

Republic of the Philippines
Commission on Elections

REQUEST FOR PROPOSAL for Solutions, Terms & Conditions
for the Automation of the May 10, 2010 Synchronized National and
Local Elections Consisting of the Following Components:

- **Component 1: Paper-Based Automated Election System (AES)**
 - 1-A. Election Management System (EMS)
 - 1-B. Precinct-Count Optical Scan (PCOS) System
 - 1-C. Consolidation/Canvassing System (CCS)
- **Component 2: Provision for Electronic Transmission of Election Results** using Public Telecommunications Networks
- **Component 3: Overall Project Management**

Bidders' Pre-Bid Conference

Date : **27 March 2009**
Time : 10:00 AM
Venue : Session Hall, Commission on Elections
8th Flr. Palacio del Gobernador Bldg.
Intramuros, Manila

Responses due on or before

Date : **27 April 2009**
Time : 10:00 AM
Venue : Session Hall, Commission on Elections
8th Flr. Palacio del Gobernador Bldg.
Intramuros, Manila

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I. OBJECTIVE

The Commission on Elections intends to fully automate the May 10, 2010 Synchronized National and Local Elections, starting with the counting of votes up to the proclamation of the winning candidates from the municipal up to the national levels, together with the preparation of all required configurations to manage the automated election.

II. INTENT

The Commission on Elections (COMELEC), through its Bids and Awards Committee (BAC), is currently accepting bids for the lease, with an option to purchase, of an automated election system (AES) that will meet the following needs:

1. Introduction of a new system of voting to the Filipino electorate nationwide without deviating much from the manual manner of voting and which protects the voter's right to the secrecy of his vote;
2. An automated system of counting of votes which can count the voter's vote accurately and as intended by the voter, which can secure the precinct results in such a way that it cannot be tampered with or read outside the system, and the results of which can be accepted as input by the existing canvassing application of the COMELEC;
3. An integrated and comprehensive system for preparing and managing pre-election configuration and post-election requirements;
4. A secure, reliable and redundant service for electronic transmission of precinct results from authorized sources to COMELEC-designated target destinations using public telecommunication networks, including Internet access from all cities, municipalities and provinces;
5. A consolidation/canvassing system that allows consolidation of precinct results, and city/municipal and provincial results; and
6. A complete solutions provider, and not just a vendor, which can provide experienced and effective overall nationwide project management service and total customer support (covering all areas of project implementation including technical support, training, information campaign support, civil and electrical works service, warehousing, deployment, installation and pullout, contingency planning, etc.), under COMELEC supervision and control, to ensure effective and successful implementation of the Project.

III. GENERAL POLICIES, RULES AND GUIDELINES

In relation to the Project (see Annex C for Electoral Process Backgrounder), the following are the general policies, rules and guidelines to be implemented from pre-election preparation to Election Day until the proclamation of the winning candidates:

1. Pre-Election Preparation:

- 1.1 Before the official ballot can be printed for use on Election Day, the following data have to be prepared by the different field offices for submission to the main office for verification, finalization and approval:
 - 1.1.1 **List of Voters**, which is needed in determining the number of ballots to be printed;
 - 1.1.1.1 The date for closing the Book of Voters, which signifies that no correction to the List of Voters may be done afterwards, is set by the COMELEC according to law.
 - 1.1.1.2 This list is prepared using DCS Utilities.
 - 1.1.2 **Project of Precincts (POP)**, which is needed in determining the number of BEIs to be deputized for Election Day;
 - 1.1.2.1 This cannot be finalized unless the List of Voters is final.
 - 1.1.2.2 This list is also generated using DCS Utilities.
 - 1.1.2.3 The POP is still subject to EBAD's verification and finalization. All discrepancies are clarified with the concerned field office for correction.
 - 1.1.3 **List of Candidates**, which is needed in creating the ballot faces;
 - 1.1.3.1 The entries in the Certificates of Candidacies are to be encoded by the field offices using an in-house developed application for the purpose.
 - 1.1.3.2 This list is subject to verification by COMELEC's Law Department.
 - 1.1.3.3 The list is declared official by final approval of the COMELEC En Banc in the form of a formal Resolution.
- 1.2 The above-mentioned data are submitted to the concerned departments in the COMELEC for verification and approval.
- 1.3 The data from the POP and list of candidates are imported into the Election Management System (EMS) for use in the preparation of the different ballot faces.
 - 1.3.1 The voting jurisdictions are also imported into the EMS.
 - 1.3.2 The elective positions to be voted for are encoded into the EMS.
 - 1.3.3 The data on districting and the corresponding number of seats to vote for are also input into the EMS.

- 1.4 The ballot faces are printed and submitted to the COMELEC En Banc for approval.
 - 1.4.1 The machine configurations for all PCOS units are also prepared.
 - 1.4.2 Each PCOS unit is then configured for a specific city, municipality or district.
- 1.5 The Printing Committee can then coordinate with the NPO for printing the official ballots.
- 1.6 The official ballots are printed by the NPO in its own facility, where candidates and political parties may send their representatives to witness the entire procedure.
 - 1.6.1 The printed ballots shall be verified both manually and using the PCOS unit.
 - 1.6.2 The verified ballots are then packed and shipped to the different Treasurer's Offices nationwide.
- 1.7 The official ballots are personally picked up by the BEIs from the Treasurer's Offices on the early morning of Election Day before going to their respective polling places.

2. Final Testing and Sealing:

- 2.1 Around three (3) to seven (7) days before Election Day, all PCOS machines will be subjected to final testing and sealing by the BEIs, candidates' representatives and citizens' arms watchers.
- 2.2 Blank test ballots, whose configuration is the same as the Election Day ballot, shall be distributed to the participants for voting.
- 2.3 The results shall be tabulated manually by the BEI in the presence of the candidates' representatives and watchers.
- 2.4 The ballots shall be fed individually into the machine.
- 2.5 The machine shall consolidate the results, and print the ER correspondingly.
- 2.6 The machine results shall be compared with the manually tabulated results.
- 2.7 The machine shall be sealed in the presence of the BEIs, candidates' representatives and citizens' arms watchers.
- 2.8 A certification document to the fact shall be signed by the BEIs, candidates' representatives and citizens' arms watchers.

3. Voting Using PCOS:

- 3.1 Voting shall start at 7:00 AM and end at 6:00 PM on Election Day.

The law provides that voters still lined up within 30 meters of the polling place shall still be allowed to cast their vote even after the designated end of the voting period.

- 3.2 One PCOS unit shall be installed in the polling place for voting purposes.

- 3.2.1 Five (5) established precincts shall be clustered to use one (1) PCOS unit.
- 3.3 The BEI shall formally break the seals of the PCOS machine in the presence of the candidates' representatives and citizens' arms watchers.
- 3.4 The BEI shall open the voting by starting the PCOS unit and initializing its vote counters, showing written proof to watchers that there are no previous votes in it.
- 3.5 The voter shall indicate his vote by marking the space provided on the ballot opposite the name of his candidate of choice.
 - 3.5.1 An under-vote is acceptable.
 - 3.5.2 A voter may opt to abstain from voting for any candidate for any or all positions in his ballot. This will be treated as an under-vote.
- 3.6 The voter shall feed his voted ballot personally into the PCOS unit.
- 4. Counting, Consolidation and Generation of ER:**
 - 4.1 After the close of polls, the BEI shall execute a closing-of-polls function in the PCOS unit to indicate that the counting and consolidation application may be executed automatically by the system.
 - 4.1.1 Votes in the precinct/clustered precinct corresponding to the number of voters who actually voted, which should not be more than the number of registered voters plus the number of BEI members and their support staff, as specified by the COMELEC, shall be counted.
 - 4.1.2 An over-vote is not counted for the affected position only. All valid votes should be counted.
 - 4.2 Immediately after the precinct results consolidation, the system shall automatically generate and print the ER, in eight (8) copies, in the format specified by the COMELEC.
 - 4.3 The BEI shall physically sign and affix their thumbprints on all copies and on all pages of the ER.
 - 4.3.1 The watchers of the candidates and the political parties shall also do the same.
 - 4.4 The BEI shall post one (1) copy of the ER in the polling place, and shall announce the results of the voting in the precinct by reading from another copy of the ER.
 - 4.5 The BEI shall digitally sign and encrypt the internal copy of the ER.
 - 4.6 The BEI shall execute a function in the system to:
 - 4.6.1 Electronically transmit the ER, together with the precinct's statistical report and the PCOS unit's audit log report to the following destinations:
 - 4.6.1.1 city/municipal BOC;
 - 4.6.1.2 provincial BOC;

- 4.6.1.3 NBOCs of COMELEC and Congress;
- 4.6.1.4 Dominant majority party, Dominant minority party, Accredited citizens' arm, and KBP; and
- 4.6.1.5 Central server.
- 4.6.2 Print one (1) copy each of the statistical report and audit log report; and
- 4.6.3 Create a back-up copy of the following files to a removable data storage device, which shall be finalized and closed from further Write operations:
 - 4.6.3.1 Digitally signed and encrypted precinct results;
 - 4.6.3.2 Print file of the ER;
 - 4.6.3.3 Precinct's statistical report;
 - 4.6.3.4 PCOS unit's audit log report; and
 - 4.6.3.5 Digitally signed and encrypted voted ballot images.
- 4.6.4 Print the remaining twenty two (22) copies of ER.

5. **City/Municipal Canvassing:**

- 5.1 After the closing of polls, all members of the BOC shall start the canvassing procedure by logging in to the CCS using its designated security keys.
- 5.2 The BOC shall print the Initialization Report, and present it to the watchers as proof that no result for the city/municipality has previously been consolidated.
 - 5.2.1 The BOC Chairman and a watcher shall sign on the Initialization Report.
- 5.3 The BOC shall then generate and print a copy of the transmission status report, showing a list of all precincts in the city/municipality with an indicator of whether the corresponding results have already been received or not.
 - 5.3.1 This procedure may be repeated as needed.
- 5.4 The BOC shall generate a canvass report using the transmitted precinct results for the city/municipality for monitoring and verification purposes.
 - 5.4.1 This procedure may be repeated as needed.
- 5.5 Once all precinct results for the city/municipality have been completely received, the BOC shall execute a function in the CCS to generate the COC, SOV and COCP once, and print the same in eight (8) copies.
 - 5.5.1 All BOC members, representatives of candidates/political parties and accredited citizens' arm shall physically sign on all copies and all pages of said reports and affix their thumbprints on the same.
 - 5.5.2 The generated city/municipal results shall be digitally signed using the BOC's security keys, encrypted and then electronically transmitted to the corresponding PBOC and to the central server.

- 5.6 The BOC shall proclaim the winning candidates for City/Municipal Mayor, Vice-Mayor and Councilors based on the printed COCP.
- 5.7 The BOC shall print the remaining 22 copies of the COC, SOV and COCP.
 - 5.7.1 All BOC members, representatives of candidates/political parties and accredited citizens' arm shall physically sign again on all copies and all pages of said reports and affix their thumbprints on the same.
- 5.8 The BOC shall generate the city/municipality's statistical report and audit log report, and print one (1) copy each of the same.
- 5.9 The BOC shall create a back-up copy of the following files to a removable data storage device, which shall be finalized and closed from further Write operations:
 - 5.9.1 Digitally signed and encrypted city/municipal results;
 - 5.9.2 Print file of the COC, SOV and COCP;
 - 5.9.3 Statistical report; and
 - 5.9.4 Audit log report.

6. Provincial Canvassing:

- 6.1 After the closing of polls, all members of the BOC shall start the canvassing procedure by logging in to the CCS using its designated security keys.
- 6.2 The BOC shall print the Initialization Report from the CCS, and present it to the watchers as proof that no result for the province has previously been consolidated.
 - 6.2.1 The BOC Chairman and a watcher shall sign on the Initialization Report.
- 6.3 The BOC shall then generate and print a copy of the transmission status report, showing a list of all cities/municipalities in the province with an indicator of whether the corresponding results have already been received or not.
 - 6.3.1 This procedure may be repeated as needed.
- 6.4 The BOC shall generate a canvass report using the consolidated city/municipal results for the province.
 - 6.4.1 This procedure may be repeated as needed.
- 6.5 Once all city/municipal results for the province have been completely received, the BOC execute a function in the CCS to generate the COC, SOV and COCP once, and print the same in eight (8) copies.
 - 6.5.1 All BOC members, representatives of candidates/political parties and accredited citizens' arm shall physically sign on all copies and all pages of said reports and affix their thumbprints on the same.
 - 6.5.2 The generated provincial results shall be digitally signed using the BOC's security keys, encrypted and then electronically transmitted to NBOC-COMELEC, NBOC-Congress and to the central server.

- 6.6 The BOC shall proclaim the winning candidates for District Representatives Provincial Governor, Vice-Governor and Board Members based on the printed COCP.
- 6.7 The BOC shall print the remaining 6 copies of the COC, SOV and COCP.
 - 6.7.1 All BOC members, representatives of candidates/political parties and accredited citizens' arm shall physically sign again on all copies and all pages of said reports and affix their thumbprints on the same.
- 6.8 The BOC shall generate the province's statistical report and audit log report, and print one (1) copy each of the same.
- 6.9 The BOC shall create a back-up copy of the following files to a removable data storage device, which shall be finalized and closed from further Write operations:
 - 6.9.1 Digitally signed and encrypted provincial results;
 - 6.9.2 Print file of the COC, SOV and COCP;
 - 6.9.3 Statistical report; and
 - 6.9.4 Audit log report.
- 7. National Canvassing by the COMELEC:**
 - 7.1 After the closing of polls, all members of the BOC shall start the canvassing procedure by logging in to the CCS using its designated security keys.
 - 7.2 The BOC shall print the Initialization Report from the CCS, and present it to the watchers as proof that no result for Senators and Party-List Groups has previously been consolidated.
 - 7.2.1 The BOC Chairman and a watcher shall sign on the Initialization Report.
 - 7.3 The BOC shall then generate and print a copy of the transmission status report, showing a list of all provinces and HUCs, including participating OAV countries, with an indicator of whether the corresponding results have already been received or not.
 - 7.3.1 This procedure may be repeated as needed.
 - 7.4 The BOC shall generate a canvass report using the consolidated provincial results for monitoring and verification purposes.
 - 7.4.1 This procedure may be repeated as needed.
 - 7.5 Once all expected results have been completely received, the BOC shall execute a secure function in the CCS to generate the COC, SOV and COCP for Senators and Party-List Groups once, and print the same in eight (8) copies.
 - 7.5.1 All BOC members, representatives of candidates/political parties and accredited citizens' arm shall physically sign on all copies and all pages of said reports and affix their thumbprints on the same.

- 7.5.2 The generated national results shall be digitally signed using the BOC's security keys, encrypted and then electronically transmitted to the central server.
- 7.6 The BOC shall proclaim the winning candidates for Senators and Party-List Groups based on the printed COCP.
- 7.7 The BOC shall print the remaining 22 copies of the COC, SOV and COCP.
 - 7.7.1 All BOC members, representatives of candidates/political parties and accredited citizens' arm shall physically sign again on all copies and all pages of said reports and affix their thumbprints on the same.
- 7.8 The BOC shall generate the national statistical report and audit log report, and print one (1) copy each of the same.
- 7.9 The BOC shall create a back-up copy of the following files to a removable data storage device, which shall be finalized and closed from further Write operations:
 - 7.9.1 Digitally signed and encrypted national results for Senators and Party-List Groups;
 - 7.9.2 Print file of the COC, SOV and COCP;
 - 7.9.3 Statistical report; and
 - 7.9.4 Audit log report.

8. National Canvassing by Congress:

- 8.1 After the closing of polls, the Congress sitting in joint session as BOC for President and Vice-President shall start the canvassing procedure by logging in to the CCS using its designated security keys.
- 8.2 The Senate President shall print the Initialization Report from the CCS, and present it to the watchers as proof that no result for President and Vice-President has previously been consolidated.
 - 8.2.1 The BOC Chairman and a watcher shall sign on the Initialization Report.
- 8.3 The BOC shall then generate and print a copy of the transmission status report, showing a list of all provinces and HUCs, including participating OAV countries, with an indicator of whether the corresponding results have already been received or not.
 - 8.3.1 This procedure may be repeated as needed.
- 8.4 The BOC shall generate a canvass report using the consolidated provincial, HUCs and OAV results for monitoring and verification purposes.
 - 8.4.1 This procedure may be repeated as needed.
- 8.5 Once all expected results have been completely received, the BOC shall execute a secure function in the CCS to generate the COC and SOV for President and Vice-

President once, and print the same as many copies as may be determined by the Board.

- 8.5.1 The Senate President, representatives of candidates/political parties and accredited citizens' arm shall physically sign on all copies and all pages of said reports and affix their thumbprints on the same.
- 8.5.2 The generated national results shall be digitally signed using the BOC's security keys, encrypted and then electronically transmitted to the central server.
- 8.6 The BOC shall generate the national statistical report and audit log report, and print one (1) copy each of the same.
- 8.7 The BOC shall create a back-up copy of the following files to a removable data storage device, which shall be finalized and closed from further Write operations:
 - 8.7.1 Digitally signed and encrypted national results for President and Vice-President;
 - 8.7.2 Print file of the COC, SOV and COCP;
 - 8.7.3 Statistical report; and
 - 8.7.4 Audit log report.

Per RA 9369, Section 23, "The Senate and the House of Representatives in joint public session shall compose the national board of canvassers for president and vice-president. The certificate of canvass for president and vice-president duly certified by the board of canvassers of each province or city, shall be electronically transmitted to the Congress, directed to the president of the Senate. Upon receipt of the certificates of canvass, the President of the Senate shall, not later than thirty (30) days after the day of the election, open all the certificates in the presence of the Senate and the House of Representatives in joint public session and the Congress upon determination of the authenticity and the due execution thereof in the manner provided by law, canvass all the results for president and vice-president and thereafter, proclaim the winning candidates."; and

Section 25 "Authentication of Electronically Transmitted Election Results. - The manner of determining the authenticity and due execution of the certificates shall conform with the provisions of Republic Act No. 7166 as may be supplemented or modified by the provisions of this Act, where applicable, by appropriate authentication and certification procedures for electronic data, electronic documents and electronic signatures as provided in Republic Act No. 8792 as well as the rules promulgated by the Supreme Court pursuant thereto"

IV. TECHNICAL SPECIFICATIONS

The proposed solutions shall comply with the following minimum technical specifications:

COMPONENT 1 PAPER-BASED AUTOMATED ELECTION SYSTEM (AES)

Component 1-A Election Management System (EMS)

1. The system shall have an integrated election management system (EMS) which shall be:
 - 1.1 Capable of creating pre-election configuration data by direct entry and by importing these data from *mySQL* format, *mdb* format, or *csv* format, into the EMS, such as:
 - 1.1.1 Voting jurisdictions (provinces, legislative districts, provincial districts, councilor districts, cities/municipalities, barangays, precincts)
 - 1.1.2 Number of registered voters per precinct;
 - 1.1.3 Elective positions and number of seats to be voted for;
 - 1.1.4 Candidates information (full name, nickname/stage name, elective position, political party affiliation, jurisdiction where he intends to run;
 - 1.1.5 Title and date of elections;
 - 1.2 Capable of automatically generating the ballot faces to be used in printing the official ballots;
 - 1.3 Able to handle configurations for different types of electoral exercises both for the PCOS and the CCS, such as:
 - 1.3.1 National and Local Elections;
 - 1.3.2 ARMM Regional Elections;
 - 1.3.3 Plebiscites;
 - 1.3.4 Initiatives;
 - 1.3.5 Recall elections;
 - 1.3.6 Special elections.
 - 1.4 Capable of maintaining an immutable audit log, which shall include, among others:
 - 1.4.1 All user activities;
 - 1.4.1.1 User ID;

1.4.1.2 Actual date and time stamps; and

1.4.1.3 Specific action taken;

1.4.2 All system messages (including error messages);

1.5 customizable in accordance with the requirements of this RFP;

2. The system shall require authorization and authentication of all users, such as, but not limited to, usernames and passwords, with multiple user access levels.
3. The system shall make use of a graphical user interface, including, but not limited to, screen prompts, error messages and help screens.

Component 1-B Precinct-Count Optical Scan (PCOS)

1. The system shall allow manual feeding of a ballot into the PCOS machine.
2. The system shall be capable of scanning a ballot sheet at the speed of at least 2.75 inches per second.
3. The system shall be able to capture and store in an encrypted format the digital images of the ballot for at least 2,000 ballot sides (1,000 ballots, with back-to-back printing).
4. The system shall be a fully integrated single device. The printing and transmission functionalities may or may not be integrated into the system.
5. The system shall have a scanning resolution of at least 200 dpi.
6. The system shall scan in grayscale.
7. The system shall require authorization and authentication of all operators, such as, but not limited to, usernames and passwords, with multiple user access levels.
8. The system shall have an electronic display indicating the acceptance or rejection of a ballot.
9. The system shall employ error handling procedures, including, but not limited to, the use of error prompts and other related instructions.
10. The system shall count the voter's vote as marked on the ballot with an accuracy rating of at least 99.995 %.
11. The system shall not count ballots more than the specified number of registered voters, inclusive of the number of BEI members and support staff for every precinct/clustered precinct.
12. The system shall only count ballots intended for the city/municipality/councilor district for which it has been configured.
13. In case of over-voting for a position, the system shall not credit any vote for any candidate for the affected position. The rest of the votes for the unaffected positions shall be counted.

14. The system shall allow under-voting or no vote in any positions to be voted for.
15. The system shall be able to detect and reject fake or spurious, and previously-scanned ballots.
16. The system shall be able to scan both sides of a ballot and in any orientation in one pass.
17. The system shall have necessary safeguards to determine the authenticity of a ballot, such as, but not limited to, the use of bar codes, holograms, color shifting ink, micro printing, to be provided on the ballot and which can be recognized by the system.
18. The ballot design and layout shall be as specified by COMELEC.
19. The required features of the ballot are:
 - 19.1 Names of the candidates shall be pre-printed on the ballot.
 - 19.2 Only one ballot sheet per voter shall be used to accommodate all the names of the candidates for all elective positions.
 - 19.2.1 Both sides of the ballot sheet may be utilized.
 - 19.2.2 Each side of the ballot sheet shall be able to accommodate at least 300 names of candidates with a minimum font size of 10, in addition to other mandatory information required by law.
 - 19.3 The ballot paper shall be of such quality as to prevent markings on one side of the ballot to bleed through to the other side.
 - 19.4 Ballots shall have an Arabic translation of the titles of the offices to be voted for, in addition to and immediately below the English title, in areas where Arabic is of general use.
 - 19.5 There shall be as many ballot faces as there are cities/municipalities and districts for the NLE.
20. The system shall be able to recognize the following marks on the appropriate space on the ballot opposite the name of the candidate to be voted for:
 - 20.1 full shade;
 - 20.2 partial shade;
 - 20.3 check marks;
 - 20.4 x marks.
21. The system shall be able to recognize both pencil and ink marks.
22. The system shall, before transmission, require the electronic authentication and certification of the election returns through a secure mechanism by at least two BEI members.

23. The system shall transmit digitally signed and encrypted election results and reports enabled by public/private key cryptography to provide authenticity, integrity and non-repudiation utilizing at least 128-bit encryption scheme.
 - 23.1 The system shall have the ability to transmit the precinct results to the following destinations:
 - 23.1.1 city/municipal BOC;
 - 23.1.2 provincial BOC;
 - 23.1.3 NBOCs of COMELEC and Congress;
 - 23.1.4 Dominant majority party, Dominant minority party, Accredited citizens' arm, KBP; and;
 - 23.1.5 Central server;
24. The system shall generate a backup copy of the digitally signed and encrypted ER, including all generated reports, in a removable data storage device.
25. The system shall have alternative power sources, such as batteries, inverters or power generators, which will enable it to fully operate for at least 12 hours.
26. The system shall, immediately before the start of the voting/counting, require that its vote counters be zeroed out using administrator and operator access levels, and shall generate and print an initialization report showing that no votes have been cast/counted. The system shall not start unless the initialization report has been generated.
27. The system shall be able to generate and print the ER, statistical report and audit log for the precinct in the COMELEC-specified formats, both in soft and hard copies.
 - 27.1 The statistical report shall contain the following information, among others:
 - 27.1.1 Demographic information for the precinct (Province, City/municipality, barangay name, precinct number or clustered precinct name with the individual precinct numbers);
 - 27.1.2 Number of registered voters for the precinct; and
 - 27.1.3 Number of voters who actually voted in the precinct by gender and age group.

The final design of all required statistical reports shall be provided by the COMELEC within the period specified for Systems Customization/Development.
 - 27.2 The audit log shall record the following, among others:
 - 27.2.1 Machine ID;
 - 27.2.2 Voting jurisdiction;
 - 27.2.3 All user-generated activities, indicating:
 - 27.2.3.1 User ID;

- 27.2.3.2 Actual date and time stamps; and
 - 27.2.3.3 Specific action taken;
 - 27.2.4 Transmission logs, including:
 - 27.2.4.1 User ID;
 - 27.2.4.2 Date/time each transmission started and ended (with the size and name of the transmitted file, such as precinct result);
 - 27.2.4.3 Date/time transmitted result was received at remote station;
 - 27.2.5 All system messages (including error messages);
28. The system shall have error recovery features.
29. In compliance with RA 9369, the system must have demonstrated capability and been successfully used in a prior electoral exercise here or abroad, with a written certification to that fact from the election authority of the client country/state/province.
30. The system shall ensure that the printed election results and other reports shall remain legible for at least 5 years.
31. All related requirements by the system which are needed to make it fully operational during the entire duration of the project shall be included in the proposal/offer, including the software and hardware, back-up power supply, external data storage devices, ballot marking pens and other supplies, printers and other equipment, services, and consumables.
32. The system shall be customizable in accordance with the requirements of this RFP.
33. The design and functionality of the system shall still be subject to final customization requirements by the COMELEC.

Component 1-C Consolidation/Canvassing System (CCS)

1. The consolidation/canvassing system (CCS) shall be secure, fast, accurate, reliable and auditable, and able to:
 - 1.1 Monitor, detect, record and secure itself against intrusion and/or unauthorized access and recognize its authorized users with the use of physical security devices, such as USB flash drives or PCMCIA cards, with digital certificates, aside from the use of user IDs and passwords;
 - 1.2 Use the electronically transmitted results or the results as contained in the backup data storage device as input for processing;
 - 1.3 Decrypt and authenticate the transmitted encrypted election results prior to consolidation/canvassing;
 - 1.4 Detect previously-loaded election results and prevent these from being input again into the system;

- 1.5 Restart and resume the operation without any loss of data in the event of an abnormal termination of the system;
- 1.6 Provide real-time updates broken down by voting jurisdictions on:
 - 1.6.1 Number of precincts, cities/municipalities and provinces reported against total number of precincts, cities/municipalities and provinces and percentage thereof;
 - 1.6.2 Number of registered voters represented in precincts, cities/municipalities and provinces received against total number of registered voters, and percentage thereof;
 - 1.6.3 Number of voters who actually voted in precincts, cities/municipalities and provinces received against total number of registered voters, and percentage thereof;
 - 1.6.4 Number of votes obtained by each candidate for all positions.
- 1.7 Make use of a graphical user interface, including, but not limited to, the use of screen prompts, error messages and help screens;
- 1.8 Consolidate/canvass and generate reports:
 - 1.8.1 for the city/municipal BOC, using precinct results;
 - 1.8.2 for provincial/district BOC, using consolidated city/municipal results;
 - 1.8.3 for COMELEC sitting as the national BOC for Senators/Party-list, using consolidated provincial/city results;
 - 1.8.4 for Congress sitting as the national BOC for President/Vice-President, using consolidated provincial/city results.
- 1.9 Allow election results to be received for consolidation/canvassing only after the vote counters have been initially zeroed out and an initialization report has been printed;
- 1.10 Allow the BOCs to end the actual consolidation/canvassing process for each canvassing level and generate final canvassing results only when all expected results have come in and when the previous canvassing level has already been completed;
- 1.11 Accurately consolidate results from all expected precincts / cities / municipalities / provinces according to the different jurisdictions of each BOC;
- 1.12 Allow the BOCs to digitally sign all electronic results and reports before transmission;
- 1.13 Encrypt the digitally signed results and transmit the same to the next upper level of canvassing and to the central server;
- 1.14 Generate and print the following, using 8-ply TSF, in a format to be specified by COMELEC:

- 1.14.1 Initialization Report prior to the conduct of the actual canvass operation showing that no vote has been credited in favor of any candidate;
 - 1.14.2 COC with supporting SOV, and COCP when applicable;
 - 1.14.3 Immutable audit log report; and
 - 1.14.4 Statistical report;
- 1.15 Reconfigurable for use in other electoral exercises by the COMELEC;
- 1.16 Provide for a public website for real-time publication of canvassing results based on the electronically transmitted precinct results, including services for web design, development and hosting;
2. The system shall include a secure redundant/back-up site, which shall be at least 10 km from the main site, or an equivalent contingency plan subject to approval by COMELEC.
3. All related requirements by the system which are needed to make it fully operational during the entire duration of the project shall be included in the proposal/offer, such as but not limited to required software, servers, canvassing units, other related hardware, back-up power supply, external data storage devices and other supplies, printers and other equipment, services, and consumables.
 - 3.1 The bidder shall include in its offer the hardware and software for the consolidation server that shall be able to accommodate all the requirements of the COMELEC as specified in this RFP.
 - 3.2 The bidder shall propose the hardware needed for the canvassing units by the BOCs.
 - 3.2.1 All hardware shall have 3 years warranty (parts and service), if purchased.
 - 3.3 The minimum specifications for the dot-matrix printer to be used by the canvassing units for the BOCs shall be:
 - 3.3.1 500 cps high speed draft;
 - 3.3.2 8-ply TSF paper handling;
 - 3.3.3 Automatic paper forms handling;
 - 3.3.4 Standard parallel interface connectivity;
 - 3.3.5 9 pins printhead;
 - 3.3.6 136 columns;
 - 3.3.7 128 KB memory;
 - 3.3.8 200 million characters printhead life;
 - 3.3.9 4 million characters ribbon life;
 - 3.3.10 20,000 hours MTBF;

- 3.3.11 3 years warranty (parts and service) , if purchased;
- 3.4 UPS:
- 3.4.1 650 VA output power capacity;
 - 3.4.2 15 minutes typical backup time at half load;
 - 3.4.3 3 years warranty (parts and service) , if purchased;
4. The system shall be customizable in accordance with the requirements of this RFP.
5. The design and functionality of the system shall still be subject to final customization requirements by the COMELEC.

COMPONENT 2
PROVISION FOR ELECTRONIC TRANSMISSION
USING PUBLIC TELECOMMUNICATION NETWORKS

1. The service shall provide all the transmission requirements of the system.
2. The service shall have a designed availability of >99%.
3. The service shall be available from 3:00 PM on Election Day to 3:00 PM the following day or until all election results have been transmitted.
4. The service shall cover 100% of all clustered precincts covered by this RFP.
5. The service may utilize wireless, wired or satellite-based connection, or a combination thereof.
6. All related requirements by the service which are needed to make it fully operational for the duration of the project shall be included in the proposal/offer, including the software and hardware.

COMPONENT 3 OVERALL PROJECT MANAGEMENT

A. SERVICES

The scope of work is to assist the COMELEC in ensuring the successful implementation of the Project.

The project management services component of the 2010 National and Local Elections Automation Project shall include:

1. Project management, including team organization and implementation schedule;
2. Physical site design, preparation and operationalization;
3. Quality control and assurance;
4. Change management, including voter education and training;
5. Risk management and contingency planning
6. Configuration management

The following subsections outline the requirements of COMELEC from the bidders in the preparation of their proposed solutions for the delivery of such services.

1. Project Management

The COMELEC recognizes the diversity of services and technologies that shall be integrated in the implementation of the Project. Corollary, the bidders must demonstrate a clear understanding of the depth and breadth of the scope of work to be integrated and the criteria for evaluating these services and technologies.

Bidders must describe its proposed solution to include:

1.1 Demonstrable ability in the management of diverse services and technologies

This will require a project management approach with successful large systems integration experience. The various teams participating within the project must be integrated to achieve their outputs in a coordinated and timely fashion. Bidders must describe clearly their approach to systems integration for the successful implementation of the Project.

1.2 Dedicated and competent project management teams

Project management requires multi-faceted skill and talent, embracing people, processes and organization.

1.2.1 Bidders must describe the role of the Project Director, the Technical Coordinator and the Project Team Leaders in various disciplines. The Project Director is required to have authoritative credentials to lead various teams for the various components of the Project. On the other hand, the Team Leaders are required to have the ability to plan and lead managerially and technically in their respective disciplines.

- 1.2.2 The Bidder's Project Management Team must be able to show their ability to interact with COMELEC leadership and the counterpart COMELEC-PMO team in an atmosphere of learning that is enriching each other's knowledge and experiences.
- 1.2.3 Bidders must describe the team they are proposing, including the actual number of staff members, the time each staffer will dedicate to the project, and outline of terms of reference for these positions. This team must be provided until the end of the Project.
- 1.2.4 Bidders must provide resumes of its management team nominated for the Project on the basis of which the nominees will be evaluated.

The bidders must describe the project organization to be established during the life of the project and the reporting and working relationships between the project teams and the COMELEC. It is important to describe how they will manage the services to be provided. In this connection, the bidders are required to submit a work plan detailing work materials, procedures, personnel tasks/responsibilities, project plan(s) in MS Project format.

1.3 Proposed project management processes, tools and techniques

Bidders must describe its project management processes and tools to include the following:

- 1.3.1 Project planning;
- 1.3.2 Task estimation;
- 1.3.3 Work allocation;
- 1.3.4 Progress tracking and monitoring;
- 1.3.5 Reporting internal to the project and reporting to the Commission;
- 1.3.6 Problem resolution; and
- 1.3.7 Change request procedures.

1.4 A proven or responsive implementation methodology

Bidders must describe the proposed methodology (including implementation, tools and techniques) for progressing from contract award, and through all critical phases of the project. Bidders must also outline stage-wise items of delivery, review, acceptance, persons responsible and other concerns to ensure the quality of the products and services to be delivered.

2. Physical Site Plan, Design and Preparation

The Bidder shall propose a design, plan and schedule for the preparation of the physical site that will house the various equipment in the different sites. The preparation of the site shall include the detailed design and engineering work to be performed by the Bidder for the Project, such as engineering services for the preparation of drawings, maps, specifications, schedules, calculations, documents, estimates and coordination with the engineering efforts of the subcontractor.

The Bidder shall plan and design the installation site layouts in accordance with the Bidder's standards and prepare the sites according to the technical requirements of the Project, with the approval of the COMELEC.

The proposed technical bid for this component should include a detailed description as to how the following criteria shall be addressed by the Bidder in its bid:

2.1 Operational efficiency

Operational efficiency shall be concerned with the smooth functioning of installed equipment with provision for redundant power supply, redundant communication links, etc.

2.2 Adherence to environment and safety standards

This criterion shall be concerned with the provision all required environmental and safety provisions that adhere with published standards.

3. Quality Control and Quality Assurance

The COMELEC will conduct a full project audit at periodic intervals of the progress of the Contractor's schedule of work and deliverables through the Technical/Functional Team and Audit Team independent of the project. The project audit is designed to ensure that the Project delivers a range of Products, which may be goods and services, of an appropriate quality within time scales and budget. For purposes of evaluation of the bids, the Bidders must describe their standards for such audits including scope, required conduct, demands upon project personnel, demands upon the COMELEC personnel and outputs. However, during the Project's implementation, the Audit Reports shall be prepared by an independent Audit Team whose members shall be appointed by COMELEC.

The following tasks shall also be required:

- 3.1 Develop and implement procedures for the measurement and monitoring of the SLAs for the other components of the Project;
- 3.2 Assist in the regular monitoring of SLA compliance for all components;
- 3.3 Assist in the conduct of a 3rd party Stress and Security Testing of all systems;
- 3.4 Assist in the conduct of a 3rd party code review of the system;
- 3.5 Assist in recommending acceptance and payment for the services or outputs, and/or the position of penalties where applicable;

4. Change Management

The onset of the computerized operation of the envisioned system will call for changes in the process and procedures presently used by the COMELEC. This will affect the functions, relationships, authority and responsibilities of the Commission's offices. The Commission, therefore, requires the Bidders to describe its proposed change and risk management services detailing the following areas:

- 4.1 Change management methodology that should have a conscious bias toward organizational improvements and sustainability measures to effect procedural, structural and attitudinal changes in the organization as a result of this project and the agency's comprehensive modernization program;
- 4.2 Interventions and recommendations proposed must include strategies or measures that will enable the Commission to address the following concerns:
 - 4.2.1 Empowerment of the COMELEC personnel in terms of knowledge, attitudes and skills to eventually takeover the functions and thereby enabling them to use the system in managing the electoral process more effectively;
 - 4.2.2 Reengineering and simplification of pre-election, election day and post-election procedures while maintaining adequate security and control;
 - 4.2.3 Personnel sociological, cultural and psychological change process should appeal to a sense of nationalism among employees, defining and influencing their special role in the democratic/electoral reform process of the country; and
 - 4.2.4 Advocacy and communications plans for the change readiness requirements of all stakeholders within and outside the Commission, including candidates, local government units (LGUs), non-government organizations (NGOs), as well as political and public sectors.
- 4.3 Voter Education and Information
 - 4.3.1 The winning bidder shall provide assistance in the conduct of the information dissemination and education program by commenting on the program or providing reference materials or contacts of other system users.
 - 4.3.2 The winning bidder shall design, develop and produce information content ready for print, broadcast (radio and TV) and presentation in audio-visual, Internet and other media forms.
 - 4.3.3 The winning bidder shall provide demo units for road shows.
 - 4.3.4 The winning bidder shall develop and maintain, in coordination with the COMELEC, a website for this project for voter education purposes and related information dissemination. The proposal shall include the delivery of all requirements, including hardware (servers, firewall, etc.), software (operating system, antivirus, firewall, etc.), services (web development, etc.), technical training and communication link (high-speed Internet connection, etc.), which shall be turned over to the COMELEC after the duration of the project.
- 4.4 Policy Recommendations

The bidder shall provide the COMELEC with policy recommendations that the bidder may deem necessary for the efficient operation, administration, management and upgrading of the Commission's election administration system. These policy recommendations shall clearly explain, in layman's terms, why management should adopt and enforce these policies, how they impact on the delivery of services, and how they affect the mission and goals of the Commission.

For example, some policy recommendations may be made on security procedures, IT staffing and hiring, service contracting, budget allocation, and others.

5. Risk Management and Contingency Planning

This refers to a risk management program that will address security and other related risks (environmental, physical, political, people-related risks, etc.) that the project might encounter in the course of project implementation and more so anticipate the possible risks after the Project.

This shall also include a back-up plan in case of systems failure in any of the Project components.

This shall also include issue and conflict resolution, in terms of providing alternative courses of action, in case of inevitable conflicts among the parties involved in the Project and the mitigation of risk in case there are any.

6. Configuration Management

6.1 Bidders shall provide a Configuration Management system. Configuration Management provides guidance on developing and maintaining compatibility and consistency of project documentation, products, and support items throughout the project. It is imperative, from the functional baseline to the last product baseline, that both client and project personnel have the same definition of system configurations, configuration items and deliverables throughout the project life cycle.

6.2 The configuration management process should describe clearly the step-by-step activities, inputs, outputs and process metrics. It also harmonizes other processes such as Requirements Management, Work Breakdown Schedule, and Project Planning and Control.

B. STAFFING

The Project Management team who shall report full-time should possess:

1. A proven track record in the management of IT projects preferably with an outsourcing component;
2. Substantial experience and knowledge in the areas of applications development, quality assurance and testing, data center operations, computer hardware and networking, and change management; and
3. An appreciation of the processes and realities of government rules, regulations and procedures.

As minimum requirements, the following staffing must be provided by the bidder:

POSITION	QTY	QUALIFICATIONS
1. Project Manager	1	<ul style="list-style-type: none"> ▪ Minimum fifteen (15) years relevant IT experience; ▪ At least ten (10) years experience in managing large-scale multi-site IT development and implementation projects involving relational databases and wide area networks;

POSITION	QTY	QUALIFICATIONS
		<ul style="list-style-type: none"> ▪ With actual experience in assisting in the bid processes of any government agency following RA 9184 – Philippine government procurement rules, regulations and processes
2. Project Consultant for Quality Assurance and Testing	1	<ul style="list-style-type: none"> ▪ Minimum fifteen (15) years relevant IT experience in systems development projects; ▪ At least five (5) years senior level experience in quality assurance and testing of systems and data; ▪ At least five (5) years experience in designing and implementing test plans for large scale integrated application systems; ▪ With actual experience on the use of project management tools;
3. Change management specialist	1	<ul style="list-style-type: none"> ▪ Minimum ten (10) years experience in the design and implementation of change management programs involving large scale IT projects; ▪ With actual experience in communications and training, organizational development, selection and development of executive sponsors and change management agents; ▪ Previous background in working with Philippine government agencies; ▪ With actual experience on the use of project management tool;
4. Systems auditor	1	<ul style="list-style-type: none"> ▪ Minimum five (5) years relevant IT experience in systems auditing; ▪ Must be familiar with COBIT and ISO 17799 guidelines (preferably CISA); ▪ With actual experience on the use of project management tool;

Bidders must provide CVs of their proposed staff clearly showing the relevant skills, work experience and professional certifications. Bidders may propose additional staffing to complement skills of their proposed staff.

V. OTHER SPECIFICATIONS

1. The systems being proposed shall be in accordance with the specifications as stated and defined in the RFP and in RA 9369.
2. The winning bidder shall submit installers for all proposed systems in external storage devices, such as CD-R or DVD-R.
3. The bidder shall provide the appropriate quantity of ballot paper needed for 50 million voters.
4. The bidder shall be responsible for the storage, deployment to, installation and pull out of all machines from the voting centers, counting and canvassing sites, including site inspection and provisioning, without additional cost to COMELEC.
5. The bidder shall submit a certification that all requirements for customization stated in the RFP shall be provided.
6. The bidder shall describe its proposed documentation to support and maintain the requirements for services for each Component of the Project. This must include full documentation of the following:
 - 6.1 Application software systems documentation and user manuals for all applications developed;
 - 6.2 System Requirements Specification, describing all the inputs, outputs, processing rules, volumes, performance, thresholds etc. of the system being described. This document will answer the question "What" is being built;
 - 6.3 System Design Specifications, describing the technical methods to build the system including design specifications, program specifications, data dictionary, entity relationships etc. This document will answer the question "How" it is being built;
 - 6.4 Training Manuals for all types of training programs;
 - 6.5 Policy Manual serving as repository of broad objectives and principles that govern the Project and of the specific activities undertaken to operationalize them;
 - 6.6 Deployment, warehousing, installation and pull-out plans;
 - 6.7 Security features of the ballot;
 - 6.8 Other Support and Maintenance Manuals; and
 - 6.9 Other Standard Documentation

The bidder must indicate the appropriate quantities, target users/audience and purpose of the documentation. Modifications to the documentation will be made by the Supplier as and when required by changes to the corresponding products or services. Acceptance shall be dependent upon the timely delivery and suitable quality of the documentation and satisfactory performance of the documentation update service.

In view of the above, the winning Bidder should provide the necessary operating manuals, user's guide for trouble shooting and repair manuals, technical specifications and references, development guides, application codes, library files, application notes, data sheets and all other necessary documents to install, operate and maintain the system by trained personnel. They must provide three (3) complete sets of documentation in print and soft copy (CD-ROM). Manuals, plans and related documentation should be of robust and durable construction with concise and quality presentation. They must contain sufficient information for the proper operation of the equipment, software, developed applications and related processes.

For any hardware or software that has been configured or customized for the project, the settings, configuration, scripts, codes, or passwords used shall be fully documented and properly turned over to COMELEC. Initially configured passwords or similar information shall be kept in a separate, sealed document, marked "CONFIDENTIAL," and shall be turned over to COMELEC-designated personnel only.

The winning Bidder must be able to provide replacement or additional manuals when required by the COMELEC for all the above-mentioned requirements for the duration of the Project.

7. Application Systems Development

The COMELEC requires the bidders to describe their integrated solution for the design, development, installation, maintenance and sustainability of 2010 National and Local Elections automation application systems software at the precinct, voting centers, city/municipal, provincial, regional and central offices of the COMELEC. The proposed solution must be responsive to the required functionality as described in this RFP. Bidders shall have to customize or custom-built the applications systems supportive of the service level requirements for the Project as specified herein.

7.1 The bidder must describe their response to include:

7.1.1 Design of the automated system;

7.1.2 Approach in computerizing the application systems;

7.1.3 Systems development methodology, tools and techniques;

7.1.4 "Look and feel" of the software to be developed;

7.1.5 Security and control measures; and

7.1.6 Additional features or benefits the bidders would like to bring to the attention of the Evaluation Committee.

A short overview of the above using the same categories should preface the response.

7.2 All application systems development shall be done within the vicinity of the COMELEC Central Office and only executable codes shall be installed in the counting and canvassing machines.

7.3 The ownership of the analysis, design, and executable programs of all the applications developed should be given to COMELEC at no additional cost.

7.3.1 Should the option-to-purchase be exercised:

7.3.1.1. The source codes of all applications developed shall be turned over to the COMELEC;

7.3.1.2. The COMELEC shall then have the right to modify said systems.

7.4 The winning bidder shall authorize COMELEC to make the final source code of the PCOS and CCS and all of its components available and open to any interested party or groups which may conduct their own code review thereof. A copy of the source codes shall be kept in escrow with the BSP.

8. Training Plans

All proposals shall include the following training requirements:

8.1 A training program for COMELEC executives;

8.2 An extensive training and education program on the preparation of elections systems, counting and canvassing systems and transmission systems for technical personnel. Such training shall be sufficient to the point that the COMELEC technical personnel shall be able to operate the systems on their own. The training shall address, but shall not be limited to, the following topics:

8.2.1 Generation of election configuration;

8.2.2 Installation of election configuration in machines;

8.2.3 Operation of all systems provided;

8.2.4 Repair, troubleshooting, tuning up and maintenance of machines and electronic transmission facility;

8.2.5 Designing, printing and reformatting ballot faces and all election reports;

8.2.6 Safeguards to prevent and detect tampering or theft; and

8.2.7 Critical system errors.

8.3 A detailed training program for trainers and certifiers, which shall include:

8.3.1 Setting up and testing the counting machines, transmission facility and components thereof;

8.3.2 Proper operation and security of the machines and transmission facility from start to finish;

8.3.3 Troubleshooting methods to quickly identify and resolve any problems;

All training materials shall also be submitted to the COMELEC.

9. Election Day Operations Support

The bidder shall provide a plan to ensure that problems arising outside of the system or any components thereof during the Election Proper, from voting/counting, data transmission to canvassing levels, are addressed. This plan shall include areas where

service crews and spare units will be stationed and the response time in case units and/or service crew will have to be sent to voting/counting centers.

The bidder shall also provide the following technical support personnel:

- 9.1 An overall contract administrator who shall serve as the principal contact for the bidder with the COMELEC;
- 9.2 A minimum of one technician for every voting/counting and data transmission centers. This on-site technical support shall be provided 1 week before and 1 week after Election Day.

On-site technical support shall also be needed at least for the following:

- 9.2.1 Acceptance test;
 - 9.2.2 Pre-election system demonstration and/or accuracy test;
 - 9.2.3 Field testing;
 - 9.2.4 Mock election;
 - 9.2.5 Printing of ballots; and
 - 9.2.6 Post election testing and reporting.
- 9.3 Service technicians who are well trained, and capable of replacing malfunctioning equipment in the voting/counting centers. Each technician shall maintain a reasonable supply of spare parts and components necessary to repair a malfunctioning unit or return it to service. Technicians must also have cellular telephones or other means of real time communication.

10. Acceptance Test

The winning bidder shall provide all requirements (including test ballots, ballot marking pens, system configurations, backup storage devices, printers and printer inks/toners, paper for printing election results, statistical reports, and audit logs) for the conduct of all tests. The details for the test shall be provided by the COMELEC.

10.1 Lab Test

All systems shall be subjected to a Lab Test before the same can be formally accepted by COMELEC. This shall be done in a controlled environment in the premises designated by the COMELEC. This shall be an end-to-end test, covering all required systems, from voting to canvassing, including the transmission of election results.

10.2 Field Test

The PCOS and CCS shall have to pass Field Test which shall be conducted before systems acceptance as part of the Project's systems test and preparation phase. Should any component of the system fail during this Field Test, another field test shall be conducted at the expense of the vendor.

There shall be as many field tests as may be necessary until the requirements for the tests have been satisfied. All systems shall be tested on site, i.e. in selected locations nationwide covering different test voting centers, test consolidation sites, and test canvassing sites. The test shall also include live transmission of precinct results. COMELEC personnel shall operate all systems in this test.

11. Mock Election

An end-to-end Mock Election shall be conducted after finalization of the customized software prior to the actual conduct of elections as part of the Project's public information and education campaign. All systems to be used on Election Day will be tested and used by actual voters, actual PCOS operators, and actual CCS operators. The procedure will cover actual voting, counting, transmission of precinct results, and consolidation of results by sample canvassing units from all canvassing levels.

The winning bidder shall provide all requirements (including test ballots, ballot marking pens, system configurations, backup storage devices, printers and printer inks/toners, paper for printing election results, statistical reports, and audit logs) to be used to make all systems fully operational for the successful conduct of the Mock Election.

The areas to be covered by the Mock Election shall be as determined by the COMELEC.

12. Transmission Test

The winning bidder shall submit written proof on the conduct of successful transmission from all sites to the consolidation server, at least one week before Election Day.

13. Final Test and Sealing

At least three days, or on any other specified date by the COMELEC, before Election Day, a final test and sealing procedure of all PCOS and CCS units using the actual Election Day machine configuration shall be conducted in all sites.

After the final test, all PCOS and CCS units shall be re-configured, zeroed out, and sealed for Election Day use.

The winning bidder shall provide all requirements (including test ballots, ballot marking pens, system configurations, backup storage devices, printers, printer ink/toner, paper for printing election results, statistical reports, and audit logs) to be used to make all systems fully operational for the successful conduct of the Final Test and Sealing.

14. The proposal shall include the cost for:

14.1 Type and number of machines based on the COMELEC-specified allocation in the Annex portion of this RFP, including the software and hardware, back-up power supply, ballot papers, ballot marking pens, external data storage devices and other supplies, printers and other equipment, services, and PCOS consumables;

14.2 Technical requirements for the conduct of the acceptance test, mock election, final test and sealing, and for election day including:

14.2.1 Ballots;

14.2.2 Warehousing;

- 14.2.3 Deployment;
 - 14.2.4 Installation in and pullout from site;
 - 14.2.5 Physical security in the warehouse and to the machines for the duration of the Project;
 - 14.2.6 Equipment, supplies and materials including consumables for all tests and actual election;
 - 14.2.7 Technical support;
 - 14.2.8 Training requirements for all types of training such as manuals, equipment, venue and other supplies and materials.
- 14.3 Preparation, setting up and provisioning of voting/counting/canvassing centers, including electrical, infrastructure, and if necessary, civil works.
- 15. The bidder must submit a continuity plan in case of a systems breakdown or any such eventuality which shall result in the delay, obstruction or nonperformance of the electoral process.
 - 16. The bidder must submit a detailed servicing plan, including manpower complement, to address problems occurring during deployment of machines to the staging areas, provinces, and to the voting centers in the cities and municipalities.
 - 17. The bidder must submit specifications for preparing, setting up and provisioning of voting/counting/canvassing centers. This should include specifications for electrical, infrastructure, and if necessary, civil works.
 - 18. The winning bidder shall assure the availability of parts, labor and technical support to the COMELEC for the duration of this Project and for the next ten (10) years should the COMELEC opt to purchase the system after the lease period.
 - 19. The winning bidder shall provide all requirements of the offered systems needed in the integration with the transmission and canvassing systems should the bidder opt to use the existing CCS of COMELEC.
20. Warranty
- For all Components, all equipment and software shall be covered by warranty for the entire duration of the Project and within the period during which the Commission may exercise its option to purchase, including provision of all software/firmware upgrades or replacement of any defective components, entire units, or systems.
- 21. The bidder shall include a proposal for the design of the required ballot box for storing the ballot, taking into consideration the existing guidelines on provision of physical security and the requirement for separate compartments for valid and invalid ballots.
 - 22. The bidder shall include in his proposal the cost for the supply of 4 million pieces ballot marking pens for use in the marking of ballots.
 - 23. The bidder shall submit a description of the inherent security features on the ballot apart from the abovementioned security features required by the COMELEC.

- The bidder shall also explain why such security features on the ballot are practical, effective, and adequate.
24. Printing of ballots for the elections shall be done in two months at the most. The bidder, therefore, is required to submit a master ballots generation plan that should include timeframes, an inventory of human and non-human resources necessary to accomplish the task correctly and on time and other important information. Such plan should include strict quality control procedures to ensure that master copies are free of any errors.
 25. The bidder shall submit the cost for the following:
 - 25.1 Service for public telecommunication network;
 - 25.2 Software and hardware;
 - 25.3 All technical requirements for the conduct of acceptance test, field tests, mock elections and election proper;
 - 25.4 Warehousing;
 - 25.5 Deployment;
 - 25.6 Installation in and pullout from site;
 - 25.7 Physical security in the warehouse and to the machines during the duration of the project;
 - 25.8 Equipment, supplies and materials including consumables for testing and actual election;
 - 25.9 Technical support for field tests, mock election test and actual election/canvassing day;
 - 25.10 Training requirements for all types of training such as manuals, equipment, venue and other supplies and materials; and
 - 25.11 Other cost included in the offer.
 26. The bidder shall submit its plan for providing the service for electronic transmission of results.
 27. The bidder shall submit a back-up plan, which may include transmitting from neighboring polling places or voting centers, in case the transmission service fails.
 28. The offer shall be for a one-time lease basis for Component 1-A, 1-B and 1-C.
 - 28.1 An offer for an option to purchase by component to be decided by COMELEC before December 31, 2010 shall be included by the bidder in its proposal.
 - 28.2 The price of the option-to-purchase shall not exceed 50% of the lease price of the equipment.
 29. All bids shall be broken down per Component, and shall be itemized.

29.1 The itemized bids shall be presented using the Financial Proposal Breakdown Templates provided in Annex.

30. All hardware shall be brand new.

VI. IMPLEMENTATION CALENDAR

ACTIVITY	START	FINISH
1. Publication of Invitation to Bid	03.16.09	
2. Issuance of Invitation/ Request for Proposal	03.18.09	
3. Pre-bid conference	03.27.09	
4. Submission and opening of bids	04.27.09	
5. End-to-end demonstration of Proposal	04.30.09	05.05.09
6. Bid Evaluation and Post-qualification	04.30.09	05.08.09
7. Issue Notice of Award	05.15.09	
8. Contract preparation and signing	05.15.09	05.21.09
9. Approval of contract	05.25.09	
10. Issue Notice to Proceed	05.26.09	
11. Customization of systems / systems development	05.27.09	11.11.09
12. Delivery of systems	11.11.09	11.11.09
13. Delivery of machines	10.01.09	12.30.09
14. Testing of systems	11.12.09	12.12.09
15. Field test 1	11.28.09	
16. Field test 2, if needed	12.05.09	
17. Testing of machines	11.12.09	02.12.10
18. COMELEC Systems Acceptance	12.12.09	12.13.09
19. Mock election	12.13.09	
20. TEC Systems Certification	12.18.09	12.18.09
21. Train COMELEC technical personnel	12.01.09	12.11.09
22. Train COMELEC field personnel on operation	12.15.09	02.13.10
23. Conduct public demonstration using machines	12.16.09	05.01.10
24. Creation of machine configuration, ballot face, etc	12.07.09	03.15.10

ACTIVITY	START	FINISH
25. Print ballots	01.07.10	04.18.10
26. Setting of Configuration of machines		
26.1 Outside ARMM	01.07.10	04.18.10
26.2 ARMM	01.07.10	01.10.10
27. Testing of machines in their actual configuration with the ballots, in case of ACMs		
27.1 Outside ARMM	01.14.10	04.21.10
27.2 ARMM	01.07.10	01.10.10
28. Deployment of machines/transmission equipment		
28.1 Outside ARMM	03.02.10	04.25.10
28.2 ARMM	03.02.10	03.05.10
29. Prepare transmission sites		
29.1 Outside ARMM	03.02.10	04.25.10
29.2 ARMM	03.02.10	03.05.10
30. Training of operators/DOST certification		
30.1 Outside ARMM	01.20.10	04.30.10
30.2 ARMM	03.11.10	03.14.10
31. Prepare voting/counting/canvassing sites		
31.1 Outside ARMM	03.02.10	04.25.10
31.2 ARMM	03.02.10	03.05.10
32. Final checking, demos, and sealing of machines		
32.1 Outside ARMM	05.02.10	05.06.10
32.2 ARMM	04.16.10	04.16.10
33. Ship ballots		
33.1 Outside ARMM	04.22.10	05.08.10
33.2 ARMM	04.13.10	04.15.10

ACTIVITY	START	FINISH
34. Election Day		
34.1 Outside ARMM	05.10.10	
34.2 ARMM	04.20.10	
35. Count precinct & proclaim city/municipal winners	05.10.10	05.11.10
36. Canvass results & proclaim winners	05.12.10	05.13.10

VII. ESTIMATED PROJECT STATISTICS

ITEM	FIGURE
1. Number of regions	17
2. Number of provinces	80
3. Number of legislative districts	219
4. Number of cities	136
5. Number of municipalities	1,095
6. Number of barangays	42,008
7. Number of polling/voting centers	37,827
8. Number of established precincts	319,584
9. Number of clustered precincts	80,000
10. Number of established precincts in cluster	5 max
11. Number of registered voters	50,000,000
11.1 Per precinct	200 max
11.2 Per clustered precinct	1,000 max
12. Number of positions to be voted for	11
12.1 President	1
12.2 Vice-President	1
12.3 Senator	12
12.4 Party-List Group	1
12.5 District Representative	1
12.6 Provincial Governor	1
12.7 Provincial Vice-Governor	1
12.8 Provincial Board Member (number varies depending on the size of province)	4 - 12
12.9 City/Municipal Mayor	1
12.10 City/Municipal Vice-Mayor	1
12.11 City/Municipal/District Councilor (number varies depending on the size of city/municipality/councilor district)	6 - 8
13. Average number of candidates:	
13.1 National positions	300
13.2 Local positions	300

VIII. EVALUATION CRITERIA

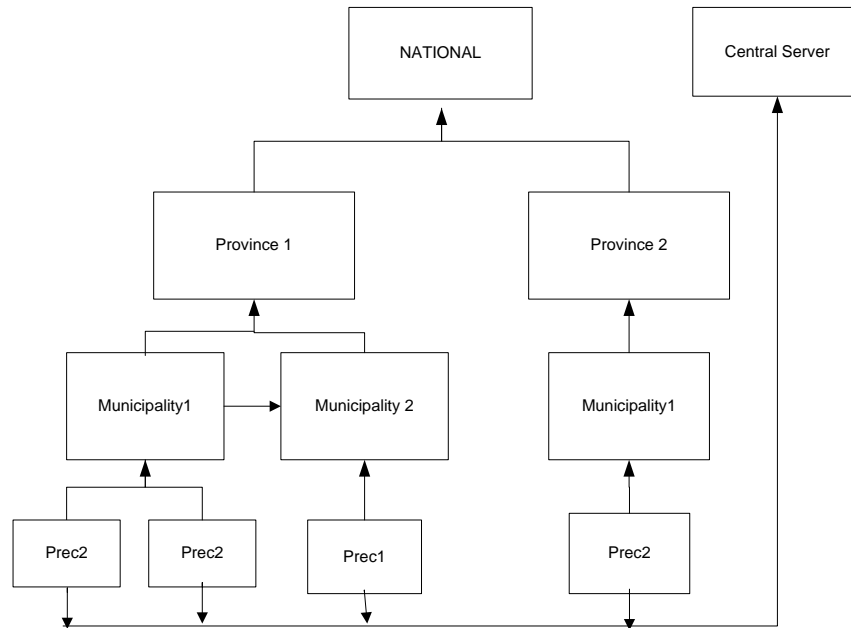
A. Systems Evaluation Checklist

The demo system shall be graded with a PASS/FAIL, or YES/NO, using the following checklist:

ITEM	REQUIREMENT	YES	NO	REMARK
1	Does the system allow manual feeding of a ballot into the PCOS machine?			
2	Does the system scan a ballot sheet at the speed of at least 2.75 inches per second?			
3	Is the system able to capture and store in an encrypted format the digital images of the ballot for at least 2,000 ballot sides (1,000 ballots, with back to back printing)?			
4	Is the system a fully integrated single device as described in item no. 4 of Component 1-B?			
5	Does the system have a scanning resolution of at least 200 dpi?			
6	Does the system scan in grayscale?			
7	Does the system require authorization and authentication of all operators, such as, but not limited to, usernames and passwords, with multiple user access levels?			
8	Does the system have an electronic display?			
9	Does the system employ error handling procedures, including, but not limited to, the use of error prompts and other related instructions?			
10	Does the system count the voter's vote as marked on the ballot with an accuracy rating of at least 99.995 %?			
11	Does the system detect and reject fake or spurious, and previously-scanned ballots?			
12	Does the system scan both sides of a ballot and in any orientation in one pass?			
13	Does the system have necessary safeguards to determine the authenticity of a ballot, such as, but not limited to, the use of bar codes, holograms, color shifting ink, micro printing, to be provided on the ballot, which can be recognized by the system?			
14	Are the names of the candidates pre-printed on the			

ITEM	REQUIREMENT	YES	NO	REMARK
	ballot?			
15	Does each side of the ballot sheet accommodate at least 300 names of candidates with a minimum font size of 10, in addition to other mandatory information required by law?			
16	Does the system recognize full shade marks on the appropriate space on the ballot opposite the name of the candidate to be voted for?			
17	Does the system recognize partial shade marks on the appropriate space on the ballot opposite the name of the candidate to be voted for?			
18	Does the system recognize check (✓) marks on the appropriate space on the ballot opposite the name of the candidate to be voted for?			
19	Does the system recognize x marks on the appropriate space on the ballot opposite the name of the candidate to be voted for?			
20	Does the system recognize both pencil and ink marks on the ballot?			
21	In a simulation of a system shut down, does the system have error recovery features?			
22	Does the system have transmission and consolidation/canvassing capabilities?			
23	Does the system generate a backup copy of the generated reports, in a removable data storage device?			
24	Does the system have alternative power sources, which will enable it to fully operate for at least 12 hours?			
25	Is the system capable of generating and printing reports?			
26	Did the bidder successfully demonstrate EMS, voting counting, consolidation/canvassing and transmission? (see B. Demo model)			

B. Demo Model



Note: arrow depicts transmission

Aside from accomplished ballots per precinct in the model, the bidder shall also provide for other tests, 1,100 blank ballots with one configuration.

For Systems Acceptance, all proposed systems shall be checked for compliance with all requirements as provided in the RFP, including all customization requirements and change requests as agreed upon by COMELEC and the winning bidder.

IX. TERMS AND CONDITIONS FOR BIDDERS

A. INVITATION TO APPLY FOR ELIGIBILITY AND TO BID

Sealed applications for eligibility and bid documents for the procurement of counting machines, including the supply of ballot paper; electronic transmission services using public telecommunications networks; training; technical support; warehousing, deployment; installation; pull-out; systems integration; and overall project management, to be used in the Automation of the Counting, Transmission and Canvassing of Votes for the May 10, 2010 Synchronized National and Local Elections, namely:

- **Component 1: Paper-Based Automated Election System (AES)**
 - 1-A. Election Management System (EMS)
 - 1-B. Precinct-Count Optical Scan (PCOS)
 - 1-C. Consolidation/Canvassing System (CCS)
- **Component 2: Provision for Electronic Transmission of Election Results**
using Public Telecommunications Networks
- **Component 3: Overall Project Management**

shall be received at the COMELEC Session Hall, 8th floor, Palacio del Gobernador, General Luna Street, Intramuros, Manila, on **27 April 2009** at 10:00 a.m., at which place, date and time, said sealed bids shall be opened in the presence of the members of the Bids and Awards Committee, representatives of the Commission on Elections, Commission on Audit, Philippine Chamber of Commerce and Industry, Parish Pastoral Council for Responsible Voting, the participating bidders and the public, with an Approved Budget for the Contract in the amount of **11,223,618,400.00** Pesos, charged against the supplemental appropriations for election modernization.

Bid documents may be obtained starting **18 March 2009 to 25 March 2009**, during regular office hours from the BAC Secretariat, Property Division, Administrative Services Department, Casa Rocha Building, Andres Soriano Street, Intramuros, Manila, upon payment with the Cash Division, Commission on Elections, in cash or Manager's/Cashier's check, payable to "The Commission on Elections", of a non-refundable amount of **1,000,000.00** pesos. A Special Power of Attorney, made and executed by the prospective bidder, shall be required should it assign a representative to secure the bid documents.

A Pre-Bid Conference is scheduled on **27 March 2009**, at 10:00 a.m. at the Session Hall, Commission on Elections, 8th Floor, Palacio del Gobernador, Intramuros, Manila.

Deadline for submission to the BAC of sealed application for eligibility and bid envelopes shall be at 10:00 o'clock in the morning at the Session Hall, Commission on Elections, Palacio del Gobernador Condominium, General Luna St., Intramuros, Manila on **27 April 2009**, at which time, date and place the sealed applications and bid envelopes shall be opened.

Bids shall be accompanied by a Bid Security equivalent to one per centum (1%) of the Approved Budget for the Contract, or a total of **112,236,184.00** Pesos, in the form of cash or manager's check, cashier's check, bank draft or irrevocable letter of credit in favor of "The Commission on Elections".

The delivery schedules are indicated in the Implementation Calendar of this RFP.

The COMELEC reserves the right to reject any or all bids, waive any formal defect contained therein, and accept the lowest calculated responsive bid that is most advantageous to the Commission. Likewise, it reserves the right to review the qualifications of the bidders after the bidding and before the contract is executed. Should such review uncover any change in the situation of the bidder to materially downgrade the substance of such statements, the COMELEC shall disqualify the bidder upon due notice without any obligation whatsoever on the part of the COMELEC for any expense or loss that may be incurred by the bidder in the preparation of its bid.

B. TERMS, CONDITIONS AND INSTRUCTIONS TO BIDDERS

1. General Instructions

- 1.1 The bidders must carefully study the specifications, terms and conditions advertised in the bid.
- 1.2 A bidder is chargeable with knowledge of the terms and conditions of the bid as advertised, such that he/it must be fully informed of all the matters which may in any way affect the bid or contract.
- 1.3 Should a bidder require any clarification on any part of the bid documents, it shall submit to the BAC a written request for clarification at least ten (10) calendar days before the deadline set for submission of receipt of bids.
- 1.4 Clarifications made by the Bids and Awards Committee during the pre-bid conference shall be in writing, in the form of a Bid Bulletin, and furnished to all interested bidders who shall be required to obtain the same from the office, and within the period, specified in the pre-bid conference. It shall be the responsibility of all those who have properly secured the Bidding Documents to inquire and secure Bid Bulletins that may be issued by the BAC.
- 1.5 The Bid Bulletin shall also be posted at the COMELEC website and the G-EPS website.
- 1.6 Any statement at the pre-bid conference shall not modify the terms and conditions of the bid documents unless such statement is specifically identified in writing as an amendment thereto.
- 1.7 The BAC reserves the right to extend the opening of the bids for any period of time, if it is in its opinion advantageous or necessary. In this event, the BAC shall notify the prospective bidders accordingly.
- 1.8 The call for bids is no more than an invitation to make proposals and the BAC is not bound to accept any bid. Neither does this call for bids confer a right on any bidder to an action for damages for unrealized or expected profits or other such

damages unless the bid has been duly accepted by the Commission on Elections En Banc.

- 1.9 The bidders shall bear all costs in the preparation of their bids, and the Commission on Elections shall in no case be responsible or liable for these costs regardless of the outcome of the bidding process.
- 1.10 The Commission on Elections will not assume the responsibility of securing exemptions from taxes, or import duties, and/or import licenses, if necessary, for the importation of the articles called for or the machinery necessary for the manufacture or production of the articles subject matter of the bid.
- 1.11 The BAC shall reject a bid, which does not comply with the terms and conditions or requirements of the bid documents. The BAC, however, in the evaluation of the bids received, reserves the right to waive the consideration of minor deviations therein, provided the same do not affect the substance and validity of the bids.
- 1.12 The applicable Laws are as follows:
 - 1.12.1 Republic Act No. 9369;
 - 1.12.2 Pertinent Provisions of the Omnibus Election Code, as amended;
 - 1.12.3 Republic Act No. 9184 and its implementing rules;

2. Bidders

- 2.1 The BAC shall receive and consider bids only from eligible manufacturers, suppliers and/or distributors.
- 2.2 The following manufacturers, suppliers and/or distributors shall be eligible to participate in the bidding:
 - 2.2.1 Duly licensed Filipino citizens/proprietorships;
 - 2.2.2 Partnerships duly organized under the laws of the Philippines and of which at least sixty percent (60%) of the interest belongs to citizens of the Philippines;
 - 2.2.3 Corporations duly organized under the laws of the Philippines, and of which at least sixty percent (60%) of the outstanding capital stock belongs to citizens of the Philippines;
 - 2.2.4 Manufacturers, suppliers and/or distributors forming themselves into a joint venture, i.e., a group of two (2) or more manufacturers, suppliers and/or distributors that intend to be jointly and severally responsible or liable for a particular contract, provided that Filipino ownership thereof shall be at least sixty percent (60%); and
 - 2.2.5 Cooperatives duly registered with the Cooperatives Development Authority;
 - 2.2.6 The eligibility of prospective bidders shall be determined based on the submission by the bidders to the BAC of the following documents:

2.2.6.1 Class "A" Documents

2.2.6.1.1 Legal Documents

- 2.2.6.1.1.1 DTI business name registration or SEC registration certificate, whichever may be appropriate under existing laws of the Philippines;
- 2.2.6.1.1.2 Valid and current Mayor's permit/municipal license;
- 2.2.6.1.1.3 Taxpayer's Identification Number (TIN) / BIR Value Added Tax Registration;
- 2.2.6.1.1.4 Statement of the prospective bidder that it is not, whether in its individual capacity or as a member of a joint venture, "blacklisted" or barred from bidding by the Government or any of its agencies, offices, corporations or LGUs, including non-inclusion in the Consolidated Blacklisting Report issued by the GPPB;
- 2.2.6.1.1.5 Waiver executed by its President, under the authority of its Board, that it will not seek and obtain writs of injunction or prohibition or restraining order against the procuring entity to prevent and restrain the bidding procedures related thereto, including the holding of bidding and any procedure related thereto, the negotiating and award of a contract to a successful bidder, and the carrying out of the awarded contract;
- 2.2.6.1.1.6 Consent executed by its President, under the authority of its Board, that after an award has been made and the corresponding contract has been executed, it will allow the procuring entity to publish its bid, and to post the same in the COMELEC website, regardless of whether or not the award has been made and the contract was executed in its favor;
- 2.2.6.1.1.7 Other appropriate license, such as, a certificate that the bidder is licensed by the bidder's country to export the goods to be supplied under the contract as well as its Tax Returns and Tax Clearance pursuant to EO 398;
- 2.2.6.1.1.8 Certificate of G-EPS registration;

2.2.6.1.2 Technical Documents

- 2.2.6.1.2.1 Statement of the prospective bidder of all its ongoing and completed government and private contracts within the immediately preceding year, including contracts awarded but not yet started, if any. The statement shall state for each contract whether said contract is:

2.2.6.1.2.1.1 Ongoing, completed, or awarded but not yet started.

The statement shall include, for each contract, the following:

2.2.6.1.2.1.1.1 The name of the contract;

2.2.6.1.2.1.1.2 Date of the contract;

2.2.6.1.2.1.1.3 Kinds of goods sold;

2.2.6.1.2.1.1.4 Amount of contract and value of outstanding contracts;

2.2.6.1.2.1.1.5 Date of delivery;

2.2.6.1.2.1.1.6 End user's acceptance, if completed; and

2.2.6.1.2.1.1.7 Specification whether prospective bidder is a manufacturer, supplier or distributor;

2.2.6.1.2.1.2 Similar or not similar in nature and complexity to the contract to be bid.

2.2.6.1.2.2 Statement of the value of the prospective bidder's largest single contract for the last three (3) years, adjusted to current process using the wholesale consumer price index and similar to the contract to be bid, which must be at least fifty percent (50%) of the approved budget for the contract to be bid.

The contract shall be considered "similar" to the contract to be bid if it involves goods or related services of the same nature and complexity as those which are the subject of the public bidding. The bidder shall be required to submit copies of the contract and certificate of acceptance by the concerned procuring entity.

2.2.6.1.2.3 ISO 9000 Certificate or its equivalent.

2.2.6.1.2.4 Literature and brochures describing the equipment, the manufacturer's factory, manufacturing facilities, products and service centers.

2.2.6.1.2.5 Certification from the Environmental Protection Agency (EPA) or similar government agency of the country of origin that the product meets the environment protection requirements therein.

2.2.6.1.2.6 Certificate that if awarded the project, Bidder will submit a warranty for a minimum of three (3) years from date of delivery for units found to be imperfect or damaged due to factory defect.

2.2.6.1.3 Financial Documents

2.2.6.1.3.1 Audited financial statement for the last two (2) calendar years, notarized with seal, stamped "RECEIVED" by the Bureau of Internal Revenue or its duly accredited and authorized institutions, showing among others, the prospective bidder's total current assets and liabilities and its capacity to finance the manufacture and supply of goods called for and a statement or record of volume of sales, including Balance Sheet, Income Statement, and Statement of Cash Flow.

2.2.6.1.3.2 Net Financial Contracting Capacity (NFCC) which shall be in accordance with Section 23.11 of the Implementing Rules and Regulation of Republic Act No. 9184; or commitment from a licensed bank to extend to it a credit line if awarded the contract to be bid, or a cash deposit certificate, which shall be at least equal to ten percent (10%) of the Approved Budget for the Contract.

2.2.6.2 Class "B" Documents

2.2.6.2.1 Valid joint venture agreement, in case of a joint venture; and

2.2.6.2.2 Letter authorizing the BAC of its duly authorized representative/s to verify any or all the documents submitted for the eligibility check

2.2.7 Each of the documentary requirements of the Bidder's eligibility and qualification must be under oath and duly notarized, marked and arranged as follows:

2.2.7.1 Legal Documents;

2.2.7.2 Technical Documents;

2.2.7.3 Financial Documents;

These documents shall be appropriately tabbed and arranged in the order as listed above.

2.3 The bidders shall be evaluated according to their liquidity, solvency and stability. The company's current assets should be more than its current liabilities. Its long term assets should be more than its long term liabilities. The BAC may disqualify companies that are having financial difficulty, thus making its long term financial prospects dim. Bidders whose net worth is less than ten percent (10%) of the Approved Budget for the Contract shall be disqualified.

2.4 In the case of foreign manufacturers, suppliers and distributors, the eligibility requirements for items 2.2.6.1.1.1 to 2.2.6.1.1.8 of the legal documents under Class "A" Documents, including the prospective bidder's audited financial statement, may be substituted by the appropriate equivalent documents issued by the country of the foreign manufacturer, supplier or distributor concerned, which documents must be duly acknowledged or authenticated by the Philippine Consulate therein.

- 2.5 The prospective bidder or his duly authorized representative shall certify under oath that each of the documents submitted in satisfaction of the eligibility requirements is an authentic and original copy, or a true and faithful reproduction or copy of the original, complete, and that all statements and information provided therein are true and correct.
- 2.6 Notwithstanding the eligibility of a bidder, the BAC reserves the right to review the qualification of a bidder after the bidding and before the execution of the contract. Should such review uncover any misrepresentation made in the eligibility statements, or any change in the situation of the bidder to materially downgrade the substance of such statements, the BAC shall disqualify the bidder upon due notice without any obligation whatsoever on the part of the COMELEC for any expense or loss that may be incurred by the bidder in the preparation of its bid.

3. Bids

- 3.1 The Bidder shall prepare and submit one (1) original and five (5) copies of the bid, clearly marking each as "Original Bid" and "Copy of Bid", as appropriate. In the event of any discrepancy between them, the original shall govern.
- 3.2 The Bidder shall submit the Technical and Financial proposals of his Bid in separate sealed envelopes. There shall be one (1) original and five (5) copies of the Technical and Financial Proposals.
- 3.3 The Bidder shall seal the original and each copy of the Technical and Financial Proposals in separate envelopes clearly marked as either "ORIGINAL" or "COPY" and "TECHNICAL ENVELOPE" or "FINANCIAL ENVELOPE", as the case may be. The Bidder's name and address shall also be written on the upper left portion of the envelope. These envelopes (Technical and Financial Envelopes) shall then be placed together inside another envelope which shall be accordingly sealed and marked "BID ENVELOPE".
- 3.4 The original and all copies of the bid shall be typewritten and duly signed by the Bidder or a person duly authorized to bind the Bidder to the Contract. The latter authorization shall be indicated by written Special Power of Attorney accompanying the bid. All pages of the bid shall be initialed by the person signing the bid.
- 3.5 The Technical Envelope shall contain the Legal, Technical and Financial Documents required in items 2.2.6. and 2.4. (if applicable) of 2 hereof, including:
 - 3.5.1 The Bid Security as to form, amount and validity period;
 - 3.5.2 Authority of the signatory;
 - 3.5.3 Production/delivery schedule;
 - 3.5.4 Manpower requirements;
 - 3.5.5 Technical specifications, which may be in the form of literature, drawings, schematic and circuit diagrams and data, and shall consist of:

- 3.5.5.1 a detailed description of the essential technical and performance characteristics of the products and services;
 - 3.5.5.2 Drawings, diagrams, brochures and/or parts catalogs showing the outline, dimensions, and characteristics of the machines proposed to be furnished; and
 - 3.5.5.3 Information relative to the availability of major components, operating system and security software, spare parts, accessories, special tools and test equipment, sales and service centers authorized by the manufacturer and specialized to provide maintenance services to the goods that will be furnished.
- 3.6 The Financial Envelope shall contain the Bid Prices and authority of the signatory which shall be in accordance with the form and requirements specified in the succeeding paragraphs.
- 3.7 The Bid Envelope containing both the Technical Envelope and Financial Envelope shall be addressed to the COMELEC at the following address:

**THE SECRETARIAT
BIDS AND AWARDS COMMITTEE
Commission on Elections
Casa Rocha Building
A. Soriano Street, Intramuros, Manila**

Bid Documents for:

COMPONENT 1 Paper-Based Automated Election System (AES):
1-A. Election Management System (EMS)
1-B. Precinct Count Optical Scan (PCOS)
1-C. Consolidation/Canvassing System (CCS)

COMPONENT 2 Provision for Electronic Transmission of Election Results Using Public Telecommunications Networks

COMPONENT 3 Overall Project Management

Submitted by : *(state the name of the Bidder)*
(state the address of the Bidder)

Do not open before : **10:00 A.M., 27 April 2009**

- 3.8 Bid Envelopes shall be submitted at the Session Hall, Commission on Elections, on the date and time as advertised. Applications for eligibility and bid documents submitted after the deadline or to any other office or department of the Commission shall be rejected. COMELEC shall not be responsible for misplacement of bids or for premature opening if the outer envelope containing both the Eligibility and Bid Envelopes was not properly sealed as indicated.
- 3.9 Applications for eligibility and bid documents submitted to any other office or department of the Commission shall be rejected. Any eligibility envelope, technical bid or financial bid submitted after the deadline for submission and

receipt of bids prescribed shall be declared "LATE" and shall not be accepted by the BAC.

- 3.10 Bids shall not be prepared with the help, assistance, advise, participation or intervention of any person employed with the Commission on Elections. Collusion between bidders and any person employed with the Commission shall be ground for disqualification of the bidder, and the filing of administrative and/or criminal charges against the parties concerned.
- 3.11 All bids, offers, tenders, quotations shall be typewritten. Any erasures, corrections or additions shall also be typewritten and duly initialed by the bidders concerned. Handwritten offers, tenders, bids, quotations and/or corrections will not be accepted.
- 3.12 The Bid prepared by the Bidder and all correspondence and documents relating to the bid shall be written in the English language.
- 3.13 The Bidder's Tender shall give the full business name and address of the bidder and shall be signed by him or the duly authorized representative in his usual signature. A bid of a corporation shall be in the name of the corporation signed by the official or representative duly authorized by a Board Resolution to bind it in contracts, in which case a copy of the Board Resolution shall be submitted together with the Bidder's Tender. The name of the person, officer or representative signing shall be typewritten or inscribed below the signature. Unsigned bids, tenders, offers or quotations, or those signed by a person other than the official or representative duly authorized to bind the corporation or bidder shall be totally disregarded and declared as "NO BID".
- 3.14 The Approved Budget for the Contract in the amount of **11,223,618,400.00** Pesos for the procurement of counting machines and software, including the printer and consumables for printing reports, supply of ballot paper; electronic transmission facilities/equipment; training; technical support; warehousing; deployment; installation; pull-out; systems integration; and overall project management, in connection the May 10, 2010 National and Local Elections, is broken down as follows:

COMPONENT	ESTIMATED BUDGET IN PHILIPPINE PESOS
Component 1	
1-A PCOS	8,220,000,000.00
1-B Services	1,563,618,400.00
1-C Canvassing Hardware	140,000,000.00
Ballots	1,000,000,000.00
Component 2	200,000,000.00
Component 3	100,000,000.00
TOTAL	11,223,618,400.00

- 3.15 Alternate bids or conditional offers shall not be accepted. Bids containing provisions that stipulate on the increase or decrease in the rate of exchange or rates of interests, or contain escalation clauses will likewise not be accepted. Partial bids are considered alternate/conditional offers, and are likewise unacceptable.
- 3.16 All bids, tenders, offers or quotations shall be in Philippine currency, and must definitely include taxes, import duties and all incidental expenses. Bid offers in other currencies shall not be accepted. Accordingly, foreign exchange rates indicated in the financial proposal shall be disregarded.
- 3.17 The computation of US Dollar equivalent, in case of payments made in the form of an irrevocable letter of credit, shall be based on the prevailing foreign exchange rate as certified by the BSP as of the date of the opening of the financial bids, or date of the opening of the letter of credit, whichever is favorable to the government.
- 3.18 The duly accomplished Bidder's Tender shall be accompanied by a Bid Security equivalent to one per centum (1%) of the Approved Budget for the Contract as a guarantee that the successful bidder shall within ten (10) days from receipt of the Notice of Award enter into a contract and post the corresponding Performance Security. The Bid Security shall be in the form of cash or manager's check, cashier's check, bank draft or irrevocable letter of credit, in favor of "The Commission on Elections". Private or personal checks shall be rejected.
- 3.19 Bids and securities shall be valid for a period of one hundred and twenty (120) days from the date of the opening of bids.
- 3.20 Should it become necessary to extend the validity of bids, the BAC shall request in writing all those who submitted bids for such extension before the bid validity expiration date. Bidders, however, shall have the right to refuse to grant such an extension without forfeiting their Bid Security.
- 3.21 The Bid Security shall be forfeited in favor of the Commission on Elections in the event that the bidder withdraws his/its bid after the opening of the bids, or refuses to accept the award/contract, for any reason, after it has been awarded to said bidder.
- 3.22 A bid, which is not accompanied by the required Bid Security shall be rejected outright/totally disregarded and declared as "NO BID".
- 3.23 The Bid Security may be returned upon request of the bidder, provided he is not among the five lowest calculated bidders. Such withdrawal shall be construed as a waiver by the bidder for the award of the contract.
- 3.24 Unless earlier announced, applications for eligibility and bid documents received after the time set for the opening of the bids shall not be accepted or considered and shall be returned unopened.
- 3.25 If a bidder wishes to withdraw his bid before the time set for the opening of the bids, he may do so without prejudice to himself by communicating his withdrawal in writing to the BAC and his application for eligibility and bid envelope shall be returned to him unopened.

- 3.26 Where a bidder wishes to modify his bid after submitting the bid but before the same is opened, he shall not be allowed to withdraw his original bid, but shall only be allowed to submit another equally sealed bid, properly identified and marked as "MODIFICATION". No bid may be modified after the deadline for the submission of bids.
- 3.27 Negligence on the part of the bidder in the preparation of his bid confers no right for the withdrawal of the bid after it has been opened.
- 3.28 If only one (1) bid is received in response to the invitation for bids, an award may be made to the single bidder provided that:
- 3.28.1 Its bid price is not higher than the Approved Budget for the Contract;
 - 3.28.2 Its bid passes post-qualification;
 - 3.28.3 There is no evidence of collusion with non-participating bidders; and
 - 3.28.4 Other prospective bidders were given an opportunity to respond.
- 3.29 The offers submitted by the bidders shall be abstracted in the prescribed form which shall be certified as to its correctness and authenticity by the BAC and the participating bidders. The abstract shall serve as the guide in the evaluation of the financial offers by the BAC.
- 3.30 The procuring entity reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract in the following situations:
- 3.30.1 If there is *prima facie* evidence of collusion between appropriate public officers or employees of the procuring entity, or between the BAC and any of the bidders, or if the collusion is between or among the bidders themselves, or between a bidder and a third party, including any act which restricts, suppresses or nullifies or tends to restrict, suppress or nullify competition;
 - 3.30.2 If the BAC is found to have failed in following the prescribed bidding procedures; or
 - 3.30.3 For any justifiable and reasonable ground where the award of the contract will not redound to the benefit of the Government as follows: (i) if the physical and economic conditions have significantly changed so as to render the project no longer economically, financially or technically feasible as determined by the head of the procuring entity; (ii) if the project is no longer necessary as determined by the head of the procuring entity; and (iii) if the source of funds for the project has been withheld or reduced through no fault of the procuring entity.
- 3.31 The procuring entity reserves the right to reject the bid of any bidder who was qualified or declared eligible on the basis of suppressed or false information.

4. Bid Evaluation

- 4.1 The envelopes containing the eligibility documents shall be opened first to determine the eligibility of the prospective bidders. In case any of the eligibility requirements specified in items 2.2.6 and 2.4 (if applicable) of IX-B hereof is missing, incomplete or patently insufficient, the BAC shall declare said prospective bidder as "FAILED", and the Financial Proposal shall be returned to the bidder concerned unopened. Otherwise, the BAC shall rate the first bidder as "PASSED".
- 4.2 Immediately after determining compliance with the requirements in the first envelope, the BAC shall open the second envelope (Financial Proposal) of each remaining eligible bidder whose first envelope was rated "PASSED". The second envelope shall be opened within the same day.
- 4.3 In case one or more requirements in the second envelope is missing, incomplete or patently insufficient, or if the submitted total price exceeds the Approved Budget for the Contract, the BAC shall rate the bidder concerned "FAILED".
- 4.4 Only bids that are determined to contain all the bid requirements for both components shall be rated "PASSED" and shall be considered for evaluation and comparison.
- 4.5 Arithmetical errors will be rectified on the following basis: If there is a discrepancy between words and figures, the amount in words will prevail. If there is a discrepancy between the unit price and the total price that is obtained by multiplying the unit price and the quantity, the unit price shall prevail and the total price shall be corrected accordingly. If there is a discrepancy between the Total Bid Price and the sum of the total prices, the sum of the total prices shall prevail and the Total Bid Price shall be corrected accordingly.
- 4.6 Financial Proposals which do not clearly state the Total Bid Price shall be rejected.
- 4.7 A bid determined as not substantially responsive will be rejected by the BAC and may not be subsequently made responsive by the Bidder by correction of the non-conformity.

5. Award

- 5.1 No information relating to the detailed evaluation of bids, post-qualification of the lowest calculated bid and recommendations concerning awards shall be disclosed to persons outside the BAC before the announcement of the contract award to the successful bidder. After the award of the contract, all unsuccessful bidders shall be informed individually in writing by furnishing them with copy of the notice and posting it at the COMELEC website and the PhilGEPS.
- 5.2 Contract award shall be made within the bid validity period.
- 5.3 Subject to the recommendations based on the evaluations and actions of the BAC on its computation of the Lowest Calculated Responsive Bid, the Commission on Elections En Banc shall approve the offer from the lowest calculated responsive bidder.
- 5.4 The Chairman of the BAC shall issue the appropriate Notices of Award based on the approval made by the Commission on Elections En Banc.

- 5.5 Upon issuance of the Notice of Award and acceptance thereof by the winning bidder, the Bid Security shall be released to the winning bidder after it shall have filed a Performance Security issued in favor of the Commission on Elections, equivalent to five per centum (5%) of the contract price of the subject of the award, conditioned on the faithful performance of the contract according to its tenor and effects, and compliance with specifications; and failing thereat, to indemnify the Commission on Elections for liquidated damages, without prejudice to the imposition of the other penalties specified herein. The Performance Security shall be in the same form as that of the Bid Security.
- 5.6 The winning bidder or its duly authorized representative shall formally enter into contract with the Commission on Elections, and submit all documentary requirements to perfect the contract, within seven (7) days from receipt by the winning bidder of the Notice of Award.
- 5.7 Failure to post the Performance Security within three (3) days from the award of the contract, or to submit all documentary requirements to perfect the contract within the prescribed period shall give the Commission on Elections the right to cancel the award and forfeit in its favor the Bid Security without need of notice to the winning bidder, except where such failure or inability is through no fault of the winning bidder. The second lowest calculated responsive bidder shall be considered for award, and the same rule shall apply to the third calculated complying responsive bidder in case the second lowest calculated responsive bidder shall refuse.
- 5.8 The Awardee's Performance Security shall be discharged or released by the Commission on Elections not later than two (2) months after the complete delivery and acceptance of the items or supplies subject matter of the contract, including government testing and inspection of the Commission on Elections.
- 5.9 The Commission on Elections shall issue the Notice to Proceed together with a copy of the approved contract within seven (7) days from the date of approval of the contract.
- 5.10 Upon execution of the contract by the winning bidder, the BAC will promptly notify each unsuccessful bidder, and discharge its Bid Security.
- 5.11 The Contract shall take effect upon the fulfillment of all of the following conditions:
 - 5.11.1 Signing of contract in seven (7) copies by the COMELEC and the successful Bidder;
 - 5.11.2 Submission of Performance Security; and
 - 5.11.3 Successful Bidder's acceptance of the Notice to Proceed.

6. Delivery

- 6.1 The Awardee shall deliver the full quantity of the items/articles subject matter of the contract at the premises of the Commission on Elections at Arzobispo and Postigo Streets, Intramuros, Manila, or at any other place that the Commission on

Elections may indicate at the price, quality and quantity, and within the periods specified in the contract.

- 6.2 The articles delivered shall be subject to inspection and acceptance by the Commission on Elections and test procedures by the appropriate government agency mandated to conduct said tests. The Commission on Elections reserves the right to reject any such deliver which fail to comply with the specifications set forth or stipulated in the contract, without prejudice to such other legal remedies it may avail of to recover damages.
- 6.3 The BAC reserves the right at the time of award of Contract to increase or decrease by up to twenty percent (20%) the quantity of goods and services specified in the Schedule of Requirements without any change in unit prices or other terms and conditions.
- 6.4 If during the time of delivery/installation of any of the counting machine, a new model of the same machine becomes available in the market, COMELEC reserves the right to ask for a change in the model of any of the election automated machines to be supplied without any change in the cost. Such variations will only be undertaken on the basis of the machines and not for anything that was not offered in the original bid.
- 6.5 In the event that the Awardee fails to comply with any of the stipulations set forth in their respective contracts, or to deliver the items/ articles in accordance with the specifications and during the period or on the date agreed upon, the BAC is authorized to impose any or all of the following penalties against the defaulting Awardee:
 - 6.5.1 To deduct for every day of delay in delivery after the stipulated period, liquidated damages in the amount of one-tenth of one per centum (1/10 of 0.01) of the total value of the contract, or in the event of partial fulfillment of the contract, of the total value of the unfulfilled portion thereof;
 - 6.5.2 To effect purchase at the open market of the articles subject of the purchase orders, charging the amounts over and above the contract price for the account of the defaulting Awardee;
 - 6.5.3 To blacklist and disqualify the defaulting awardees from participating in future procurement processes of the Commission on Elections; and
 - 6.5.4 To automatically forfeit the Performance Security of the Awardee concerned upon certification by the proper committee or committees, of late delivery or non-conformity with specifications or any other violation of, or non-compliance with, stipulations of the contract.
- 6.6 In addition to the above penalties, the following sanctions shall be imposed on bidders for offenses or violations related to the bidding process:
 - 6.6.1 Suspension for one (1) year for the first offense; disqualification to bid for two (2) years for the second offense; and perpetual disqualification for the succeeding offenses for:
 - 6.6.1.1 Misrepresentation of any information or concealment of any material fact in the bidder's qualification statements and/or bid; or

- 6.6.1.2 Other acts of the supplier / printer / manufacturer / distributor which directly or indirectly tend to defeat the purpose of competitive bidding;
- 6.6.2 Forfeiture of the Bid Security for the first offense; forfeiture of the Bid Security and suspension for one (1) year for the second offense; and forfeiture of Bid Security and perpetual disqualification for the succeeding offense for:
 - 6.6.2.1 Refusal or failure of the proposed Awardee to enter into contract with the Commission on Elections or failure to post the required performance bond within the prescribed time; and
 - 6.6.2.2 Withdrawal of bid after the deadline specified for opening of bids.
- 6.7 Forfeiture of Performance Security for the first offense; forfeiture of Performance Security and suspension for one (1) year for the second offense; and forfeiture of Performance Security and suspension for two (2) years in case the contract is not completed due to the default of the supplier/printer/ manufacturer/distributor.