

Question on Notice

No. 1031

Asked on 13 October 2022

MS F SIMPSON ASKED THE ATTORNEY-GENERAL AND MINISTER FOR JUSTICE, MINISTER FOR WOMEN AND MINISTER FOR THE PREVENTION OF DOMESTIC AND FAMILY VIOLENCE (HON S FENTIMAN) –

QUESTION:

Will the Attorney-General provide details of the procurement process which awarded the ECQ's sensitive election management system to overseas-owned company, Konnech including references checks, assessments of their capacity to deliver on time and on budget, prohibitions on using Chinese based software developers, and any legal action taken since the awarding of the contract with Konnech?

ANSWER:

I thank the Member for Maroochydore for her question.

The Electoral Commission of Queensland (ECQ) implemented a staged procurement and evaluation process in 2016 and 2017 to acquire a new Election Management System (EMS) under the oversight of the former Electoral Commissioner. The procurement process sought to purchase a commercial-off-the-shelf product and was conducted in accordance with Queensland Government policy and the ICT procurement and contract framework in place at the time.

The first stage of the process, consisting of an expression of interest (EOI), required a written response to specifications followed by a product viewing, commenced in 2016. Seven submissions were received in response to the EOI, of which four were invited for a product viewing.

The second stage invited three of the four suppliers to submit a request for tender and a request for information. Two suppliers submitted responses at this stage. These responses were assessed against criteria of value for money, technical and business response, risk management and meeting the ECQ's business requirements as stated in the request for tender.

The procurement process was overseen by an evaluation committee comprising representatives of the ECQ, Queensland Treasury, the then Department of Housing and Public Works, and stakeholders from the ECQ's business and technical groups. The evaluation moderation process was chaired by an external, independent advisor and monitored by a probity auditor. Input and advice were provided from the (then) Queensland Government Chief Information Office and external legal advisors throughout the process.

Konnech, an electoral software development specialist based in the United States, was endorsed as the preferred supplier. After financial and contractual negotiations and review by the Queensland Government Directors-General ICT Investment Council, a contract

between Konnech Australia and the ECQ was executed by the former Electoral Commissioner in January 2018.

The ECQ's contractual arrangements with Konnech Australia include provisions to ensure system integrity and the security of personal data, and require all Queensland electoral information to be stored onshore in Australia in a secure and protected database. The ECQ also liaises with Federal and State cybersecurity agencies and independent providers on best and contemporary practice in critical election system protection to enhance and maintain security of the EMS.

The EMS is an administrative system that supports the processes required to conduct electoral events – it does not conduct electronic voting, count votes, nor determine election outcomes.

The ECQ has managed any performance or contractual issues with Konnech through negotiations under the existing framework of the existing contract.