



STATE OF COLORADO
Department of State
Scott Gessler
Secretary of State

Status Report on the Uniform Voting System (UVS) Project
And
Staff Recommendations and Justifications for Items to Include
or Exclude in the 2013 UVS Request for Proposal

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Introduction

As we approach the sixth month of activity on the Uniform Voting System (UVS) Project, it is appropriate to assess where we are and solidify a plan for moving forward. The following represents a summary of activity since January and staff's observations, recommendations and justifications as to what should and should not be contained in the UVS Request for Proposal (RFP) that we anticipate issuing on August 1, 2013.

Status Report January to May 2013

UVS Advisory Committee

We have in place the UVS Advisory Committee (UVSAC) which began meeting approximately every three weeks in February of this year.

Significant activities of this group so far have been:

- Adopted a definition of UVS
- Reviewed the Georgia model of third party election system support.
- Review of the draft Request for Information (RFI) document
- Met with Secretary Gessler regarding his vision of the UVS Project
- Reviewed a staff report on existing models for a potential third party support system
- Conducted a survey of counties regarding current equipment, attitudes toward UVS and support services they would like to see provided.
- Heard from the Deputy State Treasurer about a potential funding mechanism for paying for election equipment over an extended term.
- Reviewed responses to the RFI issued in February
- Discussed the impact of Election Legislation on the UVS Project
- Generally discussed prioritization of the components identified in the RFI responses for potential inclusion in the UVS Request for Proposal (RFP).

Technical Volunteers

This is a group of 13 county based voting system technicians who have been voluntarily assisting in development of the functional system requirements for the RFP.

These volunteers participate in a weekly conference call and work on documents through a shared document site hosted by Arapahoe County.

On May 3, the volunteers met in person at the Department of State to work through issues developed over the previous several weeks in the proposed standards.

The attention of this group has been primarily focused on election setup, vote capture, vote tally, reporting and auditing.

Public Participation Panel (PPP)

This group represents the general public, voters including military and voters with disabilities, and those organizations for which the election system is used, such as school and special districts, municipalities, and political parties. The PPP held an initial meeting on May 22, 2013. The Panel was updated on progress so far on the UVS Project and determined that the PPP would conduct meetings in various geographical locations around the state and solicit input from interested citizens and groups concerning the UVS.

Staff

Staff has:

- Provided administrative support to the bodies listed above
- Drafted a report addressing options for third party support
- Developed and issued the RFI
- Developed an analysis of the responses to the RFIs
- Developed an analysis of the survey responses
- Assisted in development of functional system requirements
- Begun assembling all the elements of the RFP to turn over to a professional RFP writer
- Maintained the Project Calendar
- Provided periodic updates to the Secretary of State and other managers

Tasks currently underway or just ahead:

1. Determination of the range of elements to be included in the RFP
2. Development of requirements for all components included in the RFP
3. Writing the RFP
4. Issuing the RFP
5. Developing a system for impartial review of RFP responses
6. Analyzing and grading RFP responses
7. Selecting vendor(s)
8. Certifying necessary components/system(s)
9. Contract development
10. Implementation

Development of 2013 UVS Request for Proposal (RFP)

Determination of what components to include or exclude

Our approach to the Request for Information (RFI) issued in February was to be non-restrictive and allow vendors from every aspect of the election process to submit information about available products and services that might become a part of a Uniform Voting System in Colorado.

We received responses from 16 vendors providing information on 25 individual components to consider for inclusion in a RFP for a UVS.

Functional areas identified in the RFI responses and the number of vendors submitting in each area

| Functional Area | Responses | Functional Area | Responses |
|----------------------------------|-----------|--|-----------|
| Electronic Pollbook | 9 | Accessibility | 6 |
| Election Management System | 5 | Asset Management | 5 |
| Ballot Creation System | 6 | Electronic Resolution of Ballot Issues | 3 |
| Ballot Printing | 5 | Software Based System | 2 |
| Ballot Mailing | 4 | Risk Limiting Audit | 1 |
| Ballot on Demand | 4 | Signature Verification in E-pollbook | 1 |
| Vote Capture and Storage | 5 | Ballot Insertion | 4 |
| Central Tabulation | 5 | Pollworker Management System | 1 |
| Vote Tabulation | 5 | Polling Place Survey System | 1 |
| Electronic Ballot Process | 6 | Voter Education | 1 |
| Mail Ballot Tracking | 4 | Election Day Issue Tracking | 1 |
| Mail Ballot Sorting | 4 | Pollworker Training | 1 |
| Automated Signature Verification | 6 | | |

Analysis of Functional Areas Submitted and Staff Recommendation for Inclusion or Exclusion

The detailed reasoning for inclusion or exclusion begins on page 5, however; this table represents a summary of staff recommendations.

Summary of Recommendations (I = Include in RFP, E = Exclude from RFP, CI = Conditionally Include in RFP)

| Functional Area | I or E | Functional Area | I or E |
|----------------------------------|--------|--|--------|
| Electronic Pollbook | E | Accessibility | I |
| Election Management System | I | Asset Management | E |
| Ballot Creation System | I | Electronic Resolution of Ballot Issues | I |
| Ballot Printing | E | Software Based System | I |
| Ballot Mailing | E | Risk Limiting Audit | CI |
| Ballot on Demand | E | Signature Verification in E-pollbook | E |
| Vote Capture and Storage | I | Ballot Insertion | E |
| Central Tabulation | I | Pollworker Management System | E |
| Vote Tabulation | I | Polling Place Survey System | E |
| Electronic Ballot Process | E | Voter Education | E |
| Mail Ballot Tracking | E | Election Day Issue Tracking | E |
| Mail Ballot Sorting | E | Pollworker Training | E |
| Automated Signature Verification | I | I = 9 E = 15 CI = 1 | |

Staff Recommendations and Justifications

Electronic Pollbook

Staff Recommendation: EXCLUDE.

With the passage of HB 13-1303 mandating Election Day registration, continuation of in-person early voting, and continued in-person voting at Voting Service /Polling Centers through Election Day, the issue of electronic pollbooks is relevant. However because the use of electronic pollbooks is so closely tied to the Statewide Voter Registration System (SCORE) and the timeline for development of election day voter registration processes is accelerated, this aspect of development and potential acquisition should be assigned to the SCORE management and support group that will be responsible for implementation of Election Day registration and real time updating of any electronic pollbook solution.

Voting System

Staff Recommendation: INCLUDE.

This includes the election management system (EMS), ballot creation, vote capture and storage, and vote tabulation components which are the elements that begin with defining the election and ballot content through final tabulation of results.

Ballot Printing, Insertion, and Mailing

Staff Recommendation: EXCLUDE.

After a UVS is in place and Colorado's transition to all mail balloting is evolved, there may be opportunity for a centralization of these services, if not for all counties, at least for many of the smaller counties. Standards should be adopted, once the UVS is selected, for the state certification of ballot printing facilities.

Ballot on Demand (BOD)

Staff Recommendation: EXCLUDE.

In 2012 the State provided each county with a BOD printer and the necessary support. The contract with the providing vendor should be honored for its current period extending through the 2016 General Election. At that point an appropriate determination on how to support the BOD functionality can be made.

Electronic Ballot Process (UOCAVA)

Staff Recommendation: EXCLUDE.

The State has invested in a vendor to provide these services. The same approach as identified in BOD should be followed and the contract with the providing vendor should be extended through the 2014 General Election and until such a time after that, if necessary, until a UVS has been fully approved. At that point an appropriate determination on how to support the electronic ballot process functionality can be made.

Mail Ballot Tracking

Staff Recommendation: EXCLUDE.

With the implementation of all mail ballot voting for all non-General Elections and a hybrid mail ballot process for General Elections, this functionality could assume added importance. Some Colorado counties contract with private vendors for such tracking functionality. The Department of State should monitor the 2013 Coordinated mail ballot elections, the 2014 Primary mail ballot election and the 2014 hybrid mail ballot General Election to determine the level of tracking services necessary to establish public confidence in the ballot issuing and returning process. A further review of this issue should be conducted following the 2014 General Election.

Automated Mail Ballot Sorting

Staff Recommendation: EXCLUDE.

While automated mail ballot sorting may have some advantages, it is unclear as to the overall value of including this in a UVS, particularly as the larger multi-functional sorting equipment may be overly sophisticated and out of the price range for many Colorado counties. The Department of State should develop standards for such equipment and certify equipment for use in the state from whatever vendor pool is appropriate to present a range of costs, functionality, and scalability appropriate for the range of counties in the State. (Note: this functionality may be present in systems approved for automated signature verification, and if so should be required to meet such standards as may be developed.)

Automatic Signature Verification (ASV)

Staff Recommendation: INCLUDE.

As with ballot sorting, the equipment currently available for this functionality is generally considered to be cost effective only for larger jurisdictions and often functions through equipment designed to also scan envelope images and open and sort ballot envelopes. Based on the RFI responses received, there appear to be products designed for smaller jurisdictions that may be appropriate. Certification of this equipment, regulation of the confidence level settings and auditing of the accuracy of the ASV equipment are directly related to the Secretary of State's responsibility to maintain the integrity of Colorado elections, particularly as we move to an all mail or hybrid mail ballot election process. The State should develop standards for such equipment and certify uniform equipment for use in the state from whatever vendor pool is appropriate to present a range of costs, functionality, and scalability appropriate for the range of counties in the State.

Accessibility

Staff Recommendation: INCLUDE.

Accessibility is a component we desire in each piece of equipment and each process that is conducted in Colorado elections. Accessibility should not be a category by itself, but rather will be an integral part of the evaluation of each component included in UVS.

Asset Management

Staff Recommendation: EXCLUDE.

There are asset management products available to assist election officials in maintaining an adequate and accurate chain of custody protocol. Because of the wide range of need for equipment tracking by counties, from minimal to significant, counties should be encouraged to explore potential benefits of electronic asset management systems that may be appropriate for their needs. Uniformity is not necessary for this functionality.

Electronic Resolution of Ballots

Staff Recommendation: INCLUDE.

There is a significant State interest in the processes used to resolve ballot marking issues and assure an accurate representation of the voter's intent. The State should develop standards for such equipment and certify uniform equipment for use in the state from whatever vendor pool is appropriate to present a range of costs, functionality, and scalability appropriate for the range of counties in the State.

Software Based

Staff Recommendation: INCLUDE.

While this is not "functionality", it is an approach to conducting many election functions that breaks with the traditional models of performing those functions. Proposed system requirements should not preclude the consideration of software based approaches to any of the functionalities we are seeking.

Risk Limiting Audit (RLA)

Staff Recommendation: CONDITIONALLY INCLUDE.

This functionality is an emerging field in elections auditing, and is a requirement in Colorado by 2017. As we select a UVS, it will be important to consider the ability of any ballot tabulation system to be audited in accordance with the principles of RLA. The performing of risk limiting audits should not be a part of the UVS RFP. The ability to be audited in this manner is a factor when considering voting system vendors. The UVS RFP should include a mandatory response for vendors proposing vote tabulation equipment that requires an explanation as to how the proposed system can be audited, or adapted to be audited via RLA.

Signature Verification in the Electronic Pollbook

Staff Recommendation: EXCLUDE.

This is a specific feature of a single vendor's proposal and we believe it requires more evaluation in concert with the functionality of SCORE and other electronic pollbook proposals. This should be referred to the SCORE working group that will be considering options relating to electronic pollbook functionality.

Pollworker Management

Staff Recommendation: EXCLUDE.

Pollworker management is a serious concern as it currently exists in SCORE. This issue must be resolved in concert with ongoing SCORE improvements and changes. It is not appropriate to include this in our UVS process. This issue should remain a high priority for improvement within the SCORE system.

Polling Place Survey

Staff Recommendation: EXCLUDE.

With the move to all mail ballots for all non-general elections and a hybrid all mail ballot General Election the need for voting site surveys, though still required and important, is significantly reduced in scope. Uniformity is already inherent in the State prescribed process.

Voter Education

Staff Recommendation: EXCLUDE.

Voter education is a significant issue and constant improvements need to be made, particularly as Colorado changes its voting environment. The State, in conjunction with the selected UVS vendor(s), should design a voter education program as appropriate following the selection.

Issue Tracking

Staff Recommendation: EXCLUDE.

The UVSAC has discussed the need for issue tracking within a voting system for performance issues. This is important and should be included in the functional system requirements for a UVS system. The process proposed by the vendor in this instance is for the broader tracking of Election Day issues at voting sites. When the election environment transition is complete in Colorado it may be appropriate to consider a centralized issue tracking system.

Pollworker Training

Staff Recommendation: EXCLUDE.

Though critically important in light of the addition of Election Day registration requirements and continued use of early voting and expansion of service/polling centers, we believe this training will necessarily need to be geared to the system and processes that are involved in the voting system vendor(s) chosen as well as the SCORE registration and pollbook processes. While it may become valuable for Colorado to have a more uniform Pollworker training approach, it is premature to consider a system until we fully understand the implications of the new Colorado election model.

Third Party Support

Staff Recommendation: EXCLUDE.

This issue was not included in the RFI process but has been one which has generated ongoing discussion.

Although the survey of County Clerks indicated support for some aspects of centralized election support in a number of functional areas, the adoption of a model for services provided by a third party, perhaps along the model of Kennesaw State University and the State of Georgia, seems premature.

Until selection of the UVS vendor(s) we will not know what system support is required. Once the system is selected, any service provider(s), other than the vendor, will need to be trained on the equipment to a level to be determined by the types of services that the provider may be asked to perform.

We believe it is premature to pursue this kind of arrangement. At this point we don't know the capacity of any group or agency to provide such services and we don't know what services to ask them to provide.

The selected UVS voting system vendor(s) should be engaged to provide support services at least through the 2016 General Election, and between the 2014 and 2016 General Elections the potential for a third party support provider be determined. If Colorado chooses this approach, the vendor would be required to work with a selected third party to transfer such knowledge, information and support as may be determined to be appropriate to the third party to allow the party to be able to provide defined categories of support in elections after 2016. This should be referenced in the RFP as an option the State may choose, and the selected vendor(s) should be required, in the RFP response, to agree to provide an appropriate transition if the State decides to use a third party provider for any portion of the UVS support.