

Background

At the September 13, 2016 meeting of City Council, the report entitled "Election Modernization Act and the 2018 Municipal Election" (see attached) was received by Council and the following resolution was passed:

"CC2016-293 - THAT the City of Greater Sudbury uses Internet Voting during the Advanced Vote period and Paper Ballot, Tabulator Count at the In Person Voting Locations on Election Day 2018."

In the report, staff provided Council with information regarding the various voting methods available for the 2018 Municipal and School Board Election, those being Internet voting and voting by way of traditional paper ballot tabulator count.

As a result of Council's decision, an RFP was issued in February of 2017 for the use of Internet voting during the advance voting period up to the opening of voting locations on Election Day, and vote anywhere, paper ballot/tabulator count for all in person Election Day voting locations. The RFP was broken down into three components:

Option i: Internet voting during the advance voting period, which voting can be conducted on a computer, tablet or other mobile device. The Internet voting solution also includes the production and mailing of Voter Notices; and/or

Option ii: Voting equipment including registration laptops and barcode scanners, ballot on demand design and printing services, tabulators, and related services for paper ballot/tabulator count voting at in person vote anywhere locations on Election Day; and/or

Option iii: Proposals for a combined solution which includes both the Internet voting solution (i) and the paper ballot/tabulator count solution (ii).

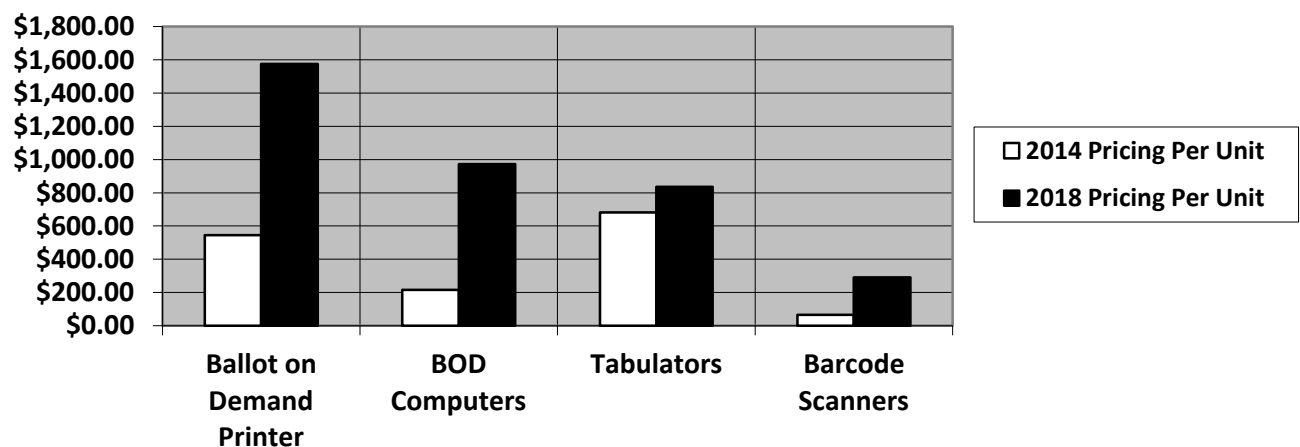
The RFP closed on March 28, 2017 and two submissions were received: one Internet voting solution pursuant to Option i; and one combined solution for both Internet and paper ballot/tabulator count voting pursuant to Option iii.

The proposals were reviewed by Clerks Services and Information Technology staff and scored by the evaluation committee.

Bid Evaluation – Combined Solution

In evaluating the proposal for a combined solution staff made the following observations and noted a number of concerns:

- Pricing of the combined solution came in at \$937,546.04 (HST included), which was significantly higher than what was anticipated based upon the solution price in the 2014 Municipal and School Board Election (\$391,061.23). The prices for paper ballot/tabulator count equipment nearly tripled from the previous election. Examples to illustrate the price differential between the equipment for the two elections have been provided in the graph below:



- The Internet voting solution provided for in the combined bid omitted important information regarding the security and capabilities of the solution. Clarification was requested; however, the responses provided by the proponent did not provide the information that staff needed to feel comfortable in recommending the proposal for approval to Council.
- The Internet voting solution portion of the bid also raised concerns as the bid failed to demonstrate full compliance with the *Municipal Elections Act, 1996* (the Act) with respect to the reporting of declined and rejected ballots.
- In reviewing the experience of the Internet voting solution provider, staff noted that the proponent had not provided services for a municipality that was comparable in size and voter capacity to the City of Greater Sudbury, and had only in fact been involved in one referendum election. This lack of municipal elections experience was concerning to staff.

As a result of the evaluation of the information presented in the proposal, the combined solution scored poorly. Staff does not recommend the award of this solution given the significant cost and the concerns noted through the evaluation process.

Bid Evaluation – Internet Voting Solution

The following observations were made by staff when evaluating the stand-alone Internet voting solution which relates only to the advance voting period:

- The Internet voting solution was priced at a reasonable cost of \$286,342 (including HST).
- The proponent also demonstrated a clear understanding of the needs of the municipality as well as proof of the security mechanisms in place to ensure the confidentiality and integrity of the vote.
- The proposal met and displayed both compliance and knowledge regarding the legislative requirements as outlined in the Act.

At the conclusion of the evaluation, the proposal for the Internet voting solution received a high score. Since the RFP's Terms of Reference specified that Internet voting would only be used for the advance vote, staff do not recommend the award of this submission as it does not provide a comprehensive or complete voting solution.

Internet Voting During the 2014 Municipal and School Board Election

The City of Greater Sudbury was one of 97 Ontario municipalities, representing one quarter of the population of the province of Ontario, who made online voting available in the 2014 Municipal Election.

During the 2014 Election, Internet voting was available for a period of eleven days, from 8:00 a.m. on October 14th, 2014 to 8:00 p.m. on October 24th, 2014 (the Friday before the election.)

There was widespread utilization of Internet voting and 26,826 electors cast a ballot online. This figure represented 44.9% of all electors who voted in the 2014 Election. A number of other municipalities in Ontario who implemented this method of vote also saw an overall increase in voter turnout.

Town of Ajax Electronic Voting Experience

In 2014, the Town of Ajax (population 109,600) moved to a fully electronic method of vote, offering voters a combination of Internet and telephone voting to cast their ballot. The voting period spanned from October 20th to October 27th 2014. In-person electronic

voting was offered at ten locations using laptops or “e-voting kiosks” rather than paper ballots.

Of the ballots cast during the voting period, approximately 70% were cast independently/remotely without attending a voting location, while 30% chose to attend an in-person electronic voting location to cast their ballot.

Post-election results indicated that voter turnout increased from 25.4% in the 2010 election to 30.4% in the 2014 election and the move to electronic voting was met with a voter satisfaction rate of 97.8%.

Based on the success of electronic voting in 2014, the Town of Ajax will once again implement internet and telephone voting with in-person electronic voting locations as their method of vote for 2018. The Town of Ajax provides a model for other municipalities who are choosing to move to a fully electronic election in 2018, such as the Town of Newmarket.

Internet Voting Project Survey Results: City of Greater Sudbury

The City of Greater Sudbury participated in the Internet Voting Project through the University of Toronto. Almost three thousand citizens, eleven staff and twenty-two candidates responded to the survey which is available online at: <http://www.greatersudbury.ca/sudburyen/assets/File/Greater%20Sudbury%20Internet%20Voting%20Survey.pdf>

98.6% of citizens who responded to the survey were either fairly satisfied or very satisfied with the online voting process and 98.9% are likely or somewhat likely to vote online in the next municipal election. Respondents to the survey highlighted accessibility and convenience as two of the primary reasons for choosing to cast their ballot online.

Current Business Climate

The 2018 Municipal and School Board Election coincides with a number of municipal and provincial elections. A number of municipalities, as well as the Province of Ontario are making the move towards the use of more advanced voting technologies in their elections. This higher demand for technology has put a strain on the resources of the handful of companies that provide election voting and vote counting equipment. This has created a “perfect storm”, which may have played a role in the low number of bids received by the City of Greater Sudbury, and the significant rise in election equipment costs.

Options

Based upon the information provided for in this report, staff is proposing:

Option 1: That Internet voting be the only method of vote for the 2018 Municipal and School Board Election and that a new RFP be issued to obtain a service provider.

Should Council choose this option, Internet voting will be used for both the advance and Election Day voting periods. In order to assist voters who may not be comfortable voting online from their residence or who do not have access to a computer, Voter Help Centres will be set up throughout the entire voting period at all Libraries and Citizen Service Centres.

The Election Bus will be deployed as a mobile electronic voting location during the advance voting period. On Election Day, electronic voting locations will be set up in a number of Nursing and Long-Term Care facilities.

This option provides a voting solution that may serve to increase voter participation and accessible voting opportunities for electors. By establishing Voter Help Centres at Citizen Service Centres, voters who are unsure of how to vote online or who require assistance will be given the help and support they need. Additionally, by using electronic voting in Nursing and Long-Term Care facilities voting opportunities are increased for residents with limited mobility as the solution makes it possible for election workers to move throughout the facility with voting computers or tablets.

This method of vote is significantly more cost effective than Option 2. Choosing this option would leave more room in the Municipal Election and Governance Reserve Fund for the ability to increase voter awareness and education campaigns.

As a result of the reduced voting method costs, the balance remaining in the Reserve would ensure that the costs associated with the complete delivery of the election and governance requirements during all phases of the post election period are funded.

Clerks Services staff will work in conjunction with the Communications Department to develop materials to educate voters and prepare them to vote online. Staff will also work with Community Groups, Advisory Panels and CANs to ensure that voters are both comfortable and confident with the use of Internet voting to cast their ballot.

By selecting this option and re-issuing an RFP for an Internet only voting solution the municipality may also see a more competitive bid process as the resource demands for an Internet only solution are more streamlined and significantly less than those of traditional paper ballot/tabulator count solution.

Option 2: That Internet voting be the only method of vote used during the 2018 Municipal and School Board Election with the addition of in-person electronic voting locations on Election Day and that a new RFP be issued to obtain a service provider.

This option provides for the use of Internet voting as the sole method of vote during both the advance and Election Day voting periods. As in Option 1, Voter Help Centres will be set up throughout the entire voting period at all Libraries and Citizen Service Centres, and the Election Bus will act as a mobile electronic voting location during the advance period. Electronic voting locations will also be set up in a number of Nursing and Long-Term Care facilities.

The distinguishing factor from Option 1 is that, on Election Day, electronic voting locations would also be set up at various sites throughout the municipality, with the amount being similar to the number used in the 2014 Municipal and School Board Election.

As in Option 1, Option 2 provides a voting solution that may serve to increase voter participation and accessible voting opportunities for electors. By establishing Voter Help Centres at Citizen Service Centres, voters who are unsure of how to vote online or who require assistance will be given the help and support they need to cast their vote with confidence. Additionally, by using the Internet Voting Solution in Nursing and Long-Term Care facilities voting opportunities are increased for residents as the solution makes it possible to move throughout the location with mobile devices.

This method of vote would still leave more room in the Election and Governance Reserve Fund to allow for an increased focus on voter awareness and education campaigns without placing additional strains on the Municipal Election and Governance Reserve Fund.

The addition of in person electronic voting locations on Election Day will allow voters to attend at a physical location to cast their ballot online.

As with the 2014 Municipal and School Board Election, voters will be provided with a Voter Information Letter (VIL) in advance of the first day of voting. If choosing to vote in person at an electronic voting location, voters will be asked to bring their VIL with them. Once a voter has entered the electronic voting location (if they have their VIL with them and no revisions to the voter information are required), the voter will be directed by voting location staff to a private voting booth to cast their ballot.

For those voters who do not bring their VIL or who require revisions to their voter information, revisions officers will be available in every electronic voting location to issue new credentials and/or update the voters' list. Once the voter has cast their ballot using the tablet or laptop provided behind the vote screen, they will exit the voting location.

In addition to revisions officers, each in-person electronic voting location will have dedicated Information Technology staff present to address any potential technical questions/issues.

Should Council selection this Option, there will be additional costs to the Reserve to establish these locations and obtain the equipment (computers/tablets, printers) necessary for voting. Clerks Services staff will work with Information Technology staff to develop a cost effective solution to provide the equipment necessary for these locations. It should be noted that the costs of this option would still be significantly less than the costs associated with paper ballot/tabulator count solution.

Election staff will work in conjunction with the Communications Department to develop materials to educate voters and prepare them to vote online. Staff will also work with Community Groups, Advisory Panels and CANs to ensure that voters are both comfortable and confident in the use of Internet voting to cast their ballot.

By selecting this option and re-issuing an RFP for an electronic voting solution only, the municipality may see a more competitive bid process for the same reasons as outlined in Option 1.

Conclusion

Based on the pricing obtained and the evaluation conducted for the RFP, staff are not recommending an award to either of the proponents. Staff do not anticipate that a further RFP based on the current method of voting (i.e. Internet voting for the advance vote and paper ballot with tabulator count for Election Day) would yield different or better results. Staff is proposing that the method of vote be modified to provide Internet voting as the sole method of voting for the 2018 Municipal and School Board Election and that a new RFP be issued to obtain a Service Provider.

This change requires Council to reconsider Resolution CC2016-293 prior to dealing with the options in this report.