



The Board of Elections in the City of New York

Fall 2008 Ballot Marking Device (BMD) Evaluation Team Report

Presented to Commissioners:

February 6, 2008

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1.0 Introduction

On January 29, 2008 the Board of Elections Commissioners approved an Evaluation Plan for the review and evaluation of Ballot Marking Devices (BMDs) proposed by voting system vendors for the Fall 2008 elections in accordance with the State Board of Elections regulations and the State Office of General Services contract and Request for Proposal (RFP).

The evaluation sought to determine the proposed ballot marking device proposal that best meets the requirements of the electoral process in NYC. It is an evaluation of which proposed BMD taken together (system design and security features, impact on the voters and Election Day operations, training and support services provided by the vendor, impact on Board operations and administrative processes, and vendor strength) is best for BOE in NYC.

The Evaluation Team followed the approved Evaluation Plan and this is a report of the results of its work.

2.0 Evaluation Team

The Fall 2008 BMD Evaluation Team consisted of the following BOE staff:

1. Benjamin Acevedo
2. Barbara Conacchio
3. Marianne Effinger
4. Steve Ferguson
5. Lucille Grimaldi
6. Troy Johnson
7. John Naudus
8. John O'Grady¹
9. Rosanna Rahmouni

The evaluation process was facilitated by Gartner.

3.0 Evaluation Schedule

Below is the evaluation schedule of activities planned and the current status of each task.

Table 1. 2008 BMD Selection Timeline

Task Name	Start Date	Finish Date	Status
Issue BMD RFI	Sat, Jan 19, 2008	Thu, Jan 24, 2008	Completed
Conduct Vendor Demonstrations	Thu, Jan 17, 2008	Fri, Jan 25, 2008	Completed
ES&S	Thu, Jan 17, 2008	Thu, Jan 17, 2008	Completed
Avante	Tue, Jan 22, 2008	Tue, Jan 22, 2008	Completed
Premier	Thu, Jan 24, 2008	Thu, Jan 24, 2008	Completed
Sequoia	Fri, Jan 25, 2008	Fri, Jan 25, 2008	Completed
Conduct BMD Examination	Mon, Jan 28, 2008	Fri, Feb 01, 2008	Completed
Receive RFI from Vendors	Mon, Jan 28, 2008	Tue, Jan 29, 2008	Completed
Distribute RFI Information to Evaluation Team	Tue, Jan 29, 2008	Tue, Jan 29, 2008	Completed
Read Responses and Rate Proposals	Tues, Jan 29, 2008	Wed, Jan 30, 2008	Completed
Conduct Evaluation Team Meetings & Calls to Vendors for Clarifications as Needed	Thu, Jan 31, 2008	Fri, Feb 01, 2008	Completed
Compile Team Results & Drafts Team Report	Fri, Feb 01, 2008	Mon, Feb 04, 2008	Completed

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¹ John O'Grady withdrew from the evaluation due to illness.

Task Name	Start Date	Finish Date	Status
Review & Finalize Report for Commissioners	Mon, Feb 04, 2008	Mon, Feb 04, 2008	Completed
Select Proposal at Special Commissioner's Meeting	Wed, Feb 06, 2008	Wed, Feb 06, 2008	
Prepare Order and File with State	Thu, Feb 07, 2008	Fri, Feb 08, 2008	

4.0 Systems Evaluated

1) Initial Vendor Submissions to OGS RFP

- a) Information regarding the pool of vendors who submitted responses to the State Board of Elections RFP for BMDs was not formally communicated by SBOE. Based on information received at various times, we understand that the following six (6) vendors submitted proposals to OGS:
 - i) Avante
 - ii) ES&S
 - iii) IBS
 - iv) Liberty
 - v) Premier
 - vi) Sequoia

2) Submissions Rejected by OGS

- a) An email from SBOE advised BOE Exec Management that OGS determined that the IBS submission was "non-responsive".

3) State Board of Elections Commissioners Decisions at Saratoga Springs

- a) The understanding of the BOE in NYC is that SBOE Commissioners authorized the following BMDs at their Thursday, Jan 24, 2008 meeting in Saratoga Springs for use as Ballot Marking Devices in the State of New York for the Fall Elections in 2008:
 - i) ES&S – AutoMark BMD
 - ii) Premier – AutoMark BMD
 - iii) Sequoia - ImageCast BMD
- b) SBOE Commissioners rejected the following BMDs at the Saratoga Springs meeting for use as Ballot Marking Devices in the State of New York for the Fall Elections in 2008:
 - i) Avante BMD
 - ii) Liberty BMD
- c) Accordingly, BOE Executive Management advised the BOE Evaluation Team to evaluate the BMDs that had been authorized by SBOE Commissioners at this meeting and the Evaluation Team did so.

4) Letter from SBOE Co-Executive Directors

- a) Correspondence was received from SBOE Directors instructing the counties that their sole choice for BMDs is the Sequoia ImageCast. BOE Executive Management advised the BOE Evaluation Team to continue its evaluation of the three (3) systems authorized by the SBOE Commissioners at the Saratoga Meeting.
- b) The Evaluation Team was instructed to continue its evaluation of ES&S, Premier and Sequoia proposals.

5.0 Evaluation Process

1. Prepared for the Evaluation

- a) *Established Criteria & Criteria Weightings* – The Evaluation Team members agreed to Evaluation Criteria and corresponding weightings. The criteria and the weights were approved by the Commissioners of the Board of Elections in the City of New York on January 29, 2008.
- b) *Issued an RFI* – The RFI was delivered to the following vendors: Avante, ES&S, Premier, and Sequoia. The RFI contained a description of the Board's current technical environment, operational procedures, and volumetric information regarding New York City. It also presented system, procedural, training and support requirements for each vendor to address. A total of three addenda were transmitted to the vendors for clarification to the RFI.
- c) *Scheduled Vendor Demos* – Each of the four vendors (Avante, ESS, Premier, and Sequoia) were requested to conduct both internal and public demonstration of their products to the BOE in NYC.
- d) *Reviewed BOE in NYC RFI* - Evaluation Team Members received the Request for Information (RFI) to become familiar with the Board's requirements and the format the vendors were required to follow.
- e) *Reviewed Evaluation Plan & Evaluation Tool* - Evaluation Team Members received the Evaluation Plan to become familiar with the process, criteria and weighting involved in the vendor evaluation and scoring process. The Evaluation Criteria and Weightings are listed in Section 9 of this report. The Evaluation Criteria and Weightings include eight (8) categories, each of which represents a significant facet of the evaluation. Throughout the categories there are items directly related to the voter's and pollworker's experience at the polls on Election Day. Taken together, these items comprise over one third of the overall weightings.

2. Conduct Vendor Evaluation

- a) *Attended Vendor Demos* - Evaluation Team Members attended vendor demos to learn more about the proposed vendor products and ask specific questions of each vendor.
- b) *Reviewed Scoring Guidelines* - Evaluation Team Members reviewed the criteria outlined in Section 9 to score each Proposal.
- c) *Received, Prepared and Performed Initial Scoring of the RFI Responses* – After all of the criteria and weightings were approved by the Commissioners, the RFI responses were copied and delivered both electronically and in hard copy to each of the Evaluation Team Members.
- d) *Independently Examined the Systems* – Each vendor left its system at the offices of the BOE in NYC so that the members of the Evaluation Team could examine it. The Team members attempted to examine the BMDs within the limits of time available but without the benefit of training.
- e) *Entered Preliminary Proposal Scores* - To begin the vendor proposal evaluation, each Evaluation Team member used the Evaluator Worksheet. Team members were instructed to focus on determining the score that each proposal should receive for each category and subcategory of the Criteria. Only whole digit scores of 1-5 were permitted. The scale used was as follows:

1 = Poor

- 2 = Fair
- 3 = Average or Not Evaluated
- 4 = Good
- 5 = Excellent

- f) *Attended Proposal Scoring Workshop* – After each Evaluation Team member reviewed all proposals and entered preliminary scores for all items of all proposals, the Evaluation Team met in a Proposal Scoring Workshop for a detailed review and discussion of each proposal. The Team discussed the relative merits of each proposal within the limits of the time available. After listening to the discussion, Evaluation Team members then had the opportunity to revise their respective scores for each of the criteria for each proposal. The final scoring sheets were deposited into a “ballot box”. Gartner then entered the “ballot box” scores into the final scoring tool and calculated the points earned by each proposal based on the previously agreed upon weighting of each criteria.
- g) *Prepared Evaluation Team Report* - The results of the application of the weights to the final scores was a direct input into the Evaluation Team’s Report.

6.0 Evaluation Constraints

- 1) **Constraints Upon the Evaluation Team** - There were a number of constraints placed upon the Evaluation Team such as the following:
 - a) **Review Time** - The time for review and analysis of the systems and the RFI Responses was severely limited, namely only 3 days in the week just prior to the Presidential Primary. The original selection plan stipulated seven (7) weeks for review and evaluation.
 - b) **BMD Device Review** – There was limited hands-on BMD device examination time available.
 - c) **EMS Review**– There was only time to do a cursory review of the vendor’s EMS systems. There was no time to define an election in any EMS and learn how it operates. There was no time for an end-to-end “mock” election using any system.
 - d) **Vendor References** - There was no time to check vendor references and determine what previous jurisdictions would say about each of them.
 - e) **Discussion Time** – There was less than 16 hours in which to review over 270 pages of detailed RFI Responses and discuss them in a group setting.

7.0 Evaluation Team Observations

- 1) **Rolling Table for AutoMark** - The Evaluation Team recommends that the BOE not consider AutoMarks, unless they are made available on a rolling, durable, enclosed (for shipping), secure table that is disability-compliant. The above described table can be delivered as a self-contained unit to the pollsite. The pollworker can then setup the machine and start it without the need for them to lift the 48 lb AutoMark device. After clarification phone calls, both ES&S and Premier indicated that they would develop this self-enclosed table.
- 2) **Ballot Style Capacity** – After a clarification phone call, it was not clear that the ES&S EMS can support the needs of BOE in NYC in terms of the needed number of ballot styles.

- 3) **No Ideal Solution** –As is true of all new systems, and past experience has demonstrated here at BOE, the BMDs evaluated, if selected, would likely require some modification to meet all of the needs of BOE in NYC. These types of modifications are likely to become apparent once implementation of the selected system has begun.

8.0 Evaluation Results

- 1) **Final Scores** - The compiled group evaluation points of each vendor BMD system across all of the categories and sub-categories (See Evaluation Criteria and Criteria Weightings below) was:
 - a) ES&S – 3,037
 - b) Premier – 3,321
 - c) Sequoia – 2,995
- 2) **Rank of BMDs by Score** - A vendor with a perfect score (“Excellent” in every category and sub-category) would have earned 5,010 points. The proposals were ranked as follows:
 - a) Premier AutoMark - Ranked # 1
 - b) ES&S AutoMark - Ranked # 2
 - c) Sequoia ImageCast - Ranked # 3

9.0 Evaluation Criteria and Criteria Weightings

1) Ballot Marking Device Design	Sub-Sec. Weight	Overall Weight
1.1) Ballot Marking Device Mechanical Characteristics *	10.0%	1.4%
1.2) Ballot Marking Device Functionality *	30.0%	4.2%
1.3) EMS Functionality	10.0%	1.4%
1.4) EMS Server Environment	10.0%	1.4%
1.5) Ballot Display *	10.0%	1.4%
1.6) EMS Specifications *	10.0%	1.4%
1.7) Ballot Marking Device Specifications *	10.0%	1.4%
1.8) Hardware and Software Modifications	10.0%	1.4%
Total	100%	14%
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2) Board Operations	Sub-Sec. Weight	Overall Weight
2.1) EMS & BMD Maintenance	35.3%	5.3%
2.2) Pre-Election Set-up	35.3%	5.3%
2.3) Post-Election Activities - and Quarterly Testing	29.3%	4.3%
Total	100%	15%
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3) Election Day Operations	Sub-Sec. Weight	Overall Weight
3.1) Pollworker Activity *	25.0%	4.0%
3.2) Voter Activity - Voting Process *	31.3%	5.0%
3.3) Voter Activity – Ballot Handling and Privacy *	12.5%	2.0%
3.4) Voter Activity - Voter Assistance Devices *	18.8%	3.0%
3.5) Technician Activity *	12.5%	2.0%
Total	100%	16%
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4) Security & Privacy	Sub-Sec. Weight	Overall Weight
4.1) Security Strategy	23.3%	3.5%
4.2) BMD Physical Security	23.3%	3.5%
4.2) Software Security	23.3%	3.5%
4.3) Voter Privacy *	30.0%	4.5%
Total	100%	15%
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5) Implementation Services	Sub-Sec. Weight	Overall Weight
5.1) Interfaces	13.1%	2.1%
5.2) Receipt & Acceptance Testing	13.1%	2.1%

5.3) Staff Training	13.1%	2.1%
5.4) Pollworker Training *	19.4%	3.1%
5.5) Audio Ballot Production	6.9%	1.1%
5.6) Procedure Development	6.9%	1.1%
5.7) One-time Other Services	6.9%	1.1%
5.8) Public Education Assistance *	6.9%	1.1%
5.9) Pollsite Survey	6.9%	1.1%
5.10) Voting Machine Facilities Assessment and Specifications	6.9%	1.1%
Total	100%	16%
6) On-Going Support		
	Sub-Sec. Weight	Overall Weight
6.1) Warranty Services	20.0%	0.8%
6.2) Staff Training	20.0%	0.8%
6.3) Pollworker Training *	20.0%	0.8%
6.4) On-going Support Services *	20.0%	0.8%
6.5) Quarterly Testing and LAT	20.0%	0.8%
Total	100%	4%
7) Election Support		
	Sub-Sec. Weight	Overall Weight
7.1) Onsite Pre-Election EMS	14.3%	1.6%
7.2) Onsite Pre-Election BMDs	14.3%	1.6%
7.3) Onsite Election Day Pollsites	14.3%	1.6%
7.4) Onsite Election Day VMTs	14.3%	1.6%
7.5) Onsite Election Day BOE Call Center	14.3%	1.6%
7.6) Onsite Canvass/Recanvass EMS	14.3%	1.6%
7.7) Onsite Post Election BMDs	14.3%	1.6%
Total	100%	11%
8) Vendor Strength & Experience		
	Sub-Sec. Weight	Overall Weight
8.1) Certification (2002 - 2005)	10.0%	0.9%
8.2) Reference Jurisdictions	20.0%	1.8%
8.3) Election Experience	20.0%	1.8%
8.4) Litigation	20.0%	1.8%
8.5) Manufacturing & Delivery Capacity	30.0%	2.7%
Total	100%	9%
Total Score		100%

* These subcategories contain considerations of features and capabilities that directly impact the pollworker operations and the voters' ease of use at the polls on Election Day.