EXPERIENCE
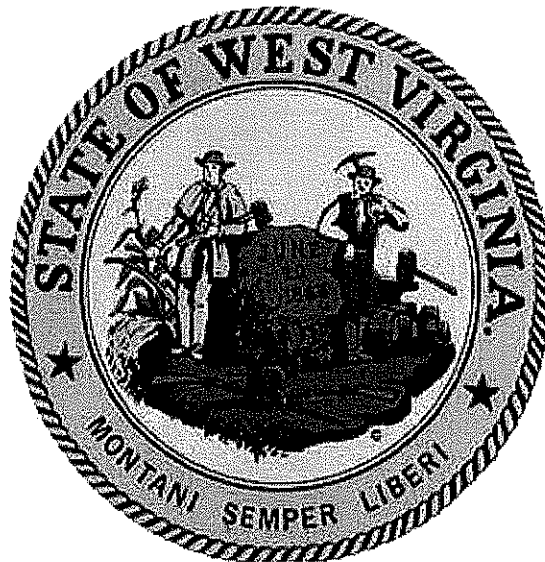**RELIABILITY**
SECURITY
INNOVATION

ESS

Election Systems
& Software

Enhancing the West Virginia Election Process

Technical Proposal for Electronic Poll Book Application
RFP # SOS09E01

January 22, 2010

Signed: _____   Date: 1/20/10

Thomas E. Burt
Senior Vice President, Customer Relations

Election Systems & Software, Inc. | 11208 John Galt Boulevard | Omaha, NE 68137

Election Systems
& Software

EXPERIENCE
RELIABILITY
SECURITY
INNOVATION

January 20, 2010

State of West Virginia
Department of Administration Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25305-0130

RE: E Poll book Application, RFP No. SOS09E01

Dear Mr. Price:

Election Systems and Software, Inc. (ES&S) is pleased to be included in The State of West Virginia's pursuit to acquire electronic poll books to further automate polling place activities. It is my understanding that the State of West Virginia will be offering counties the opportunity to deploy electronic poll books in their jurisdictions to increase efficiencies of the election process. As your trusted voter tabulation partner for over a decade, and the world's largest and most experienced elections-only company, ES&S offers an election-proven, pre-eminent solution for the State's electronic poll book application initiative, **ES&S EZRoster.**

BENEFITS OF THE ES&S EZROSTER

With our extensive experience gained through the successful use of more than 20,000 electronic poll books during live elections throughout the U.S., we ask you to consider the many benefits of **ES&S EZRoster:**

- Increased productivity:
  - Faster voter check-in; ID card check-in through barcode scanners
  - Pre-qualify voters while in line
  - Quickly determine if a provisional ballot is needed
  - Provide information to update voter history
- Integration with the SVRS Voter Registration system
- Support the synchronization of all units within a polling location
- Increased security through data encryption and administrative control
- Identify the correct ballot style for the voter
- Reduce the number of phone calls to election central (typically an 80% reduction)
- Decrease the time and costs to update voter history records and assign voter credit
- Reduce the number of and cost to process provisional ballots
- Reduce voter fraud
- Signature capture and compare technology
- Reduce human errors
- Shorter lines on Election Day
- Provide mapping directions to the correct poll location
- Provide more accurate information at the right time
- Enhance the overall voting experience

MEASURABLE BENEFITS FOR WEST VIRGINIA

For the State of West Virginia, **ES&S' EZRoster** provides several unique benefits:

✓ Eliminates the need for paper poll books

✓ Enhances the convenience of voting through streamlining the registration process

✓ Creates efficiencies for staff by allowing instant access to complete voter profiles

✓ Update of your voter database during voter processing, either manual or automated

✓ Integration with the current voter registration system, SVRS

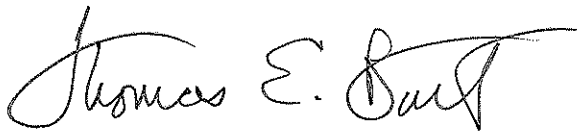✓ Increased security through operating on it own platform versus accessing the web

PRIMARY CONTACT INFORMATION	CORPORATE CONTACT INFORMATION
Ryan M. Mack **Regional Account Manager - West Virginia** Election Systems & Software Inc. (ES&S) 11208 John Galt Blvd. Omaha, NE 68137 Email: rmmack@essvote.com Tel. 402-938-1449 Fax. 402.970.1267	**Tom Burt** **SVP, Customer Relations** Election Systems & Software, Inc. (ES&S) 11208 John Galt Blvd. Omaha, NE 68137 Email: teburt@essvote.com Tel. 800.247.8683, extension 1110 Fax. 402.970.1276

I look forward to further discussions on how ES&S can improve the election efficiency throughout the State of West Virginia through our electronic poll book solution.

Very Respectfully,

Thomas E. Burt
Senior Vice President for Customer Relations

Enhancing the State of West Virginia Election Process
Proposal for Electronic Poll Book Application

Enhancing the State of West Virginia Election Process
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Declaration of Confidential Sections

The proposal sections illustrated below contain Election Systems and Software, Inc. -
ES&S - confidential information, which is provided for the sole purpose of permitting
the recipient, **the State of West Virginia,** to evaluate the proposal submitted
herewith. The following sections in **Table 1.1**, following, have been marked as
"Confidential and Proprietary."

Proposal Section	Description
Section V	ES&S Cost Proposal

Table 1.1 Declaration of Confidential Sections

Enhancing the State of West Virginia Election Process
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Section I – Executive Summary

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a. **Briefly summarize the Vendor's understanding of the Agency's requirements**

b. **Provide a short synopsis of how the Vendor's proposal meets or exceeds the Agency's requirements**

c. **A statement of Compliance with all mandatory requirements**

ES&S RESPONSE

Enhancing the State of West Virginia Election Process
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Executive Summary

INTRODUCTION

The success of any election project depends largely on voter and poll worker confidence, strengthened by effective training and education. This RFP response serves as an introduction to Election Systems & Software, Inc. (ES&S), and provides an overview of our innovative polling place automation solution, the **ES&S EZRoster** poll book software application. The following subjects are covered:
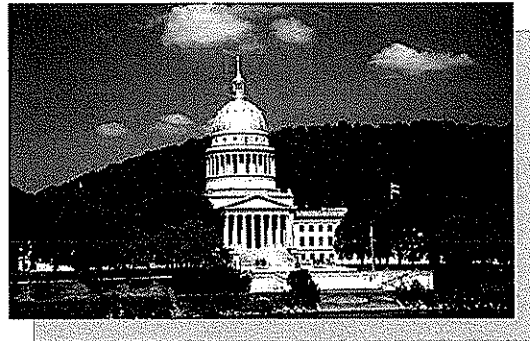
- Understanding the State of West Virginia's Needs
- Project Approach Summary
- Strengths and Benefits of the ES&S Team
- Advantages of Teaming With ES&S
- Summary
- A Statement of Compliance with all Mandatory Requirements

UNDERSTANDING WEST VIRGINIA'S NEEDS

The ES&S Project Team along with its partner, Casto & Harris Inc., understands West Virginia election laws and recognizes the tasks required to fulfill the State's vision for automating voter and poll worker transactions in each of the State's polling places. Project goals include:

- Establishing a seamless integration between data from poll worker/voter transactions and the centralized database (ElectioNet as provided by PCC Technologies, Inc.)
- Providing map directions to any polling place
- Providing an automated solution to verify all voters registration information

In addition to increasing accuracy and cost effectiveness for election administrators and poll workers, ES&S also understands that the State of West Virginia, first and foremost, has the responsibility to their voters. The **ES&S EZRoster** increases convenience to both the election administrators and voters through:

✓ Integration with the SVRS Voter Registration system

✓ Support the synchronization of all units within a polling location

✓ Increased security through data encryption and administrative control

✓ Identify the correct ballot style for the voter

✓ Reduce the number of phone calls to election central (typically an 80% reduction)

✓ Decrease the time and costs to update voter history records and assign voter credit

✓ Reduce the number of and cost to process provisional ballots

✓ Reduce voter fraud

✓ Signature capture and compare technology

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✓ Reduce human errors

✓ Shorter lines on Election Day

✓ Provide driving directions to the correct poll location

✓ Provide more accurate information at the right time

✓ Enhance the overall voting experience

EZRoster Benefits

● **Substantially increased voter convenience.**

● **Elimination of any possibility of voters casting more than one ballot on Election Day**

● **Dramatic reduction in the number of provisional ballots because election workers can determine eligibility on the spot**

● **Significant cost savings to taxpayers because counties could reduce the number of polling places by more than 70% —reducing the number of poll workers and overhead required to conduct an election**

● **Environmental benefits associated with the elimination of paper-based poll books**

BASED ON OUR EXPERIENCE

Both ES&S and Casto & Harris understand the State of West Virginia's goals. Working with this team of professionals offers the following advantages:

- Partnering with the State's leading team of elections experts
- Utilizing a proven methodology of project management processes which has been used to successfully implement over 20,000 **EZRoster** applications throughout the United States
- Implementing equipment designed for seamless integration with West Virginia's current voter registration database (SVRS)
- Partnering with a team that understands the State of West Virginia's current challenges and has the capacity to provide long-term service and local support

PROJECT APPROACH SUMMARY

ES&S' experience with all of the complex tasks involved with implementing polling place automation technology enables us to efficiently achieve your project objectives. Our standardized election best practices – tested and proven by years of experience – are the cornerstone of our project management methodology and the basis of the implementation strategy designed for your project.

ES&S employs PMP certified and trained project managers to lead electronic poll book implementations with our customers. In addition to trained and experienced project management professionals, our project management team touts over 580 years of election-specific experience. This allows us to employ PMP best practices, as well as industry-specific lessons learned and specialized techniques. Our

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project managers are also supported by teams of subject-matter-experts, hardware/software technicians, engineers, and as-needed contractors that allow us to apply specialized talent where it's needed. ES&S works with each of our customers to select a Project Manager that is best suited for their specific needs.

Tasks for a typical full implementation include:
- Data conversion
- Training
- Implementation
- Support
- Post-election processing and procedures

COMPANY OVERVIEW

Election Systems and Software, Inc. is a privately owned Delaware corporation incorporated in 1997 as ES&S and headquartered in Omaha, NE. ES&S is the world's premier elections-only company and the largest provider of election equipment and services in the United States. This distinction provides ES&S with an unmatched manufacturing and implementation capacity. Since our company began supporting election administrators and voters in 1969, we have grown to support a client base of more than 2,400 county-level jurisdictions throughout the U.S.

TYPICAL PROJECTS

ES&S provides voter registration and voter tabulation system and service solutions to clients ranging in size from the smallest counties and organizations to some of the most complex states and countries. We have successfully implemented and are now servicing statewide poll book solutions in Georgia and Maryland. Our statewide voter registration system implementations include Arkansas, West Virginia, New Mexico, Nebraska, Alabama, North Dakota, and Arizona. We have completed statewide voter tabulation implementations in 16 states to include: Alabama, Alaska, Arkansas, Georgia, Idaho, Montana, Nebraska, New Mexico, North Carolina, North Dakota, Oklahoma, Rhode Island, South Carolina, South Dakota, Utah, and West Virginia. ES&S understands the complexity of implementing statewide solutions and the Mountaineer State should feel confident in our ability to successfully install and support this solution.

CURRENT SIZE OF THE COMPANY

ES&S maintains a staff of more than 400 election professionals. **Every ES&S staff member** is trained and certified to provide on-site election support. ES&S' staff of full-time equipment technicians and election professionals and operatives provide specialized support depending on the requirements of the specific project.

WHY ES&S?

ES&S offers the State of West Virginia stability, a measurable history of domain experience backed by an unparalleled team, highly qualified local presence through our partner Casto & Harris, and above all, project accountability. With more than 40 years in the election industry and 25 years of experience in the development and deployment of voter registration and election systems, ES&S has the experience you need to ensure success on Election Day.

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FINANCIAL STABILITY

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. Our financial strength is key to our ability to meet the demands of system installations of all sizes – from small counties to statewide deployments and international implementations – and the ongoing service and support obligations that our customers require.

Additionally, we continue to invest in and enhance our electronic poll book solution to meet the needs of a changing market. Every year, ES&S allocates more ongoing system research and development funds than any of our competitors.

PARTNERING FOR LONG-TERM SUCCESS

ES&S understands that the right polling place tool must be highly usable as well as highly functional. To that end, assisting poll workers, rather than overwhelming them with difficult-to-use technology, was the primary focus of our system's design. The resulting ES&S **EZRoster** poll book application is extremely easy to use to accurately process voters at remote polling sites and instantly update voter status to your centralized voter registration database.

The ES&S **EZRoster** hides the power of the system under the hood – providing a high-value, easy-to-use solution while avoiding the implementation pitfalls associated with most complicated technology.

SUMMARY

ES&S' solution for the State of West Virginia includes highly accessible technology for your poll workers, comprehensive training, and industry-leading project management methodology and technical support. Also, we are the only company that can provide permanent local support to each county through our partner, Casto & Harris. We are confident that we provide the right mix of technology and expertise to meet your stated goals and we look forward to expanding our current successful partnership in voter tabulation solutions to become your polling place automation vendor.

A STATEMENT OF COMPLIANCE WITH ALL MANDATORY REQUIREMENTS

ES&S complies with all mandatory requirements as listed in the RFP.

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Section II –
Functional Specifications

PART 3 PROCUREMENT SPECIFICATIONS AND DELIVERABLES

3.1 General Requirements:

The primary requirements of the Vendor is to provide a secure, efficient, effective, and user-friendly solution for replacing printed paper poll books at precincts to track voter registration, ballot stubs, precinct locations and replace the manual voter history process by integrating registration details at the polls.

The vision of the project is to provide a single application for counties within West Virginia who wish to participate in the project.

ES&S RESPONSE

EZRoster software is an electronic poll book solution that manages a computerized list of all registered voters. It will replace West Virginia's manual process and integrate the voter registration life cycle from initial registration, early voting, Election Day, all the way to voter history updates. This allows the poll worker to search by name and 96% of voters are found after entering three letters of the last name. If the voter is not found, the poll worker can search the entire state database by Name, Voter ID, SSN and/or driver's license. It uses proprietary software for reading all log files into a single database.

This solution provides the following benefits that meet West Virginia's requirements of a secure, efficient, effective, and user friendly solution:

- Scan Bar Code information on driver's license or voter registration card to automatically locate voter's information in seconds.
- Capture voter signature for comparison, if required.
- Locate voter information by simply entering voter's name.
- Issue paper ballots and track paper ballot inventory.
- Identify voters that must provide identification in the polling place.
- Locate the correct polling place for any voter in seconds without calling the registration office.
- View map of voter's correct polling place and print directions for voter.
- Identify voters that requested absentee ballots.
- Determine if a provisional ballot should be issued.
- Track voters for whom provisional ballots were provided.
- Automatically assign a provisional ballot ID number for proper tracking.
- Identify voters that may need assistance with voting, and/or special needs voting apparatus.
- Elimination of poll book printing cost
- Display a Windows Media Audio/Video files for video demonstrations and training videos
- HTML Help File for hypertext sensitive help files such as the "Frequently Asked Questions" at the polls
- Printing of optical scan ballots on demand
- Central Server updates in real time for automatic updates on election day

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3.2 Scope of Work:

Detailed specifications include:

3.2.1 General
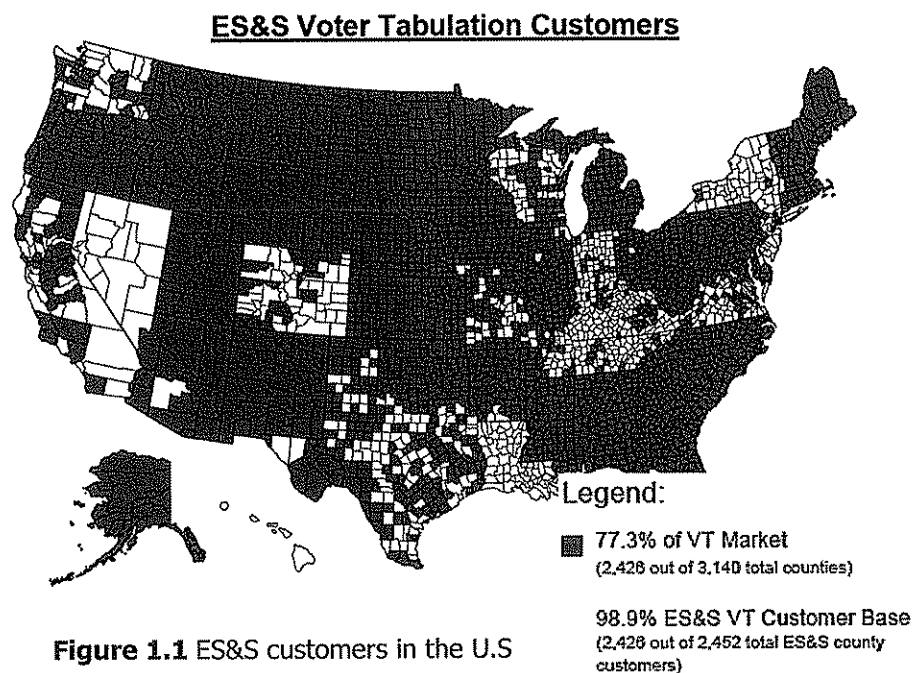**3.2.1a Company background information**
The vendor must provide a D&B specifying details of their company, including financial holdings, existing customers, and contact names and numbers of at least three references for projects of a similar scope and size.

ES&S RESPONSE

Please see **Appendix E** for copy of ES&S' latest Dun & Bradstreet report.

Election Systems and Software ("ES&S") is a wholly owned subsidiary of Government Systems, Software & Services, Inc. ("GS³"). GS³ is a privately owned Delaware corporation headquartered in Omaha, NE.

ES&S' founding company, American Information Services (AIS), was incorporated on August 29, 1979. After acquiring the Business Records Corporation Election Services Division, the newly formed entity was incorporated as Election Systems & Software, Inc., on Dec. 4, 1997. On September 2, 2009, ES&S acquired the assets of Premier Election Solutions and Premier-Canada.

ES&S Voter Tabulation Customers

Legend:

■ 77.3% of VT Market
(2,426 out of 3,140 total counties)

98.9% ES&S VT Customer Base
(2,426 out of 2,452 total ES&S county customers)

Figure 1.1 ES&S customers in the U.S

ES&S corporate headquarters is in Omaha, Nebraska. The company maintains nine facilities across the United States and has Canadian offices in Pickering, Ontario Toronto, Ontario, and Vancouver, British Columbia.

ES&S is the world's most experienced provider of total integrated election management solutions. We have installed more than 400,000 voting systems worldwide and supported more than 50,000 elections during the past decade.

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ES&S has been providing election equipment and services for more than 40 years. We have more than 25 years of experience in the development and deployment of poll-based optical scan systems and services, and voter registration and election management software systems.

The following tables provide reference information for electronic poll book clients. Please refer to **Appendix F** for detailed information regarding these recommendations.

Client organization name and address	**STATE OF MARYLAND** 151 West Street Suite 200 Annapolis, MD 21401
Contact name, title, telephone number, e-mail and registered voters	**Name: Robert Murphy** **Title: Maryland Electronic Poll Book Project Manager** **Tel: 410-269-2840** **Registered voters: 3.4 million** **Number of polling places: 1,776**
Voting system and services provided	• ExpressPoll 5000 (over 6,100 units) • EZRoster Software
Duration of contract/current relationship	ExpressPoll-5000 client since 2006

Client organization name and address	**GWINNETT COUNTY** 455 Grayson Highway, Suite 200 Lawrenceville, GA 30045
Contact name, title, telephone number, e-mail and registered voters	**Name: Ms. Lynn Ledford** **Title: Voter Registration and Election Director** **Tel: 678-226-7210** **Registered voters: 383,445** **Number of polling places: 163**
Voting system and services provided	• ExpressPoll 4000 (355) • ExpressPoll 5000 (160) • EZRoster Software
Duration of contract/current relationship	ExpressPoll client since 2006

Client organization name and address	**RICHLAND COUNTY BOE** 61495 W. Longview Avenue, Suite 101 Mansfield, OH 44906
Contact name, title, telephone number, e-mail and registered voters	**Name: Ms. Paulette Hankins** **Title: Director of Elections** **Tel: 419-774-5530** **Registered voters: 94,579** **Number of polling places: 95**
Voting system and services provided	• ExpressPoll 5000 (100) • EZRoster Software
Duration of contract/current relationship	ExpressPoll-5000 client since 2007

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3.2.1b Use of industry standard management and development tools
The vendor must describe what tools they specifically use and for what purposes.

ES&S RESPONSE

ES&S uses the top-rated Agile Methodology as our industry standard management process. The Agile Methodology breaks releases into a series of iterations (sprints). Each iteration contains tickets (stories) that are defined, coded, tested and documented. At the end of each iteration, there is a finished deliverable that is virtually error free. The following graphic illustrates ES&S' software management methodology under the Agile.
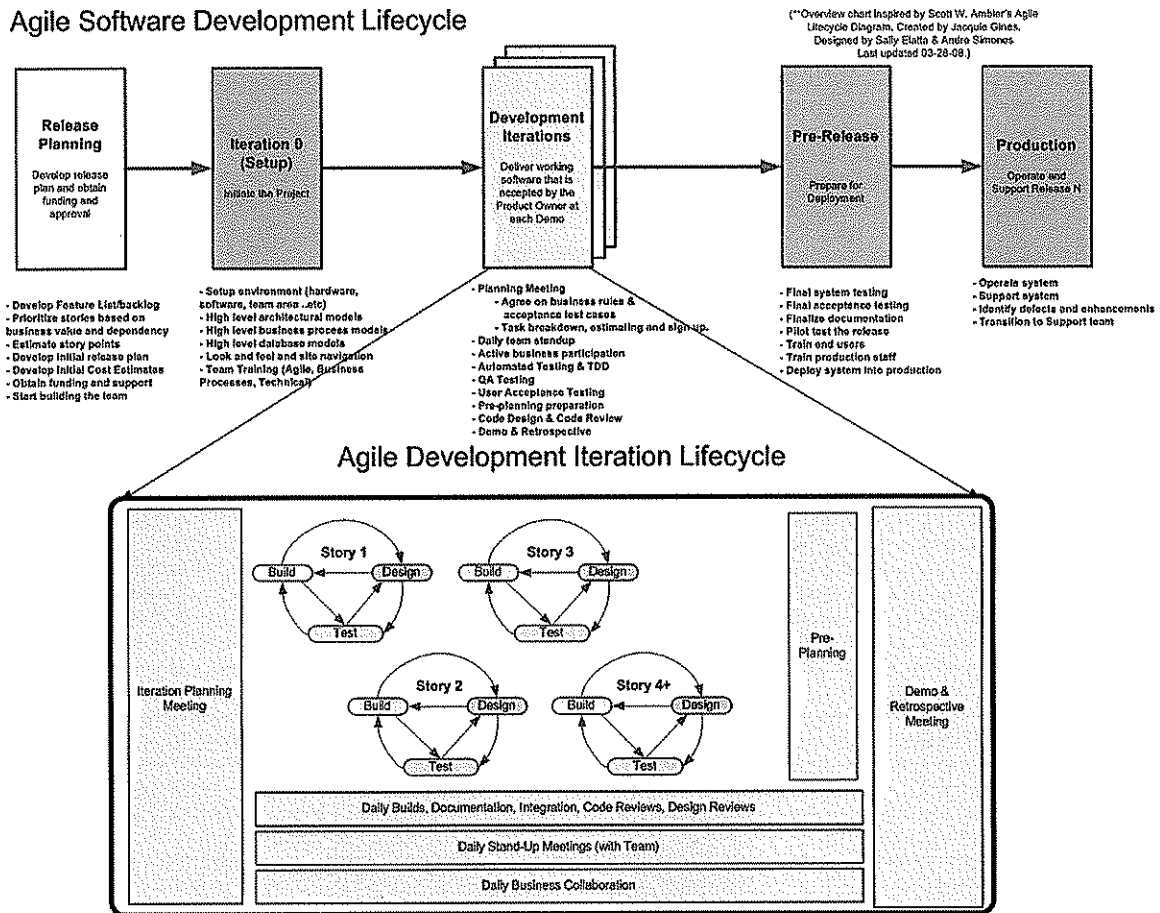
ES&S Software Management Methodology

One key advantage of breaking work into iterations is that it produces a usable deliverable in a relatively short period of time. Every month, more functionality is added that is immediately usable.

A second key advantage of breaking work into iterations is it allows management to change priorities from month to month without changing the development teams. When management leaves the scope of the current iteration in place, the development teams stay focused. Once the iteration is done, then the next iteration begins and can contain the next highest prioritized work at that time.

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A key advantage for customers is that election software is developed more rapidly to meet customer development requests. This is especially true for products that do not need to go through a certification process. The development tools that ES&S uses to complement the Agile process include:

- Language: C# with CompactFramework 2.0 (for Windows CE builds – ExpressPoll 5000) and .Net Framework 3.5 for Windows builds.
- Development Platform: Microsoft Visual Studio 2008
- Database: SQLite
- Source Code Respository: CVS (Concurrent Versions System)
- Issue Tracking: Team Track

3.2.1c Meets EAC and NIST guidelines as developed and specified
Both the EAC and NIST are discussing and reviewing their role in the use of ePoll Books. The Vendor must describe how they plan to address the impact of any of their requirements on their current application.

ES&S RESPONSE

ES&S maintains active participation in the evolution of emerging standards with the EAC and NIST organizations and committees. While the current and pending standards do not impose specific requirements regarding the use of electronic poll books, we will continue to monitor and participate in all such discussions with these organizations to assess all potential impact on our current application.

3.2.2 Voter Registration Functions
3.2.2a Ability to import, populate and store VR data
The Vendor must describe in detail their ability to import, populate and store voter registration data. This information is to include functionality and format specification(s), and any additional licensing required for full-use of their application.

ES&S RESPONSE

The EZRoster software imports and stores registered voter information. Each poll book unit can display voters for the entire state. We provide a SQL Server 2005 database for importing the data extracted from the state's voter registration database and converting the data to the database file.

Our solution includes license of our EPIC application for the conversion to the final database. This software requires three simple steps. The user must select the SQL Server 2005 database, select the folder for output, and click a button to convert the data.

The electronic poll book uses exports from the statewide voter registration system database, including:
- Voter data
- Precinct data
- Polling Place data
- Political Party data
- Street data (optional)
- Signature Image data (optional)
- Polling Place or Precinct Map data (optional)

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A specific format is not required; however we can recommend a format when no such export format exists. We adapt our conversion utility software to read the format of the data as it currently exists.

3.2.2b Ability to present appropriate all ballot style identifiers
Each county in West Virginia may have as many as 35 ballot styles per election. These may vary per election cycle. For the sake of accuracy, the application must present to the poll clerk the ballot identifier for each registered voter.

ES&S RESPONSE

The EZRoster software will provide the poll worker with the ballot style that is associated with the address in the voter registration database, and can easily accommodate 35 ballot styles per election.

**3.2.2c Capable of being loaded via secure, removable storage device**
Each precinct will have a copy of the county registration. For the ease of loading this information prior to an election and then following to upload the voter history, it is mandatory that the vendor provide the ability to store information in an encrypted format, which is then unencrypted upon upload.

ES&S RESPONSE

EZRoster software can load voter registration data by the insertion of the eligible voter file and associated Election Day data contained on a Compact Flash card.

To protect against voter fraud, we facilitate the storing of voter data redundantly in an encrypted form within the device and on removable media. The data is encrypted with a 128 bit key using an industry standard algorithm (RC4). The key is entered using a security card and a separate key card.
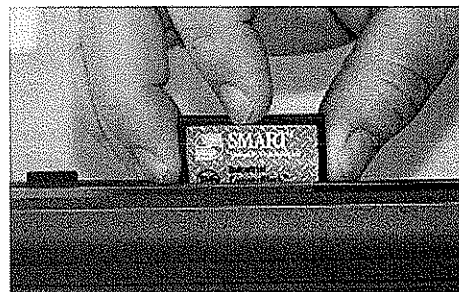
Master Compact Flash Card

3.2.2d Poll book data import is simplistic and does not require vendor support
The Vendor's application to import data must be simplistic for any person to load onto the devices selected to run the application.

ES&S RESPONSE

We will provide a database for importing the data extracted from the State's voter registration database and converting the data to the database file. Using built-in Forms and Macros, the user will execute the process to convert the state data to the EZRoster layouts with a touch of a button.

The election set-up of the poll book involves the insertion of the eligible voter file and associated Election Day data contained on a Compact Flash card. This is performed with minimal or no technical assistance.

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> **3.2.2e Capable of networking with EPBs in same polling place**
> The Vendor's application must be able to support local networking of devices. Any restrictions in the number of devices must be indicated, as well as contingency plans.

ES&S RESPONSE

Our solution is scalable in four configurations:

- Stand alone units
- Directly connected where there are two poll book units in a polling place
- Local Area Network where there are more than two units in a polling place
- Wide Area Network where there are two or more voting locations connected together to prevent a voter from voting in one location and then voting in another location when allowed to do so by law (such as early voting locations).

If the network connection becomes unavailable, poll workers can continue to process voters on individual poll book units. Once the network connection is restored, the system will automatically update each unit and resume the synchronization.

When networked together, the EZRoster synchronizes the following:

- the time
- all voter transactions, including updates of the voter information
- the voter's ballot issued status
- the total counts of ballots issued
- the current status of all units in the network

Each Compact Flash card records all transactions for the network and a single Compact Flash card from each poll is used for post election processing.

> **3.2.2f Ability to display informational prompts to user**
> The Vendor must be able to return exception alerts to prompt the user for items requiring special handling, i.e. incomplete data, incorrect precinct, identification requirements, etc.

ES&S RESPONSE

The EZRoster software will indicate if the voter is a legally registered in the jurisdiction or state, and eligible to cast a vote at the polling location. It will display the voter's status to vote, including whether or not a voter has been issued a ballot, the type of ballot, and if an absentee ballot has been returned.

Name	Address	Status	Issued
JEFFERSON, THOMAS	3924 W 57TH TER MISSION 66205	Active	Absentee Requested

Three standard statuses pertain to whether the voter is active or cancelled, whether they must meet HAVA identification requirements, and whether the voter has been issued an absentee or provisional ballot. The update grid can be password protected to restrict access of this function to authorized users.

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Name	Address	Birth Date	Statu	IDR	Issued
ALLEN JUDITH	469 LILLIAN DR DOWNTOWN 30546-3226	05/15/1938	A	No	No

On a touchscreen unit, the status is changed by tapping the field. Each tap rotates through the potential statuses for that field. When saved, the change is recorded in the log file.

Name	Address	Birth Date	Statu	IDR	Issued
ALLEN JUDITH	469 LILLIAN DR DOWNTOWN 30546-3226	05/15/1938	D	ID Requi	Absentee Issued

Prompts can be fine tuned to provide direction for the specific handling requirements according to West Virginia regulations, including updating voter data, ID requirements, etc.

3.2.2g Capable of obtaining voter ID information via barcode scanning
The Vendor must supply the functionality of retrieving voter information by use of a barcode scanner (2D PDF-417).

ES&S RESPONSE

The EZRoster software can scan bar code information on driver's license or voter registration cards to automatically locate voter's information in seconds. This feature is developed on a state by state basis and will be completed during the software development portion of a contract timeline. Either the 1-D or the 2-D bar codes are readable by the bar code scanner and can be processed into the system. The software has been tested and used with a variety of barcode readers.

Bar Code Scanner

3.2.2h Capable of processing name and address changes within precinct
The Vendor must be able to process the name and address changes according the WV § 3-2-31.

ES&S RESPONSE

Poll workers can edit certain information on the database, including the voter's voting participation flag, voter's status, information on whether an ID was provided, information on whether an AV Ballot was submitted or surrendered, and information indicating a voter's change of name and/or address. In addition, the poll worker can flag a voter's record for address changes pursuant to state law.

We will work with West Virginia officials to determine which fields are editable and password protect the edit process to prohibit unauthorized changes to the voter records. All of the changes are uploaded to the state central database for processing. Most jurisdictions capture and upload name changes to the
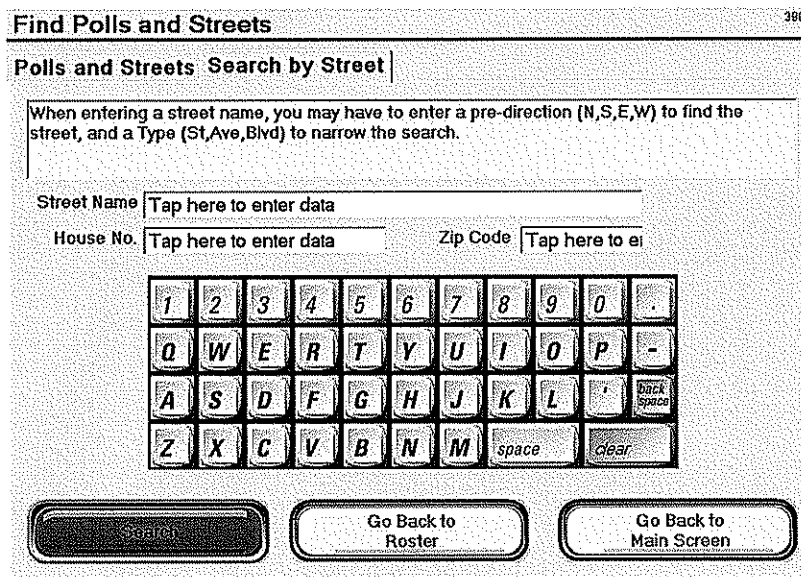
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central server, addressed through printed reports. The action of changing a name is not automated to ensure a controlled and verified process.

3.2.2i Capable of highlighting all addresses that are non-compliant and offering redirect to correct precinct.
The Vendor must display the voter's correct precinct and directions to it.

ES&S RESPONSE

The EZRoster software will provide the poll worker with the ballot style that is associated with the address in the voter registration database. If the voter's residence has changed, the poll worker can use the street index to identify the correct ballot style. The unit displays the address and a map of the polling location, so that the poll worker can assist the voter without having to call election central. With a printer, the election officials may print out the address of the correct poll.

To look up a voter by their street address, the poll worker presses the **Find Precinct By Street** button. The **Find Polls and Streets** window opens with the cursor in the Street Name field. The poll worker enters the name of the street in the **Street Name** field. The printed address can include one or two lines of direction.

Find Polls and Streets   390

Polls and Streets Search by Street |

When entering a street name, you may have to enter a pre-direction (N,S,E,W) to find the street, and a Type (St,Ave,Blvd) to narrow the search.

Street Name | Tap here to enter data
House No. | Tap here to enter data   Zip Code | Tap here to e

1	2	3	4	5	6	7	8	9	0	.
Q	W	E	R	T	Y	U	I	O	P	-
A	S	D	F	G	H	J	K	L	'	back space
Z	X	C	V	B	N	M	space	clear

| Search | Go Back to Roster | Go Back to Main Screen |

Find Polls and Streets Window

The poll worker then presses the **House No.** field, and enters the address number, and presses the **Search by Street** tab. A list of streets matching the search criteria will appear.

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Find Polls and Streets   390

Polls and Streets | Search by Street |

Tap the Street name to view the Precinct for that street.

Street	House No.	Apt No.	Side	Precinct
STAR RT 1 COALINGA 93210	0 to 0		E	PREC 2
STAR RT 3 COALINGA 93210	0 to 0		B	PREC 2
STEPHANIE CT TELLATIN 16163	1200 to 1251		B	PREC 2
STEPHENS DR SAINT AUGUSTINE 97443	10 to 30		E	PREC 1
STONEBRIDGE TRL TELLATIN 16163	901 to 961		B	PREC 3 - 2

5 Street Segments Found

┌─────────────────┐   ┌─────────────────┐
│ Go Back to   │   │ Go Back to   │
│ Roster   │   │ Main Screen   │
└─────────────────┘   └─────────────────┘

| BT: ??? AC: Online | Pollbook Voters Voted: 2 | 5/11/2006 3:36:12 PM |

Search by Street

The poll worker can scroll through the streets by pressing the arrows at the right of the screen. The middle arrow moves the roster one name up or down. The top and bottom arrows will move the roster a full screen (four names.)

Once the street is found, the poll worker presses the street name to open the precinct record, which opens in the **Precinct Details** window. The poll worker then can direct the voter to the correct polling place.

Consolidation Number

2

Precinct Name

PRECINCT 2

Precinct Number

PREC 2

Poll Name

Electronic Vote Center
ELECTIONS WAREHOUSE
UPTOWN

┌──────────────────────┐
│ = Print Poll Button │
└──────────────────────┘

┌──────────────────┐
│   Go Back   │
└──────────────────┘

Street: STAR RT 1, 0 to 0

Precinct Details window

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3.2.2j Capable of processing provisional voters
The Vendor must be able to generate any/all applicable paperwork for an individual to vote a provisional ballot.

ES&S RESPONSE

Provisional ballots can be made available to all voters. The user can define unique statuses that only allow provisional voting. Typically, provisional ballots are issued to voters not found in the Poll Roster. A poll worker can search the precinct roster for a voter, and also can search the entire county and/or state voter registration list.

When the poll worker enters the **Enter Provisional ID** screen, the **Provisional ID** field automatically filled with up to four numbers, unique to that poll book unit. The cursor is positioned after those numbers. Using the stylus and keypad, the poll worker enters the provisional ID from a list of numbers assigned to that precinct. This process ensures that unique provisional ID numbers are assigned.
If the jurisdiction is using pre-assigned provisional IDs with barcodes, the provisional ID can be scanned using the barcode scanner. To complete the process, the poll worker presses the **Issue Provisional Ballot** button.

With a printer attached, the poll worker could print the Provisional Ballot Application or paperwork associated with the Provisional Ballot. However, must jurisdictions use preprinted forms.

Enter Provisional ID Screen

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3.2.2k Capable of displaying, capturing, and comparing electronic signatures. The Vendor must present signatures on-file and compare them with the signature from the pad at the poll.

ES&S RESPONSE

Voters' signatures can be electronically captured for comparison, if required. Voter signatures are captured as monochrome PNG (Portable Network Graphics) format. Standard software is available to convert this to other formats such as JPEG or TIFF, if desired. Signature matching is performed by the poll worker, who views a side by side comparison on the screen.
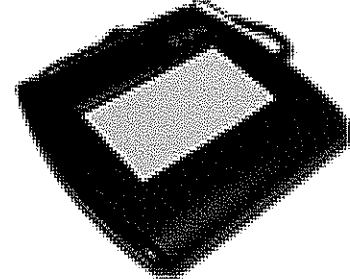
When the signature pad is connected, the **Get Voter's Signature** screen displays. Using the signature pad, the poll worker asks the voter to sign his/her name with attached stylus.

Electronic Signature Pad

Once voter signs the signature pad, the result is displayed on the screen:
If the voter is dissatisfied with the signature, they press the **Clear Signature, Sign Again** button.
If the voter wants to stop the procedure, they can press the **Cancel, Back to Voter Screen** button.
Once the voter has completed his/her signature, they press the Accept Signature button.

Get Voter's Signature Screen

**3.2.2l Ability to output voter history data according to SVRS vendor specifications
The Vendor must be able to generate output files for upload into the state-wide voter registration system according to required specifications.**

ES&S RESPONSE

We offer central server system software to control the interface between EZRoster software and the state voter registration system database. This system is called EPIC (ExpressPoll Interface and Control system). The EPIC program converts state voter data and captures voting history for upload back to the statewide voter registration system database.

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Using built-in Forms and Macros, the user will execute the process to convert the State data to the EZRoster layouts with a touch of a button.

StartDelaware :: Form

Build Express Poll Election Files

The following files must be placed in C:\IPSM folder:
Voter File
Street File
Drivers License Bar Code File
Polling Place File

Create General
Election

Create Primary
Election
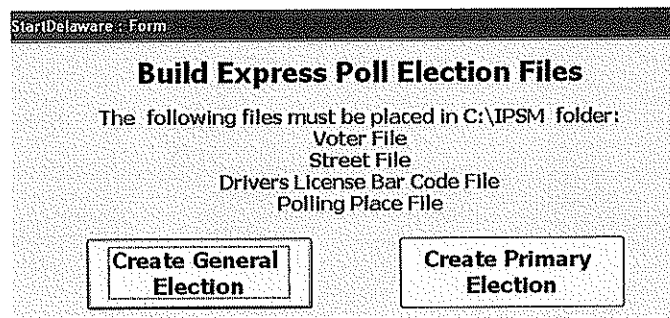
EPIC Conversion

Subsequent screens in the database will display conversion statistics of Polling Places, Election Districts, Voters, Party registration and Streets for verification of the conversion. The database will have pre-designed reports for verification.

3.2.3 Reports and Printing
3.2.3a Ability to generate Election Day and Canvass Reports
The Vendor's application must be able to generate reports including, but not restricted to, directions to polling places, statistics, audit reports, and closing reports (including exceptions). Additional reports should be able to be generated. Any third-party licenses required must be specified.

ES&S RESPONSE

The EZRoster software reports the 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 also displays current statistics, including the total number of ballots issued, at the bottom of the poll book grid. Additional screens display the ballots issued by type and the ballots issued by party for each device in the poll, with a total at the bottom of the screen.

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```
Main Screen                                                                  130

Manage Polls | Issue Ballots | Precinct Details | Setup System  Status |

   Network | Ballots Issued | Ballots by Party | Status Counts |
```

System Id	REP	DEM	NLW	GRN	LIB	AIP	P&F	NP
*2000	4	3	1	1	0	0	0	0
9999	1	1	0	0	0	0	0	0
10104	1	1	0	0	0	0	0	0
Totals	6	5	1	1	0	0	0	0

Express Poll 5000 Main Screen

The EZRoster software is capable of displaying precinct information, including address and a map of the location. Using the optional printer at the precinct, poll workers can print polling place information to send voters to the correct poll.

Printer

Printed reports are available from the central server. The following reports are provided:

- Numbered List of Voting Voters
- List of Active or Inactive Precincts
- Status of GEMS Database Creation
- Reflects number of counties having submitted their GEMS Database
- Statistics including:
- Precincts Reporting
- Number of Eligible Voters
- Number of Voters by Consolidation
- Number of Voters by Base Unit
- Number of Voters by County
- Voters by Status
- Number of Early Voting Voters
- Including Compile Counts by Party
- Number of Election Day Voters
- Voters by Voting Procedure

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- Early
- Polls
- Absentee Issued
- Absentee Returned
- Supplemental Absentee
- Provisional
- Add-On Voters
- Party Declaration Numbers
- List of County GEMS Databases converted
- Includes County Name
- Includes GEMS Database Name
- List of Precincts by County
- Includes Unique Consolidation, Polls, Reporting Unit, Base Unit, GEMS Database

The EZRoster software offers flexibility, as a specific format is not required. The election officials will have the ability to create custom reports in SQL Server 2005 or other database reporting software. Crystal Reports exports data in a variety of formats including the following:

- Character-Separated Values
- Comma-Separated Values
- Data Interchange Format (DIF)
- MS Excel 5.0
- MS Excel 7.0
- MS Excel 8.0
- HTML
- LOTUS 123
- LOTUS WORKS
- ODBC
- Paginated Text
- PDF
- Record Style (Columns of Values)
- RTF
- Tab-Separated Text
- Text
- Word for Windows
- XML

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3.2.3b Capable of producing eligible voter pass/poll slip
The Vendor's solution must provide the ability to generate poll slips with specified information.

ES&S RESPONSE

Using an optional printer, poll workers can also print poll slips with specified information. This process to print Voter Authorization Cards is used in Maryland.

3.2.4a Employs data encryption
The application must utilize data encryption techniques for storing, transporting, and managing data. Specifications must be provided.

ES&S RESPONSE

To protect against voter fraud, the EZRoster software stores voter data redundantly in an encrypted form within the device and on removable media. The data is encrypted with a 128 bit key using an industry standard algorithm (RC4). The key is entered using a security card and a separate key card. Limited ingress into our unit and tamper evident access points ensure our highly redundant system the most secure electronic poll book solution available

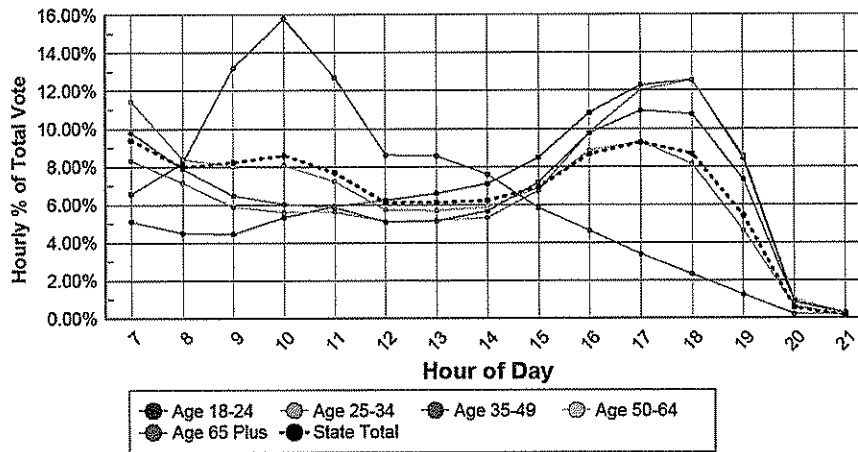**3.2.4b Employs audit tracking and event logging**
Each access, function and add, change or delete must be logged for future reference and review. This information must be able to be printed and/or exported.

ES&S RESPONSE

The EZRoster software maintains a complete transaction audit log with two tables containing a record of all ballots issued and other significant activity that can be printed or exported. This file may be encrypted. The audit log is stored on Compact Flash card, and a backup copy of the audit log is maintained internally as well. These audit logs are read from Compact Flash cards and consolidated into a database suitable for updating the voter database.

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Hourly Voting by Age Segment
2006 Maryland General Election

Sample Report

The audit log file includes:
- Identification of the program and version being run
- Identification of the election file 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 user. All transactions recorded while this person was logged onto and used the poll book unit can be identified.

The system reports the number of people who voted at the precinct, by absentee ballot and by provisional ballot. The EZRoster software prohibits any voter from intentionally or unintentionally voting more than once.

3.2.4c Provides secure administrative and user controls
The application must provide secure controls. Each of these must be defined.

ES&S RESPONSE

The EZRoster software has electronic security protections, a Supervisor Card, PIN numbers and passwords required to access the EZRoster software and data, which is encrypted.

A strong security plan with processes that guide usage is a recommended best practice in the administrator's manual. Two levels of passwords and smart cards are required to set certain configuration options.

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West Virginia officials can mandate using simple passwords, pass phrases, or two-phase authentication using smart cards and passwords, depending on their requirements. Election officials have the option to require a second password or a Supervisor Card with a unique PIN number. To access data the user must know the precinct, user ID and access password.

Additional password protections are provided at the server, with both Windows and application passwords. Windows passwords can be set to expire.

We recommend that the poll book unit store voter data redundantly in an encrypted form within the device and on removable media, which is managed by the EZRoster software. The data is encrypted with a 128 bit key using an industry standard algorithm (RC4). The key is entered using a security card and a separate key card. The jurisdiction can set keys for each election and passwords for each election, county, or precinct. The EZRoster software prohibits any voter from intentionally or unintentionally voting more than once.

The poll worker enters the appropriate precinct number and password at the log in screen, which is repeated for confirmation.

3.2.5 Hardware
3.2.5a Downtime Requirements
The application must not require a downtime when removing or adding a unit while networked. Please describe procedures.

ES&S RESPONSE

If the network connection becomes unavailable, poll workers can continue to process voters on individual poll book units. Once the network connection is restored, the system will automatically update each poll book unit and resume the synchronization. No downtime is experienced when the network is not communicating, or when the connection is restored.

3.2.5b Rebooting Requirements
The application must not require rebooting of any device when removing or adding a unit while networked. Please describe procedures.

ES&S RESPONSE

With EZRoster software, poll books can be plugged into and unplugged from the network as required. No rebooting is required.


3.2.5c Wireless networking not required
We will be using local network connectivity, not wireless, however we do not want to disqualify any vendor if this is provided.

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ES&S RESPONSE

Recently the EZRoster software conducted a completely wireless election in Solano County California. The wireless wide area network technology upgrade ran very well and it is ready for deployment as the primary or backup network infrastructure.

There are several manufacturers compatible with our solution including 3Com, Linksys, D-Link, and Kyocera. These 3G Mobile Routers answer the need for mobile users setting up a wireless network on-the-go to share an Internet connection. The 3G Mobile Router enables users to quickly create a secure wired LAN while also providing access to the Intranet using a secure encrypted digital cellular signal. By connecting an 1xEV-DO, UMTS, or HSDPA Internet PC card to the 3G Mobile Router, an Internet connection can be accessed and shared virtually anywhere.
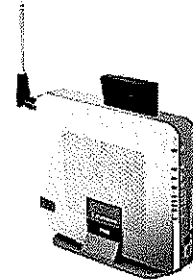
With the 3G Mobile Router the County can create wireless remote access to their secure private networks for backup purposes. It is ideal for off-site situations, such as early voting centers, where sharing information is critical.

3G Mobile Router

3.2.5d Stores data on redundant memory devices
The application must be able to store data on a second or more device(s).
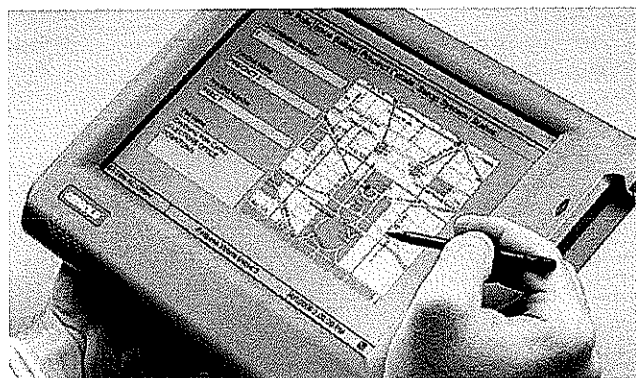
ES&S RESPONSE

The EZRoster software ensures that the poll book stores data in both the memory of the unit, and on a removable device such as a Compact Flash card.

3.2.5e Touch screen interface supported
The application should support touch-screen technology.

ES&S RESPONSE

Our EZRoster software has been implemented on touch screen technology, making it user friendly and easier for poll workers to learn. Our ExpressPoll 5000 has a large 10 inch screen ensures that the system is easy to use, even for users with eye sight difficulties. An optional stylus can also be used. Fonts, font sizes and colors can be selected for enhanced readability. The ExpressPoll 5000 unit has a full sized screen matching VGA – 640x480 Resolution.

Touch Screen Interface

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When using the touch screen keyboard on the face of the unit, depending on how quickly the letters are touched, the process of touching the first three letters of the voter's last name can drill down to the approximate voter record in just a few seconds for most situations.

3.2.6 Implementation and Training
3.2.6a On-site Training and Supporting Materials
The Vendor must describe the details of the training to be provided at each county location participating in the roll-out, as well as associated user documentation.

ES&S RESPONSE

ES&S' OVERALL 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 *you* are empowered with the knowledge to administer the new system and carry out a trouble-free election. To meet this end, 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 all of your state's key project stakeholders.

TRAINING THE ES&S WAY

The ES&S approach to training is efficient and effective. We base our core curriculum on more than 40 years of experience in implementing new voting systems. We then structure our coursework to meet the unique needs of your jurisdiction.

Comprehensive
The ES&S training approach anticipates the wide range of skills that must be developed to carry out a trouble-free election. From effective warehouse management to the programming and operation of voting equipment and reporting results, our training program covers all of your bases.

Customized
The ES&S training approach is flexible to accommodate the specific laws, regulations and procedures in a jurisdiction.

Relevant
The ES&S training approach involves courses that are tailored to specific audiences, increasing the relevancy of every minute any election worker spends in the classroom. In addition, we pair the right instructors with our curriculum, and offer guidance on selecting students who are most likely to succeed – in the training and on Election Day.

Hands-On
The ES&S training approach places a premium on "real world" experience. We incorporate a high degree of hands-on instruction to simulate as much as possible the election process.

A LONG-TERM COMMITMENT

ES&S training is not a one-time event. We can commit training resources to you and your election personnel to ensure that *every* Election Day is a success. Refresher training can be made available

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after your first use. In addition, we evaluate the effectiveness of every class in order to continually refine and improve the training programs.

ES&S TRAINERS: EXPERIENCE THAT MATTERS

ES&S has carefully selected our training staff to provide the very best training experience for you and your election workers. We require all of our personnel to be certified ES&S trainers beginning with at least two years of instruction and experience in as an instructor or in a technical field and continuing with customized product certification. In addition, each of our instructors – and the individuals who oversee our training program – has personally supported elections using ES&S voting equipment. Our trainers have already experienced the challenges your election stakeholders will face with their new equipment. We can anticipate your staff's concerns, and appreciate the challenges of using a new voting system.

ES&S is committed to maintaining our flexible approach for providing the right mix of products, training, support and service to the State of West Virginia. ES&S is willing to tailor its approach to meet unique state requirements.

ES&S' TRAINING PLAN

Introducing new technology presents unique challenges; precinct official training materials and programs must be developed in cooperation with state election officials to facilitate conformity to state election laws, regulations and procedures.

Training is ES&S' primary concern in implementing a new election system. ES&S measures the success of new equipment installations by the quantifiable way in which our clients are able to manage their own unique election processes when using ES&S' systems. Our comprehensive training program promotes a strong level of competency for all intended users through training modules developed to provide your election team with the skills to perform necessary operations.

While we have developed a core curriculum approach, we believe customizing our training approach to integrate the laws, regulations and procedures unique to the state and to its jurisdictions is a key element for successful implementation. ES&S will work with the election staff to develop a training product that is current and relevant to the State of West Virginia.

The following items describe the overall system and training objectives for the ES&S poll book:

- Poll workers will be trained to verify voter records at the jurisdiction's polling place.
- Election officials will be trained to maintain the jurisdiction's voter registration database and maintain system records.
- Operations and Administrator's training will include instruction for election official tasks required to maintain the electronic poll book database.
- Operations and poll worker training will include procedures for initializing the system, pre-election testing and opening the polls for use.
- ES&S trainers will share the required procedures for transferring database information from election headquarters and uploading updated voter data to the central database.
- ES&S will train election administrators on all system audit procedures and capabilities.
- Operations and administrators training will include the process required to archive the ES&S electronic poll book database.
- ES&S will train election administrators on the system's report capabilities.

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- Operations and poll worker training includes general troubleshooting and problem resolution procedures.

WEST VIRGINIA RESPONSIBILITIES

To successfully implement the ES&S training plan, the State of West Virginia shall be responsible for the following:

- Supplying the classroom venue and required resources..
- Providing notebook computers for hands-on training or secure Internet access for participants participating in WebEx training sessions.
- Scheduling class participants according to a training schedule mutually agreed upon between the State of West Virginia and ES&S.

AVAILABLE COURSES

Typically, training is divided into two types of training – Operations training and poll worker training. Training can be provided in a classroom setting as you have suggested or by WebEx.

Operations' training is usually slated for one day on the implementation plan. Training for this group generally takes no more than two to three hours and multiple sessions can occur during the same training day. Poll worker training may last as little as one hour and multiple sessions can be scheduled for a single day.

Course Name	Description	Audience	Pre-requisites	Length	Class size
ES&S Electronic PollBook Train the Trainer	This training course introduces election personnel to the ES&S Electronic PollBook system. Successful participants gain the knowledge, skills and abilities to operate ES&S Electronic PollBook basic and advanced features. Covered topics include: • An in-depth overview of the ES&S electronic poll book features and functions. • Pre-Election Day preparation requirements. • Election Day operations and troubleshooting. • System audit capabilities. • System reporting capabilities. • Overview of system communications capabilities. • System troubleshooting and issue resolution.	• Election officials • West Virginia voting system techs • Training Consultants	None	2-3 hours	1-20
ES&S Electronic PollBook Operations	This training course introduces poll workers to the ES&S electronic poll book voting system. Successful participants gain the knowledge, skills, and abilities to operate ES&S electronic poll book basic features. Covered topics include:	• Poll workers	None	1.5 hours	1-20

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Course Name	Description	Audience	Pre-requisites	Length	Class size
	• Setting up and initializing the system. • Processing eligible voters. • Processing provisional voters. • Updating voter information. • Accessing driving directions. • Shutting down and packing the system.				

ES&S Poll Book Training Courses

3.2.6b Implementation Support
The Vendor must describe what support is included within their proposal.

ES&S RESPONSE

Please refer to Section IV – Project Management and Support and our EZRoster Implementation Project Plan in Appendix C.

3.2.6c Other Support Requirements Provided
The Vendor must provide any additional support requirements for successful implementation.

ES&S RESPONSE

Please refer to Section IV – Project Management and Support and our EZRoster Implementation Project Plan in Appendix C.

3.2.6d Implementation Dates
The Vendor must be able to provide the application to be used in the 2010 Primary Election, scheduled for May 11, 2010. A statement of commitment must be included in the response.

ES&S RESPONSE

ES&S' EZRoster Implementation Plan can be found in Appendix C. Our plan shows the detailed tasks and resources required to implement the EZRoster application for the May 11, 2010 Primary in the State of West Virginia. ES&S is committed to working with the State to meet all requirements and schedules outlined in the RFP and as agreed upon in the contract.

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Section III –
Hardware

Description of hardware requirements for running the application as requested with additional scalability for future requested enhancements.

ES&S RESPONSE

The EZRoster software runs on a computer with a Windows platform or on the ExpressPoll 5000 proprietary hardware terminal. Ultimately, both the version of Windows and the customer's implementation must be considered to determine the hardware requirements. Most of the requirements are Windows operating system requirements, not EZRoster requirements. We offer these guidelines:

Component	WINDOWS XP	WINDOWS VISTA	WINDOWS 7
Processor	Pentium 233-megahertz (MHz) processor or faster	1 GHz 32-bit (x86) or 64-bit (x64) processor Or 2GHz Core-Duo processor	1 gigahertz (GHz) or faster 32-bit (x86) or 64-bit (x64) processor
Memory	128 MB RAM	2 GB of RAM with a 2GHz Core-Duo processor.	1 gigabyte (GB) RAM (32-bit) or 2 GB RAM (64-bit)
Hard Disk	At least 2.0 gigabytes (GB) of available space	40 GB hard drive with at least 15 GB of available space	16 GB available hard disk space (32-bit) or 20 GB (64-bit)
Drive	CD-ROM or DVD-ROM	CD-ROM or DVD-ROM	CD-ROM or DVD-ROM
Input Device	Keyboard and a Microsoft Mouse or some other compatible pointing device	Keyboard and a Microsoft Mouse or some other compatible pointing device	Keyboard and a Microsoft Mouse or some other compatible pointing device
Graphics	Video adapter with Super VGA (800 x 600)or higher resolution	Support for DirectX 9 graphics with: ◦WDDM Driver ◦128 MB of graphics memory (minimum) ◦Pixel Shader 2.0 in hardware ◦32 bits per pixel	DirectX 9 graphics device with WDDM 1.0 or higher driver
Removable Memory	Removable device: USB, CompactFlash, or PCMCIA (2MB Minimum, 4 MB recommended)	Removable device: USB, CompactFlash, or PCMCIA (2MB Minimum, 4 MB recommended)	Removable device: USB, CompactFlash, or PCMCIA (2MB Minimum, 4 MB recommended)
Audio	Internal speaker	Internal speaker	Internal speaker

To use a netbook type of computer with Windows XP or Windows 7, a 1.6GZ Atom with 1GB of RAM and 160 GB drive will work, such as the Dell Inspirion Mini 10. However, the primary issue

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with the netbooks is that most have only a single SD card slot and no Compact Flash capability. The Dell netbook has three USB slots, and one could be used for the data storage.

Our solution is scalable in four configurations:
- Stand alone units
- Directly connected where there are two poll book units in a polling place
- Local Area Network (LAN)
- Wide Area Network (WAN)

The hardware configurations provided in the chart are valid for any network configuration. We are presenting a LAN solution, and have included required equipment such as crossover cables or hubs and cables, depending on the precinct size. Additional equipment such as modems or wireless modems could be required for a WAN solution, and would be based on the State's desired functionality. We note that each Compact Flash card records all transactions for the network and a single Compact Flash card from each poll is used for post-election processing.

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Section IV –
Project Management and Support

> **The vendor is to provide a dedicated project manager, who works with the agency staff to develop a detailed project plan. The plan is to include specifics of implementation services and on-going maintenance and support.**

ES&S RESPONSE

A preliminary EZRoster project schedule can be found in **Appendix C** of this proposal. Upon contract award, ES&S will work closely with the State to develop a detailed project plan.

Project Management Approach

Once the contract is awarded, ES&S will assign a project sponsor and project manager to oversee all facets of the implementation. The project manager will hold a kickoff meeting to discuss project overview and any statements of work, identify timelines (constraints and assumptions), assign resources and develop a communication matrix.

Communication management becomes a central factor in the ultimate success of the project. Below is an example of our matrix template that gets completed after the kickoff meeting:

State of West Virginia EZRoster Implementation Project Team Communication Matrix

	Deliverable	Description	Owner	Audience
Weekly Reports	Project status report via e-mail	Regular update on critical project issues	Project Manager	Project Manager Project Sponsor Project Team
	Quality audit report	Regular update on project quality performance	Quality Manager	Project Manager Project Sponsor Project Team Quality Manager
Presentations	Monthly project review meeting	Project status update	Project Manager	Project Manager Project Sponsor Project Team
Daily Project Announcements	Task reminders via e-mail	Task owner schedule reminders	Project Coordinator	Project Manager Project Team
Reviews and Meetings	Weekly team meeting	Meeting to review project status	Project Coordinator	Project Manager Project Sponsor Project Team Quality Manager

After the internal assignments have been discussed and the communication matrix completed, the Project Manager will immediately contact the client and begin discussing the project schedule: i.e., first election date, early voting, poll worker availability, deliverables, etc. The

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Project Manager will communicate the schedule via matrix and begin setting deadlines for deliverables throughout the project.

After the contract is executed and the Project Manager has spoken with the client, other departments can begin fulfilling their obligations to the project, typically along the same timeline and not requiring a finish-to-start dependency on the other deliverables.

Following are department-specific milestones and their associated deliverables. The Project Manager will update status via weekly reports to the project team:

Client Relations
The Project Manager and Casto & Harris will discuss the Pre-election Questionnaire with the jurisdiction to gain an understanding of what functionality the State will utilize for the upcoming election. This document will guide the other departments to provide accurate deliverables.

Manufacturing (Pending Utilization of ES&S Hardware)
The manufacturing team will validate all hardware (and firmware to be loaded) with the contract and begin quality control on the units. All firmware is to be loaded in the warehouse before shipment to the jurisdiction. Delivery dates are confirmed via the Project Manager and shipment is typically underway in 5 days.

Field Services (Pending Utilization of ES&S Hardware)
Once hardware has arrived on-site, Field Services will schedule a technician to perform Acceptance Testing on all equipment. Any failures are reported back to the Project Manager and remedied/replaced.

Training
The training department will schedule a training event with the Elections Director of the jurisdiction and identify what level of training is to be provided. ES&S will offer individual or regional in-person training, based on the jurisdiction's needs and technical savvy. Dates will be scheduled to occur after the application has been delivered.

Casto & Harris - Election Services
A conversion specialist will contact the jurisdiction to confirm the applied settings and validate the EZRoster's functionality is equivalent to the jurisdiction's expectations and statutes. Data will be sent to the client to perform quality assurance testing on their equipment. If corrections are needed, the customer notifies the conversion specialist is notified and changes are made. A new set of files will be produced and distributed to the client.

Election Support
A representative may be scheduled to provide on-site support for three days (one day before, one day during and one day after the election). Additional testing is performed the day before and results are validated with the client.

Post-election Project Management
After the election, all data is imported into the VR system to complete the authorization to vote process. A post-election meeting is held and documentation is created based on lessons learned and enhancement request going forward.

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RISK MANAGEMENT AND MITIGATION

Any successful implementation requires additional support through a strategic Change Management process, as well as constant adherence to a Risk Management and Support plan. The following processes and plans are detailed below:

The Project Manager will produce a Risk Identification Questionnaire based on the following items:

- Organizational structure.
- Funding.
- Human resource management.
- Team knowledge of the product.
- Scope and deliverables.
- Communication matrix.
- Historical data, i.e. lessons learned.
- Client's facilities and resources.

Once an analysis is completed, based on the information above, the Project Manager can determine the overall risk associated with the project. Each sub-item will be deliberated among the appropriate stakeholders (including client) to mitigate the most effective and efficient solution to a problem. By continually observing the ever-changing risk associated with the project, the Project Manager and team members can effectively execute risk management procedures following PMI's methodology.

Change Requests and Scope Management

Should a change be needed to the scope of the project, a simple Change Request Process is in place to identify the request, analyze the impact, discuss justifications and determine if the request is to be approved or declined. The following form provides an organized way to submit those requests.

Project Change Request Form

Project ID & Name	
Requestor's Name	
Type of Request	
Target Date (If Applicable)	

Description

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Reason / Justification

For more information, whom should we contact? Please provide details.

Originator's Signature   *Date (MM/DD/YY)*

For Project Management Office Use Only					
Date Rec'd		**Date Logged**		**Logged by**	
Change ID		**Reqt. ID**			

Project Support

One important element of our proposed EZRoster solution is the very strong partnership we will establish with the State of West Virginia. Though we anticipate a smooth and efficient transition, we also know there will be times when – together – we need to address and resolve issues quickly and efficiently. To provide the support you need, at any time, ES&S offers a solid technical service approach backed by our highly trained, project management team.

PROJECT MANAGER

On an initial system installation, your Project Manager operates as a single point of contact. This person is accountable for coordinating all of your implementation and election requirements.

SUMMARY OF SUPPORT CHANNELS

ES&S offers multiple support channels to assist customers with issues and concerns ranging from simple "how-to" questions to complex functional inquiries.

TELEPHONE OR E-MAIL SUPPORT

The ES&S Help Desk operates out of our corporate headquarters in Omaha, Nebraska. The Help Desk operates from 8 a.m. to 5 p.m. Central time, Monday through Friday.

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During peak election periods, ES&S makes every effort to respond within a time frame intended to minimize the impact of the issue on the preparation for, or conduct of, the election. ES&S technicians at the Help Desk in Omaha will work with local representatives and the State to resolve the issue within a four-hour time frame from notification. During non-election off-peak periods, ES&S personnel will respond within 48 hours of receiving notice from the State.

REMOTE TECHNICAL SUPPORT

ES&S employs a diverse team of account managers, software/network specialists, and service technicians who support service requirements through the channels listed at right.

TOLL-FREE SUPPORT

Customer support is available by telephone, fax, or e-mail to our Omaha Help Desk. 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 representatives monitor this dedicated line from 8 a.m. to 5 p.m. (Central), Monday through Friday.

E-MAIL SUPPORT

Customers can communicate directly with specialized ES&S support and technical representatives by using the addresses included in the e-mail macro in **Figure 1.**
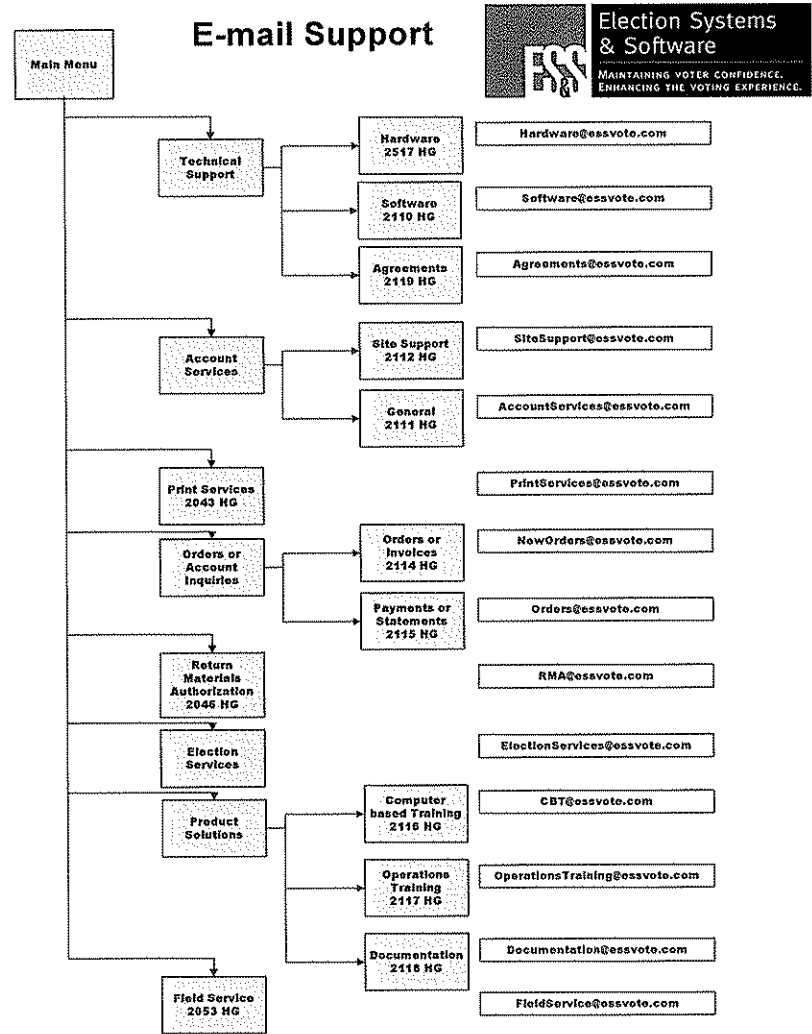
FAX SUPPORT

Facsimile support is available at our corporate headquarters at (402) 593-8107. Customer requests or inquiries arriving at this number are distributed to the appropriate office within ES&S for immediate response.

Figure 1 ES&S e-mail support

ONLINE SUPPORT

ES&S' robust, Web-based communications portal provides customer access to the latest information regarding voting system hardware and software. We utilize this tool to share technical bulletins, best practices and upgrade documentation as appropriate. ES&S introduced the Customer Portal to our entire customer base in 2007.

ES&S looks forward to a smooth implementation and ongoing election support with the State of West Virginia.

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Section V –
Cost

As designated on the Attachment.

ES&S RESPONSE

ES&S' Cost Proposal is Confidential and was separately sealed from the Technical Proposal in accordance with your RFP instructions.

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State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25305-0130

Request for Quotation

RFQ NUMBER	PAGE
SOS09E01	2

ADDRESS CORRESPONDENCE TO ATTENTION OF:

RON PRICE
304-558-0492

RFQ COPY
TYPE NAME/ADDRESS HERE

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

SECRETARY OF STATE

BUILDING 1, ROOM 157K
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV
25305-0770   558-6000

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
12/28/2009				

| BID OPENING DATE: | 01/23/2010 | | | BID OPENING TIME | 01:30PM |

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT

THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF
THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:

SEALED BID

BUYER: RP-41

RFQ. NO.: SOS09E01

BID OPENING DATE: 01/23/2010

BID OPENING TIME: 1:30PM

PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY
TO CONTACT YOU REGARDING YOUR BID:

_____

CONTACT PERSON (PLEASE PRINT CLEARLY):

_____

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE 800-247-8683	DATE 1/20/10
TITLE Senior Vice-President for Customer Relations	FEIN 47-0617567	ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

RFQ No. **SOS09E01**

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

West Virginia Code §5A-3-10a states: No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owed is an amount greater than one thousand dollars in the aggregate.

DEFINITIONS:
"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceed five percent of the total contract amount.

EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

Under penalty of law for false swearing (*West Virginia Code* §61-5-3), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

WITNESS THE FOLLOWING SIGNATURE

Vendor's Name: **Election Systems & Software, Inc.**

Authorized Signature: _(signature)_ Date: **1/18/2010**

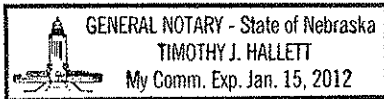State of **Nebraska**

County of **Douglas** , to-wit:

Taken, subscribed, and sworn to before me this _18_ day of **January** , 20_10_ .

My Commission expires _Jan. 15, 2012_ , 20___ .

AFFIX SEAL HERE   NOTARY PUBLIC _(signature)_

> GENERAL NOTARY - State of Nebraska
> TIMOTHY J. HALLETT
> My Comm. Exp. Jan. 15, 2012

Purchasing Affidavit (Revised 12/15/09)

Bond # 0495611

LITIGATION BOND

KNOW ALL BY THESE PRESENTS: That we, <u>ELECTION SYSTEMS & SOFTWARE</u>, as Principal (hereinafter referred to as "Principal") and the <u>INTERNATIONAL FIDELITY INSURANCE COMPANY</u>, as Surety (hereinafter referred to as "Surety") are holden and firmly bound jointly and severally unto State of <u>   STATE OF WEST VIRGINIA PURCHASING DIVISION, DEPARTMENT OF ADMINISTRATION</u>, as Obligee (hereinafter referred to as "Obligee") in the sum of <u>Ten Thousand and 00/100</u> Dollars ($<u>10,000.00</u>) to which payment well and truly to be made, we hereby bind ourselves, our successors, and assigns, firmly by these presents.

WHEREAS, <u>STATE OF WEST VIRGINIA PURCHASING DIVISION, DEPARTMENT OF ADMINISTRATION</u>, issued Request for Proposal (hereinafter referred to as "RFP") dated <u>   </u> and in response to the RFP the Principal has submitted a proposal to the <u>STATE OF WEST VIRGINIA PURCHASING DIVISION, DEPARTMENT OF ADMINISTRATION</u> for <u>Provide a Electronic Poll Book Application.</u>

WHEREAS, the RFP requires the Principal to submit with its proposal a litigation bond in the amount of <u>Ten Thousand and 00/100</u> Dollars ($<u>10,000.00</u>)   .

NOW, THEREFORE, the condition of this obligation is such that in the event that (i) the Principal files suit against the Obligee, any employee of the Obligee, it's officers or agents thereof, with regard to any matter relating to the award of a contract pursuant to the above referenced RFP, and (ii) the grounds are found to be unwarranted or frivolous based on the facts of the award or applicable law as determined by the court, then the Obligee shall have reason to file claim against this bond to recover damages, including (but not limited to) reasonable attorneys' fees, loss of revenue, loss of grants or portions thereof, expenses and court costs, resulting from such litigation brought by the Principal.

This obligation shall remain in full force and effect for two (2) years from the proposal submission date; however, the Principal may request, and the Obligee may grant a release of the bond after six (6) months from the proposal submission date in return for a release and covenant not to sue in a form acceptable to the Obligee, signed by the Principal, notarized, and accepted by the Obligee. The successful vendor may request such release, and release may be granted, at the time of contract executions.

IN WITNESS WHEREOF, the above parties have executed this instrument under their several seals this 11th day of <u>January, 2010</u>.

WITNESS:

ELECTION SYSTEMS & SOFTWARE

BY:

WITNESS:

INTERNATIONAL FIDELITY INSURANCE COMPANY

Karen Daniel

Linda Iser, Attorney-in-fact

ACKNOWLEDGEMENT BY SURETY

STATE OF ILLINOIS
COUNTY OF COOK

On this 11th day of January, 2010, before me, Kimberly Bragg, a Notary Public, within and for said County and State, personally appeared Linda Iser to me personally known to be the Attorney-in-Fact of and for International Fidelity Insurance Company and acknowledged that she executed the said instrument as the free act and deed of said Company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and year in this certificate first above written.

Notary Public in the State of Illinois
County of Cook

OFFICIAL SEAL
KIMBERLY BRAGG
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES 08/31/2013

Tel (973) 624-7200
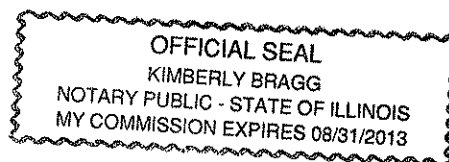
POWER OF ATTORNEY
INTERNATIONAL FIDELITY INSURANCE COMPANY

HOME OFFICE: ONE NEWARK CENTER, 20TH FLOOR
NEWARK, NEW JERSEY 07102-5207

KNOW ALL MEN BY THESE PRESENTS: That **INTERNATIONAL FIDELITY INSURANCE COMPANY**, a corporation organized and existing laws of the State of New Jersey, and having its principal office in the City of Newark, New Jersey, does hereby constitute and appoint

KAREN DANIEL, ROBERT E. DUNCAN, SUSAN J. PREIKSA, JAMES A. CUTHBERTSON, SANDRA MARTINEZ, KATHLEEN J. MAILES, SUSAN A. WELSH, LINDA ISER

Chicago, IL.

its true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, stature, rule, regulation, contract or otherwise, and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said **INTERNATIONAL FIDELITY INSURANCE COMPANY**, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal office.

This Power of Attorney is executed, and may be revoked, pursuant to and by authority of Article 3-Section 3, of the By-Laws adopted by the Board of Directors of **INTERNATIONAL FIDELITY INSURANCE COMPANY** at a meeting called and held on the 7th day of February, 1974.

The President or any Vice President, Executive Vice President, Secretary or Assistant Secretary, shall have power and authority

(1) To appoint Attorneys-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and,

(2) To remove, at any time, any such attorney-in-fact and revoke the authority given.

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of said Company adopted at a meeting duly called and held on the 29th day of April, 1982 of which the following is a true excerpt:

Now therefore the signatures of such officers and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.
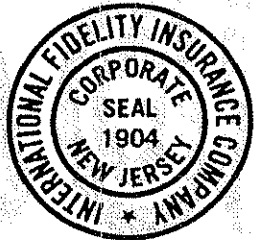
IN TESTIMONY WHEREOF, **INTERNATIONAL FIDELITY INSURANCE COMPANY** has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 16th day of October, A.D. 2007.

INTERNATIONAL FIDELITY INSURANCE COMPANY

STATE OF NEW JERSEY
County of Essex

Secretary

On this 16th day of October 2007, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said the he is the therein described and authorized officer of the **INTERNATIONAL FIDELITY INSURANCE COMPANY**; that the seal affixed to said instrument is the Corporate Seal of said Company; that the said Corporate Seal and his signature were duly affixed by order of the Board of Directors of said Company.
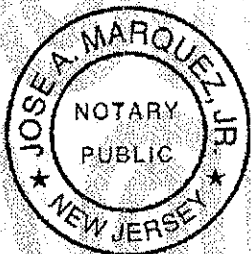
IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.

A NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Nov. 21, 2010

CERTIFICATION

I, the undersigned officer of **INTERNATIONAL FIDELITY INSURANCE COMPANY** do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Section of the By-Laws of said Company as set forth in said Power of Attorney, with the ORIGINALS ON IN THE HOME OFFICE OF SAID COMPANY, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect

IN TESTIMONY WHEREOF, I have hereunto set my hand this 11th day of January 2010

Assistant Secretary

Appendix D

ES&S Legal Responses

General Terms & Conditions

4.   All services performed or goods delivered under State Purchase Orders/Contracts are to be continued for the term of the Purchase Order/ Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/ Contract become void and of no effect after June 30.

ES&S RESPONSE

ES&S acknowledges the provisions of this Section 4. In the event of a nonappropriation of funds by the State Legislature, we hope that we could agree that ES&S would be reimbursed for the reasonable value of any nonrecurring costs incurred, but not amortized, in the price of any equipment or software delivered to the State, as well as reasonable exit costs incurred.

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8.   The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.

ES&S RESPONSE

It is ES&S' position that neither party to a contract have the ability to terminate a purchase order/contract without cause, or without proper notice and cure periods. Therefore, ES&S' Standard Agreement, which is attached hereto, provides for termination upon any material breach of the purchase order/contract which is not cured within thirty (30) days after the breaching party receives notice thereof, or by either party in the event that funds are not appropriated or otherwise made available to support the continuation of performance by the State or County.

Part 1 General Information, Terms and Conditions

1.8.2   Contract Terms and Conditions: This Request for Proposals contains all the contractual terms and conditions under which the State of West Virginia will enter into a contract.

ES&S RESPONSE

As an overall comment, ES&S respectfully requests that the State consider using ES&S' standard Electronic Pollbook System and Services Agreement, a copy of which is attached hereto ("ES&S' Standard Agreement"). It has been designed specifically for the provision of election products and services to a customer and ES&S believes that it provides more clarity and certainty to the State by

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State of West Virginia
EZ Roster Implementation Project Plan

ID	Task Name	Duration	Date marker
1	Departmental Processing - Finance and Legal	23 days	
2	Client's Quote Processed and Contract is Created	3 days	3/8
3	Purchase Agreement sent to Legal for Review	3 days	3/10
4	Purchase Agreement is sent to Client for Execution	2 days	3/15
5	Receive Fully Executed Agreement from Client (scanned and placed in internal network)	10 days	3/17
6	Contract Check Processing Form Completed - Verification that all Fields Completed Accurately by Client	2 days	3/30
7	Contract Summary email Sent to Department Directors for Review and Assignment of Resources	2 days	3/30
8	Pricing Analyst Assigns SO# and Places Contractual Information into Enterprise Software Application	2 days	3/31
9	Order Entry Places Hardware/Software Warranty Terms into Enterprise Software Application	1 day	4/2
10	Pricing Analyst Creates Order-Edit List with Contractual Numbers	1 day	4/2
11	Departmental Processing - Client Relations	10 days	
12	Project Created in Project Management Tracking Application	1 day	3/31
13	Assignment of Project Manager	1 day	4/1
14	Resource Allocation	3 days	4/2
15	Project Plan is Created	2 days	4/7
16	Resources Assigned	3 days	4/9
17	Departmental Processing - Manufacturing	21 days	
18	Client's Order is Received from Legal	1 day	3/30
19	Equipment is Collected from Inventory (if using ES&S hardware solution)	4 days	3/30
20	Preparing Applications for Specific Configuration Firmware and Software Versions	4 days	4/5
21	Hard drive imaging for Applicable Software Versions	4 days	4/9
22	Quality Control Process	4 days	4/14
23	Shipment of Hardware, Software and All Peripherals to County / Jurisdiction	4 days	4/20
24	Departmental Processing - Training	38 days	
25	Schedule Training Dates with Customer	5 days	3/17
26	Perform Training (Regional In-Person)	10 days	4/14
27	Train-the-Trainer (Client to PollWorkers)	5 days	4/27
28	Data Conversion - Casto & Harris and SVRS Technical Support	8 days	

Project: Project Plan - Client Relations
Date: Mon 1/18/10

Task | Milestone | Rolled Up Task | Rolled Up Progress | External Tasks | Group By Summary
Progress | Summary | Rolled Up Progress | Split | Project Summary | Deadline
Rolled Up Milestone

Page 1

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ID	Task Name	Duration
29	Send Pre-Election Questionnaire to Client	6 days
30	Client Completes Pre-Election Questionnaire	6 days
31	Enter all data into VR system including new voters – absentee info – eligible vs. ineligible	2 days
32	Obtain sample data files from customer's VR system	1 day
33	Review Client's completed Pre-Election Questionnaire and validate options	2 days
34	Perform data conversion – unit testing and Quality Assurance validation.	3 days
35	Deliver sample installation packages of data via FTP site for on-site testing of data by Client.	1 day
36	Obtain final data files from customer's VR system	1 day
37	Complete configuration changes requested during user acceptance.	1 day
38	Perform data conversion – unit testing and QA validation.	2 days
39	Deliver final installation package(s).	1 day
40	Software Install, Acceptance Testing and Data Validation Tests	24.5 days
41	Software QC Testing at the County Site	2 days
42	Perform installation of package(s).	0.5 days
43	Perform user acceptance testing and report feedback.	2 days
44	Move pollbooks to polling location(s)	1 day
45	Run power supplies – cables – etc...	1 day
46	Validate connectivity (hardware and software)	1 day
47	Election Support	3.88 days
48	Retest if Necessary	1 day
49	File Transfer from Pollbooks to Aggregation Server	1.13 days
50	Import Voter Credit History into VR Application	1.13 days
51	Verify Accuracy of Credit History	0.5 days
52	Post-Election Follow Up	1.5 days
53	Discuss Issues (if any) with Client	0.5 days
54	Complete Follow-Up Documentation (created by Project Manager)	0.5 days
55	Distribute Follow-Up Documentation to all Stakeholders	0.5 days

Project: Project Plan - Client Relations	Task	Milestone ◆
Date: Mon 1/18/10	Progress	Summary
	Rolled Up Task	Rolled Up Progress
	Rolled Up Milestone ◇	Split
	External Tasks	Group By Summary
	Project Summary	Deadline

specifically setting forth the rights and obligations of each party. The content of this RFP and all provisions of the successful proposal deemed pertinent by the parties may be easily incorporated into ES&S' Standard Agreement.

1.15   Public Record:

1.15.1 Submissions are Public Record.

All documents submitted to the State Purchasing Division related to purchase orders or contracts are considered public records. All bids, proposals or offers submitted by bidders shall become public information and are available for inspection during normal official business hours in the Purchasing Division Records and Distribution center after the bid opening.

1.15.2 Written Release of Information.

All public information may be released with or without a Freedom of Information request, however, only a written request will be acted upon with duplications fees paid in advance.

Duplication fees shall apply to all requests for copies of any document. Currently the fees are $0.50/page, or a minimum of $10.00 per request which ever is greater.

1.15.3 Risk of Disclosure.

The only exemptions to disclosure of information are listed in West Virginia Code §29B-14. Primarily, only trade secrets, as submitted by a bidder, are exempt to public disclosure. The submission of any information to the State by a vendor puts the risk of disclosure on the vendor. The State does not guarantee non-disclosure of any information to the public.

ES&S RESPONSE

ES&S understands and acknowledges that certain of its information provided in its proposal may be subject to required disclosure under the State's public records laws or other applicable statutes. ES&S has identified and appropriately marked relevant portions of its proposal which it considers confidential and proprietary. We request confidential treatment by the State of such information and would expect that such information is exempt from required disclosure under the State's public records laws or other applicable statutes. In the event that a third party requests disclosure of information which ES&S considers confidential and proprietary, we would ask that the State notify ES&S of such requested disclosure in order to provide us with an opportunity to seek exemption from disclosure under the State's public records laws or other applicable statutes.

1.18   General Terms and Conditions: By signing and submitting its proposal, the successful Vendor agrees to be bound by all the terms contained in this RFP

ES&S RESPONSE

ES&S has included limited suggestions for alternative language in response to certain terms and conditions or otherwise requested the opportunity to further discuss and agree upon certain items in the event it is the successful responder, subject to those responses and the opportunity to discuss and

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agree to such items, ES&S agrees to be bound by all terms contained in the RFP. ES&S fully understands that the State is under no obligation to accept any wording changes which we may have submitted in our proposal and we have made every effort to fully comply with all requirements of the RFP and be responsive.

1.18.4 ...The Vendor shall not assign, convey, transfer or delegate any of its responsibilities and obligations under this contract to any person, corporation, partnership, association or entity without expressed written consent of the Agency.

ES&S RESPONSE

ES&S' Standard Agreement provides that ES&S may assign the Agreement in the case of a merger, sale, transfer or other assignment of all or substantially all of its assets to a successor who has asserted its intent to continue ES&S' business. In no other event, however, may ES&S assign, subcontract or delegate any of our duties without the prior written consent of the State, which will not be unreasonably withheld or conditioned, nor unduly delayed.

1.18.5 Indemnification:

The Vendor agrees to indemnify, defend and hold harmless the State and the Agency, their officers, and employees from and against: (1) Any claims or losses for services rendered by any subcontractor, person or firm performing or supplying services, materials or supplies in connection with the performance of the contract; (2) Any claims or losses resulting to any person or entity injured or damaged by the Vendor, its officers, employees, or subcontractors by the publication, translation, reproduction, delivery, performance, use or disposition of any data used under the contract in a manner not authorized by the contract, or by Federal or State statutes or regulations; and (3) Any failure of the Vendor, its officers, employees or subcontractors to observe State and Federal laws, including but not limited to labor and wage laws.

ES&S RESPONSE

ES&S generally agrees to the indemnification requirements of this Section 1.18.5, 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, subject to the State's rights to participation and approval. The State shall remain responsible for any losses or damages caused by the negligent or willful acts, errors or omissions of itself, its agents, employees, officers, directors, subcontractors or other persons under its control. ES&S' total liability under any resultant contract with the State shall be limited to the total amount to be paid by the State to ES&S under the contract. Neither party shall likewise be liable to the other for any indirect, incidental, punitive, special, exemplary or consequential damages arising out of or relating to the contract.

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1.18.6 Contract Provisions:

After the successful Vendor is selected, a formal contract document will be executed between the State and the Vendor. In addition, the RFP and the Vendor's response will be included as part of the contract by reference. The order of precedence is the contract, the RFP and the Vendor's proposal in response to the REP.

ES&S RESPONSE

As stated above, ES&S respectfully requests that the State consider using ES&S' standard Electronic Pollbook System and Services Agreement, a copy of which is attached hereto ("ES&S' Standard Agreement"). It has been designed specifically for the provision of election products and services to a customer and ES&S believes that it provides more clarity and certainty to the State by specifically setting forth the rights and obligations of each party. The content of this RFP and all provisions of the successful proposal deemed pertinent by the parties may be easily incorporated into ES&S' Standard Agreement.

1.18.8 Compliance with Laws and Regulations:

The vendor shall procure all necessary permits and licenses to comply with all applicable laws, Federal, State or municipal, along with all regulations, and ordinances of any regulating body.

The Vendor shall pay any applicable sales, use or personal property taxes arising out of this contract and the transactions contemplated thereby. Any other taxes levied upon this contract, the transaction, or the equipment, or services delivered pursuant here to shall be borne by the contractor. It is clearly understood that the State of West Virginia is exempt from any taxes regarding performance of the scope of work of this contract.

ES&S RESPONSE

ES&S acknowledges and agrees to the requirements of Section 1.18.8, subject to the following. ES&S will represent and warrant to the State that, at the time of delivery, the proprietary ES&S equipment and software sold and/or licensed pursuant to the terms of a mutually agreed upon contract with the State will comply with all applicable requirements of state election laws and regulations that are mandatory and effective as of the effective date of any resulting contract between ES&S and the State. ES&S will further warrant that during the agreed upon warranty period and thereafter so long as the State is currently subscribing and has paid for post-warranty maintenance and support services, the proprietary ES&S equipment and proprietary ES&S licensed software will be maintained or upgraded by ES&S in such a way as to remain compliant with all applicable state election laws and regulations. For purposes of this warranty, "Maintained or upgraded" shall mean only such changes to individual items of the ES&S licensed software (but not the ES&S equipment) as are technologically feasible and commercially reasonable in ES&S' discretion. The State shall be responsible for the cost of any replacements, retrofits or modifications to the ES&S equipment contracted for under any resulting contract that may be developed and offered by ES&S in order for such ES&S equipment to remain compliant with applicable laws and regulations. The State shall also be solely responsible for the cost of any third party items that are required in order for the ES&S equipment and/or ES&S licensed software to remain compliant with applicable laws and regulations.

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In addition, in the event that any future state certifications or recertifications are required for the Electronic Pollbook that are not otherwise required as a result of any changes or modifications voluntarily made by ES&S to the ES&S licensed software and/or the ES&S equipment licensed and sold under any resulting contract between ES&S and the State, the State shall be responsible for: (i) the total cost of any third party items that are required in order for the ES&S equipment and/or ES&S licensed software to remain certified for use in the State of West Virginia and (ii) all future state certification or recertification costs; and (iii) the costs of designing, developing, manufacturing and/or certification by applicable federal and state authorities of any mandated modifications to the Equipment and/or Licensed Software that may result from such future state certifications or recertifications.

1.18.11 Non-Appropriation of Funds:

if the Agency is not allotted funds in any succeeding fiscal year for the continued use of the service covered by this contract by the West Virginia Legislature, the Agency may terminate the contract at the end of the affected current fiscal period without further charge or penalty. The Agency shall give the vendor written notice of such non-allocation of funds as soon as possible after the Agency receives notice. No penalty shall accrue to the Agency in the event this provision is exercised.

ES&S RESPONSE

ES&S acknowledges the provisions of this Section 1.18.11. In the event of a nonappropriation of funds, we hope that we could agree that ES&S would be reimbursed for the reasonable value of any nonrecurring costs incurred, but not amortized, in the price of any equipment or software delivered to the State, as well as reasonable exit costs incurred.

1.18.12 Contract Termination:

The State may terminate any contract resulting from this RFP immediately at any time the Vendor fails to carry out its responsibilities or to make substantial progress under the terms of this RFP and resulting contract. The State shall provide the Vendor with advance notice of performance conditions which are endangering the contract's continuation. If after such notice the Vendor fails to remedy the conditions contained in the notice, within the time period contained in the notice, the State shall issue the Vendor an order to cease and desist any and all work immediately. The State shall be obligated only for services rendered and accepted prior to the date of the notice of termination.

The contract may also be terminated by the State with thirty (30) days prior notice.

ES&S RESPONSE

It is ES&S' position that neither party to a contract have the ability to terminate a contract without cause, or without proper notice and cure periods. Therefore, ES&S' Standard Agreement, which is attached hereto, provides for termination upon any material breach of the contract which is not cured within thirty (30) days after the breaching party receives notice thereof, or by either party in the event that funds are not appropriated or otherwise made available to support the continuation of performance by the State.

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1.18.14 Liquidated Damages: (Agency Option if appropriate)

According to West Virginia State Code §5A-3-4(8), Vendor agrees that liquidated damages shall be imposed at the rate of $ 500 (per day, per week, per unit, or some other agreed measure) for failure to provide (deliverables, meet miles stones identified to keep the project on target, or failure to meet specified deadlines) This clause shall in no way be considered exclusive and shall not limit the State or Agency's right to pursue to any other additional remedy to which the State or Agency may have legal cause for action including further damages against the Vendor.

ES&S RESPONSE

ES&S recognizes that time is of the essence when providing and maintaining an Electronic Pollbook system, and is committed to performing our obligations in accordance with the timetable agreed upon by the parties. However, it is possible that events beyond ES&S' control could cause delays and other problems in performance. As a general policy, ES&S does not agree to liquidated damages provisions because liquidated damages often are not a true measure of the damage incurred. ES&S is willing, however, to work with the State to develop remedies that meet the State's needs. In addition, ES&S agrees to work with the State to develop mutually agreeable alternatives in order to minimize the negative impact of any delay or other problem outside of ES&S' control.

1.18.15 Record Retention: Vendor shall have access to private and confidential data maintained by Agency to the extent required for Vendor to carry out the duties and responsibilities defined in this contract. Vendor agrees to maintain confidentiality and security of the data made available and shall indemnify and hold harmless the State and Agency against any and all claims brought by any party attributed to actions of breach of confidentiality by the Vendor, subcontractor, or individuals permitted access by Vendor.

ES&S RESPONSE

ES&S agrees with the State's concerns regarding confidentiality and privacy. Therefore, ES&S proposes that the requirements outlined in this Section 1.18.15 and our response thereto apply to both ES&S and the State. For example, the State's and ES&S' financial information shall be considered the Confidential Information of each party. Subject to any required disclosure under applicable public records laws, any Confidential Information of one party that is provided to the other can be used only to perform the receiving party's obligations or exercise its rights under the Agreement.

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State of Maryland automates and streamlines voter validation with Premier's ExpressPoll™-5000 electronic poll book

Client
The State of Maryland

Project Overview
In past elections, paper-based poll books were used by poll workers to manually look up and process voters. In the summer of 2006, the state of Maryland purchased Premier ExpressPoll-5000 electronic poll books in an effort to modernize the election process, decrease voter validation time and reduce printing costs.
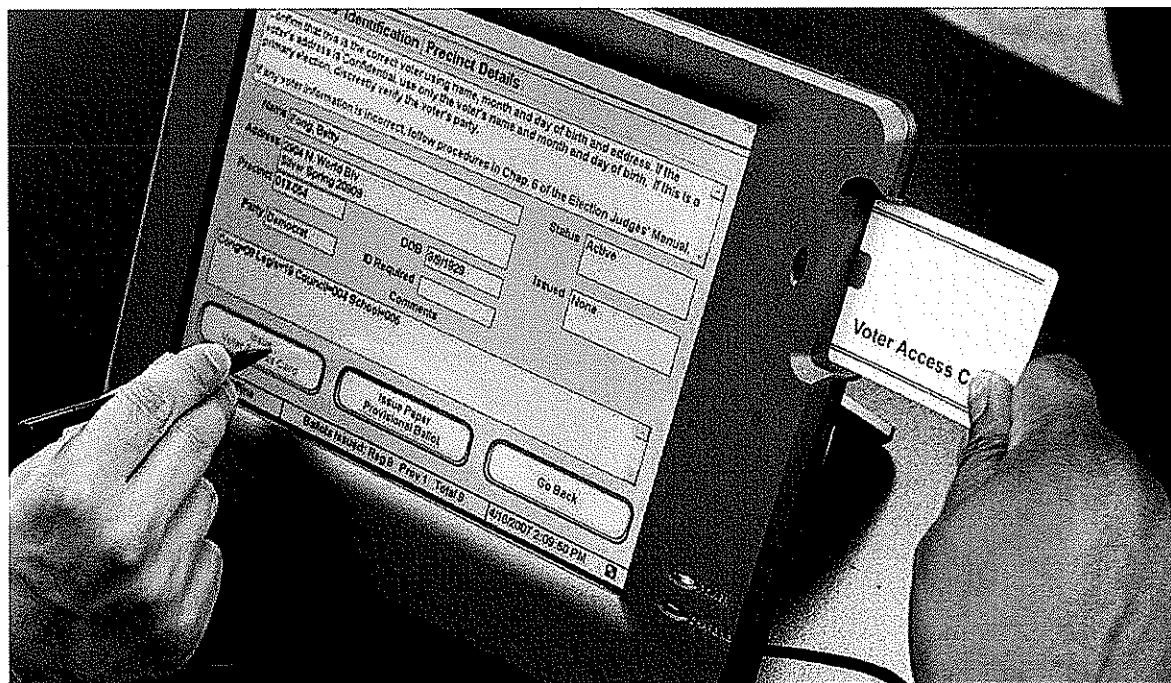
The State of Maryland enjoyed a highly successful General Election using Premier's ExpressPoll-5000 electronic poll-book on Nov 7, 2006, when more than 1.6 million voters were checked in using the new devices. The ExpressPoll-5000 was very well accepted by election judges and voters. Jurisdictions invested slightly more effort in pre-election preparation than they formally did with the paper precinct registers, but Maryland jurisdictions reaped significant benefits on and after Election Day.

The Old (Slow) Voter Check-in Process

In past elections prior to the use of the ExpressPoll-5000, book judges (poll workers in Maryland are known as "election judges") used paper-based poll books to manually look up and check off a

PREMIER™
ELECTION SOLUTIONS

ExpressPoll-5000 Electronic Poll Book in the State of Maryland

voter's name in an alphabetized list. Next, a second book judge would sort through hundreds of pre-printed Voter Authority Cards to find the correct one, and have the voter sign it. Finally, an encoder judge, using a hand-held encoder, would manually program the voter's AccuVote-TS touch screen voting station Voter Access Card with the correct ballot style information. The voter then took

The New (Faster) Voter Validation Process

In the summer of 2006 Maryland purchased a total of 5,500 Premier ExpressPoll-5000 electronic pollbooks. The units were distributed to the 24 elections jurisdictions in Maryland based on a ratio of roughly one ExpressPoll per 1,000 registered voters. On election day, 4,224 ExpressPolls were deployed

registration database. Using Premier's EPIC software, the voter data was processed against election management data to assign the correct ballot style for each voter, then converted to a portable database and copied onto individual 2-Gigabyte Compact Flash cards, one per pollbook. This entire process was completed in less than 8 hours. This allowed the individual counties plenty of time to perform Logic and Accuracy tests, test voter cards with the touch-screen voting machines, and pre-assign each pollbook to the correct polling place prior to election day.

On Election Day, the user-friendly ExpressPoll enabled each election check-in judge to:

- Look up any voter in the entire State based on the voter's name, with additional search capability based on address or birth date;

- Create a Voter Access Card, with the correct ballot style and security key for the touch-screen voting machine, for voters using a touch-screen ballot (98% of voters);

- Record the provisional ballot Reason Code for voters requiring a provisional ballot;

- Automatically print the Voter Authority Card to be signed by the voter; and

- Automatically record that the voter has been issued a ballot.
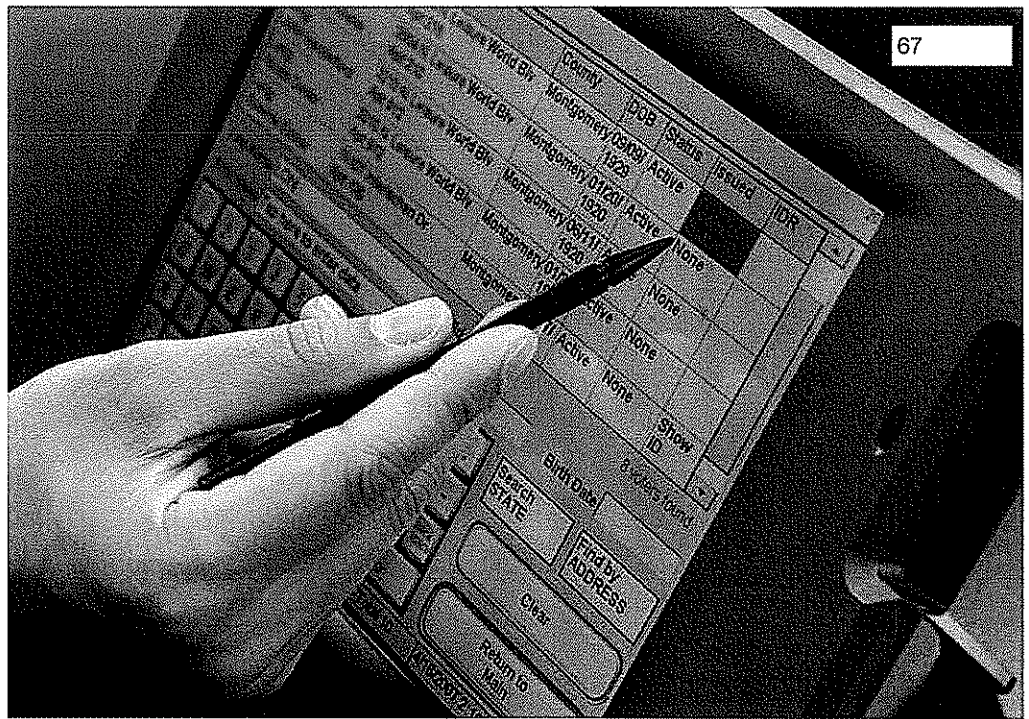
The Benefits

The ExpressPoll yielded immediate tangible benefits for both poll-workers and voters:

- Eliminated the need to line up voters alphabetically by last name. No more voters

ExpressPoll's automated approach to voter verification resulted in faster voter turnaround when compared to the old, manual process.

the card to one of the AccuVote-TS voting stations to make their selections and cast their ballot. The escalating printing and labor costs associated with the creation of the paper poll books for each election, along with the scheduling issues often associated with the tight time frame for printing of the paper pollbooks made electronic poll books a very attractive alternative for State and local election officials.

across the 1,776 polling places. Two thirds of the polling places used two ExpressPolls each, with the balance using three or more. The most ExpressPolls used in any single polling place was eight, in a precinct with more than 7,000 registered voters. Each pollbook was equipped with a separate thermal printer to print the Voter Authority Cards.

Ten days prior to Election Day, voter data was extracted from Maryland's statewide voter

waiting behind 10 people in the "A - K" line when the "L - Z" line is empty.

▣ Faster check-in with fewer judges. The peak hour (7AM) statewide average check-in processing time (logged interval between voters) was 69 seconds, with a number of check-in judges achieving average times of less than 40 seconds per voter. This compares with average check-in times of over 2 minutes using the previous manual check-in system.

▣ ExpressPoll units were networked within the precinct so each unit was immediately updated with current voter status. The units can also be networked over a wide area network so all ExpressPoll units within networked precincts can be continuously updated. In the future, this will be especially beneficial for early voting centers.

▣ For voters not at their correct poll, check-in judges were able, literally with the touch of a button, to expand the search to all 3.4 million registered voters in the pollbook's statewide database, and could print out a slip with the location of the voter's correct polling place.

▣ Election officials stated the number of telephone calls from precinct locations directed to election central offices across the state decreased dramatically, primarily due to the ability to search the statewide database for specific voter information.

▣ ExpressPoll's ability to print the Voter Authority Cards on an on-demand basis saved the local jurisdictions substantial printing and coordination costs.

A statistical analysis of the Maryland voter database indicated that just five key-strokes on the pollbook will rapidly retrieve the specific voter's name 99.99 percent of the time. The five key-strokes include the first three letters of the voter's last name, the first letter of their first name, and their middle initial. The addition of the day and month of the voter's birth retrieved the voter's name in a statewide search 100 percent of the time.

On election night, the ExpressPoll units were returned to each local board's central warehouse. The compact flash cards containing the log files of voter check-ins were removed and copied to local file servers, then
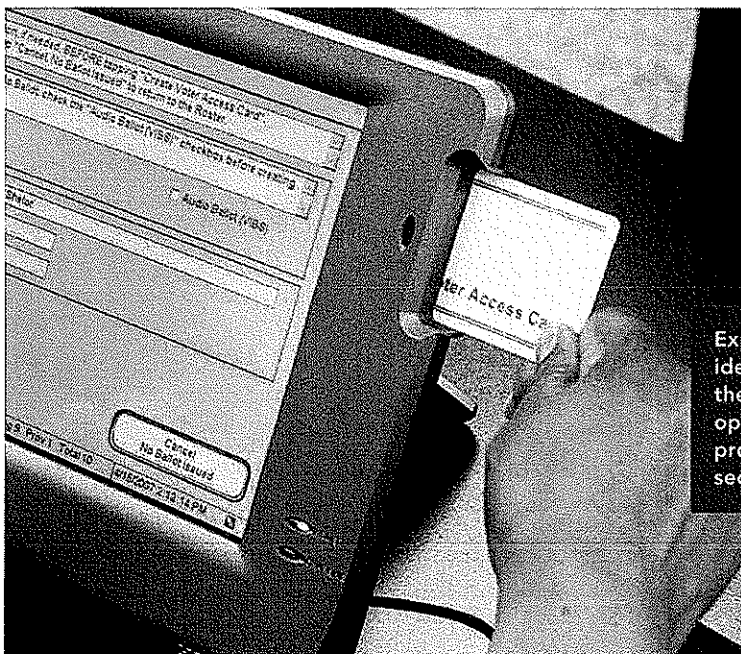
ExpressPoll verifies the voter's identity in real-time and prepares their Voter Access Card in one smooth operation, including encoding the proper ballot style as well as the security key for the voting machine.

ExpressPoll-5000 Electronic Poll Book in the State of Maryland

transferred via the secure state network to the state board. Again, using Premier's EPIC software, voter history was extracted from the log file data in a matter of minutes and exported to the voter registration system for automatic voter history update. This was a dramatic improvement over the previous system, which involved manually scanning each voter's name from the precinct register using a barcode scanner, a process that sometimes took more than a week to complete. Having voting history so quickly available was a big help to the counties

conducting their absentee and provisional ballot canvasses, which in Maryland begin only two days after the election.

Post-election, the data from the pollbook log files provide a rich data mine of information. In addition to specific metrics on the performance of each unit, the ExpressPoll log records events (polls opened and closed, check-in judge log on and log off) that provide an Election-Day picture of each polling place. And for the first time ever, Maryland can produce Voter Turnout Profiles for every polling place in the state, as ExpressPoll

accumulates voter volume statistics that can be used to graph overall voter activity.

The Costs

There were, of course, some costs associated with implementing the new system. The largest by far was the purchase price of the ExpressPolls themselves. It was necessary to revise judge's manuals and other state documentation to include procedures related to the new equipment. Finally, the state augmented normal pre-election training to provide technical training on the electronic pollbooks for local board IT staff, and hands-on training in using the electronic pollbooks for more than 5,000 election judges.

The Bottom Line

The extra effort and expense of the ExpressPoll implementation was worth every penny, as significant printing costs and time savings were experienced by state jurisdictions. The system performed extremely well during the general election, and it was apparent that election officials throughout the state prefer using the electronic poll book in place of the paper poll books.
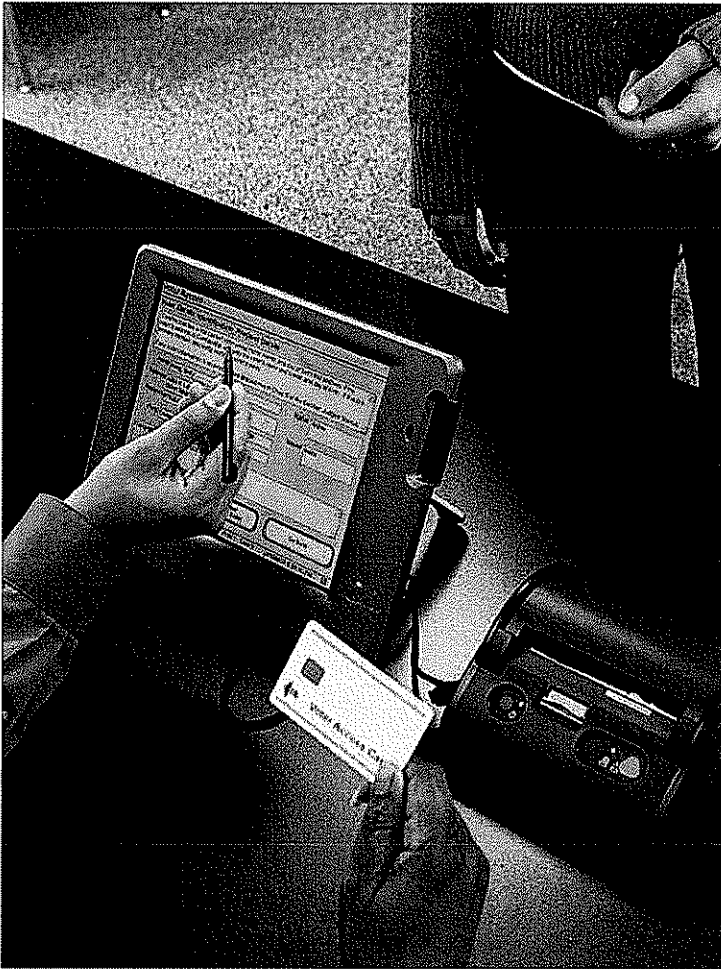
Department of Community Services
Voter Registration and Elections Division

455 Grayson Highway, Suite 200 • Lawrenceville, GA 30045
(mailing) 75 Langley Drive • Lawrenceville, GA 30045
(main) 678.226.7210 • (fax) 678.226.7208

November 18, 2009

Mark Radke
Election Systems & Software, Inc,
3570 Forest Lake Drive
Uniontown, Ohio 44685

Dear Mark:

I wanted to express to you how pleased we are with the use of Express Poll units at our polling locations in 2008 and for 2010 our satellite voting locations.

The number of registered voters in Gwinnett County grew from 315,626 in November 2006 to 383,445 in the 2008 General Election, giving us 21% more voters to manage in a two year period. We increased the number of precincts to 163 (from 158). The turnout of the 2008 election cycle was unprecedented and the ExpressPoll was instrumental in our ability to handle it all.

Gwinnett County first implemented ExpressPolls into its Election process in 2006. Our initial purchase was for 313 units; we now have 355 ExpressPoll 4000 units and 160 ExpressPoll 5000 units. Our original use was as electronic Pollbooks inside the precinct, but we now also use the portable EP5000s as a way to manage long lines. For example, electors are appreciative if you check their status as they wait in line; instead of waiting a while in line to vote, only to find out they are not eligible to vote when they finally arrive at the Voter Certificate and ID Station (perhaps they are at the wrong precinct or had not changed their voter registration to the correct county); we can inform them as soon as they arrive at the precinct using the hand-held ExpressPoll 5000. If it is a situation we can work out at that location, we do. If they need to go to another location, they have a more timely departure.

Relying on an electronic Pollbook has increased our confidence in the data presented to our Poll Officials (so they can provide the best customer service to our electors) and made data capture easier (via the Flashcards; the Numbered List is available to us legibly as soon as the Polls are closed!). Because of the search technique used by the ExpressPoll units, the user can type the first 3 characters of the last name and find the voter. Names that would appear to be similar on paper would be more easily distinguished using the ExpressPoll (aided by the format on the screen that shows the address and date of birth).

Creating a State-wide Pollbook for each precinct is convenient, conserves paper resources and is less bulky than what we previously provided on paper. We duplicate and update the flashcards to reflect the most current voter activity the Saturday before the election; this process takes a few hours and no paper documents for the precinct is required. Poll Officials can search by Precinct, County or State; that gives them access to information that can assist voters instantly instead of calling into our office (increasing the elector's wait time for a resolution to a query issue).

Along with on-line training for our Poll officials, we provide "hands-on" classes for operating the ExpressPoll at our warehouse location. The intended audience is at least 2 people per precinct; Poll Managers and up to 2 people from their Election Day staff. The classes are optional (unless the Poll Manager or the person assigned to the station is new) and scheduled for an hour in duration. This course was designed by our staff and we receive great feedback from attendees. They have more confidence and we have fewer questions on Election Day.

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The ExpressPolls have operated very reliably during the years we have used them, and even though the units are transported and activity handled by our poll workers, the design and portability of the ExpressPoll units insures that they are fully operational for each election. The ExpressPoll product has served the county well, and the support of the product has matched it performance.

Sincerely,

Lynn Ledford, Voter Registration and Elections Director
Gwinnett County
Board of Voter Registration and Elections

RICHLAND COUNTY BOARD OF ELECTIONS
1495 W. Longview Avenue, Suite 101
Mansfield, Ohio 44906
419.774.5530   boardofelections@richlandcountyoh.us   **419.774.5534 (Fax)**

Paulette Hankins, Director   **Jeff Wilkinson, Deputy Director**
Cassandra M. Stein, Board Member   **Donald El Hoover, Board Chair**
Joseph H. Mudra, Board Member   **Edward T. Meehan, Vice-Chair**

May 15, 2007

The Richland County Board of Elections used ExpressPoll-5000 electronic poll books in 48 of our 119 precincts for the May 2007 Primary Election, and the performance of the units was outstanding. The ExpressPoll units were easy to operate for the pollworkers after less than two hours of training per worker. The time required to validate a voter was reduced, and the number of pollworker errors decreased dramatically as well. The number of telephone calls from precinct locations fielded by our staff at the central office on Election Day decreased substantially. Each ExpressPoll database included all the registered voters within the entire county, so voters visiting the incorrect voting location could be quickly instructed by the pollworker to their correct precinct.

Several pollworkers even asked to be permanently placed in a precinct where an ExpressPoll unit is in use. Presiding Judge Denise Windham-Brown of Mansfield stated *"We loved the ExpressPoll book, please keep me in this precinct as the Presiding Judge"*.

Preparing the ExpressPoll units for the election was an easy process, and the ability to retrieve post-election voter history information from the units and upload this information into the county's voter registration system saved us time, manpower and money. In precincts with paper pollbooks, each individual name contained in the paper poll book had to be scanned with a bar code scanner to retrieve voter history.

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. We plan on supplying every precinct with these units by the 2008 Presidential Election to assist with that upcoming hectic and busy election cycle. Implementing the ExpressPoll-5000 within Richland County was a smooth process, as Diebold Election System representatives such as Program Manager Tim Murawski were thoroughly trained and very knowledgeable about all aspects of the product. Mr. Murawski was there for us from the initial demonstrations, through the actual training and implementation.

We look forward to implementing ExpressPoll units for the remaining precincts and based on past experience, we expect very positive poll-worker morale, poll-worker errors to decrease and our voters to experience a very positive voting experience.

Paulette Hankins
Director of Elections
Richland County, Oh