

**EXHIBIT “C”**  
**Insurance Requirements**  
**Applicable to the Acquisition of Goods and /or Services**  
**(other than Professional Services)**

The Bidder awarded the contract shall furnish proof of insurance, which will also include any subcontractor that is subcontracted by the bidder in at least the following limits, to be in place prior to providing any services under this Contract and to continue at all times in force in effect during the term of this Contract:

1. A Five Hundred Thousand Dollar (\$500,000.00) Comprehensive General Liability insurance policy providing additional coverage to all underlying liabilities of County.
2. Automobile liability insurance policy with limits of at least Three Hundred Thousand Dollars (\$300,000.00) per person and Five Hundred Thousand Dollars (\$500,000.00) per occurrence. Coverage should include injury to or death of persons and property damage claims with limits up to Five Hundred Thousand (\$500,000.00) arising out of the services provided to County hereunder.
3. Uninsured/Underinsured motorist coverage in an amount equal to the bodily injury limits set forth immediately above;
4. Workers compensation insurance in amounts established by Texas law, unless the Bidder is specifically exempted from the Texas Workers Compensation Act, Texas Labor Code Chapter 401, et. seq.

**Hidalgo County will only accept certificates of insurance on an Acord form (as attached hereto).** Certificates of insurance shall name Hidalgo County as additional insured and must be submitted to County for approval prior to any services being performed by Contractor. Each policy of insurance required hereunder shall extend for a period equivalent to, or longer than the term of the Contract, and any insurer hereunder shall be required to give at least thirty (30) days written notice to the County prior to the cancellation of any such coverage on the termination date, or otherwise. This Contract shall be automatically suspended upon the cancellation, or other termination, of any required policy of insurance hereunder, and such suspension shall continue until evidence adequate replacement coverage is provided to County. If replacement coverage is not provided within thirty (30) days following suspension of the Contract, this Contract shall automatically terminate.

Revised 10/01/08

# Insurance Requirement Acknowledgment

I, Julie Mathis, authorized representative for Hart InterCivic, Inc.,  
Company/Vendor

hereby acknowledge receipt of the County's required insurance limits. Said requirements:

       will be acquired within 10 working days after notification from Purchasing Department of bid awarded by the Hidalgo County Commissioners' Court;

       will acquire additional amounts required to meet the County's requirements within 10 working days after notification from Purchasing Department of bid award by the Hidalgo County Commissioners' Court; currently carry the following:

Automobile Liability: \$ \_\_\_\_\_ General Liability: \$ \_\_\_\_\_

X have already been met, see attached copy of insurance certificate.

  
Authorized Representative

1/6/17  
Date

## **Notice to Bidder:**

A certificate of insurance for the required insurance limits shall be provided to the Purchasing Department's Contract Managers in order to qualify for award of bid and to execute a contract between your Company and the County.

Failure to provide Certificates of Insurance to the Purchasing Department's Contract Managers will cause the bid award to be rescinded and re-awarded to next lowest bidder. Certificates of Insurance will be monitored and verified on a **quarterly basis** to ensure coverage policy is in place. It is the Company's obligation to maintain the appropriate insurance coverage throughout the term of the contract.

**THIS FORM MUST ACCOMPANY BID PACKET**



**PROJECT REQUIREMENTS  
ACKNOWLEDGMENT**

This is to certify that I, Julie Mathis, possess all of the APPLICABLE:

1. Licenses: N/A.
2. Bonds: N/A.
3. Certificates: Texas Secretary of State Certification of Verity 2.0 Voting System.
4. Permits: N/A.
5. Other: N/A.

necessary to carry out the required project. Furthermore, I am providing copies of the required documentation so that, if my company is awarded this bid, I may be eligible to enter into a contract with Hidalgo County and proceed to complete the project in a timely manner.

\* Any licenses, bonds, certificates, permits, etc. which are required must be presented as part of the bid packet in order to expedite the bid evaluation process. Failure to provide said documentation will result in the disqualification of your bid.

  
\_\_\_\_\_

Authorized Signature

1/6/16

\_\_\_\_\_ Date

Hart InterCivic

Company

15500 Wells Port Dr.

Address

Austin, TX 78728

City, State, Zip

# The State of Texas

Elections Division  
P.O. Box 12060  
Austin, Texas 78711-2060  
www.sos.texas.gov  
www.votetexas.gov



Phone: 512-463-5650  
Fax: 512-475-2811  
Dial 7-1-1 For Relay Services  
(800) 252-VOTE (8683)

Carlos H. Cascos  
Secretary of State

## REPORT OF REVIEW OF HART INTERCIVIC'S VERITY 2.0 VOTING SYSTEM

### PRELIMINARY STATEMENT

On June 29th and 30th, 2016, Hart InterCivic, Inc. (the "Vendor") presented Verity Voting 2.0 Voting System for examination and certification ("Verity 2.0"). The examination was conducted in Austin, Texas. Pursuant to Sections 122.035(a) and (b) of the Texas Election Code, the Secretary of State appointed the following examiners:

1. Mr. Stephen Berger, an expert in electronic data communication systems;
2. Mr. Tom Watson, an expert in electronic data communication systems;
3. Mr. Brandon Hurley, an expert in election law and procedure; and
4. Ms. Christina Worrell Adkins, an expert in election law and procedure.

Pursuant to Section 122.035(a), the Texas Attorney General appointed the following examiners:

1. Dr. Jim Sneeringer, an expert in electronic data communication systems
2. Ms. Amanda Crawford, Texas Attorney General's Employee.

On June 29, 2016, Mr. Berger, Mr. Watson, Dr. Sneeringer, and Ms. Adkins witnessed the installation of the Verity 2.0 software and firmware that the Office of the Texas Secretary of State (the "Office") received directly from the Independent Testing Authority. Ms. Adkins examined the accessibility components of the Verity Touch Writer and Verity Touch with Access. Also, Mr. Tim Juro, a staff attorney with the Office, reviewed the accessibility components of the Verity Touch Writer and Verity Touch with Access.

On June 30, 2016, the Vendor demonstrated the system, answered questions presented by the examiners, and test ballots were then processed on each voting device. Each examiner attended. The results were accumulated and later verified for accuracy by the Secretary of State staff.

Other members of the Office of the Texas Secretary of State's Elections Division staff and other staff from the Office of the Attorney General were present at various points during the two day examination. Examiner reports on the system are attached hereto and incorporated herein by this reference.

On August 31, 2016, a public hearing was conducted in which interested persons were given an opportunity to express views for or against certification of the system.

## BRIEF DESCRIPTION OF VERITY 2.0

With the exception of Verity Data, Verity Controller, Verity Touch and Verity Touch with Access, the products listed below are upgrades to previous qualified versions of either hardware and/or software that have been certified for use in the State of Texas.

The Verity 2.0 Voting System has been evaluated at an accredited independent voting system testing laboratory for conformance to the 2005 Voluntary Voting System Guidelines (VVSG). It has received Elections Assistance Commission (EAC) # HRTVerity2.0 on April 27, 2016. The components of Verity 2.0 include:

Component	Version	Description
Verity Build	2.0.2	Election definition software application
Verity Central	2.0.2	Central scanning software
Verity Count	2.0.2	Central count tabulation and reporting software application
Verity User Management	2.0.2	User Management Software application
Verity Election Management	2.0.2	Data Management Software application
Verity Desktop	2.0.2	Workstation management software
Verity Scan	2.0.3	Digital scanner (precinct scanner) (firmware)
Verity Touch Writer with Access	2.0.3	Ballot Marking device with audio/tactile interface
Verity Data	2.0.2	Election definition software application
Verity Controller	2.0.3	Controller unit for Verity Touch/Verity Touch with Access
Verity Touch	2.0.3	Direct recording electronic voting machine (DRE)
Verity Touch with Access	2.0.3	Controller for Verity Touch DAU unit

## FINDINGS

The following are the findings, based on written evidence submitted by the Vendor in support of its application for certification, oral evidence presented at the examination, Texas voting system examiner reports, comments received at the public hearing held on August 31, 2016, and written public comments received.

The majority of the public comments received regarded the Verity Touch direct recording electronic (DRE) voting machine not producing a Voter Verified Paper Audit Trail (VVPAT). There is no federal or state law requiring VVPAT, and therefore, is not a requirement for certification. There were a number of other comments expressing concern that the Verity Touch DRE did not meet the requirements of the Texas Constitution in regards to the numbering of ballots. The Verity Touch DRE numbers ballots through the public counter, which is the method of numbering ballots prescribed by state law, and meets the requirements of the Texas Constitution. There were a number of comments regarding the requirements of the Texas Election Code in regards to the storage of ballot images and use of ballot images in a recount. The Verity Touch meets the requirements of storing

and producing ballot images, which are the electronically produced records of all votes cast by a single voter. In addition, there were a number of public comments received requesting an additional time to review the examiner reports and other materials. The Secretary of State provided more than the ten days after the date of the public hearing for written public comments required under 1 T.A.C. § 81.60, permitting comments outside the ten day public comment period, until November 30, 2016, to allow any interested persons to submit comments.

Each component of Verity 2.0, among other things:

1. Preserves the secrecy of the ballot;
2. Is suitable for the purpose for which it is intended;
3. Operates safely, efficiently, and accurately and complies with the voting system standards adopted by the Election Assistance Commission;
4. Is safe from fraudulent or unauthorized manipulation;
5. Permits voting on all offices and measures to be voted on at the election;
6. Prevents counting votes on offices and measures on which the voter is not entitled to vote;
7. Prevents counting votes by the same voter for more than one candidate for the same office or, in elections in which a voter is entitled to vote for more than one candidate for the same office, prevent counting votes for more than the number of candidates for whom the voter is entitled to vote;
8. Prevents counting a vote on the same office or measure more than once;
9. Permits write-in voting;
10. Is capable of permitting straight-party voting; and
11. Is capable of providing records from which the operation of the system may be audited.

#### **CONDITIONS**

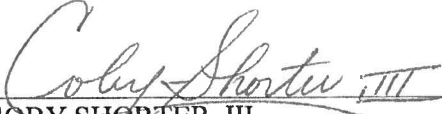
During the examination of the system, some examiners identified certain aspects of Verity 2.0 they thought might be improved, though each examiner recommended certification notwithstanding these aspects. There is only one condition on certification:

1. Precinct devices used during early voting by personal appearance, and central accumulators, pursuant to 1 T.A.C. §§ 81.52(h) and 81.62(a), are required to attach continuous feed audit log printers. Due to 1 T.A.C. §§ 81.52(h) and 81.62(a), end-users shall not use Verity Scan 2.0.3 as (1) a precinct device during early voting by personal appearance or (2) a central accumulator.

**CONCLUSION**

Accordingly, based upon the foregoing, I hereby certify Verity 2.0 for use in elections in Texas, subject to the above condition.

Signed under my hand and seal of office, this 15<sup>th</sup> day of December 2016.

  
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COBY SHORTER, III  
DEPUTY SECRETARY OF STATE