

**October 27, 2021**

**Re: EX27.13 Award of Negotiated Request for Proposal Ariba Document Number 2604476104 to Election Systems and Software Canada ULC for the Provision of Vote Counting Equipment for the City Clerk's Office**

Dear Mayor Tory and Members of the Executive Committee,

We are proud to maintain the confidence the City of Toronto's Election Services Staff, and this report is a reflection, in a competitive process, of the long-standing partnership between Election Systems & Software (ES&S) and the City of Toronto, built on successful elections over the past 21 years.

ES&S is the oldest election services company in North America and is a Canadian company operating in the country since the late 90's. ES&S has 10+ years more, direct market presence than our Canadian competitors and being a leader in election products and services which has earned us a reputation as a reliable, trusted partner with elections officials across North America.

Selecting the right vendor for election technologies from an open and competitive market means that governments need to assess performance in appropriate contexts. Competitive businesses need to have a strong local record. The City of Toronto is accustomed to a high level of vendor support resulting in expertly managed elections and is considered the gold standard, largely in part due to ES&S technology and services that uphold election integrity and confidence.

While Toronto Elections Services has made this look easy, the public and Members of Council should take note that changing technology providers presents significant, real-world, challenges. Challenges where other municipalities in Ontario and across Canada have recently not always fared well. For example, in 2018, 51 municipal elections were delayed, and their election integrity put into jeopardy, resulting in the formulation of a working group to seek damages through the legal process.

The ownership approach that that City of Toronto has taken in the past and is currently seeking to exercise has enabled staff to maintain close oversight in a controlled environment, with access to perform regular preventative maintenance and testing. This oversight has ensured that the City's tabulators remain in a stable, secure, ready state and has enabled them to continue to perform consistently and reliably, until their recent lifecycle end. Customization, proper preparation, and additional security are often not available through technology rental agreements which inevitably lead to less control over the election process. Control that the City of Toronto values, requires, and has benefited from in the past by owning its own voting equipment. We have heard it from many Members of Council that, "we can't afford to get it wrong" when it comes to the rollout and execution of elections in the City of Toronto.

At ES&S we encouraged, supported and appreciated the City Clerk's Office approach of an open and transparent procurement process through a Negotiated Request for Proposal (nRFP), a competitive process that we were confident we could meet all requested requirements, as we stand behind our products and services.

We understand that COVID-19 has put undue pressures on municipalities across the Country. With this lens in mind, we sharpened our pencil, to provide a fair cost evaluation that is even lower than in 2009,

as we believe that the costs of ownership strongly outweigh the risks and hidden costs of rental technology for the City.

As we have done for Toronto in the past, we will combine our best-in-the-market voting hardware with the best-in-the-market voting software, that is integrated and works in unison, along with our superior customer service, to provide all Toronto voters with an equal opportunity to vote – whether in-line, by mail, or with assistance - with ES&S, every vote counts.

Very truly yours,

A handwritten signature in black ink that reads "Tom Burt". The signature is written in a cursive style with a large, prominent initial "T".

**Tom Burt**

President & Chief Executive Officer  
Election Systems & Software