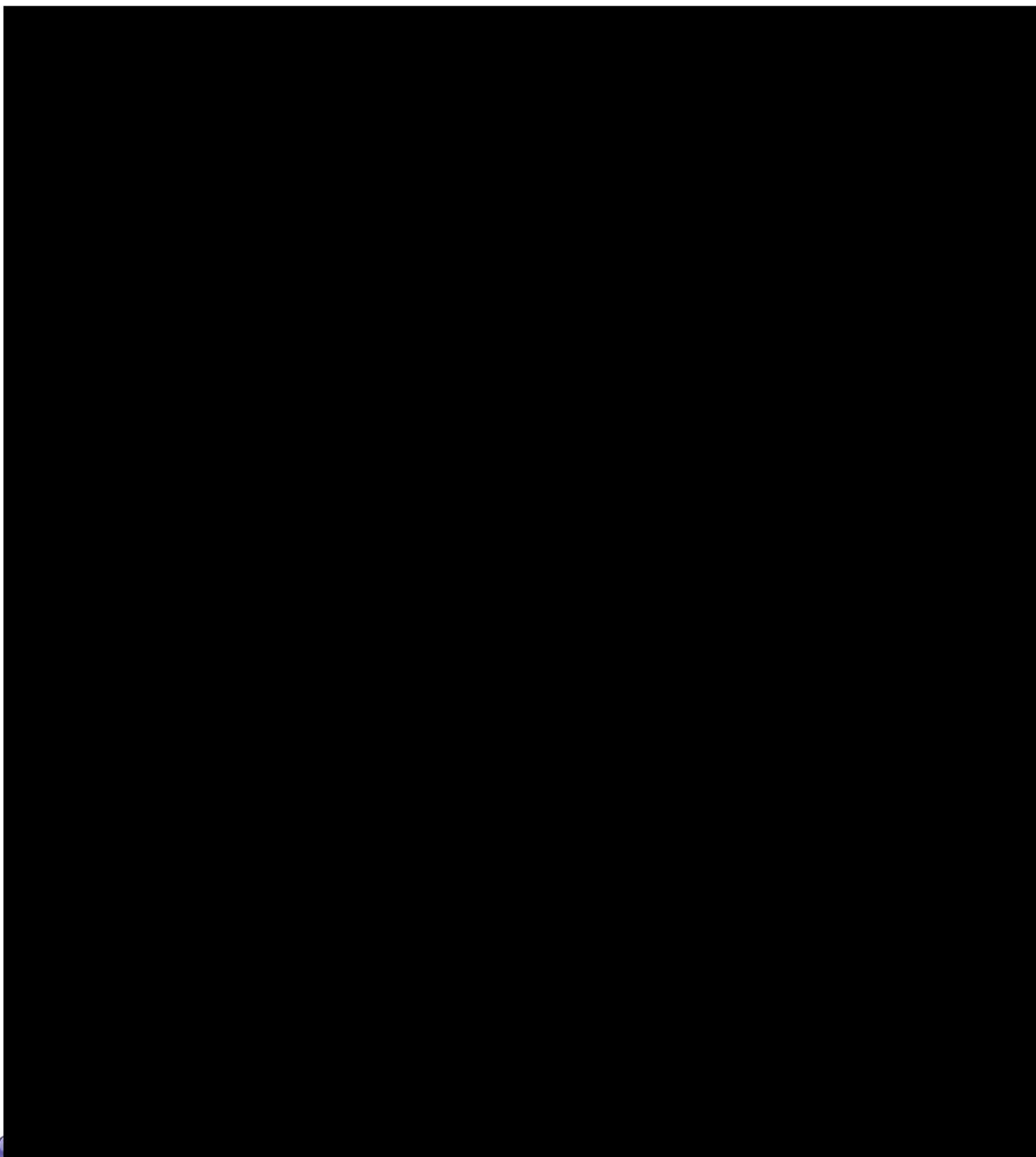


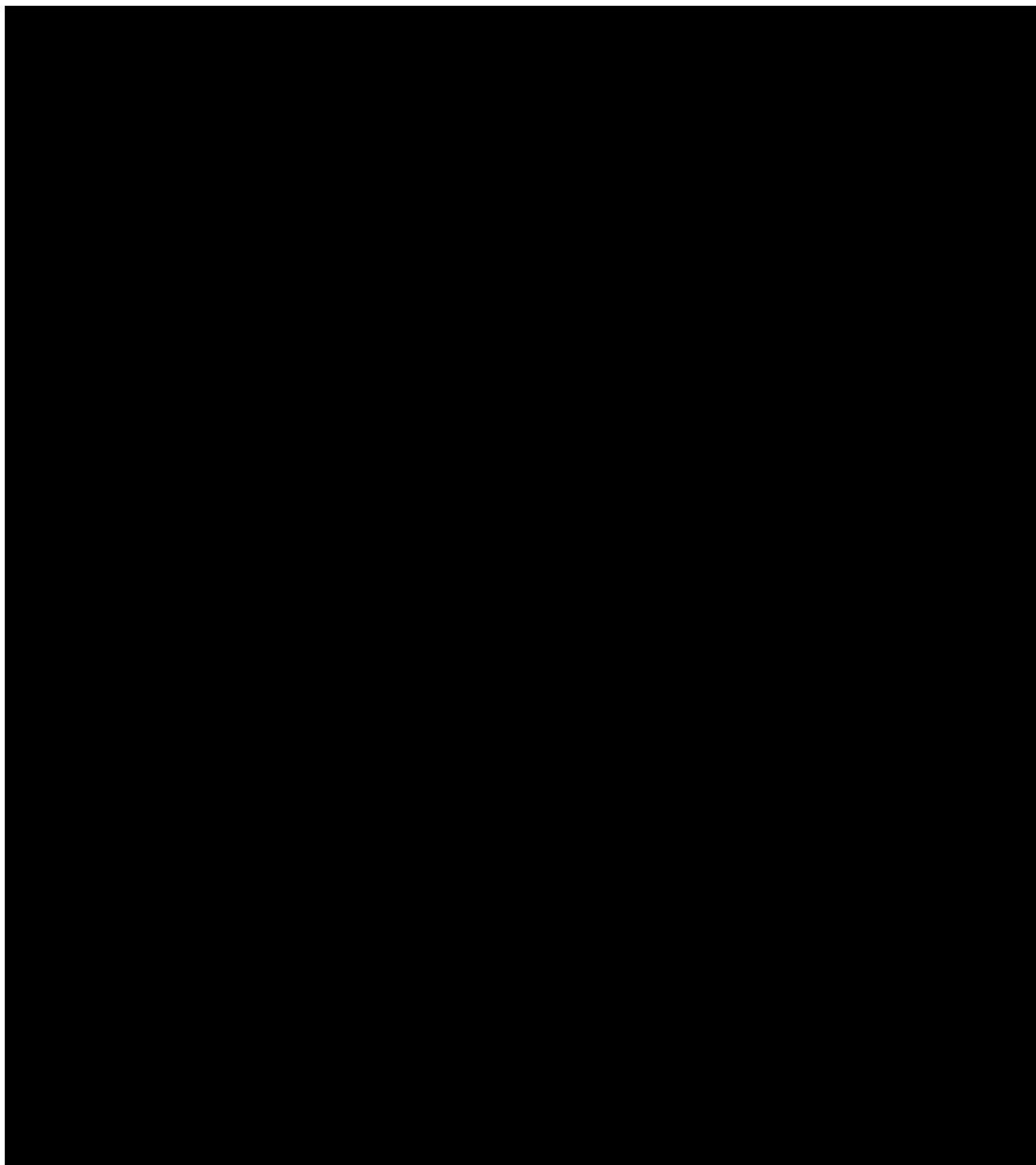


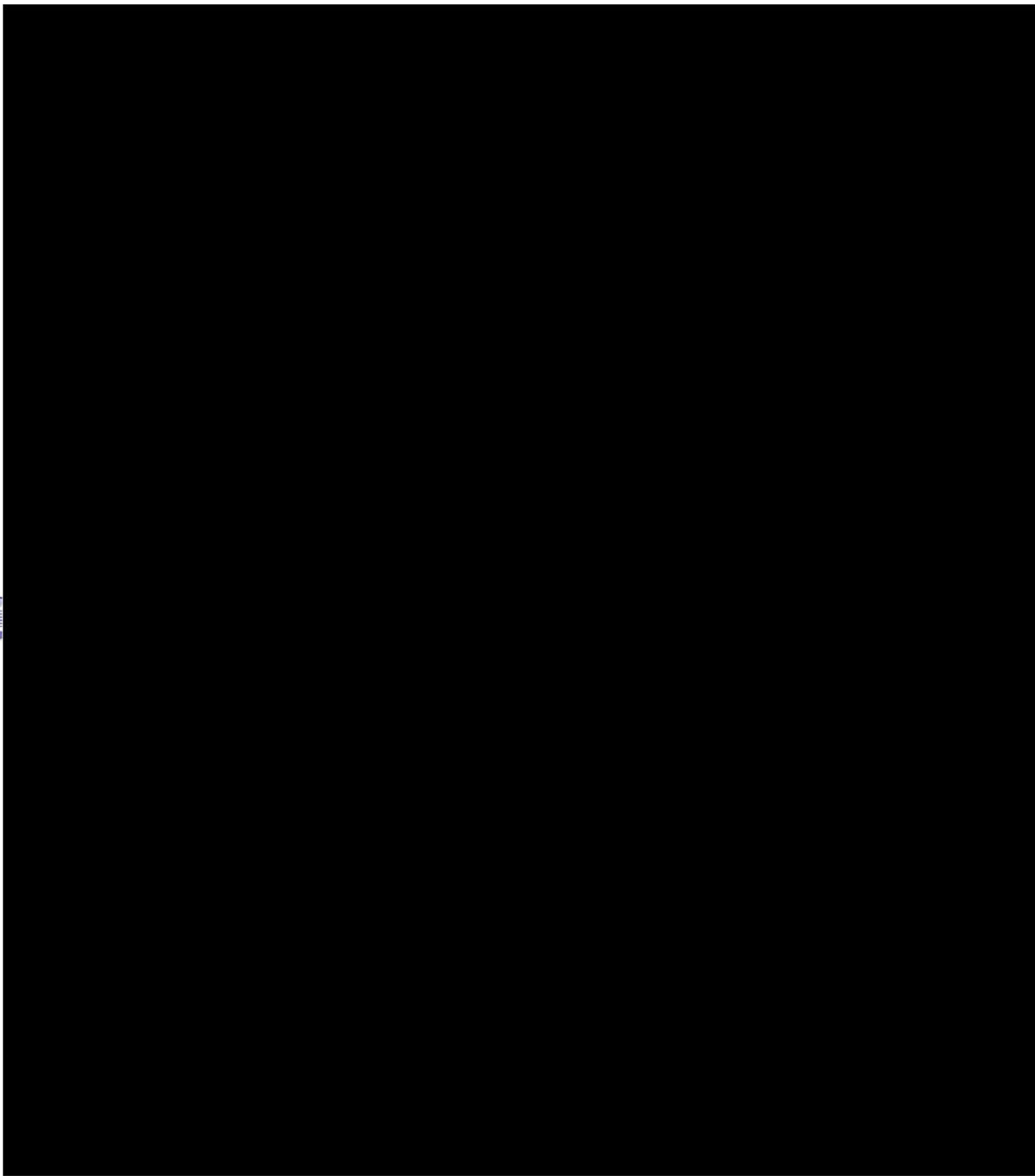


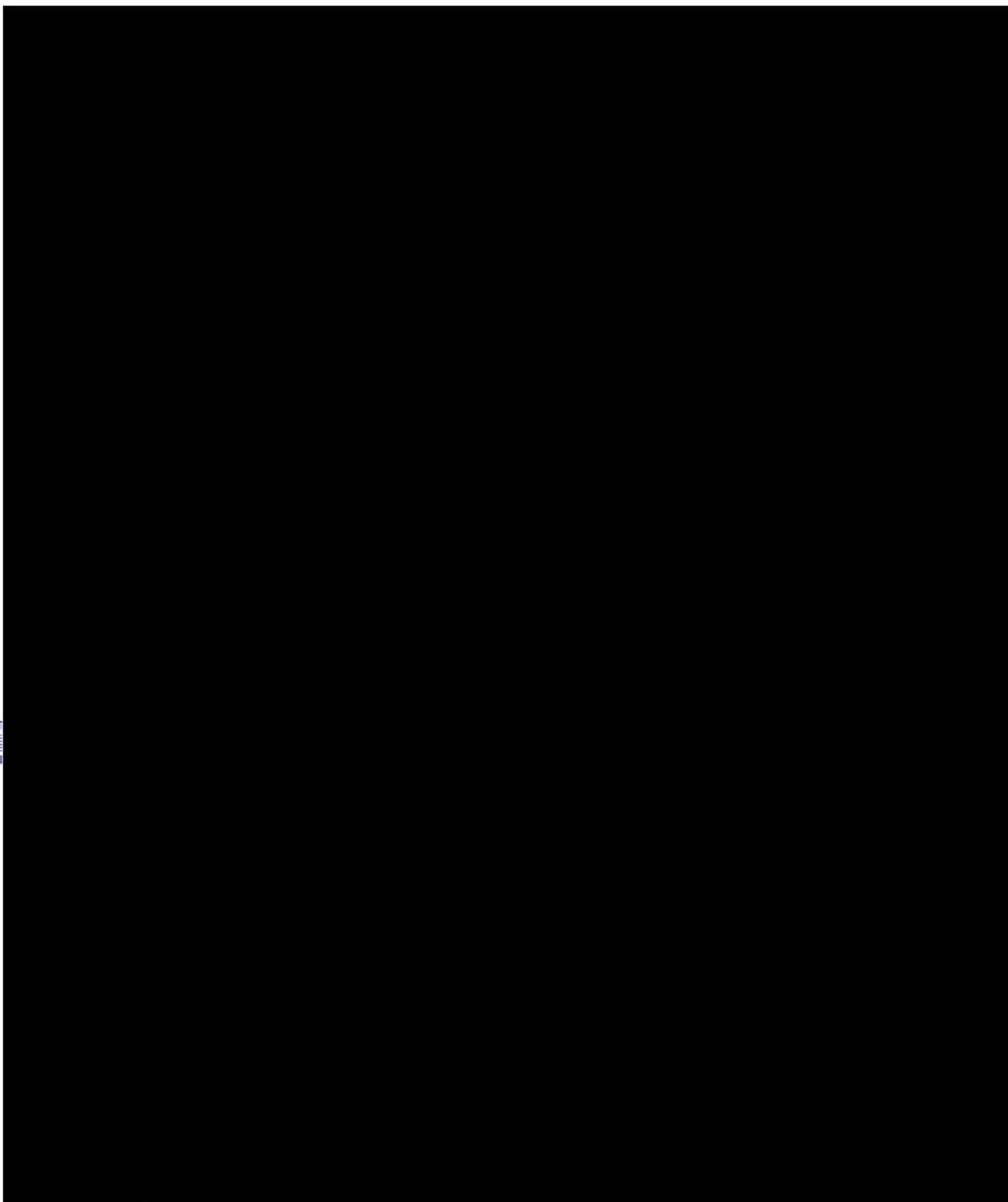


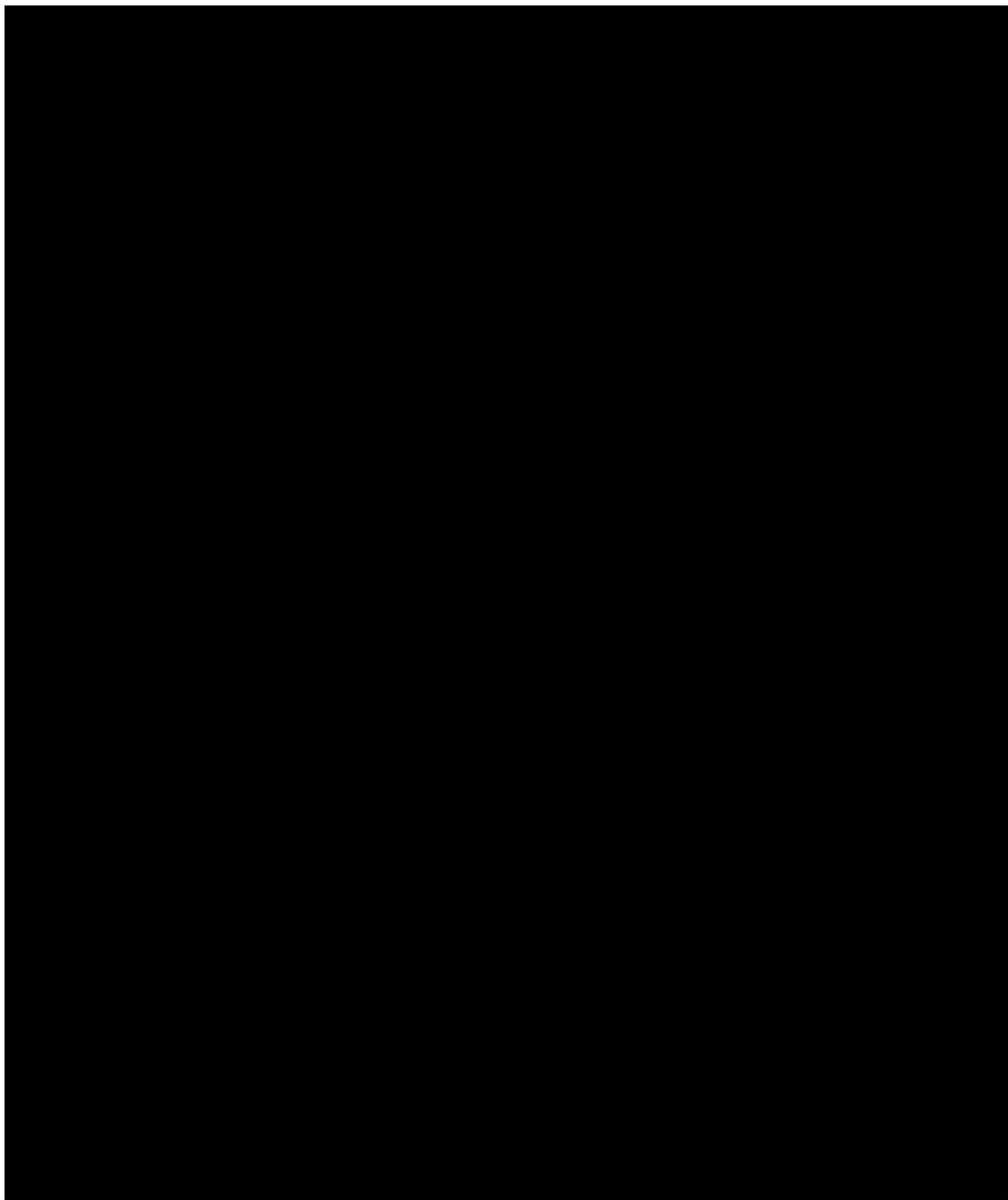


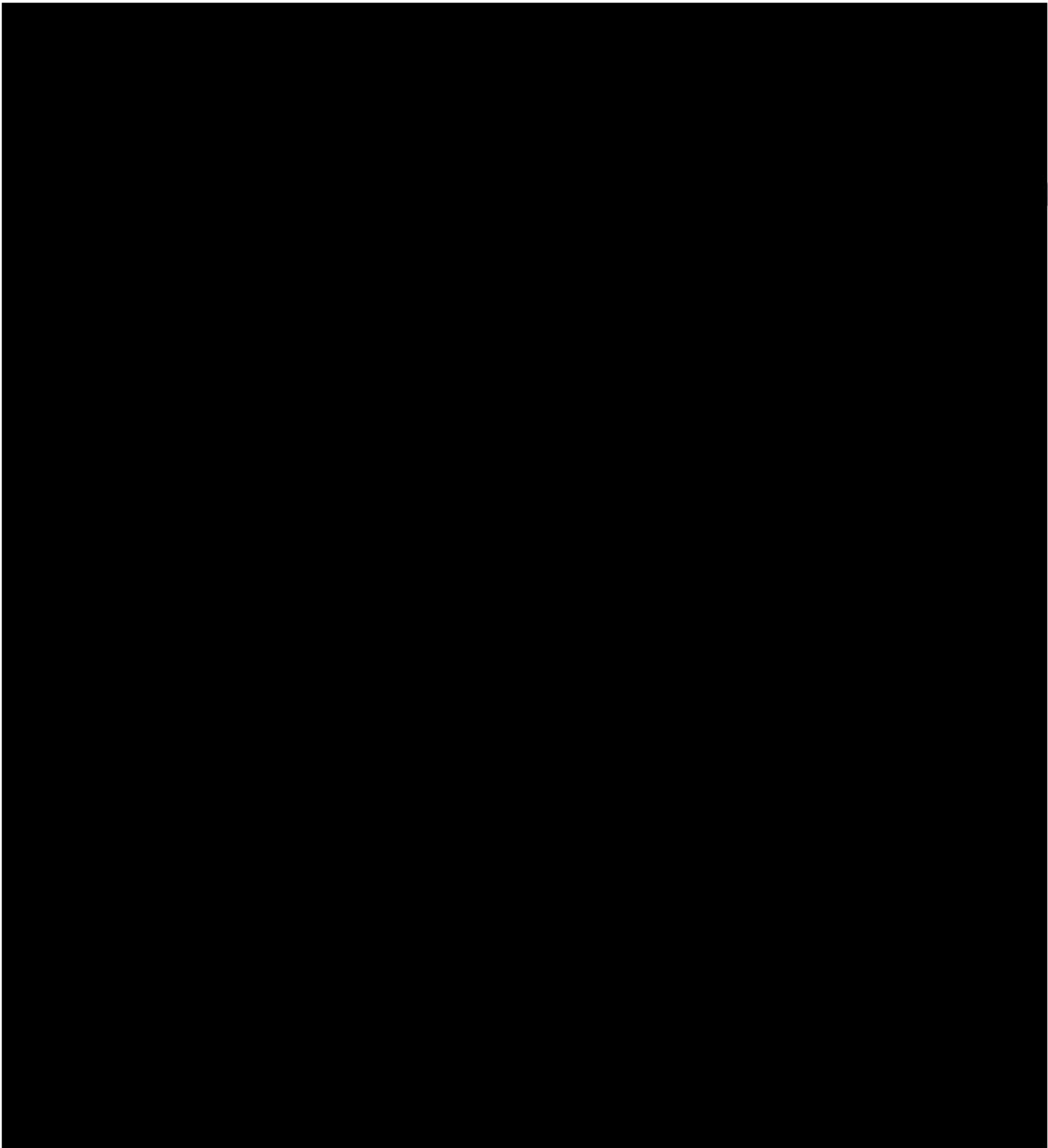


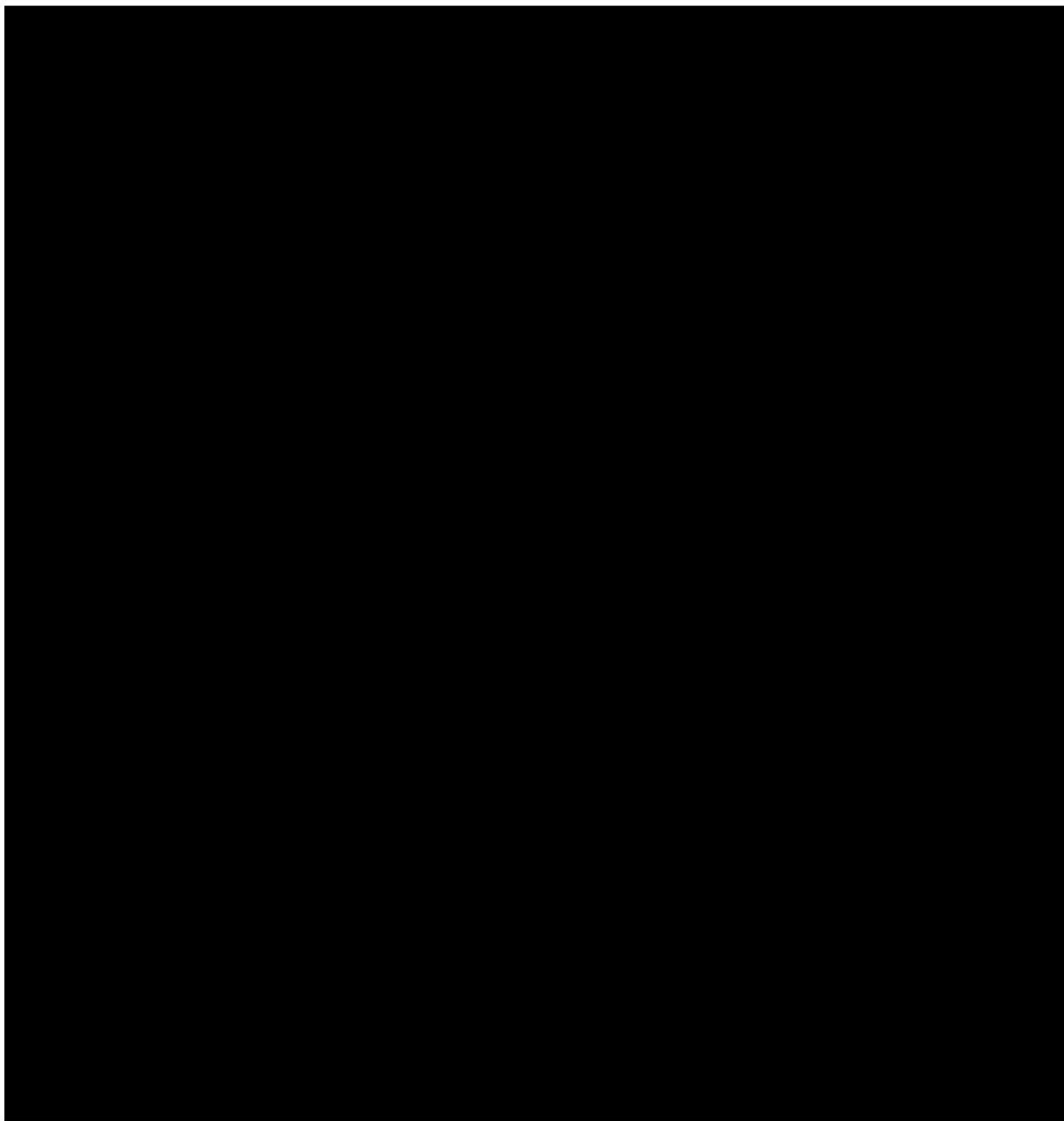


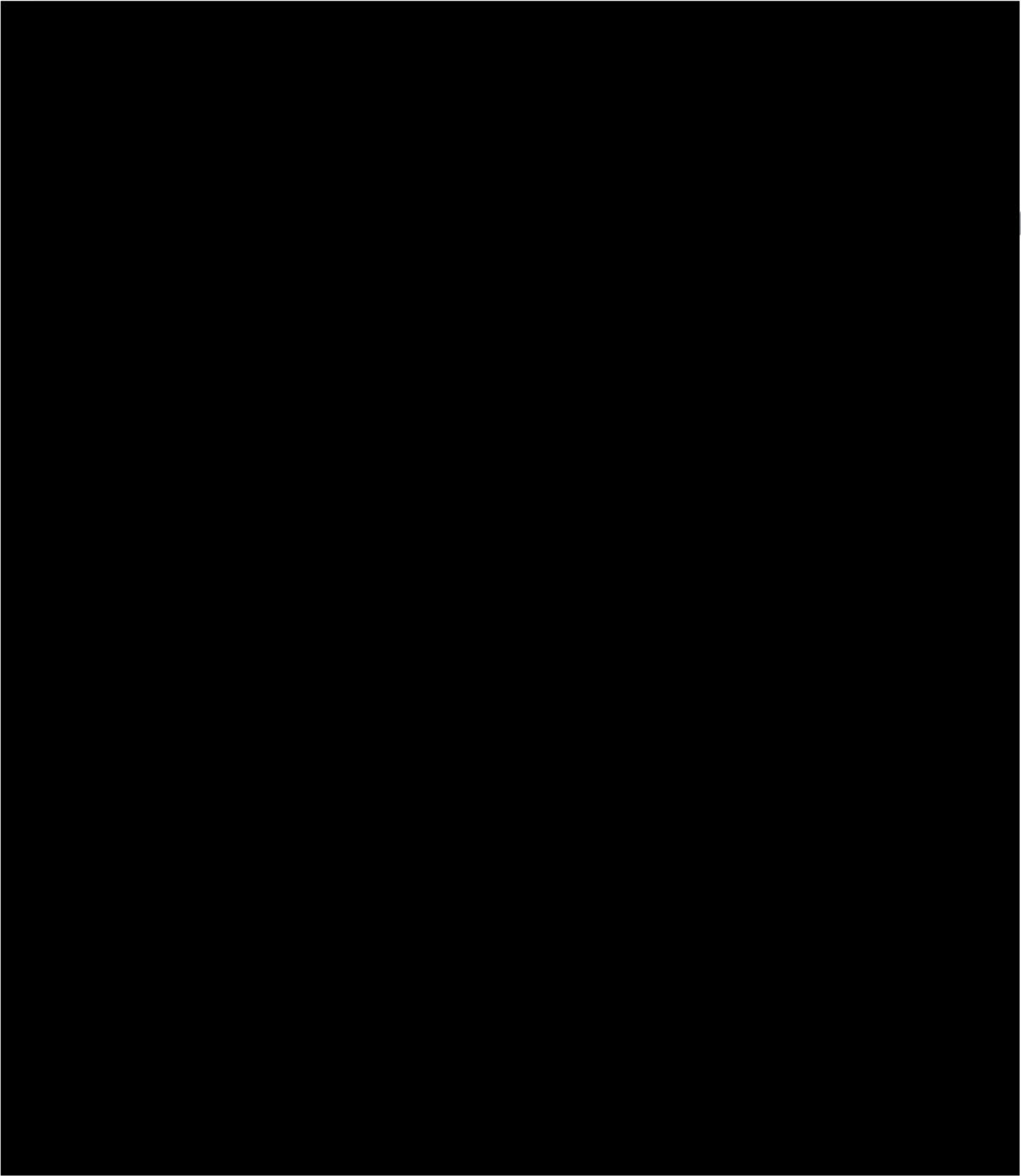


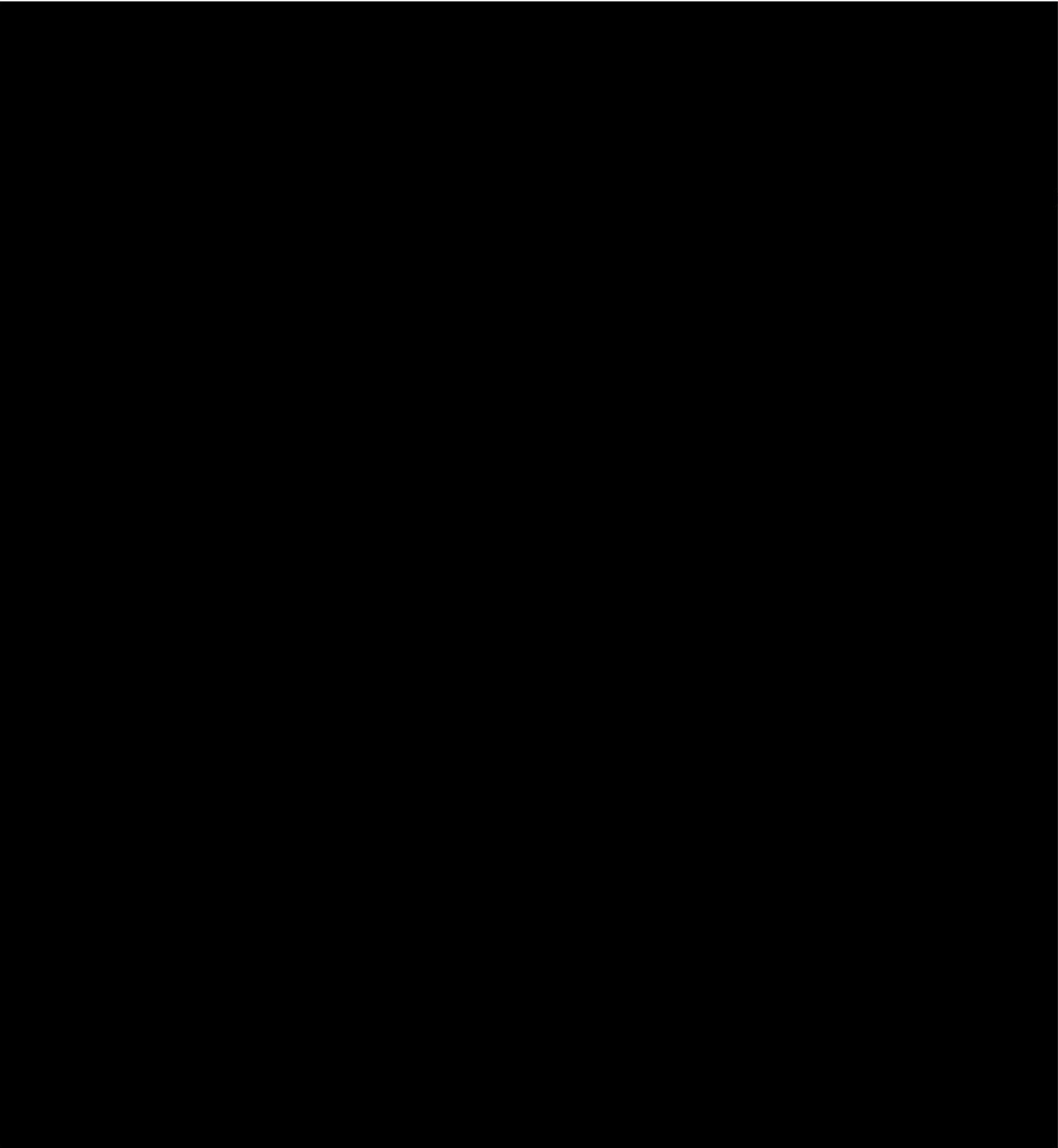


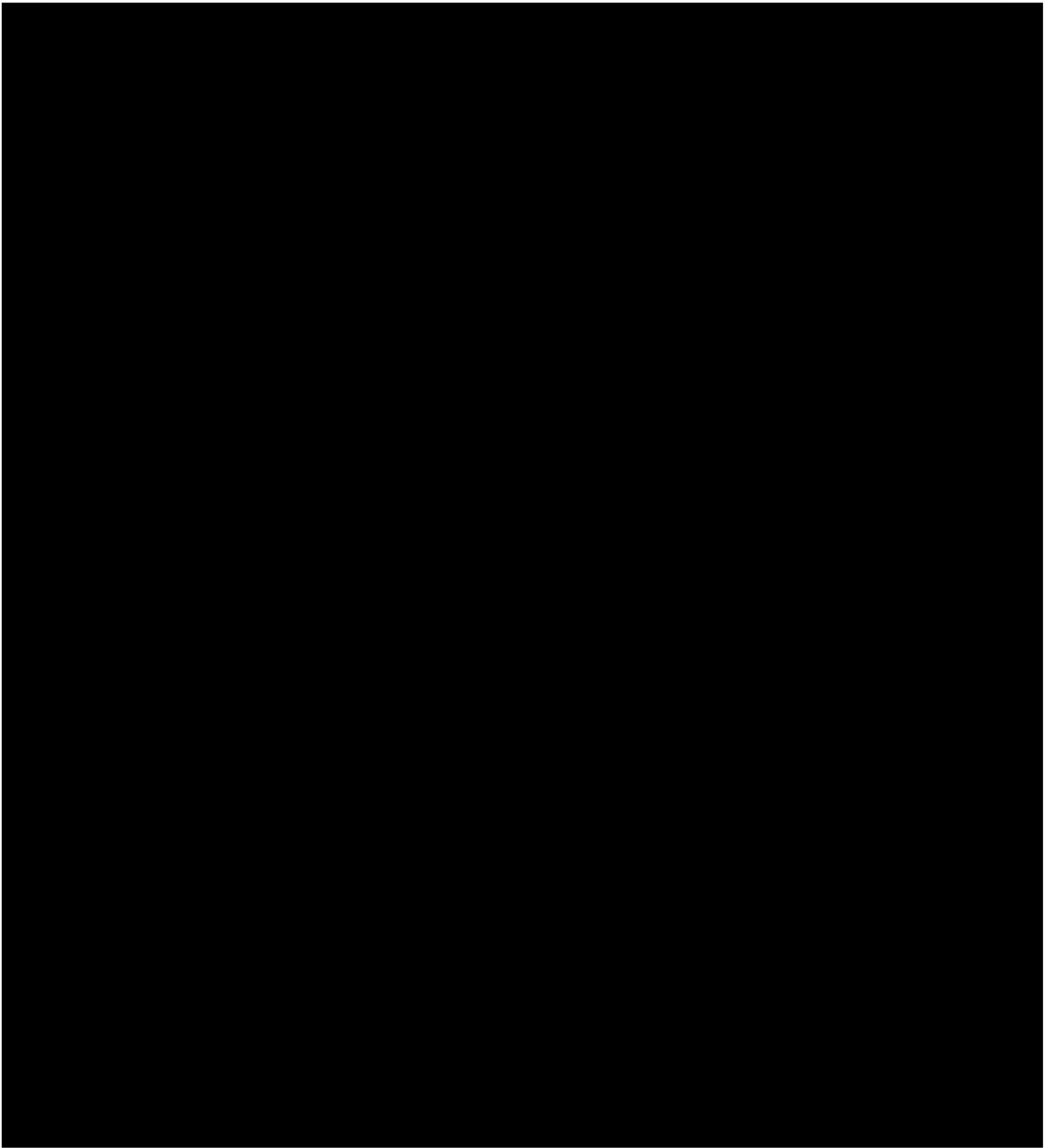


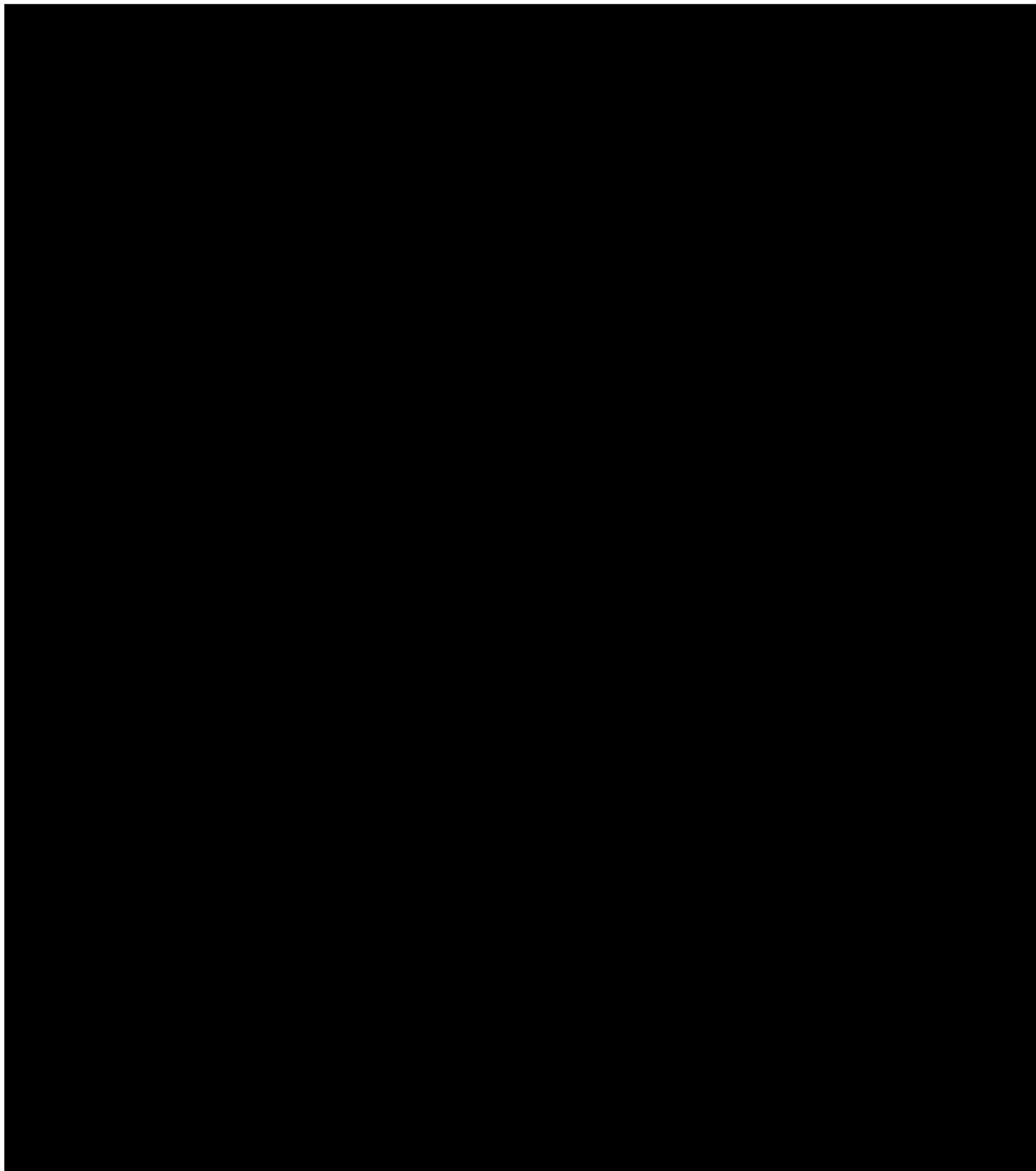


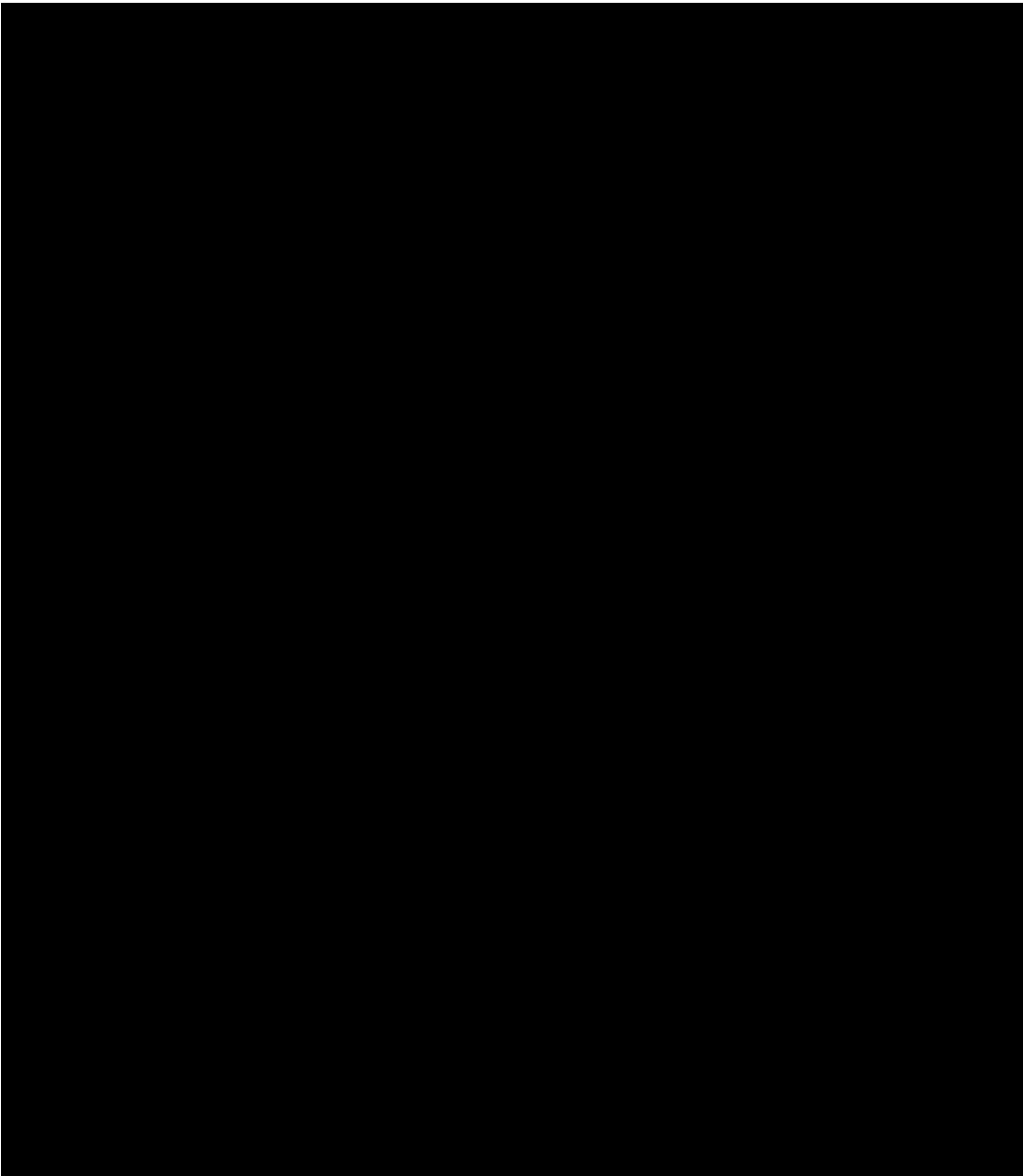


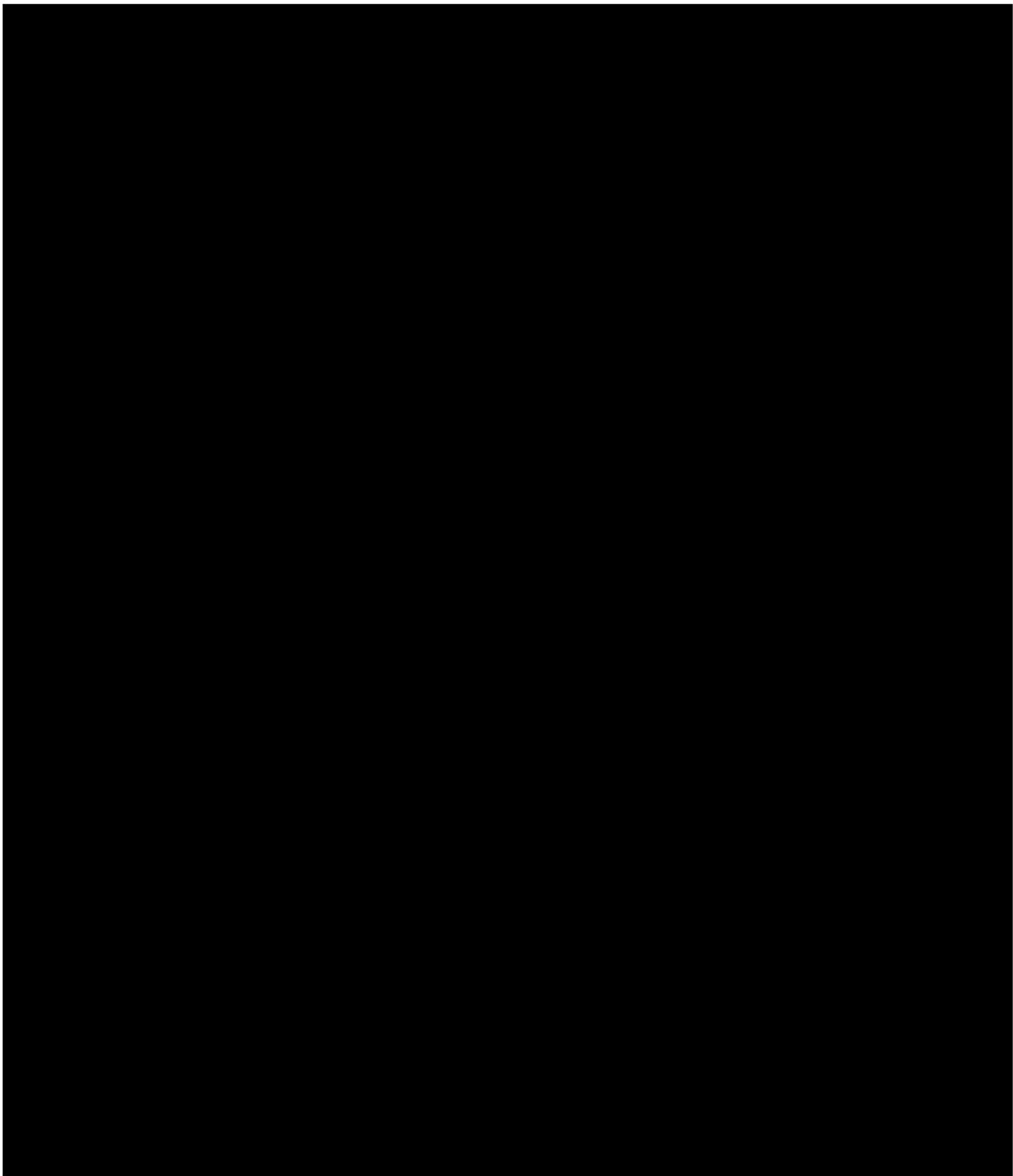


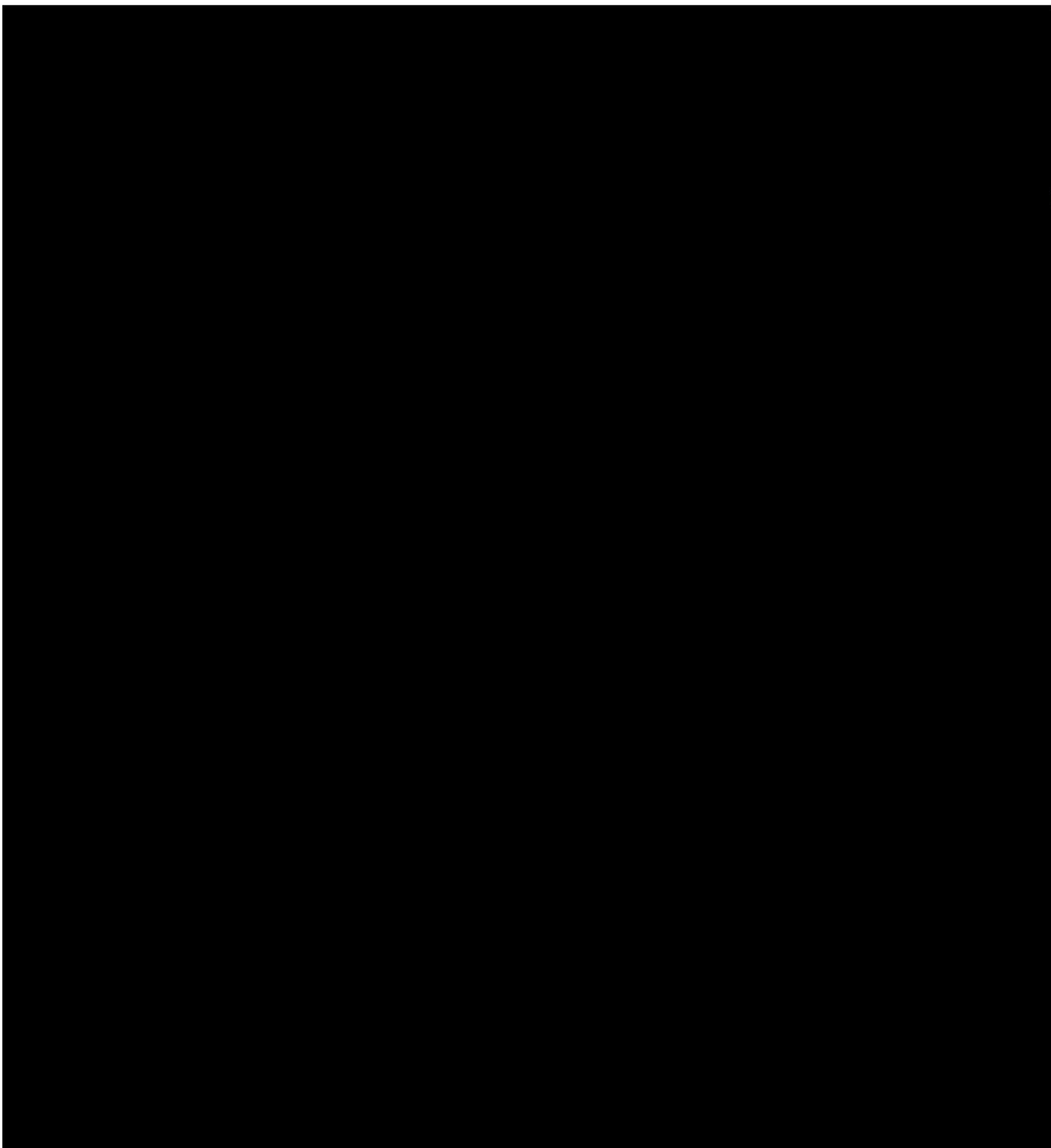


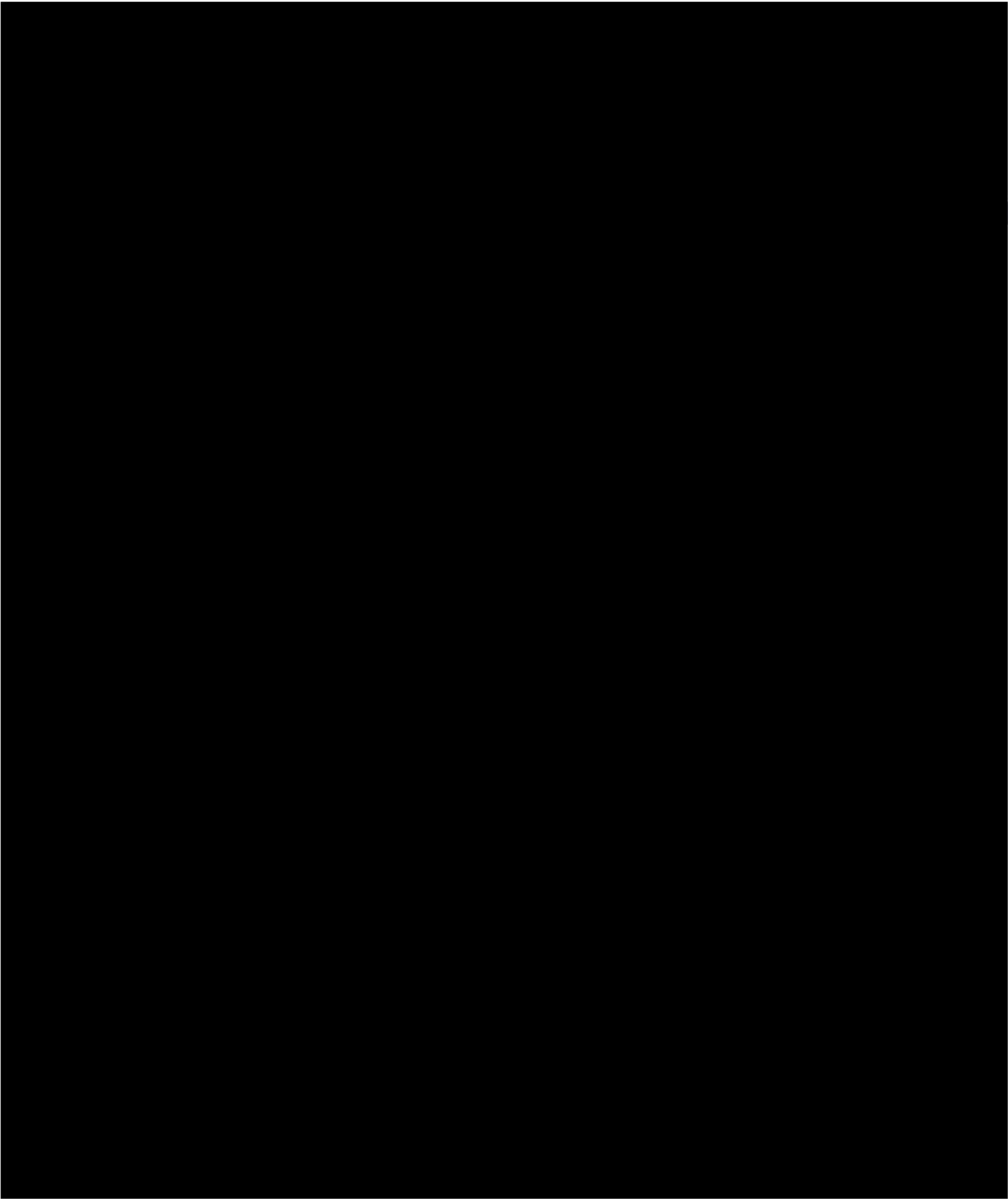


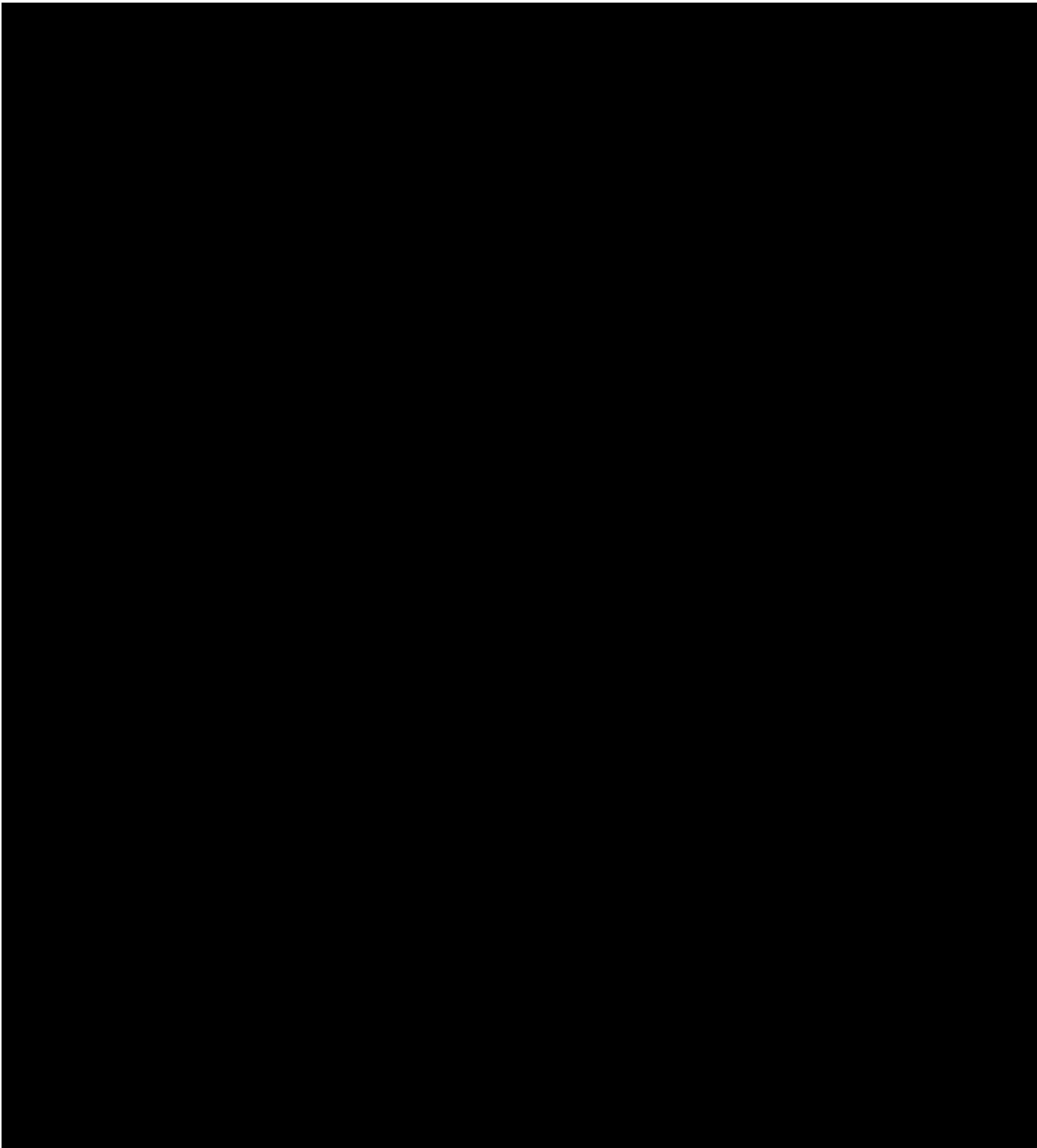


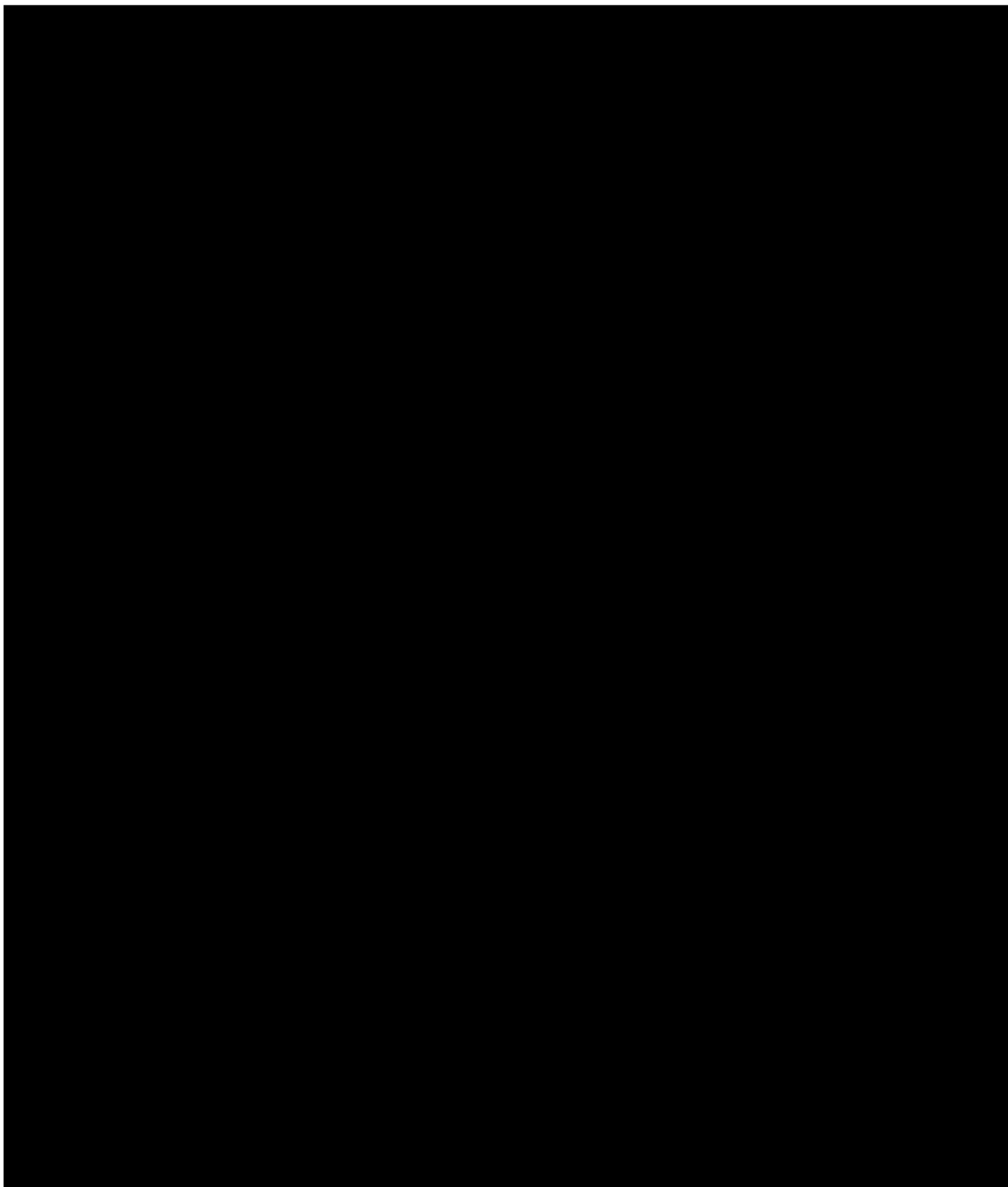


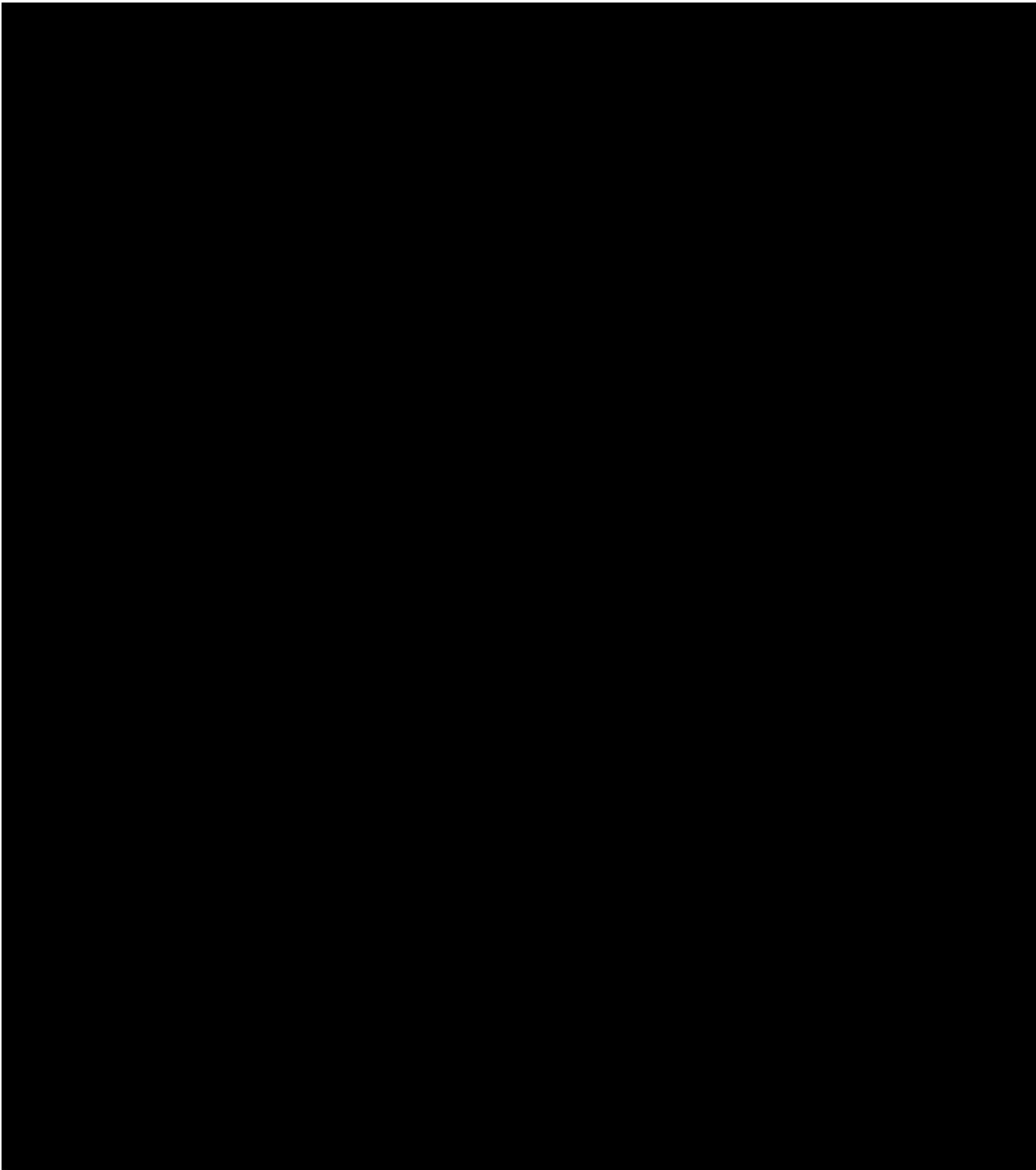


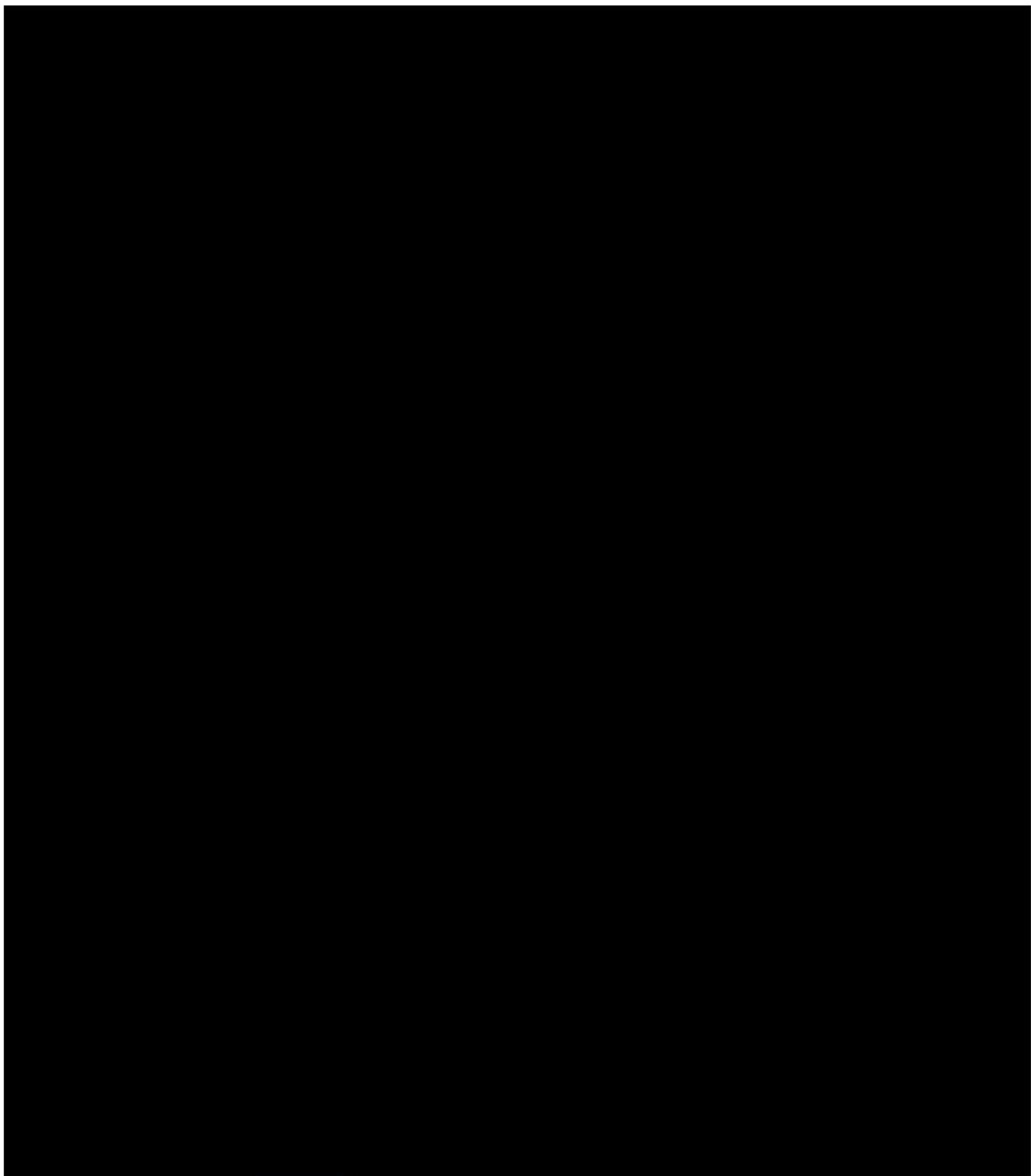


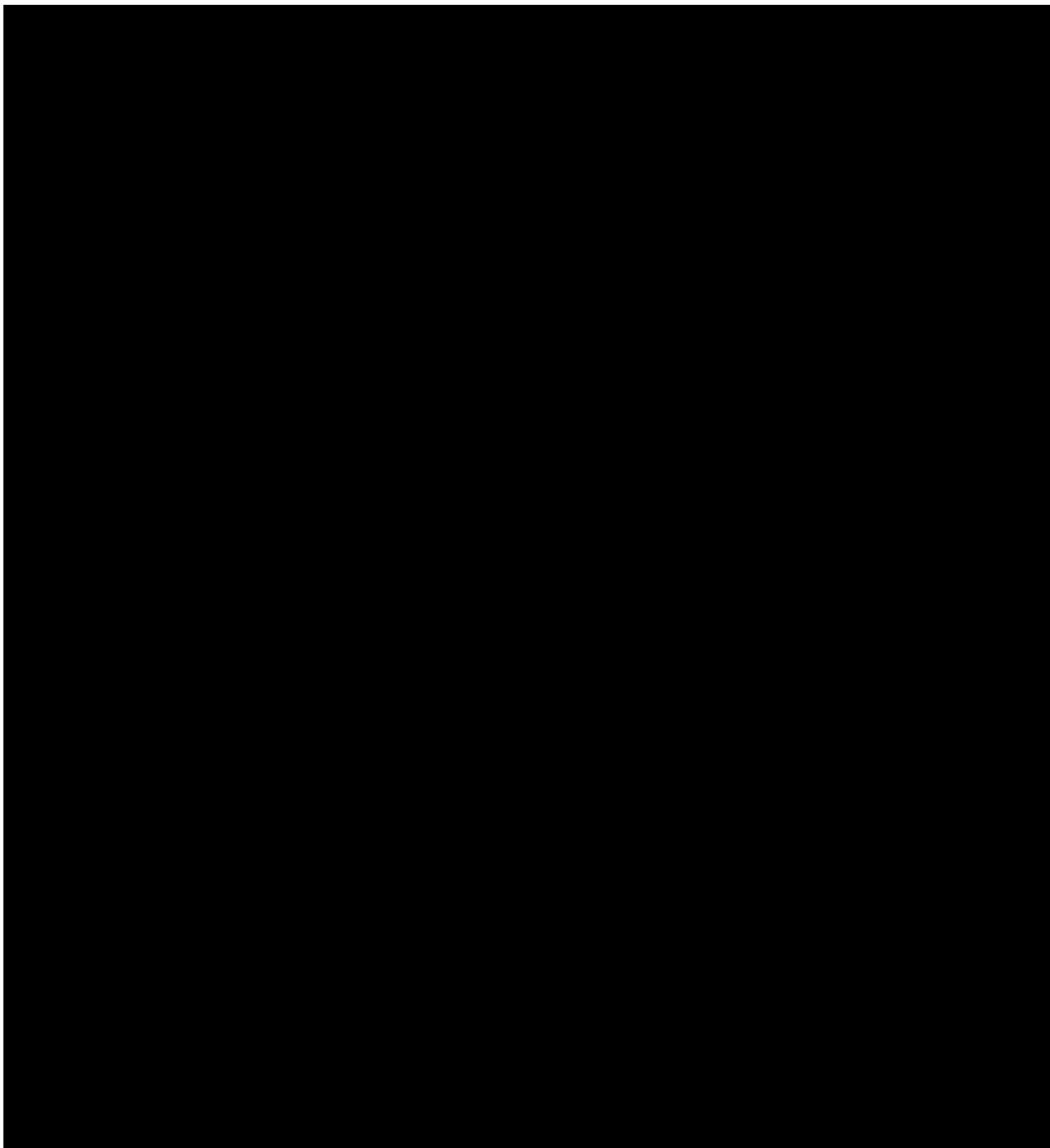


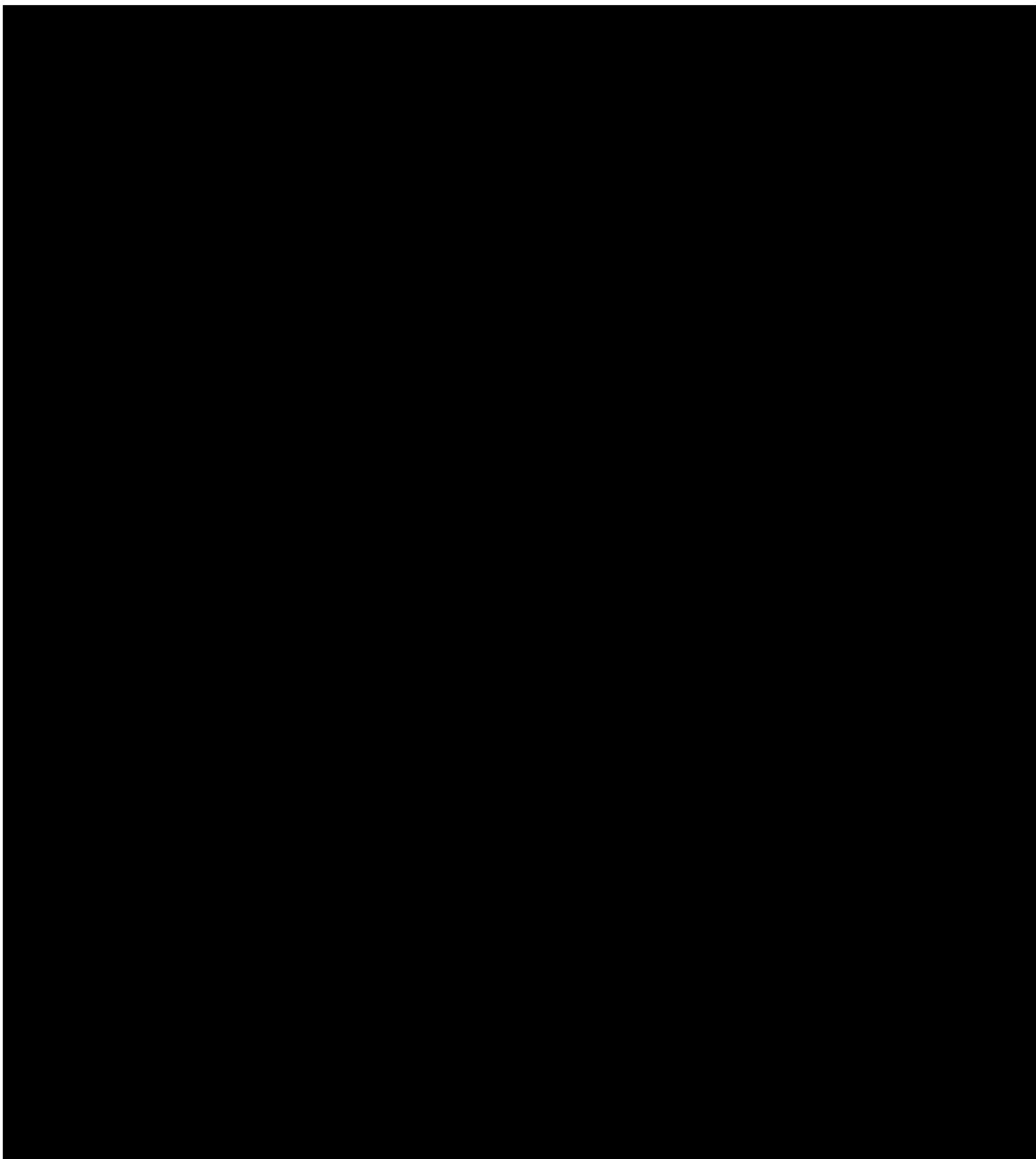


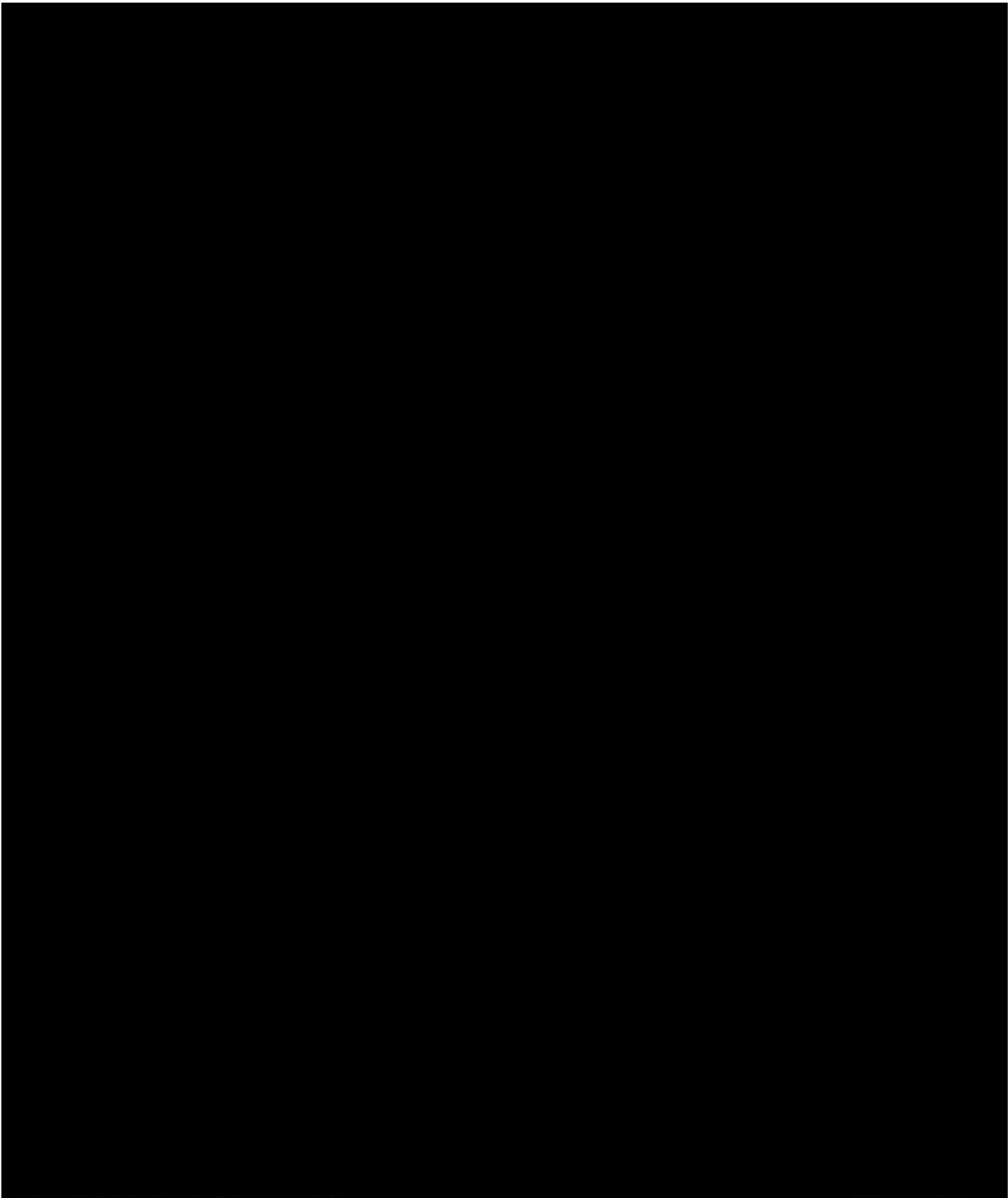


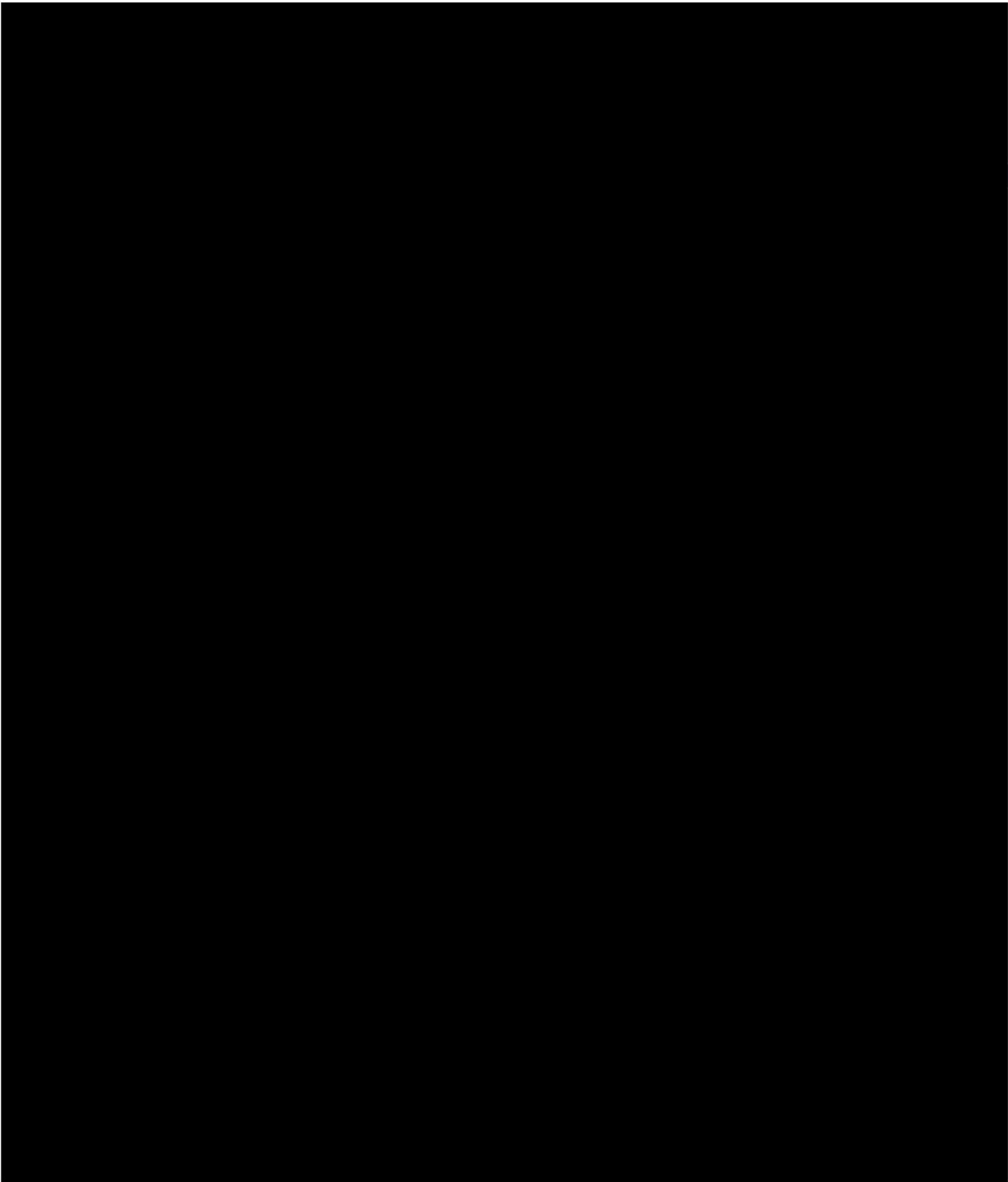


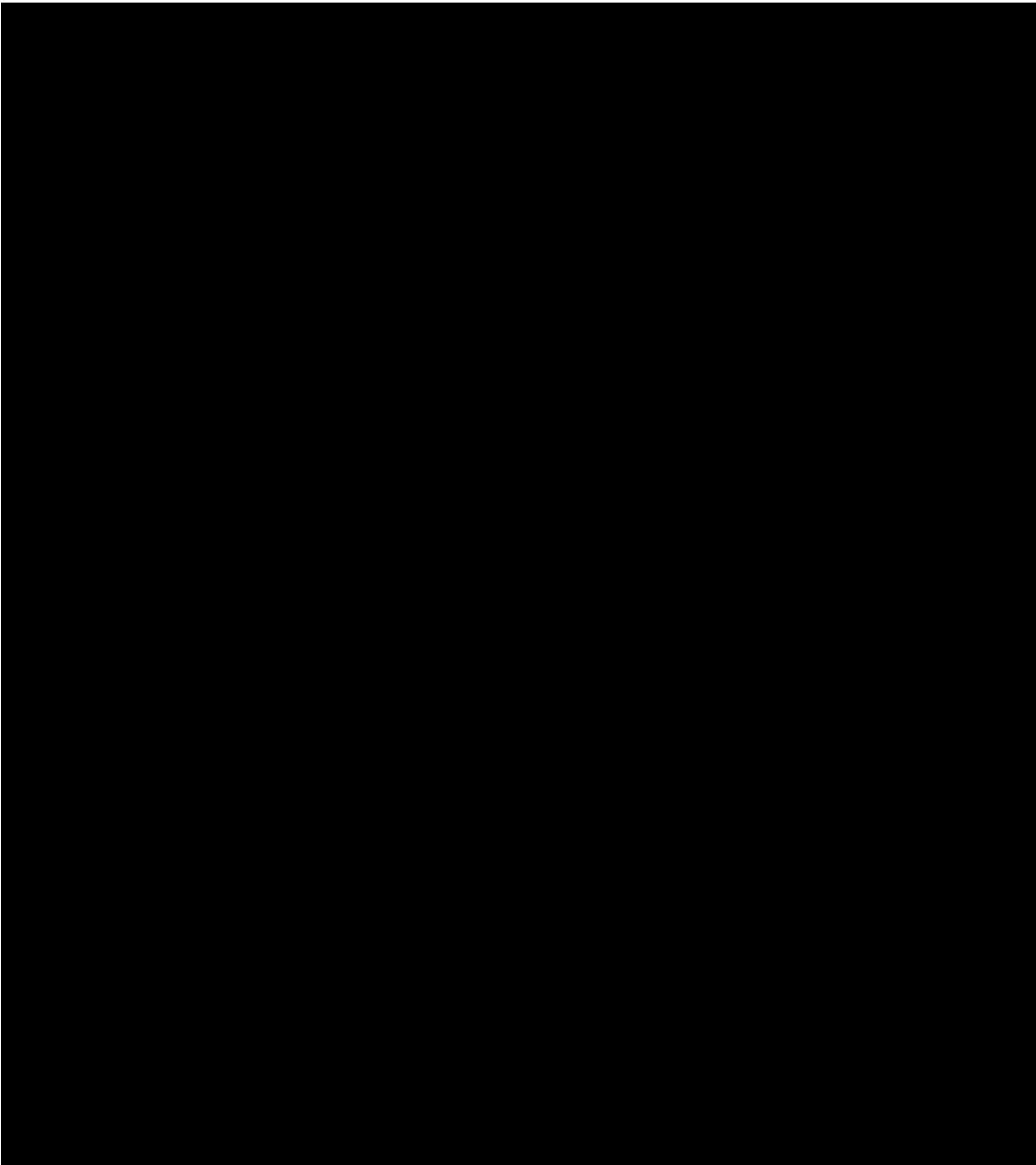


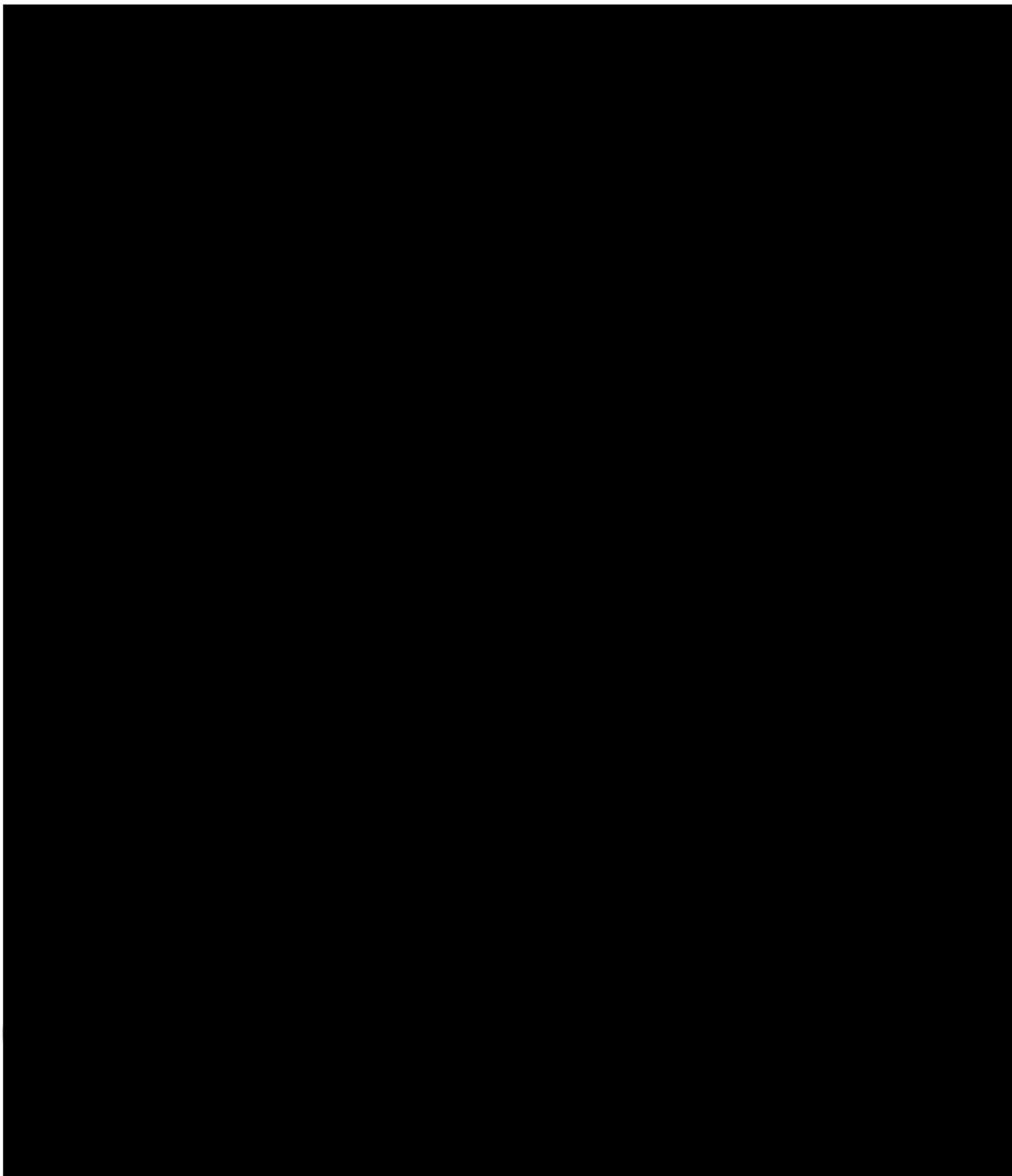


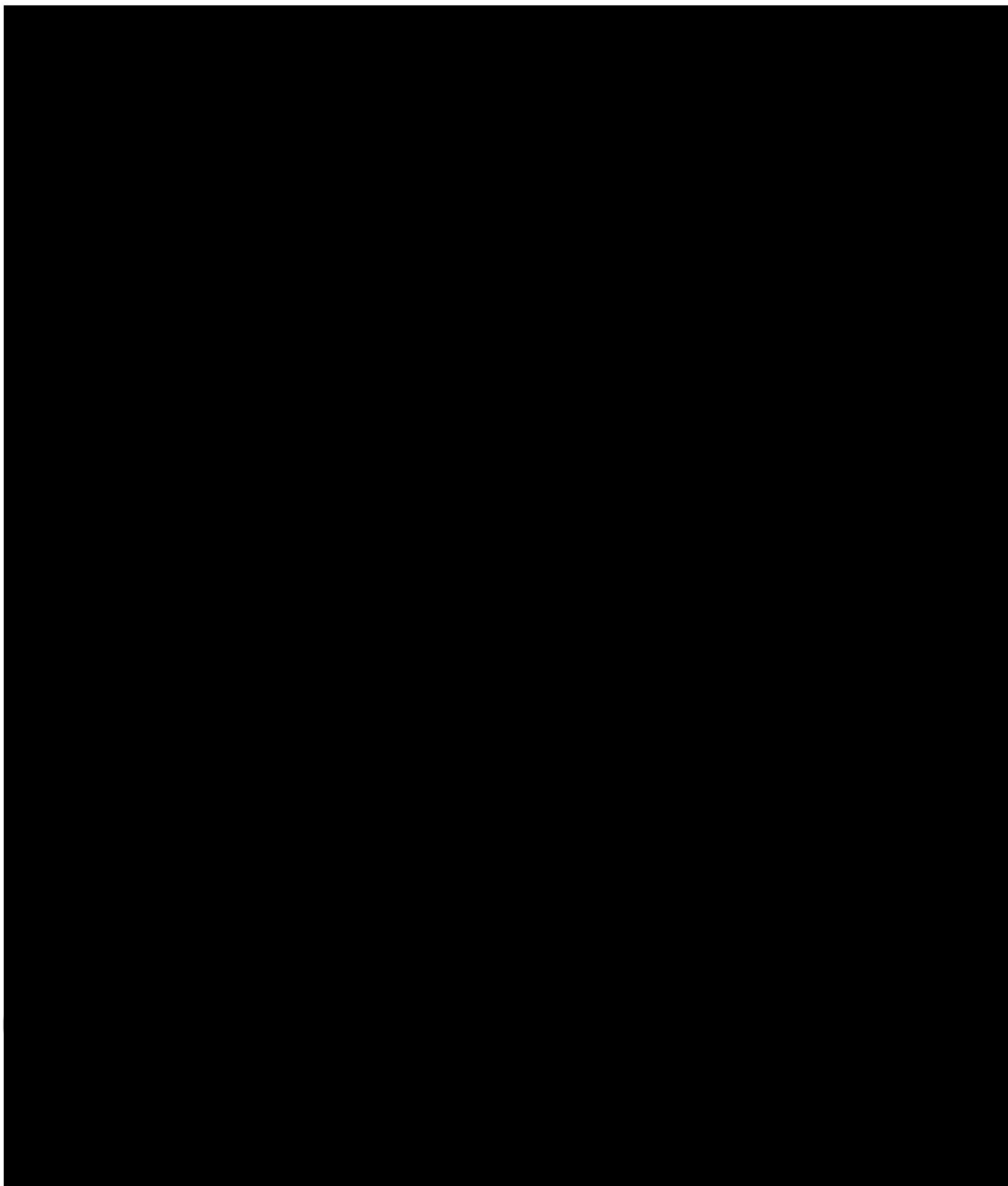


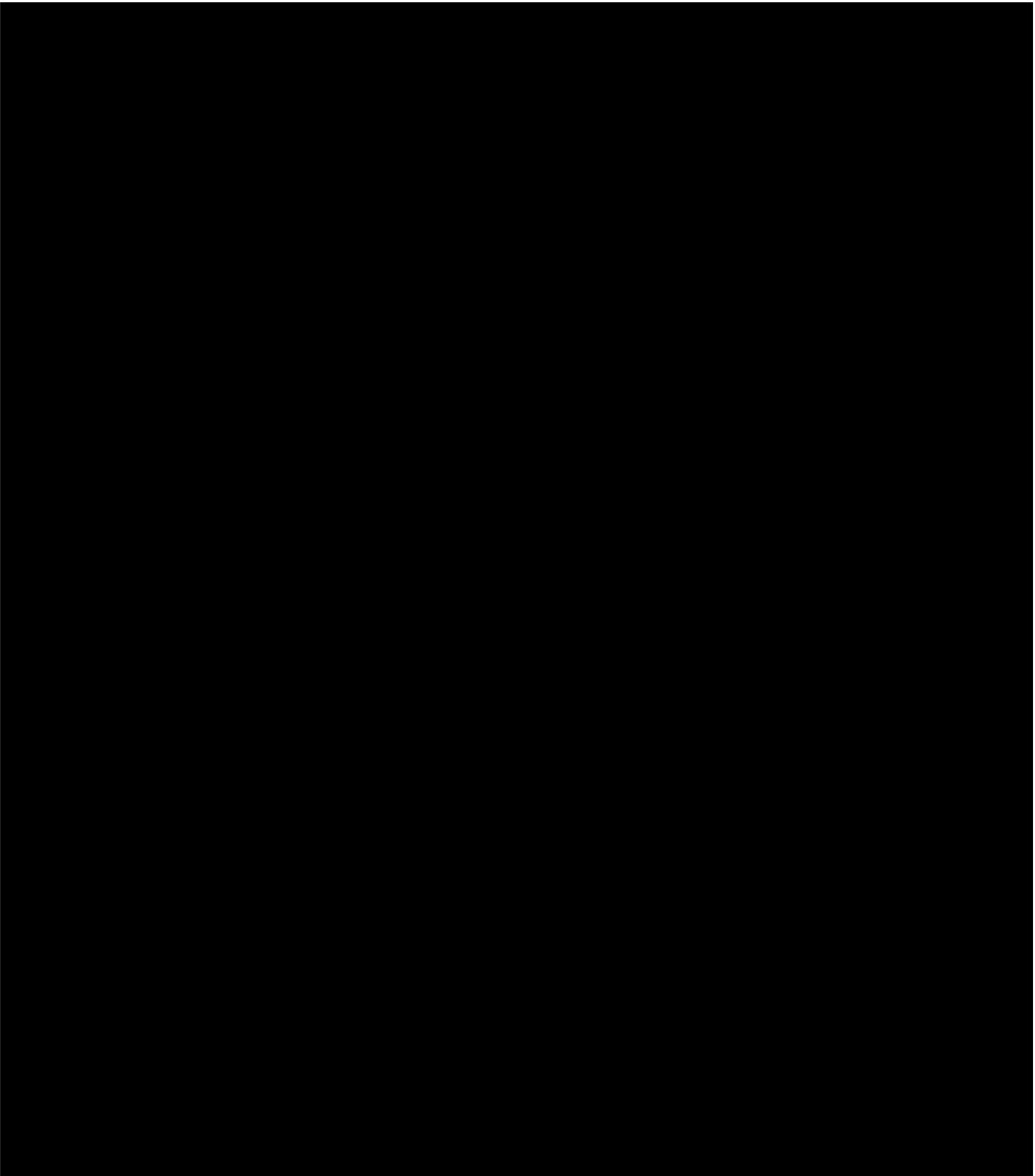


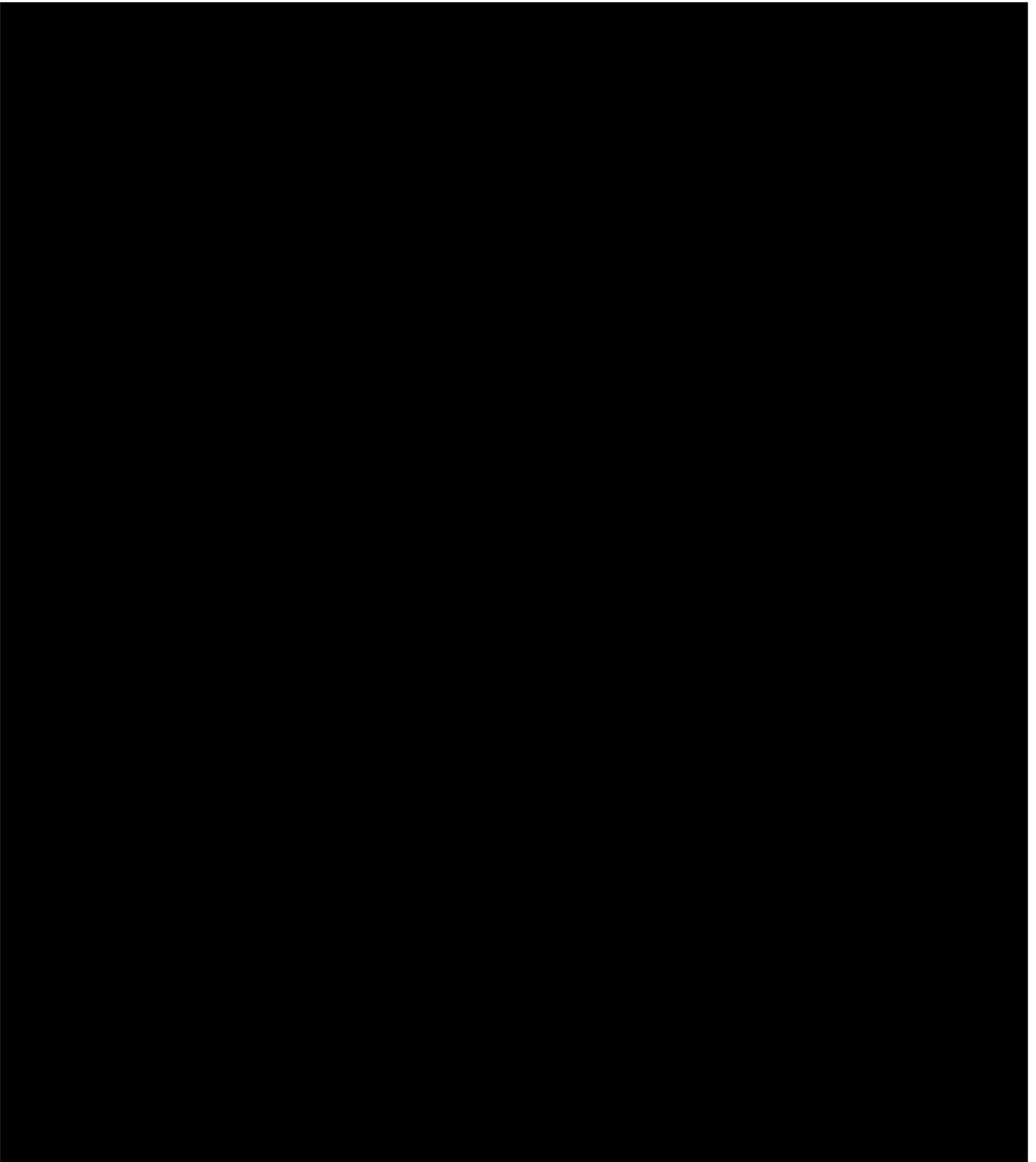


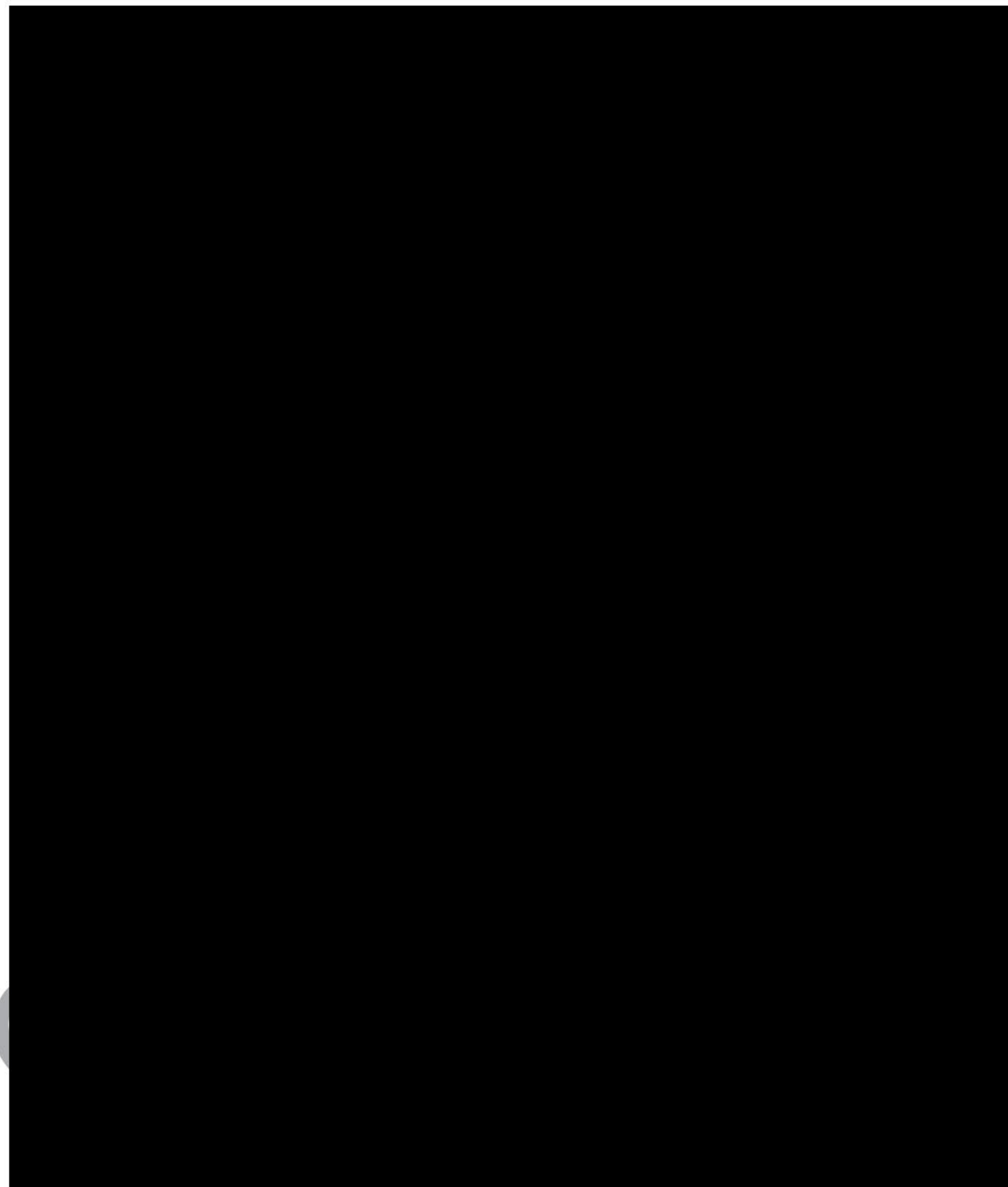


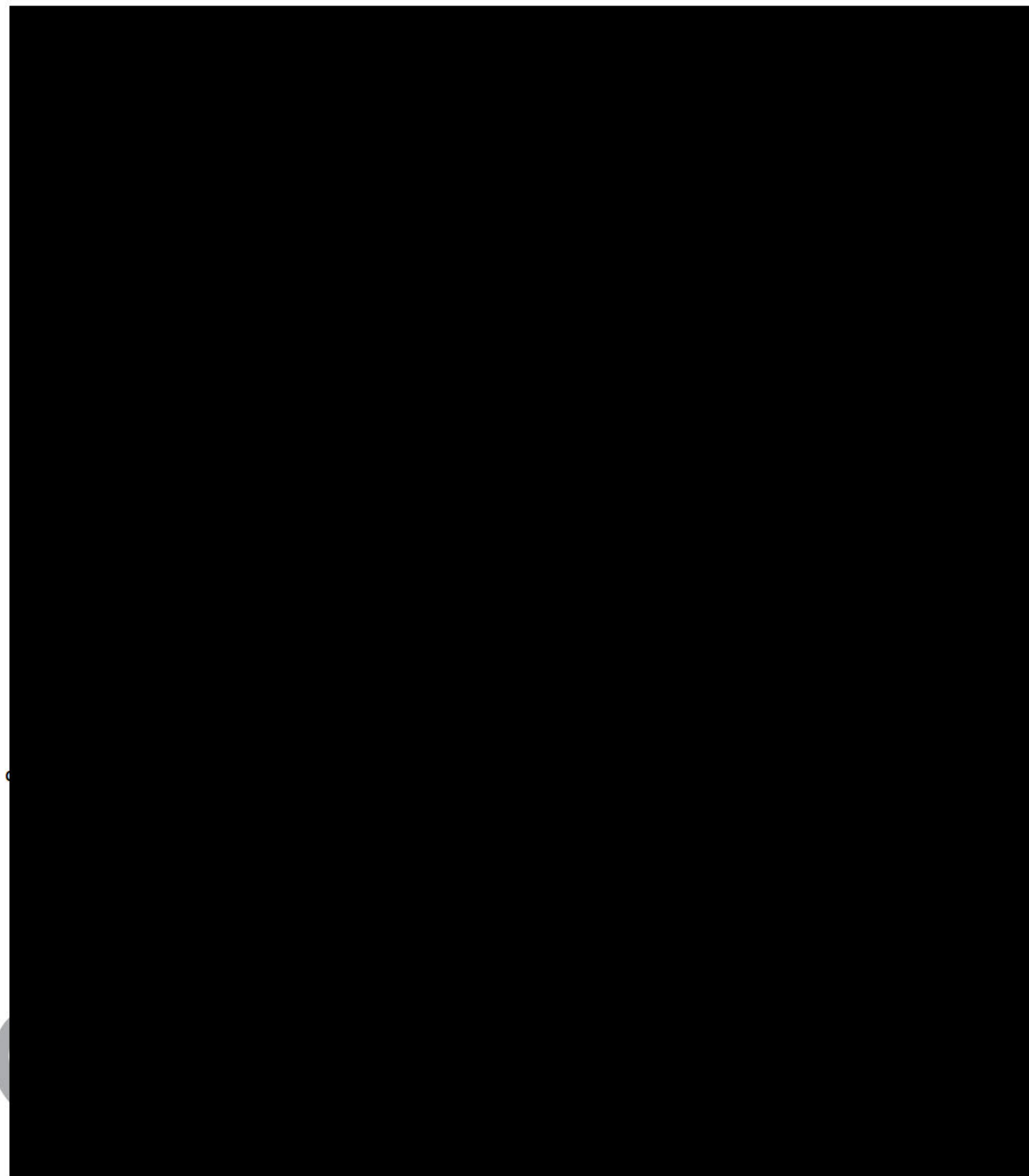


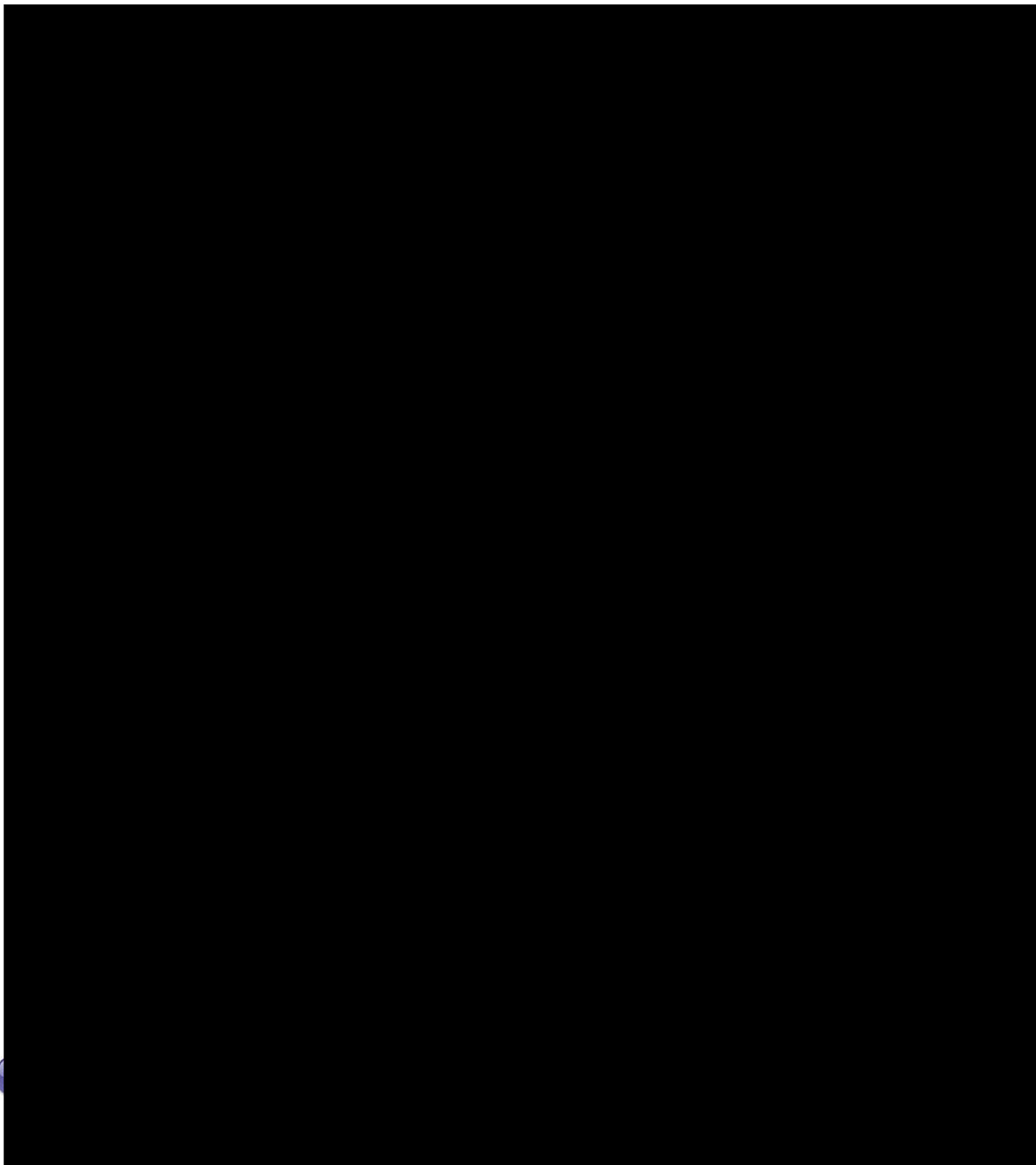


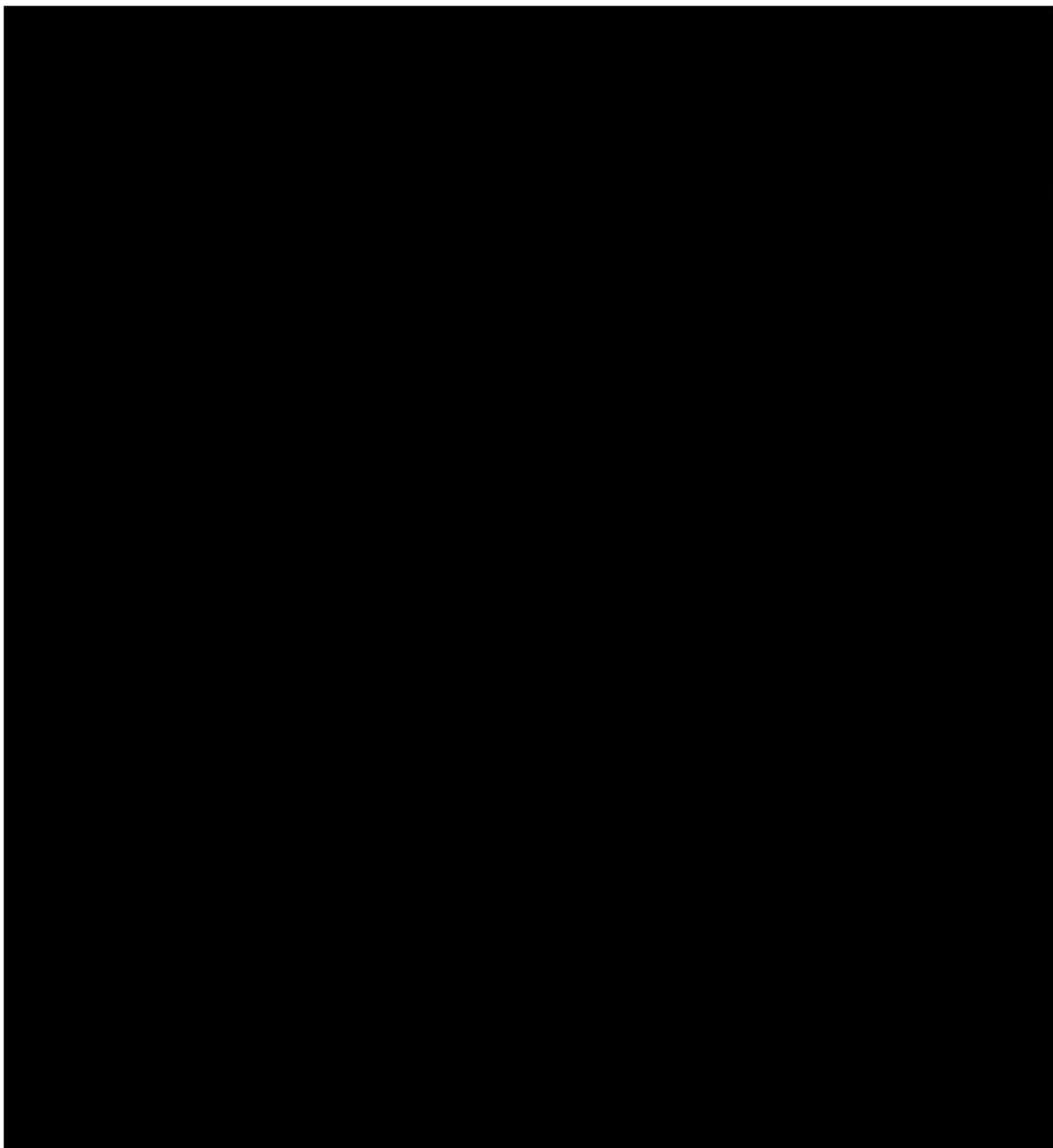


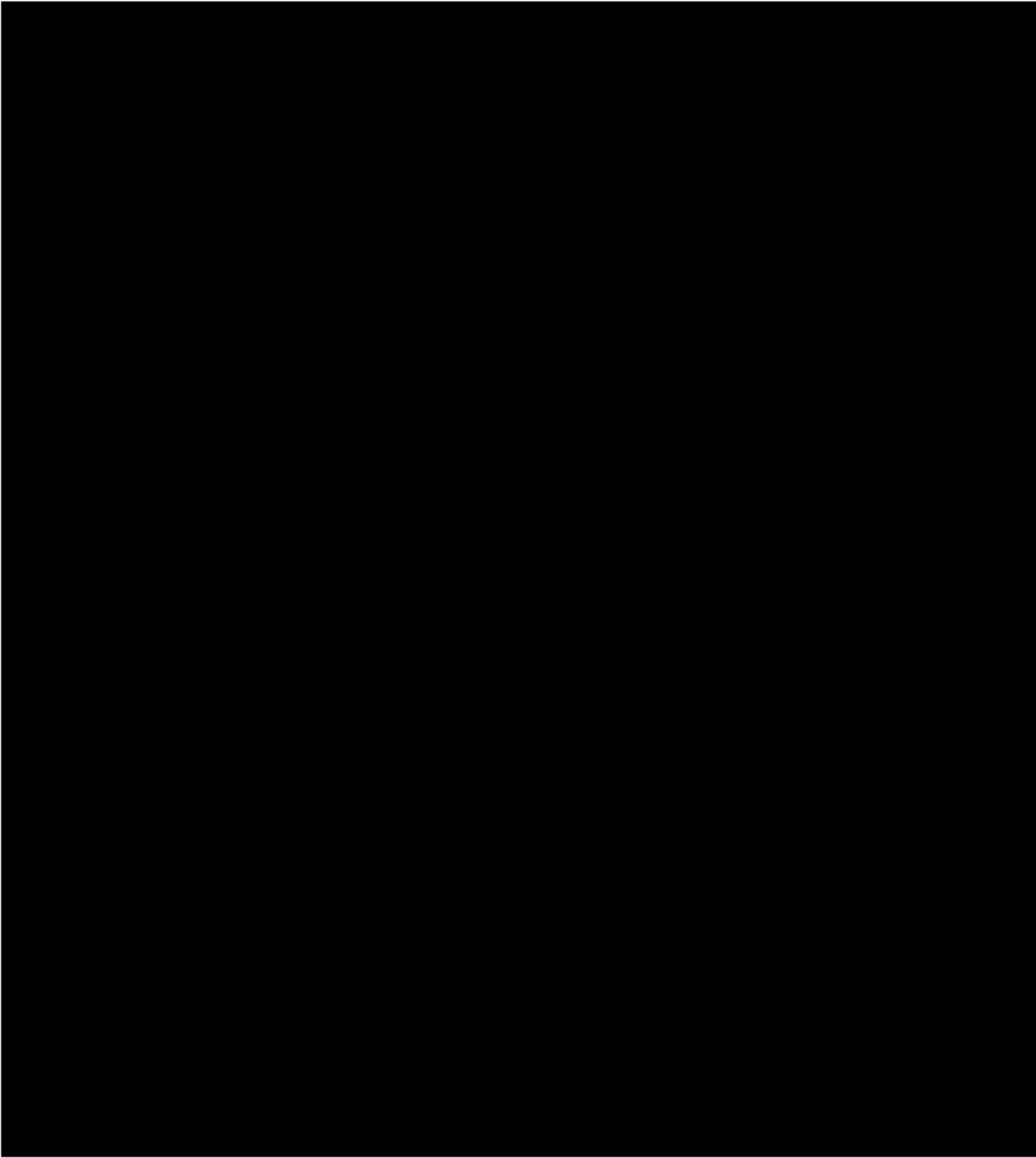


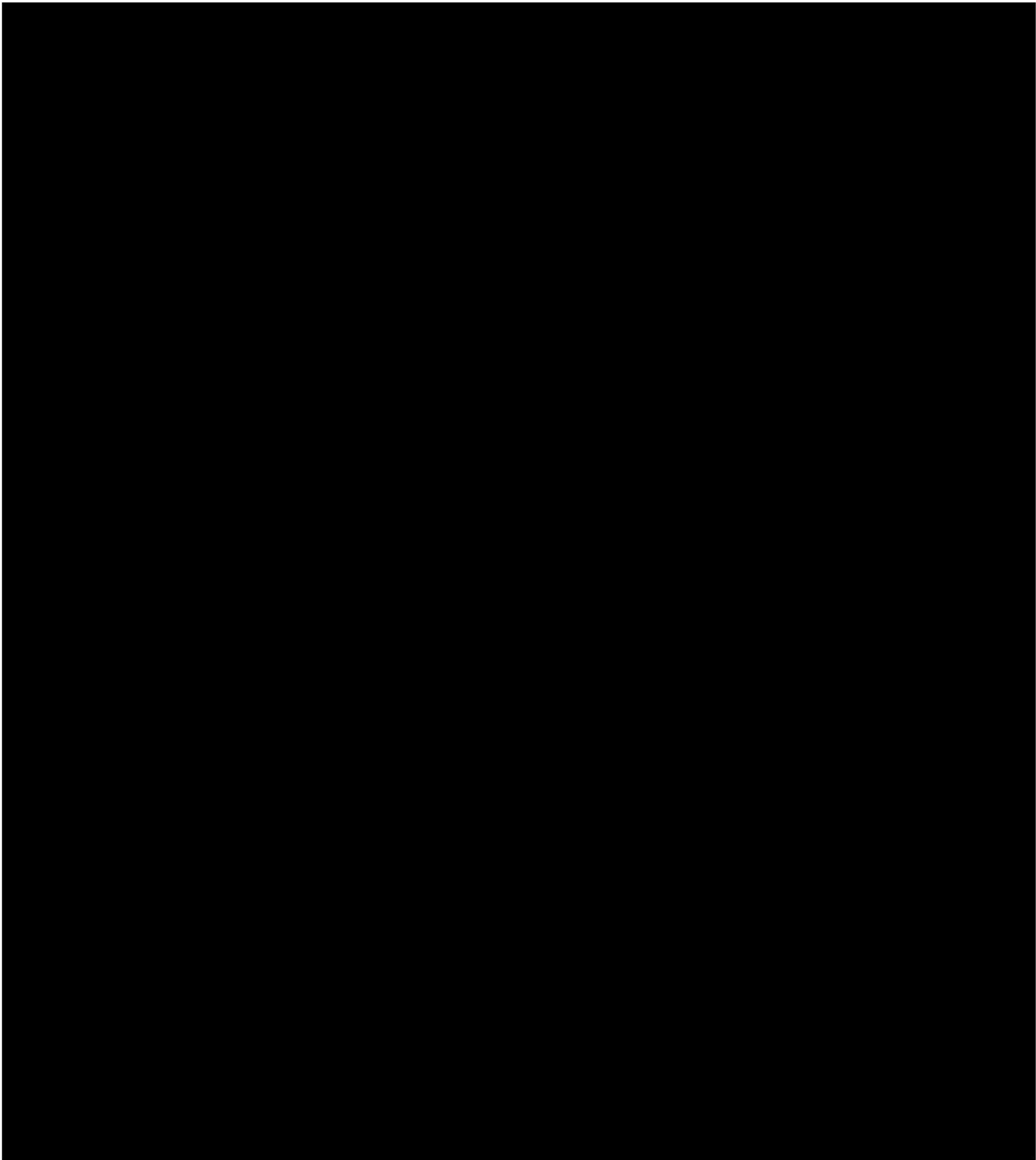


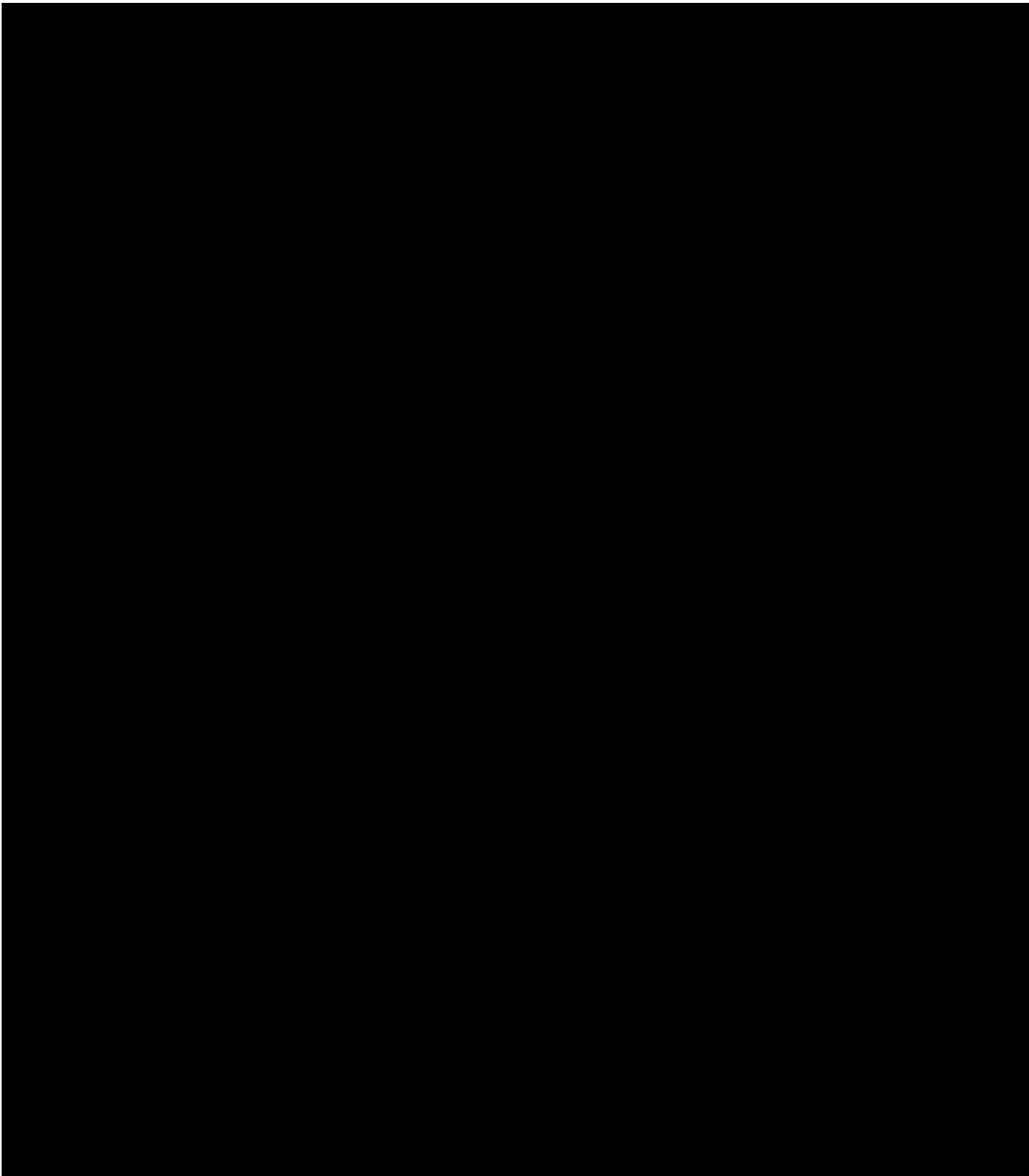


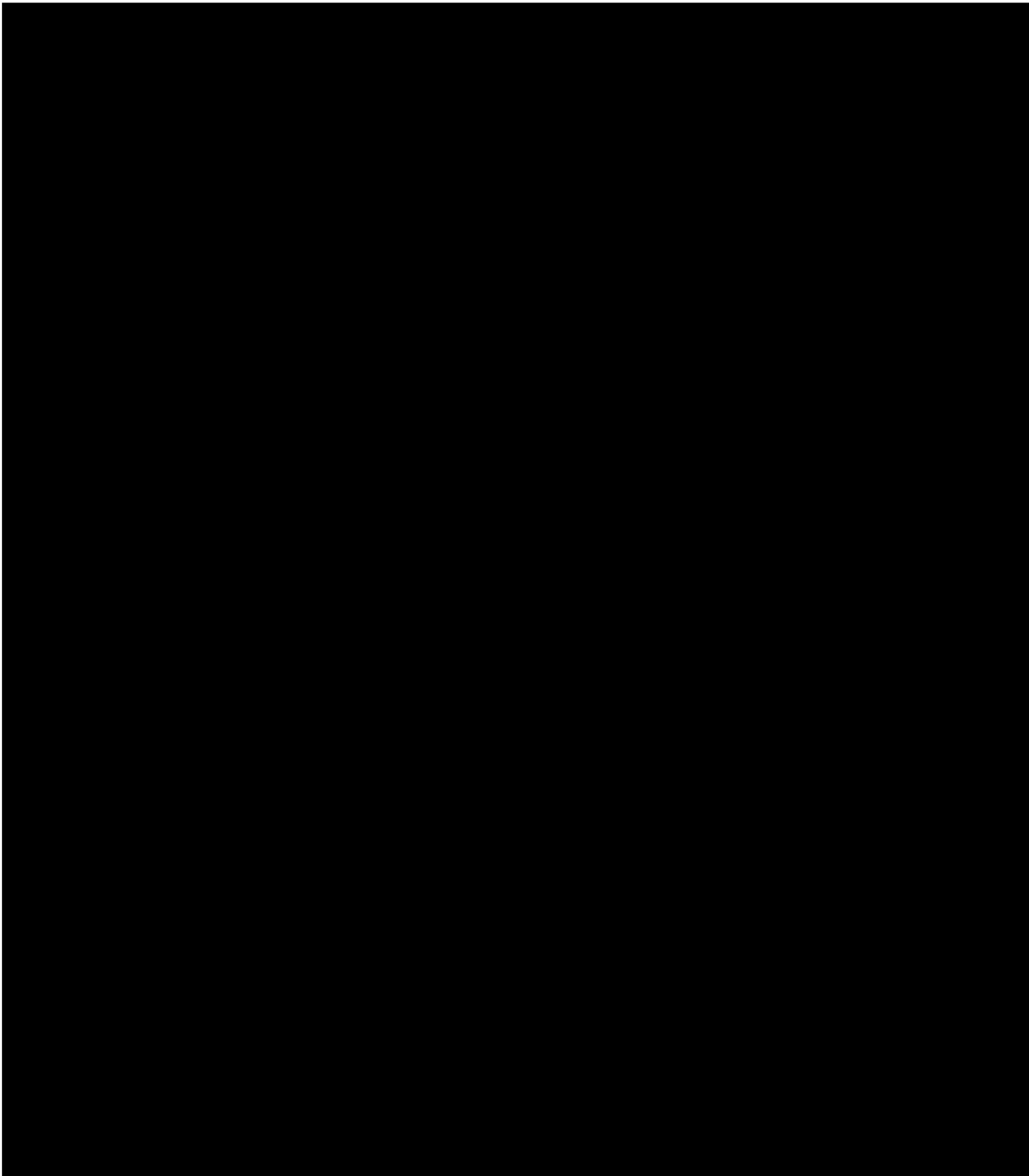


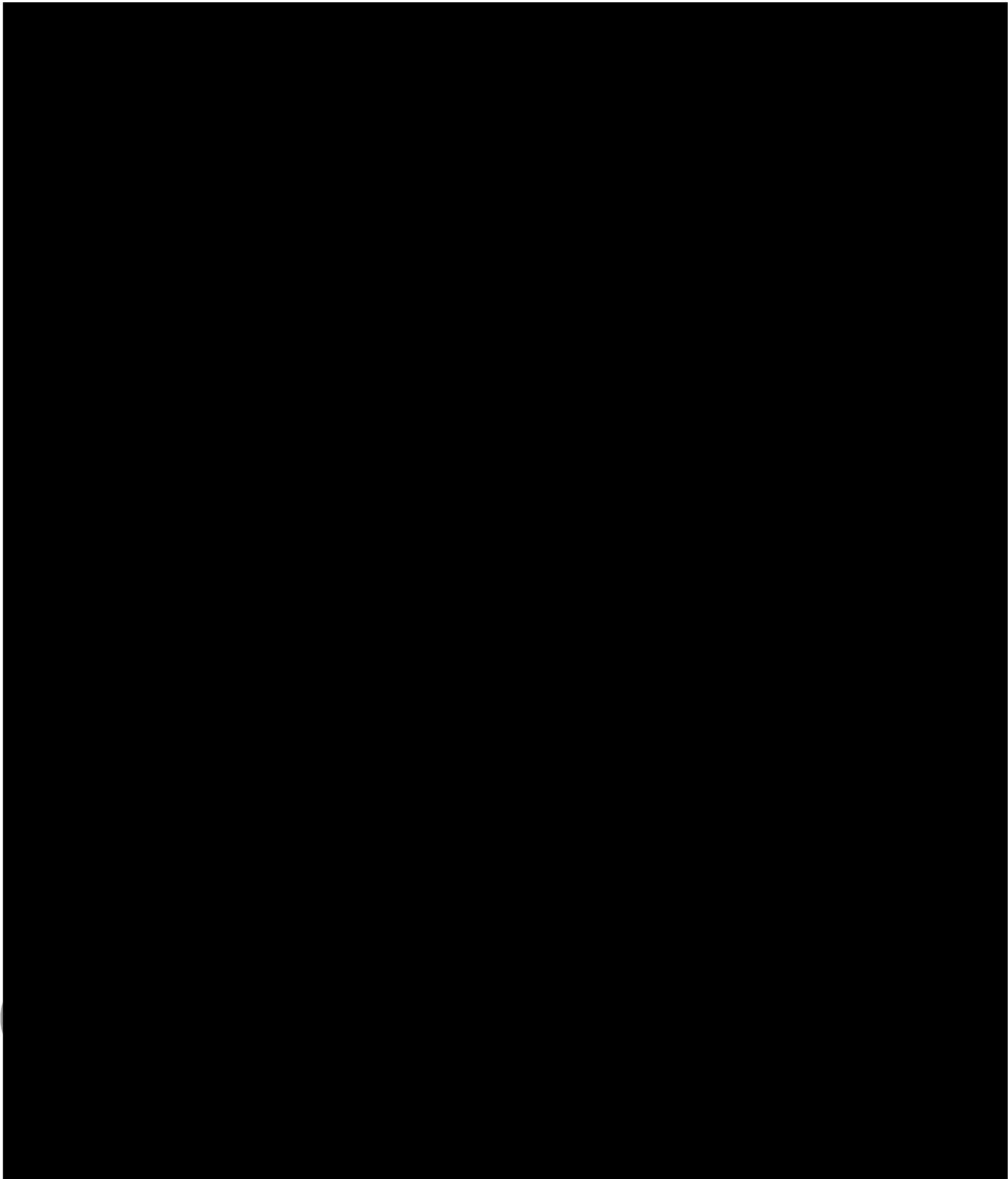


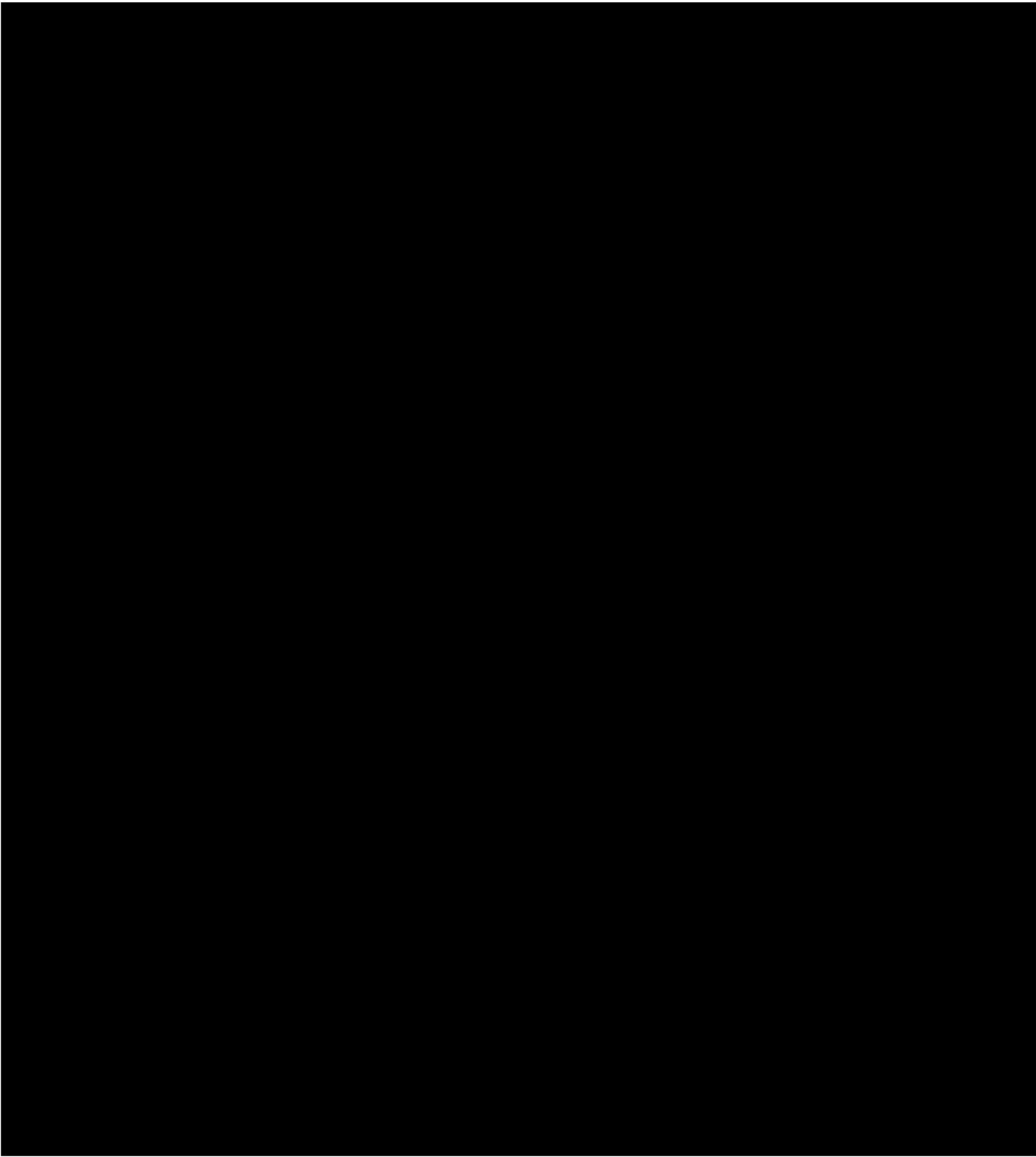


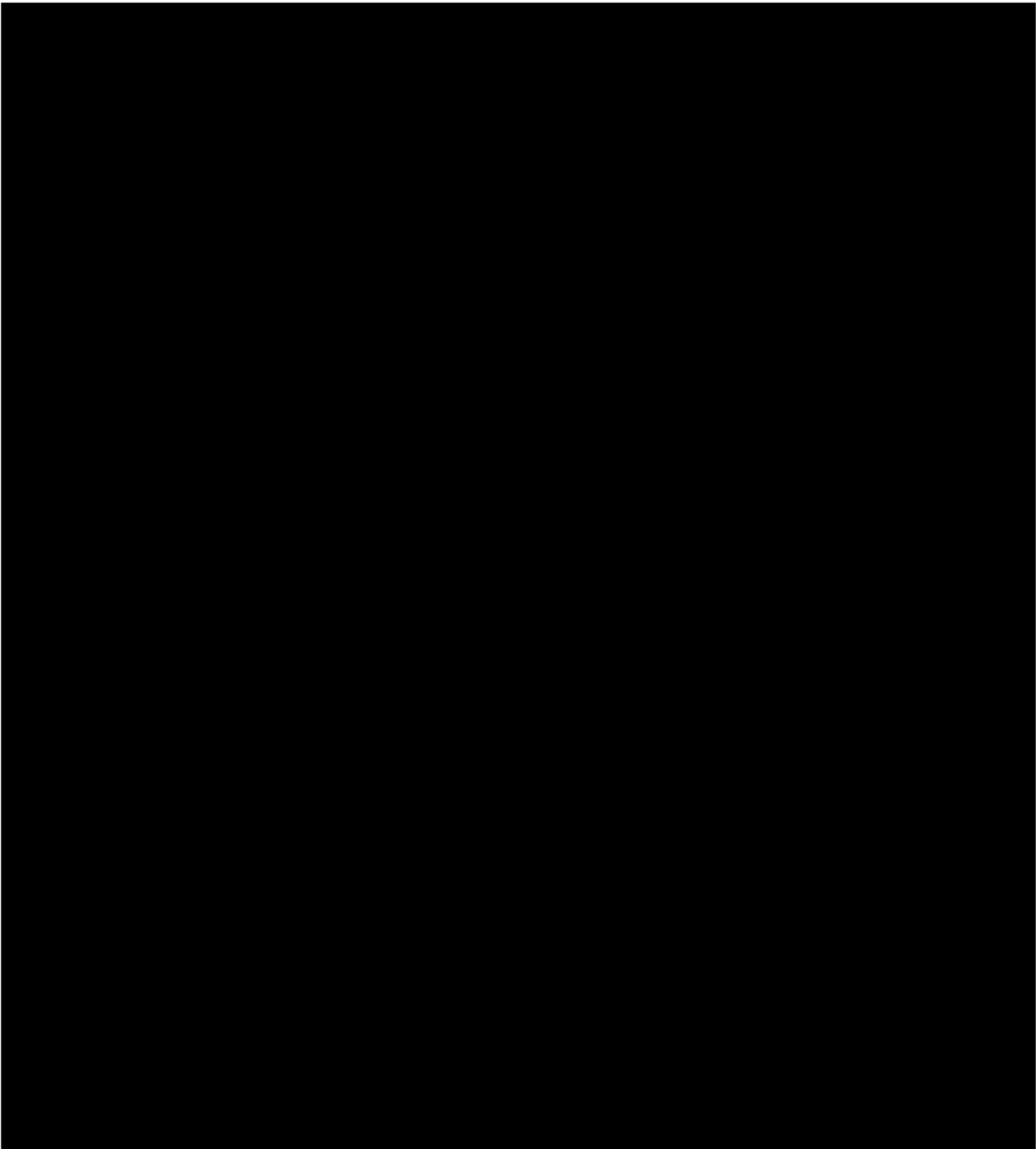


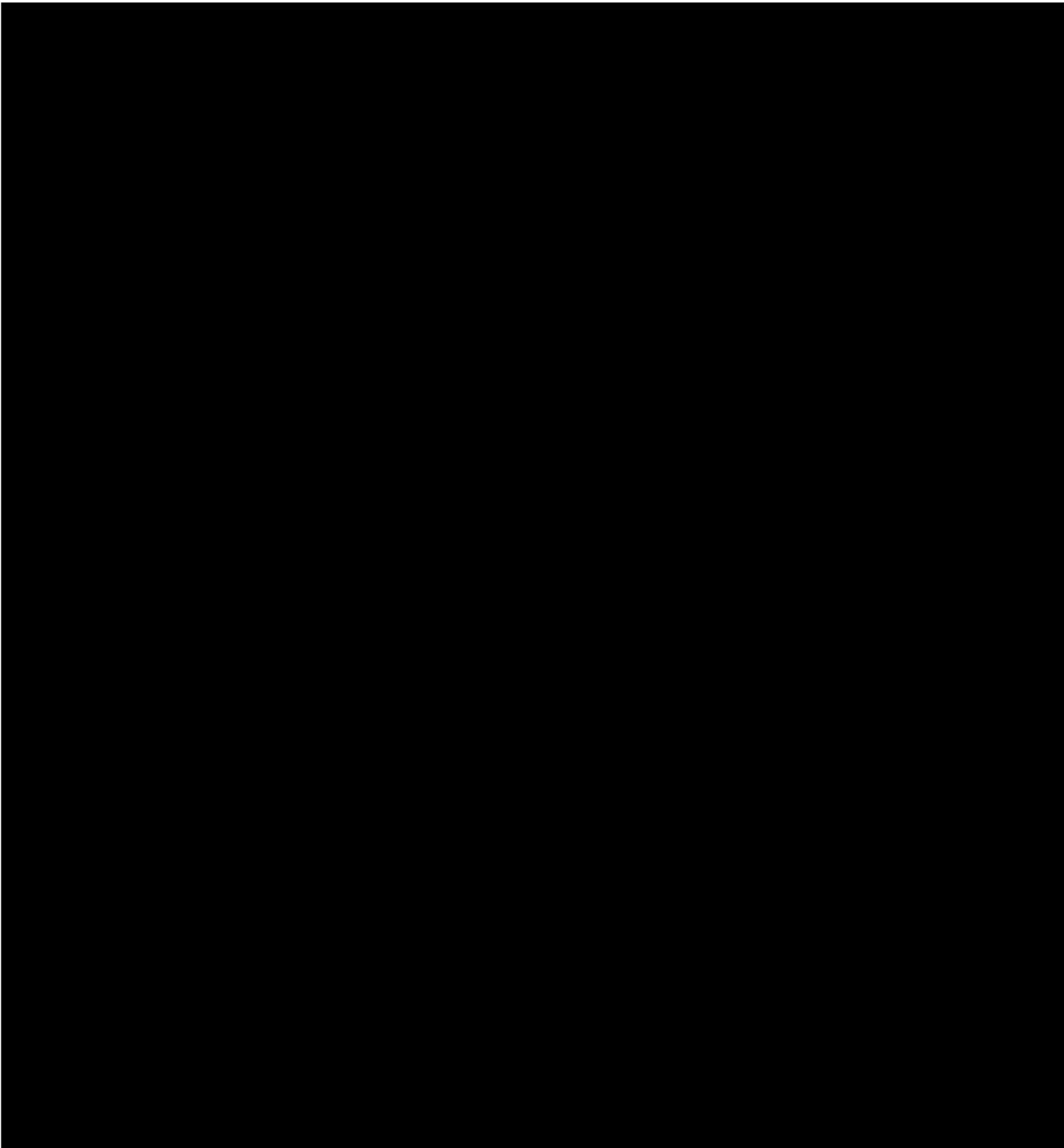


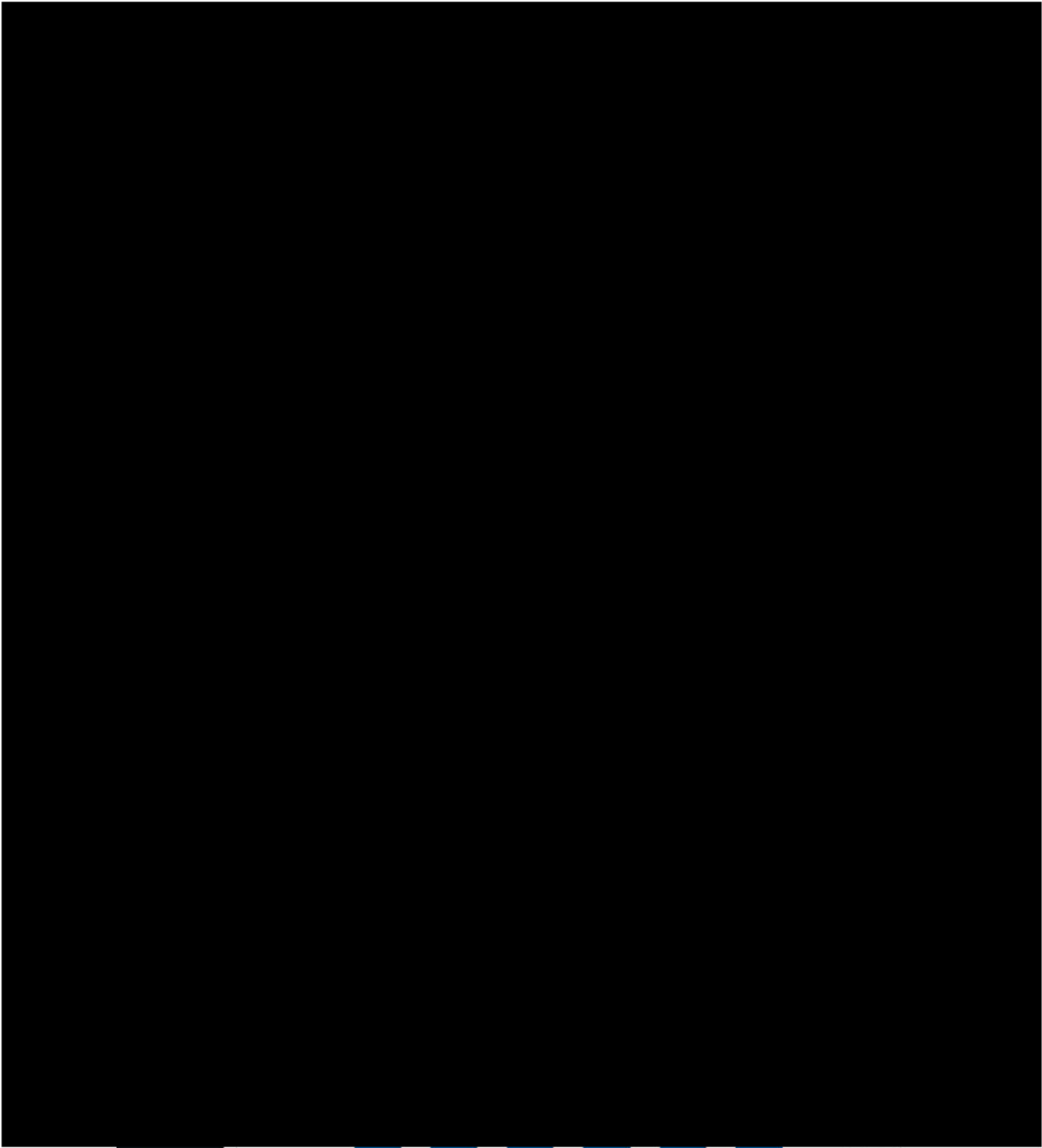


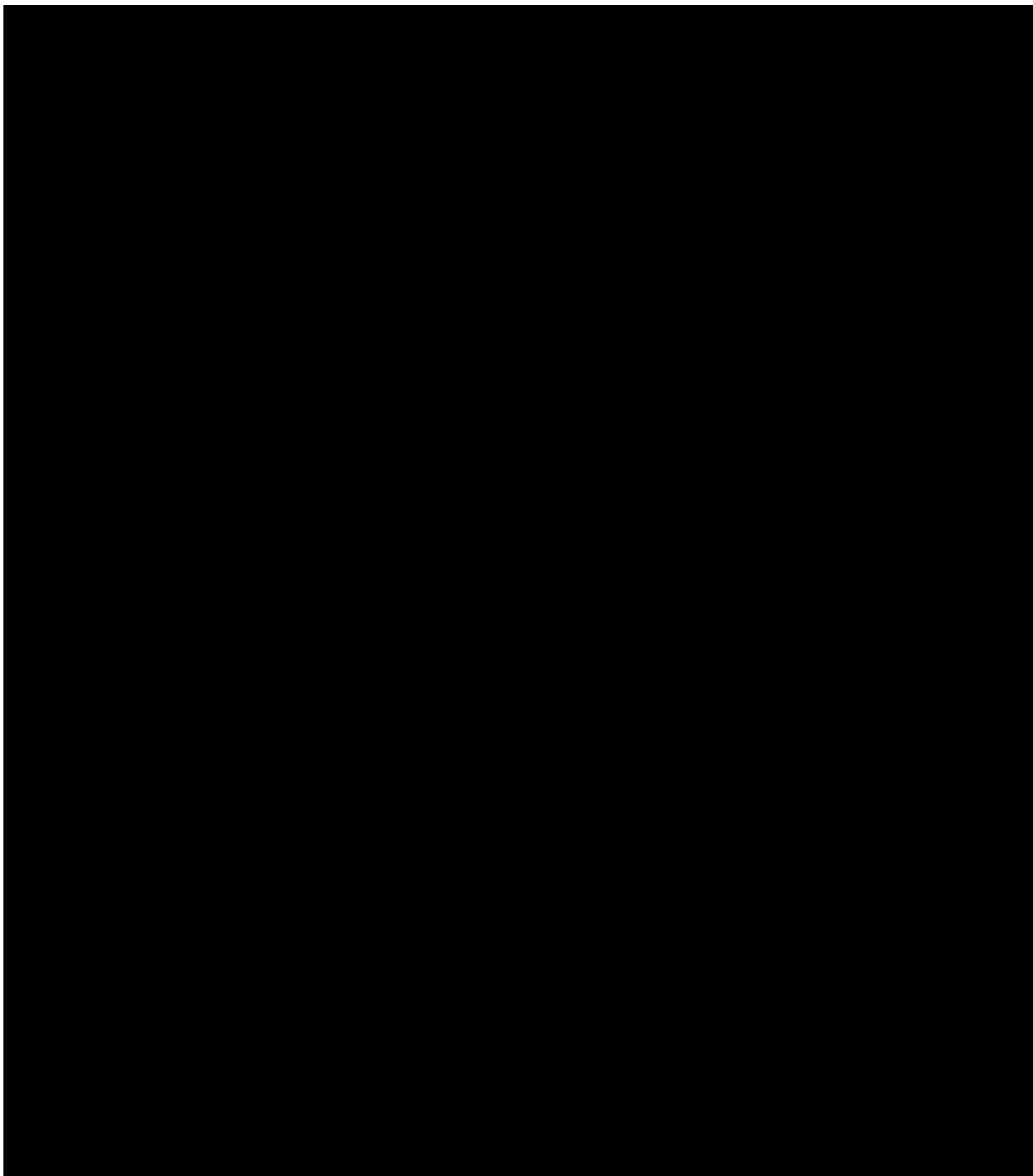


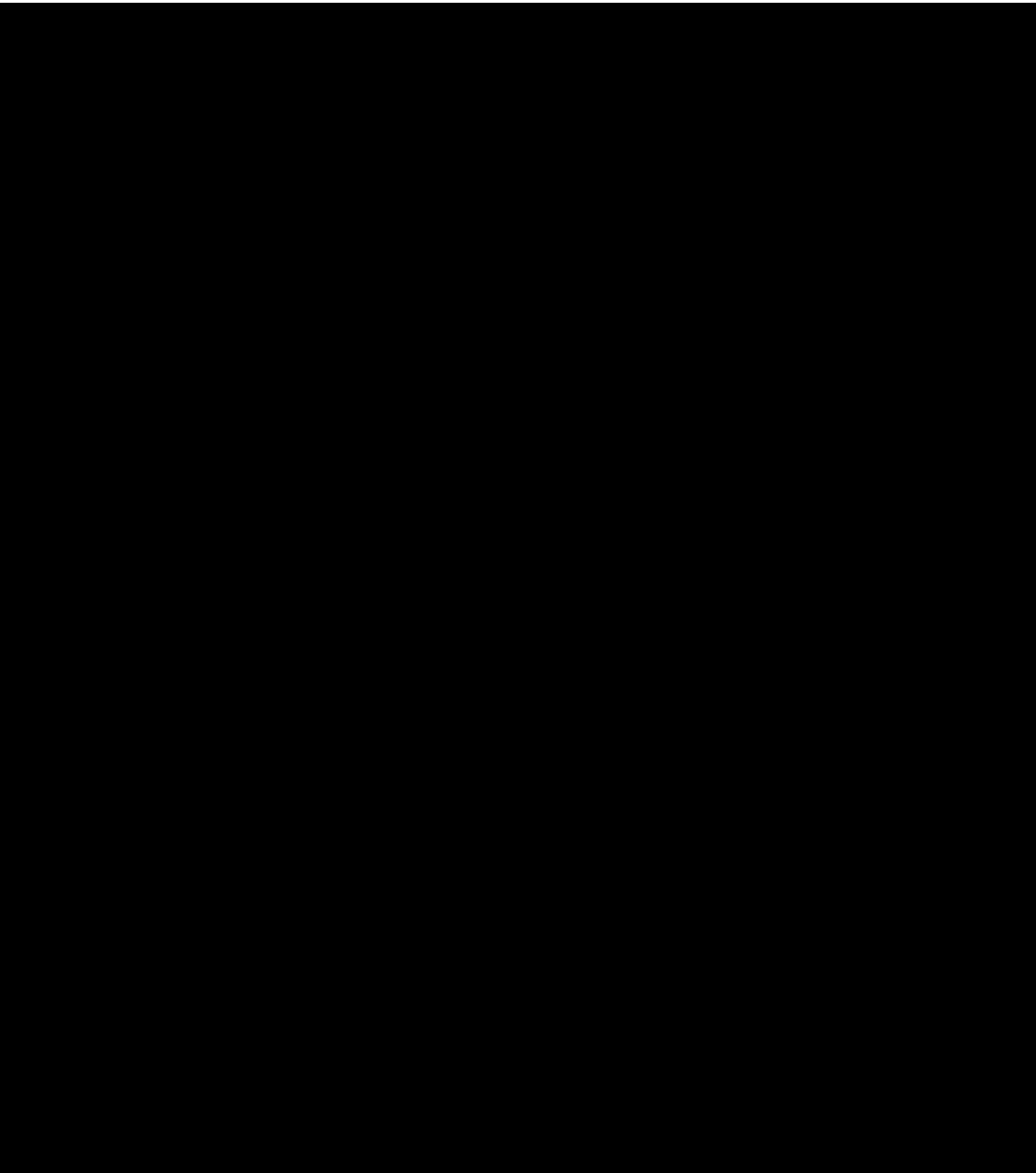






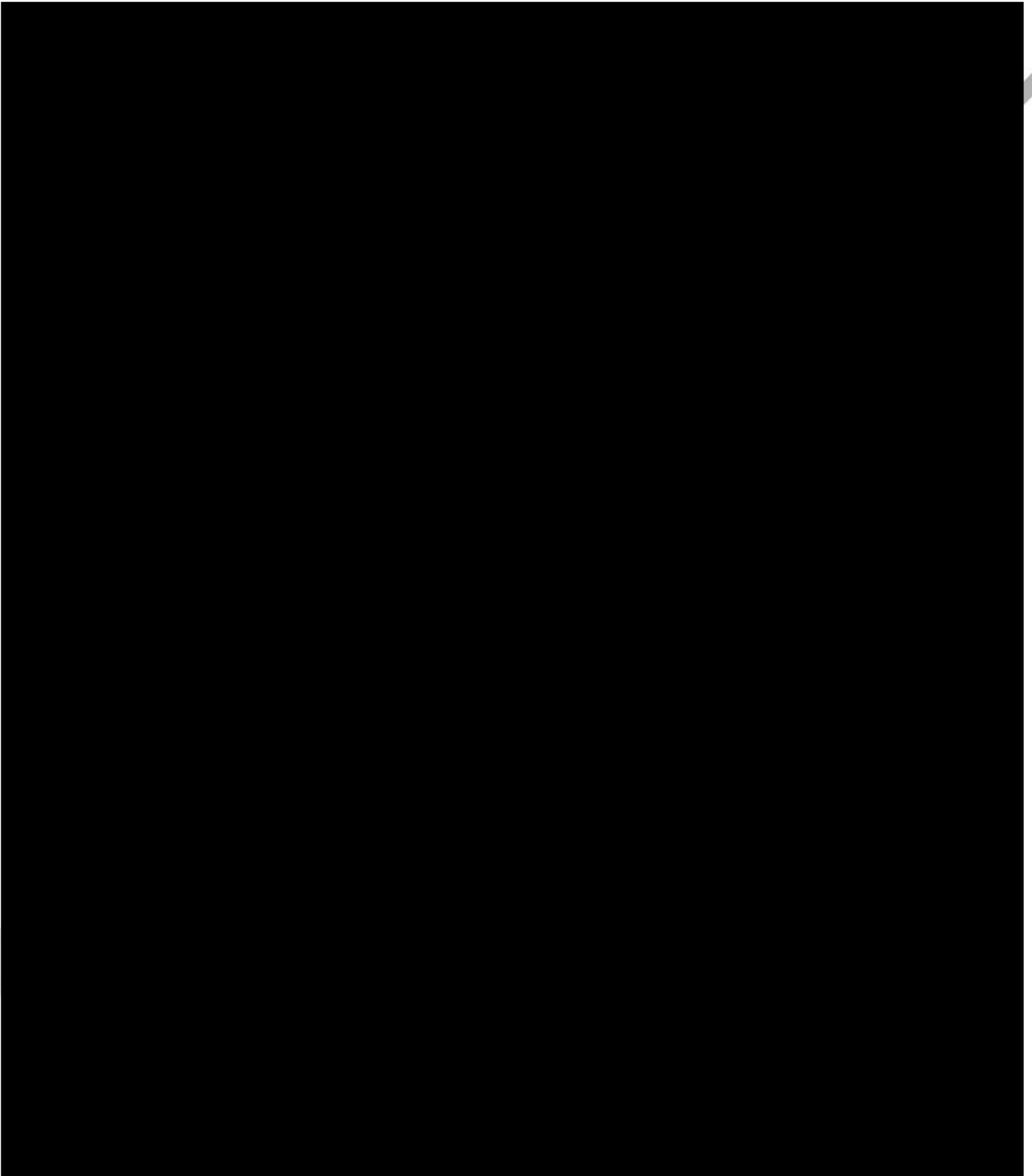


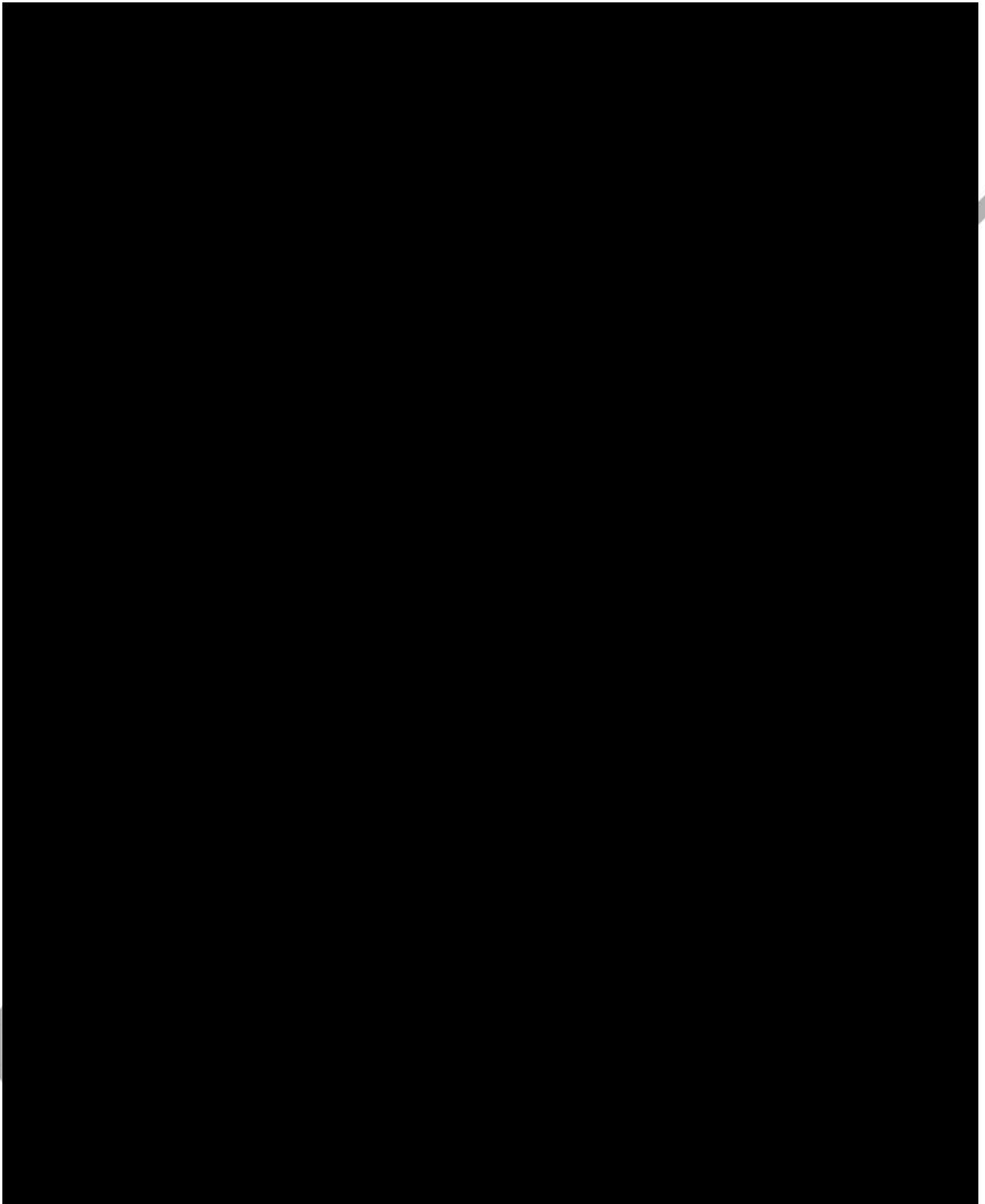


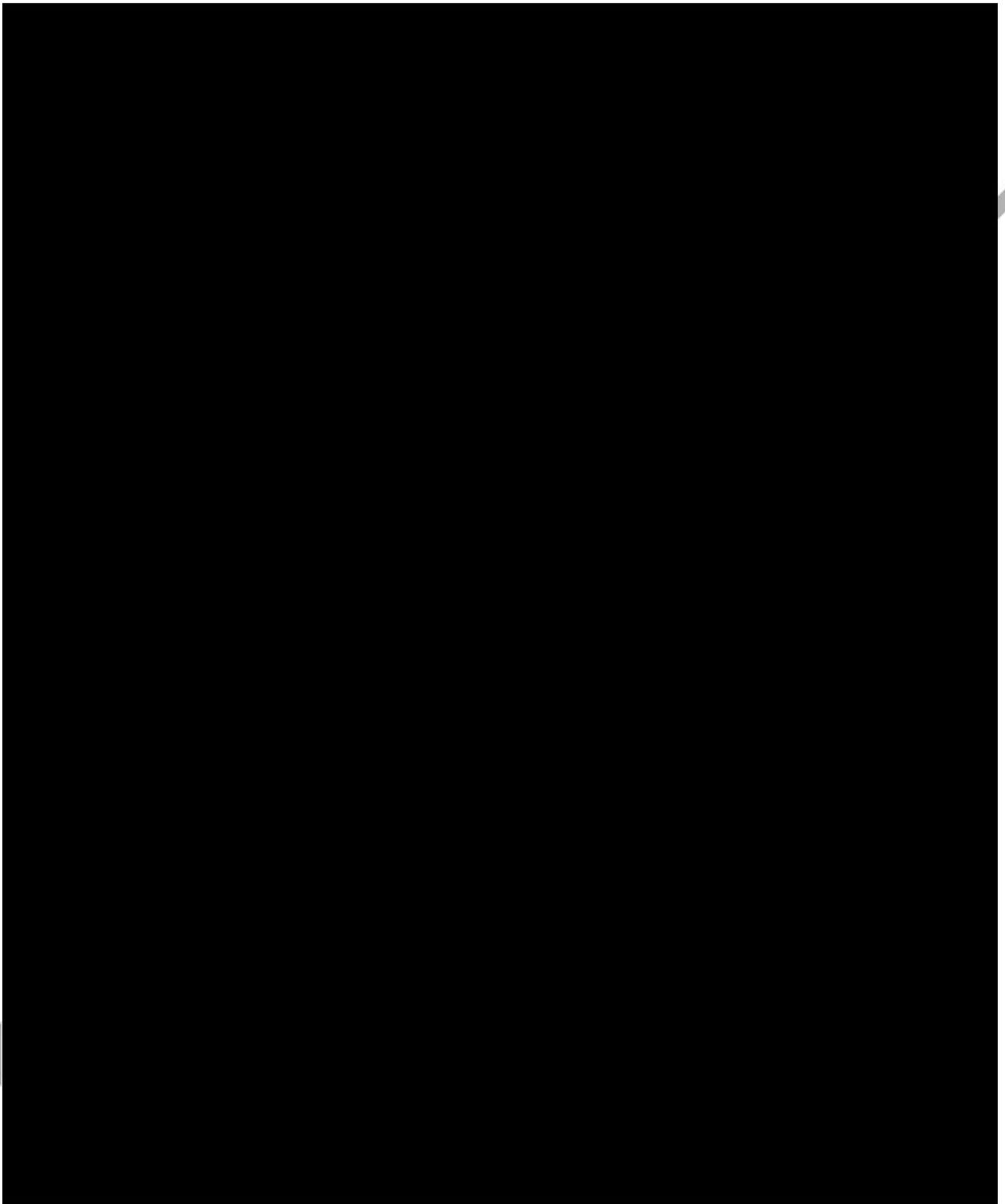


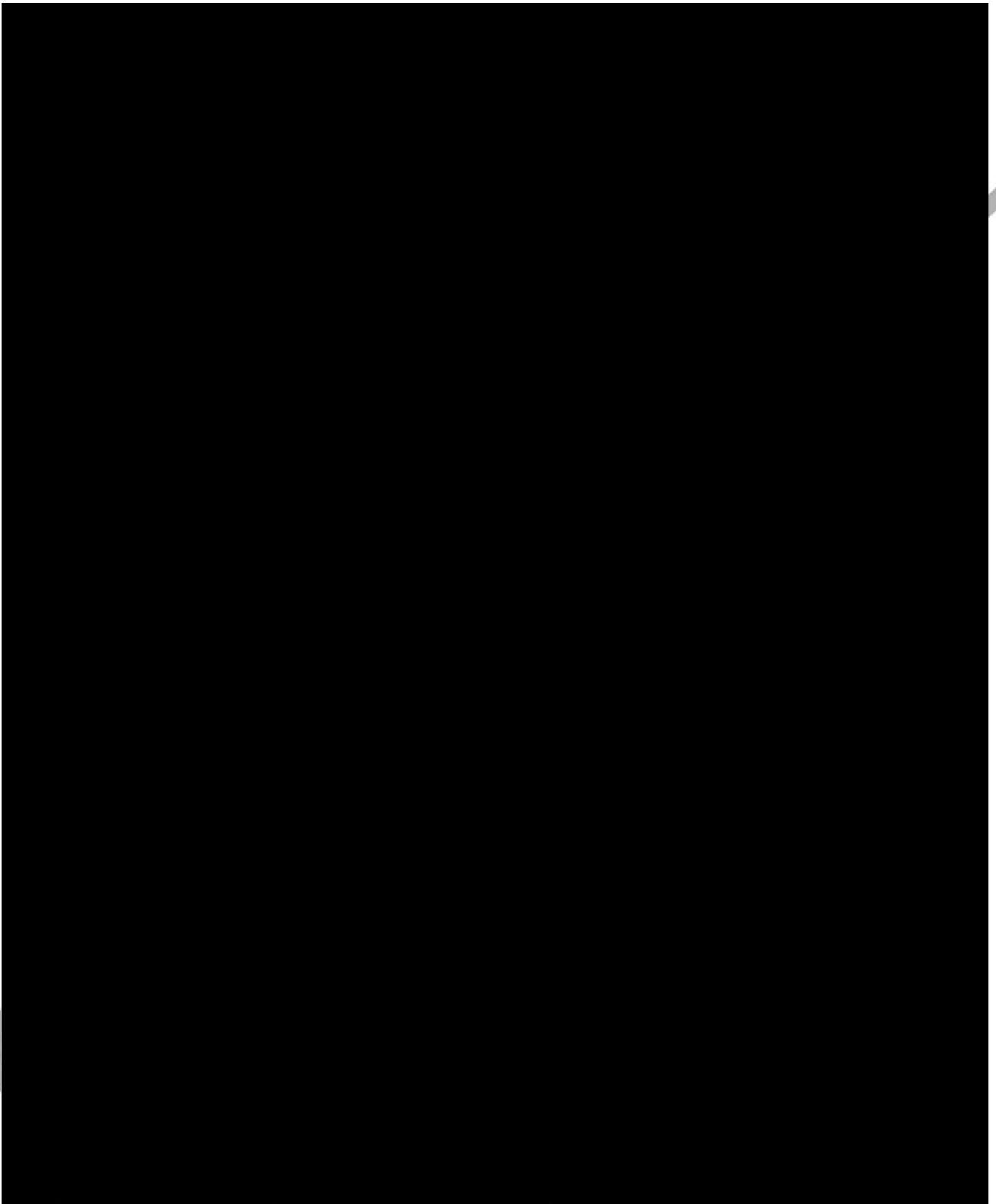


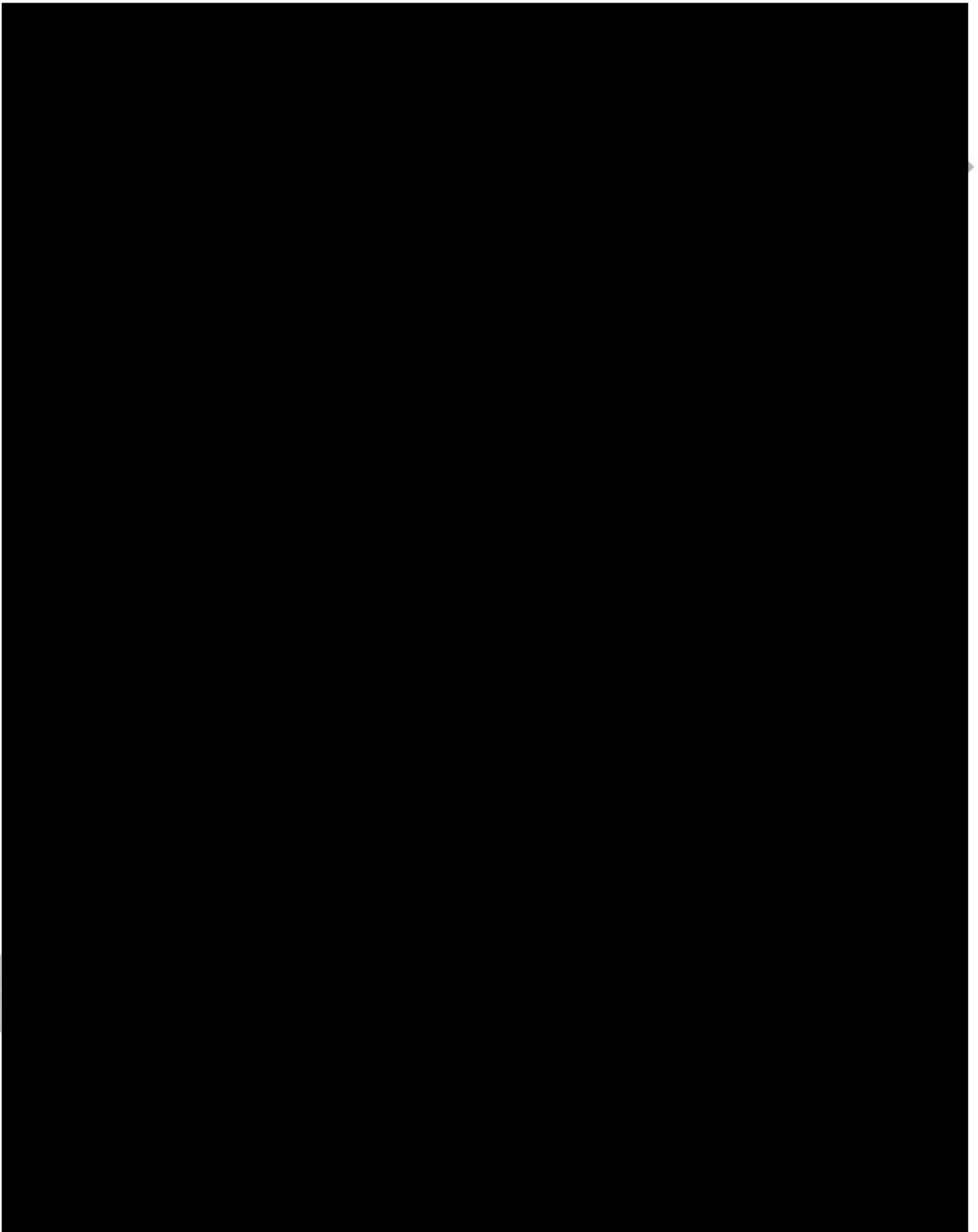
.NET Secure Development Guidelines

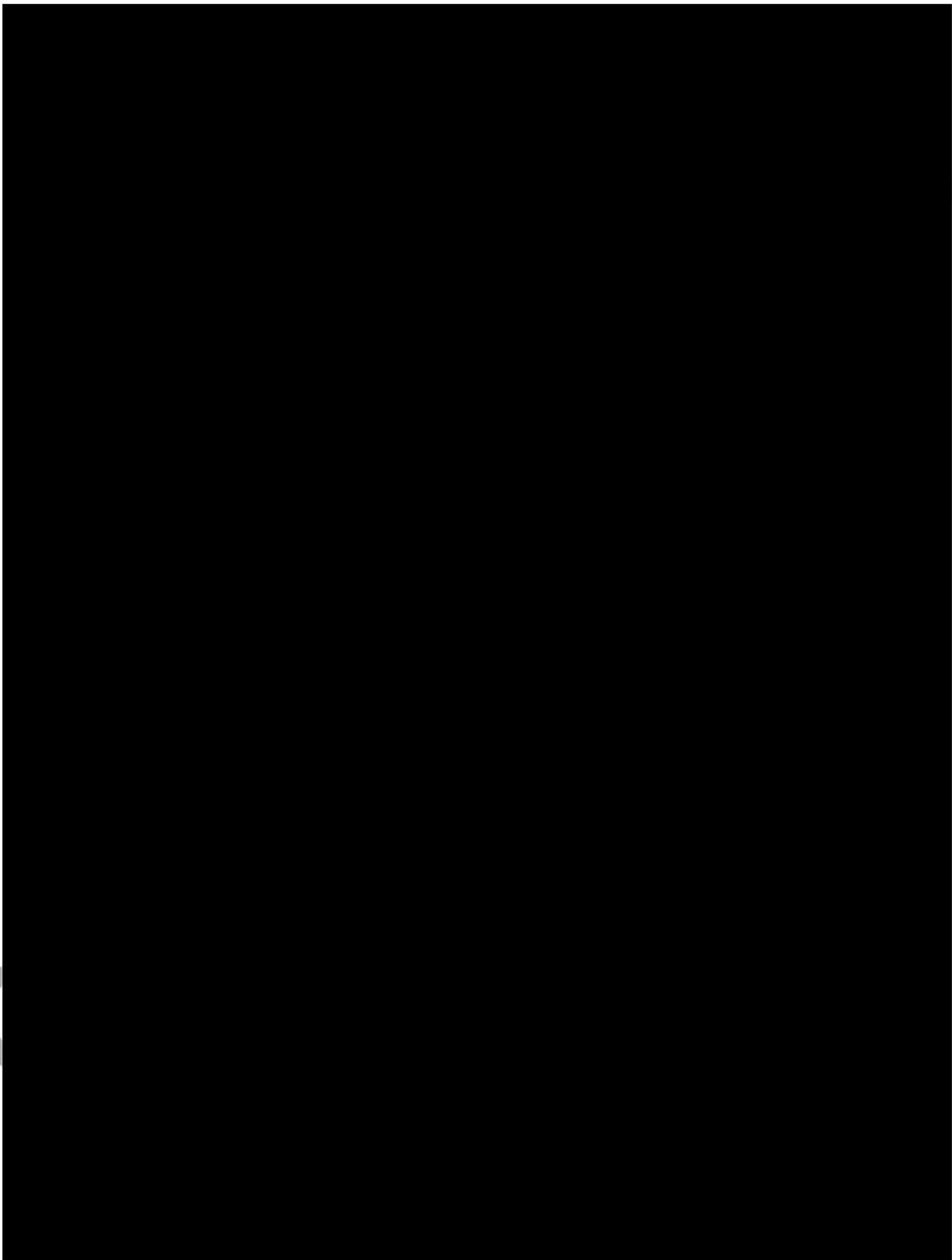




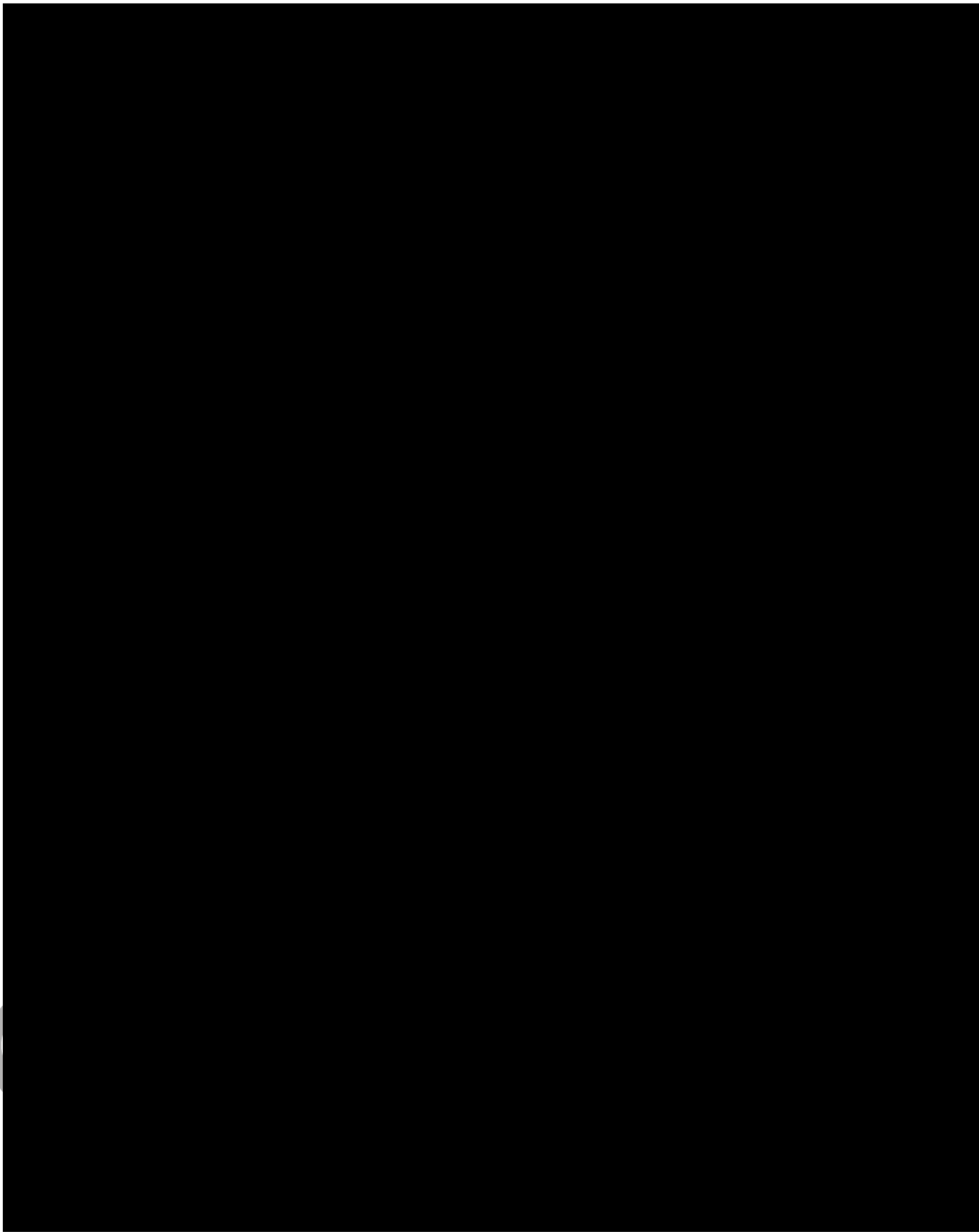


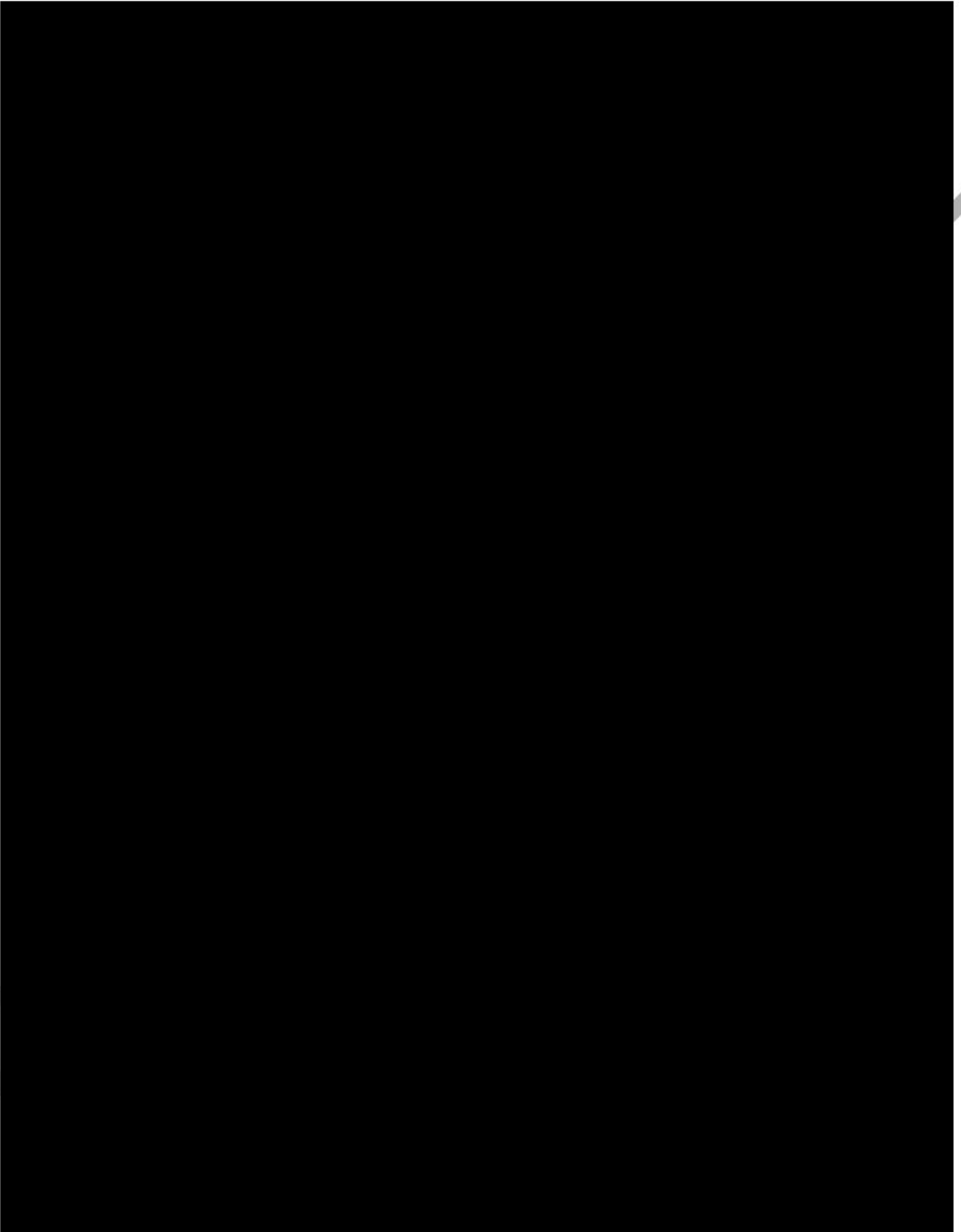


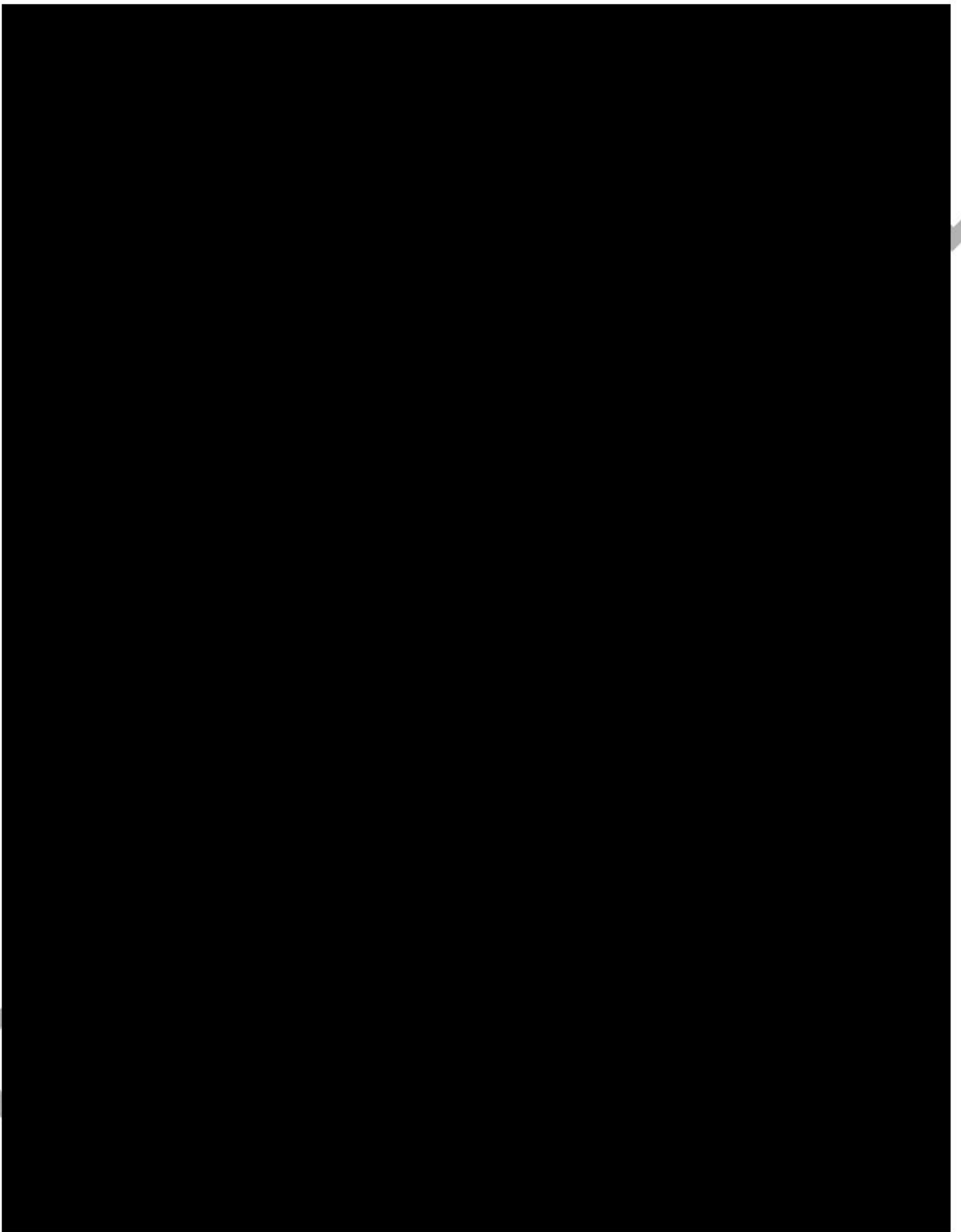




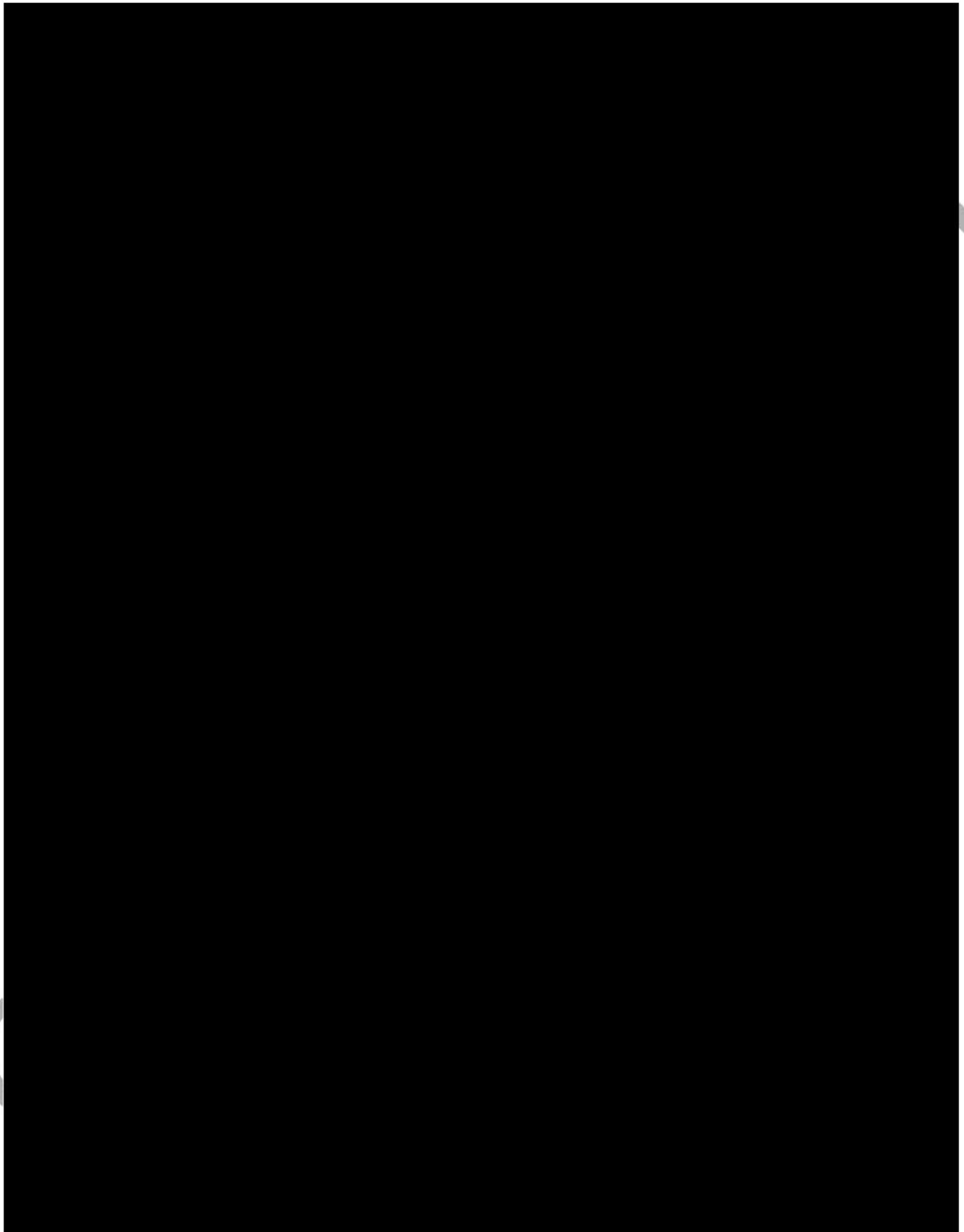
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Appendix C - Pricing

Contract Number: GSS18809-ELECTION_SYS

Contract Name: Elections System Solution

Proposals Due By 3:00 pm, EST, January 16, 2018

Please complete the following information below:

Company Name: Everyone Counts, Inc.

Contact Name: Brandon Johnson

Phone Number: (605) 222-6549

Email Address: Brandon.Johnson@everyonecounts.com

***This proposal is valid for 60 days.**

Instructions:

1. Insert your company information as requested.
2. Provide pricing for service identified.
3. Submit this attachment with your proposal in Excel format on a CD

Notes:

This pricing Attachment C is divided into four tabs.

Tab 1. General Information

Tab 2. Implementation Costs

Tab 3. Voting Equipment

Tab 4. Data Storage-Management

The State invites offerors to bid pricing on the polling place voting machines, absentee voting equipment, electronic poll books and/or the election management system. An offeror may bid on all, one, or any combination of the items.

For evaluation of proposal pricing, the State will score pricing based on scope of work requirements for total cost of ownership of the initial 5 year term of the contract. The State is seeking a fixed cost for this solution. This cost must be clearly identified in this appendix to effectively score price scoring. Additional offerings outside the Scope of Work can be identified in the sections provided as "Value Added Options." These additional options may be considered by the State during any pre-award negotiations, but will not be included in the pricing evaluation to score proposals received. Include additional pages or documentation as appropriate.

Please refer to the various sub-parts of Appendix B for details and breadth of scope.

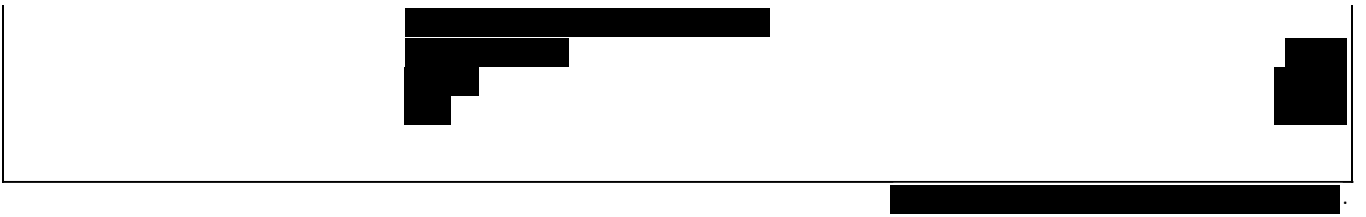
The vendor or vendors shall be responsible for complete replacement, installation, training, testing, and maintenance, including bridge maintenance for existing systems, within 8 months after award. The scope of the project is to include all equipment, training, testing, maintenance of new equipment, transitioning from the State's voter registration system and election

Implementation Costs

Milestone	Description of Activities	Cost
Planning and Design		
Customization		
Implementation and User Acceptance	Project management, requirements verification and analysis, database conversion and migration, application configuration and build, user acceptance testing. upon project kickoff and 50% payment upon user acceptance testing signoff.	
Training		
Closeout and Final User Acceptance		

TOTAL IMPLEMENTATION COST
(This total will be used for proposal scoring consideration)

Value Added Options	Description	Cost
eLect Remote Accessible Voting (RAV)		



Not applicable

Required Equipment	Description	Qty	Total Cost
	Voting machine		
	Poll Book		
	Absentee Voting		
	Other Required Equipment		

Total Equipment Cost

\$

(This total will be used for proposal scoring consideration)

Value Added Equipment	Description	Qty	Total Cost
Replacement Voting Machine (EA)		1	
Replacement Poll Book (EA)		1	
Replacement Absbtee Voting Equipment (EA)		1	
Total Value Added Equipment			\$

Data Storage-Management

Description	Cost State Hosted
Voting Management Software/Solution	
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
Total Cost	[REDACTED]

The total Vendor Hosted cost will be used for proposal scoring based on 5 year total cost of ownership.
The State would also like to receive any cloud offerings available for consideration as a value added option below.

Value Added Options	Vendor Hosted	Cloud Hosted
[REDACTED]		[REDACTED]
[REDACTED]		

[REDACTED]