METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

March 11, 2019

Maree Schroder
Election Systems & Software, Inc.
11208 John Galt Blvd
Omaha, NE 68137

Re: **RFQ # *1049662, Voting System***

Dear Ms. Schroder:

The Metropolitan Government of Nashville and Davidson County (Metro) has completed the evaluation of submitted solicitation offer(s) to the above RFQ # 1049662 for Voting System. This letter hereby notifies you of Metro's intent to award to Election Systems & Software, Inc., contingent upon successful contract negotiations. Please provide a certificate of Insurance indicating all applicable coverages within 15 business days of the receipt of this letter.

If the Procurement Nondiscrimination Program requirements were a part of this solicitation, the awardee must forward a signed copy of the "Letter of Intent to Perform as Subcontractor/Subconsultant/Supplier/Joint Venture" for any minority/women-owned business enterprises included in the response to the Business Assistance Office within two business days from this notification.

Depending on the file sizes, the responses to the procurement solicitation and supporting award documentation can be made available either by email, CD for pickup, or in person for inspection. If you desire to receive or review the documentation or have any questions, please contact Scott Ghee by email at scott.ghee@nashville.gov Monday through Friday between 8:30am and 3:30pm.

Thank you for participating in Metro's competitive procurement process.

Sincerely,

Michelle A. Hernandez Lane
Purchasing Agent

Cc: Solicitation File, Other Offerors

Pursuant to M.C.L. 4.36.010 Authority to resolve protested solicitations and awards.
A. **Right to Protest.** Any actual or prospective bidder, offeror or contractor who is aggrieved in connection with the solicitation or award of a contract may protest to the Purchasing Agent. The protest shall be submitted in writing within ten (10) days after such aggrieved person knows or should have known of the facts giving rise thereto.

Procurement Division

Award Justification for RFQ 1049662 - Voting System

Round 1 Evaluation for RFQ 1049662 - Voting System

	Dominion Voting Systems, Inc.	Election Systems & Software, Inc.	Henry M. Adkins & Son, Inc.
Provided documentation of certification by the Federal Election Assistance Commission of their voting system.	Pass	Pass	Pass
Provide documentation of certification by the State Coordinator of Elections and the Tennessee State Election Commission of their hybrid voting system that satisfies the requirements of a Voter Verified Paper Audit Trail (VVPAT).	Pass	Pass	Pass
Provide documentation of your hybrid voting system that has been implemented in an election that resulted in 200,000 voters casting ballots.	Pass	Pass	Pass
Firm's moving on to Round 2	**Pass**	**Pass**	**Pass**

Rounds 2 and 3 Evaluation for RFQ 1049662 - Voting System

	Dominion Voting Systems, Inc.	Election Systems & Software, Inc.	Henry M. Adkins & Son, Inc.
Round 2 (250 points)	200	245	150
Round 3 (100 points)	91.62	98.76	100
Total (350 points)	**291.62**	**343.76**	**250**

Solicitation Title & Number		RFP Cost Points
RFQ 1049662 - Voting System		**100**

Offeror's Name	Total Bid Amount	RFP Cost Points
Henry M. Adkins & Son, Inc.	$4,395,000.00	**100.00**
Election Systems & Software, Inc.	$4,450,400.00	98.76
Dominion Voting Systems, Inc.	$4,797,238.00	91.62

Election System & Software, Inc.

Strengths - Firm provides internal batteries for backup. Firm's proposed system provided the lowest energy consumption. Firm described the process of charging batteries for each device. Firm stated that the solution worked with any pollbook. Firm stated that they will have complete on-site responsibility for up to three elections. Proposed solution does not require any action by a Poll Official to cause a poll to be open beyond 7 pm. Firm stated that their response time will be within minutes for emergency calls. Firm provided a list of all countries where coding/system development for EMS is performed. Firm stated that Poll Official spoils the ballot. Firm provided the steps to open polls for BMD and tabulator. Firm described the steps for a Poll Official to print four copies of the zero tape. Firm described the process for a voter to view 30 candidates for single office on BMD. Firm's proposed system requires the least amount of supplies needed to print a marked ballot for 250 voters compared to the other proposed systems. Firm stated that the process for a BMD to recognize ballot style for a voter is by barcode. Firm described the process for meeting the requirements of TCA 2-7-114(c)(2). Firm stated that the printed ballot identifying the marked choices of the voter does not include any additional information. Proposed system does identify the number of write-in votes on the tabulator. Firm demonstrated that the central tabulator separates problem ballots allowing continuous scanning. Firm stated that the white space between the letters of a candidate's name can be adjusted. Firm stated that Rank Choice and standard ballots can be comingled on a single ballot style. Firm's proposed tabulator and electronic pollbook can use the same paper between devices. Firm offered a number of different options of state certified tabulators. Firm provided a training plan with milestones and dates. The annual federal EAV survey is prepared in the system. Firm confirmed EMS supports creating of multi-page ballots for BMD and paper ballots for absentee voting. Firm described EMS audit/security functions. Firm described the audit procedure required to verify accuracy of ballot style for each precinct/polling location. Firm confirmed that EMS never needs to connect to Internet/Online. Firm confirmed the ability of EMS to support the reporting of election results in multiple formats.

Weaknesses - Firm's description of whether EMS supports risk limited auditing lacked specific detail. Vendor stated that ballots cannot be adjudicated without remarking the device. Write-in votes are not collected in a separate bin in the tabulator. Firm's proposed system could not include as many columns as other proposed system(s). Underlying software supporting EMS lacked specific detail.

Dominion Voting Systems, Inc.

Strengths - Firm described the process of charging batteries for each device. Firm stated that the solution works with any pollbook. Firm stated that the vendor will have complete responsibility for up to three elections. Firm provided a list of all countries where coding/system development for EMS is performed. Firm described the steps to open polls for BMD and tabulator. Firm stated absentee ballots can be adjudicated without remarking a ballot. Firm described the supplies needed to print a marked ballot for 250 voters. Firm described the process for meeting the requirements of TCA 2-7-114(c)(2). Firm stated that the printed ballot identifying the marked choices of the voter does not include any additional information. Proposed system does identify the number of write-in votes on the tabulator. Write-in votes are collected in a separate bin in the tabulator. Firm demonstrated that the central tabulator separates problem ballots allowing continuous scanning. Firm's proposed system provided the most amounts of columns in a ballot design. Firm stated that the white space between the letters of a candidate's name can be adjusted. Firm stated that Rank Choice and standard ballots can be comingled on a single ballot style. Firm offered a number of different options of state certified tabulators. Firm provided a training plan with milestones and dates. Firm provided an implementation plan with milestones and dates. Firm confirmed Ballot on Demand printing from EMS. Firm confirmed EMS supports creating of multi-page ballots for BMD and paper ballots for absentee voting. Firm described EMS audit/security functions. Firm described the audit procedure required to verify accuracy of ballot style for each precinct/polling location. Firm identified underlying software supporting EMS. Firm confirmed that EMS never needs to connect to Internet/Online. Firm confirmed the ability of EMS to support the reporting of election results in multiple formats.

Weaknesses - Firm stated that their system has and external battery source and no internal battery backup. Energy consumption for the system offered was higher than the other proposed system. Proposed system requires that action be taken by a Poll Official to require the poll be open beyond 7 pm. Firm stated that they will have a 4 hour response time. Proposed system requires that the voter spoils the ballot. Firm failed to describe the steps for a Poll Official to print four copies of the zero tape. Firm failed to describe the process for a voter to view 30 candidates for a single office on BMD. Firm stated that the process for a BMD to recognize ballot style for a voter requires the re-use of a card. Firm failed to describe options and steps for creating audio for the ballot. Firm stated that a tabulator can recognize a provisional ballot from BMD and reject it with additional work. Firm's description on whether the scanner on tabulator bin be removed from storage lacked specific detail.

Henry M. Adkins & Son, Inc.

Strengths - Firm described the process of charging batteries for each device. Proposed solution does not require any action by a Poll Official to cause a poll to be open beyond 7 pm. Firm provided a list of all countries where coding/system development for EMS is performed. Firm stated that Poll Official spoils the ballot. Firm provided the steps to open polls for BMD and tabulator. Firm described the steps for a Poll Official to print four copies of the zero tape. Firm described the process for a voter to view 30 candidates for a single office on BMD. Firm described the process for meeting the requirements of TCA 2-7-114(c)(2). Proposed system does identify the number of write-in votes on the tabulator. Firm stated that a single ballot style can contain a traditional three column ballot layout. Firm stated that the user can generate a report specifying all ballot styles for each precinct. Firm confirmed that EMS supports creation of multi-page ballots for BMD and paper ballots for absentee voting. Firm described the audit procedure required to verify accuracy of ballot style for each precinct/polling location. Firm confirmed that EMS never needs to connect to Internet/Online.

Weaknesses - Firm stated that their system has an external battery source and no internal battery backup. Energy consumption for the system offered was higher than the other proposed system. Firm's description of the EMS support risk limited auditing lacked specific detail. Firm stated that in order to work with a poll book, their system required a QR code. Vendor did not confirm that they will have complete onsite responsibility for up to three elections. Firm's response time was longer than other proposed response time(s). Firm's delivery date was latter than other proposed systems. Firm's description of whether the absentee ballots can be adjudicated without remarking the ballot lacked specific detail. Firm stated that a QR code is needed in order for a BMD to recognize ballot style of a voter. Firm stated that their printed ballot includes a response number which could potentially be confusing for the voter. Write-in votes are not collected in a separate bin in the tabulator. The central tabulator does not separate problem ballots allowing continuous scanning. Firm's proposed system could not include as many columns as other proposed system(s). Firm stated that we cannot adjust the white spaces between letters of candidate names. Proposed tabulator cannot recognize a provisional ballot from BMD and reject it. The process to view ballot on BMD during creating is more complicated that other proposals. Proposed central tabulator was slower per minute than the other proposed system(s). Firm's training plan with milestones lacked detail and was unrealistic. Firm's implementation plan lacked detail and was unrealistic. Firm's description of the EMS audit/security functions lacked specific detail. Firm failed to address editing precinct/polling locations. Firm's description of underlying software supporting EMS lacked specific detail. Firm did not confirm the ability of reporting election results in multiple formats.