



March 18, 2014

To Whom It May Concern:

Re: Request for Qualifications – *Election Procedures Assessment and Procedures Manual*

The City and County of Broomfield respectfully requests your written statements of qualifications for preparing an assessment of Broomfield's Election procedures and consulting on an election procedures manual.

The attached Request for Qualifications describes the project and necessary details. Proposals must be received by the City (via FAX or mail) by:

Wednesday, April 2, at 5:00 pm

Questions regarding the Request for Qualifications (RFQ) can be directed to me at 303-464-5153 or jbecklenberg@broomfield.org.

Sincerely,

A handwritten signature in blue ink that reads 'Jim Becklenberg'.

Jim Becklenberg
Assistant City and County Manager

Attachment

REQUEST FOR QUALIFICATIONS
Election Procedures Assessment and Procedures Manual

Project Description

The City and County of Broomfield administered a coordinated election on November 5, 2013. Question 300, a citizen initiative to amend Broomfield's home rule charter to ban oil and gas hydraulic fracturing for five years, passed by 17 votes (out of more than 20,000) in the original election. A mandatory recount confirmed the passage of the ban, with a margin of 20 votes.

The election results were challenged in District Court; in late February the court sustained the results of the election. It concluded that the procedural mistakes that occurred, along with a number of ballots processed incorrectly, were not significant enough to change the outcome of the election.

The Colorado Legislature adopted House Bill 13-1303 in May, 2013, which significantly changed state election law. Of most consequence were changes in durational residency requirements for voter eligibility combined with same-day voter registration procedures. The new law also made other significant, but less consequential, changes in requirements for how ballots are processed. The Colorado Secretary of State issued draft rules for implementing the new law in October, 2013, which further complicated County administration of the November 2013 election.

The narrow margin attracted extraordinary scrutiny of Broomfield's election procedures by representatives of the oil and gas industry, Colorado election activists, and the Secretary of State. The proceedings revealed several instances of technical non-compliance with State law and rules, weaknesses in documented procedures, ambiguities about the roles of various participants in the process, and numerous questions and concerns about how Broomfield implemented the new state law and various regulations.

Scope of Work / Deliverables

Looking ahead to the June 24th primary election, Broomfield seeks consulting assistance with two deliverables:

1. An independent assessment of procedural compliance with applicable laws, rules promulgated by the Colorado Secretary of State, and best practices. This deliverable requires a verbal presentation to the City Council and a written report to be delivered to the City Council no later than June 10, 2014.

The consultant will have access to all readily available public information generated during the election, including court filings, the administrative claims filed with the Secretary of State, and a list of election issues and concerns for follow-up compiled by Broomfield staff. The consultant will be expected to welcome written public input and communication from all Broomfield voters.

2. An election procedures manual that will be used for training election judges, canvass boards, and election staff to ensure correct and consistent practices. An important goal for the manual will be to reflect consensus from the City Council, the Secretary of State's Office, and local election staff on procedures for implementing HB 13-1303, new legislation (when passed) and all other election laws and rules.

The consultant is expected to facilitate the business process review with Broomfield Elections staff and others, as necessary, to ensure comprehensive, detailed, written procedures that may be easily understood by all parties, including election volunteers. Broomfield staff will be available to help facilitate review of draft procedures, once drafted, with the City Council, the Secretary of State, and the public.

The Election Procedures Manual must be completed by early September, to be effective and in place for the November 2014 election. The consultant should plan to complete a draft manual in late July to allow for thorough public review and discussion

NOTE: Broomfield will consider consultant proposals for both deliverables outlined above (in a combined project plan) or for a single deliverable. For example, depending on statements of qualifications received, different consultants may be selected for each deliverable. The "Proposal Requirements" section below addresses this consideration in more detail.

Consultant Qualifications

Required qualifications include:

- Independence from any individual or group directly involved in the November 2013 Broomfield election.
- Demonstrated expertise with process improvement and documentation
- Experience drafting detailed procedures

Knowledge and experience that will be helpful, though not required:

- Knowledge of election law, regulations, and common practices.
- Experience managing elections and/or election policy.

Consultant Selection and Agreement

The City and County plans to award an agreement by *April 25*. Selection will be based on consultant qualifications, expressed understanding of the project, ability to complete the deliverables within the necessary timeframe, references, and negotiated cost for services.

Proposal Requirements

1. A clear statement regarding which deliverables you propose to deliver (a. Election Procedures Assessment; b. Election Procedures Manual, c. both).
2. A statement of your understanding of the project and the key factors for success.
3. Your experience during the last 10 years with projects of similar nature and scope. Please provide names and telephone numbers of references that we may contact to verify your performance on the listed projects.
4. A complete "Firm Background Form," which is attached to the RFQ
5. A brief background of your personnel who will be assigned to this project, their role in the project, and how their previous experience relates to this project. Also, describe their method of keeping projects within budget and on schedule.
6. Your estimated schedule based on a Notice to Proceed of *April 25, 2014*.
7. A preliminary project plan, including the time required for each major task.
8. If applicable: All associates and sub-consultants you propose to partner with for this project and their background information. List their task descriptions clearly and costs associated with each task.
9. Information regarding your firm's present/committed work load and capacity through September 30, 2014.
10. Your proposed, not-to-exceed fee for the deliverables for which you are proposing to engage, including reimbursable expenses. Also include an hourly rate schedule of personnel who will work on the project.

NOTE: Broomfield acknowledges that prospective consultants have limited information about the project at this time. Since selection will be based on qualifications, the final project plan and total fees for service will be negotiated in preparation for a final agreement.

11. An Acord of your firm's insurance, for additional review if selected.

Please submit **questions in writing regarding the project directed to Jim Becklenberg, Assistant City and County Manager (email: jbecklenberg@broomfield.org; by March 28, 2014. Answers to all questions will be posted on BidNet in the form of an Addendum on March 29, 2014.**

Five written copies of your proposal must be received by the City and County of Broomfield by 5:00 p.m., April 2, 2014. Proposals should be directed to the following:

Citizen's Assistance Center
Attn: Purchasing Manager
City and County of Broomfield
One DesCombes Drive
Broomfield, CO 80020

FAX: 303-438-6297
purchasing@broomfield.org
subject line: RFP #14-015

Please also provide an electronic copy (.pdf or similar format) by the same deadline to purchasing@broomfield.org.

ISSUANCE OF THIS RFQ BY THE CITY AND COUNTY OF BROOMFIELD DOES NOT CONSTITUTE A COMMITMENT BY THE CITY AND COUNTY OF BROOMFIELD TO AWARD A CONTRACT.

Proposal Terms and Conditions

Pursuant to the Colorado Public (Open) Records Act, §24-72-101 et seq. C.R.S., any proposals submitted in response to this RFQ may be public records. If the consultant believes that any information submitted in response to this RFQ is confidential and is protected from disclosure under the Public Records Act, as confidential trade secret, privileged information, or confidential commercial, financial, geological, or geophysical data, or is protected from disclosure for any other reason, the supplier should clearly indicate in writing which information so provided is protected from disclosure and the reason for that protection.

All costs, terms and conditions contained in Proposals shall remain fixed and valid for 90 days from the date of submittal. The costs of developing and submitting a Proposal is entirely the responsibility of the consultant and no cost shall be reimbursed by the City and County of Broomfield.

The City and County of Broomfield reserves the right to reject any or all proposals or portions thereof received in response to this RFQ and to waive minor irregularities and informalities in proposals received or to cancel this RFQ if it is in the best interest of the City and County to do so. Late Proposals will not be accepted or considered.

FIRM BACKGROUND INFORMATION

For Elections Procedures Assessment and procedures Manual

Name of firm:

Present business name

Present ownership:

Primary or local office address:

1. How many years has your organization been in business as a consulting firm?
2. How many years has the company been in continuous operation doing this type of work?
3. Has any officer or partner of your organization ever been an officer or partner of some other organization that failed to complete a contract? If so, state name of individual, other organization, and give full details:
4. Please describe your firm's experience with business process assessment and procedures development?
5. Please describe your firm's experience with election policy, management, and/or operations.
6. Please attach staff resumes for all consultants who would be assigned to this project.
7. Has any officer or partner of your organization ever failed to complete a contract handled in his/her own name? If so, state name of individual, and give full details:
8. Has your company ever failed to complete any work awarded to it? If so, explain.
9. Within the past five years, have you requested that a contract dispute be resolved through arbitration or litigation? If yes, explain.

Signature:

I certify that the Statement of Qualification information is true and complete.

Signed: _____ Date: _____

Print Name: _____ Title: _____

Contact Information, please print:

Name: _____ Email: _____

Phone Number: _____