

I. PURPOSE AND DESCRIPTION OF SERVICES

In this Request for Proposal (RFP), the State of California, through the Citizens Redistricting Commission (Commission), solicits qualified proposers to provide professional and technical redistricting and line drawing services. These services will be used by the Commission to develop district lines in conformity with strict, non-partisan rules designated to create districts that will provide for fair representation for all Californians.

A. Background

Once every 10 years following the federal census, in a process known as redistricting, the State adjusts the boundary lines of districts for the California Senate, Assembly, Board of Equalization districts, and Congressional districts for the U.S. House of Representatives.

1. The Voters FIRST Act, approved by voters November 2008, shifted the responsibility for redrawing the political boundaries for California Senate, Assembly, and Board of Equalization districts from the State Legislature to the Commission. The Voters FIRST Act for Congress, approved by voters November 2010, added the responsibility of drawing Congressional districts to the Commission. The California State Legislature passed Assembly Bill (AB) 420 (2011) and AB 1986 (2012) further requesting the inclusion of state adult correctional inmate information into the population data used in the line drawing process.

2. The Commission must hold public meetings and accept public comment prior to, and following, the drawing of maps for California's Congressional, State Senatorial, State Assembly, and Board of Equalization districts. Upon completion of the public meeting process, the Commission must vote on the new district maps to be used for the next decade.

3. The Commission must issue, with each of the four (4) final maps, a report that explains the basis upon which the Commission made its decisions in achieving compliance with the criteria listed in State law, and includes definitions of terms and standards used in drawing each final map. Completed district maps and the accompanying reports must be submitted to the California Secretary of State's Office no later than August 15, 2021. **Add as footnote in Word version:** "Because U.S. census data delivery to states will likely be delayed due to COVID-19, the Commission's deadlines for submitting the proposed and final maps may be extended to December 15, 2021. See California Supreme Court Case Number 522530."

B. Statement of Work

The prospective Contractor will provide professional and technical services, census and geographic database for redistricting, and meeting services to the Commission, the Commission's attorneys, and other contractors as directed by the Commission.

The Commission seeks proposals from qualified redistricting line drawers that demonstrate their skills, experience and qualifications as well as the methods, approach, and procedures that Proposers would use to meet the demands of the responsibilities and deliverables in this RFP. In the era of COVID-19, with the need to practice social distancing and uphold state and local guidelines while getting and incorporating public input, the Commission requests that applicants propose an approach plan for how to conduct line drawing services under these new and uncertain circumstances. The purpose of the approach plan is to draw on the Proposers' expertise to identify creative solutions during a pandemic. Approach plans should include methods, procedures and overall approach, taking into consideration the following list of required skills, responsibilities and deliverables. Approach plans are intended to be short, and should be no more than 2-5 pages in length.

All approach plans will be reviewed by the Commission. The Contractor selected by the Commission will ultimately work with the Commission to develop their approach plan into a final outreach and line drawing workplan, deliverables, and timeline, which will be mutually agreed upon in writing by the Contractor and the Commission.

1. Contractor Responsibilities

Proposers must provide information that enables the Commission to substantiate that the Proposer has the minimum skills, experience, and resources as outlined below, to successfully accomplish the services required by this RFP. These responses must be included in the Proposal.

- a. Software Capability:** The software employed by the Contractor must be able to automatically show the results of any proposed change in a district by retabulating and presenting on screen the resulting map and the corresponding changes in total population and population sub-groups associated with the proposed change to a district.

The software must be able to accept files as submitted by the public and other consultants which may be of the following types: CSV, SHP, RDP, DRF, JSON, and other common vector, raster and tabular data files.

Contractor must supply all equipment necessary to complete their work.

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b. Information Security: Contractor must employ Information Security Measures conversant with industry standards (ISO/IEC 27002 and California State Administrative Manual (SAM) Chapter 5300, for example) and in collaboration with other security measures being taken by the Commission, that will be maintained throughout the term of the contract, in critical areas, such as, but not limited to, the following:

- i. Secure data transmission
- ii. Data monitoring and verification
- iii. Data storage and back-up
- iv. Confidentiality practices regarding staff and data handling

c. Technical Skills and Services

1. (i) Geographic Database for Redistricting

- i. **Redistricting Database:** The Contractor must use certified population data from the 2020 US Census for the State of California, including the population subgroups of California as enumerated by the 2020 US Census data. The 2020 Census Data used shall be that of the California Statewide Database located at the University of California, Berkeley, School of Law.
- ii. **Data Requirements:** The population data will consist of the certified 2020 US Census data for the State of California, including the population subgroups of California as enumerated by the 2020 US Census data. The population data will also include state adult correctional inmate information as required and specified by AB 420 (2011) and AB 1986 (2012). In addition, the Commission may also use adjusted 2020 census data for analysis.
- iii. **VRA Compliance:** The geographic data will include digitized maps showing the boundaries of the census geographic units for which the population statistics are available (i.e., census block through county level), as well as the physical geography and relevant built environment (city boundaries, streets and highways, etc.) throughout California. Voting and elections data associated with the district(s) will be included in the database so it is available, if required by the Commission, to demonstrate compliance with the Federal Voting Rights Act of 1965.

The Commission, at its sole option, may either: (1) provide for a separate contractor to provide the precinct level voting data and elections data associated with the district(s) to assist in performing any required studies

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(racially polarized voting analysis, for example), or (2) request the Contractor to perform the analysis.

2. Prior to Approval of Final Maps: At the sole discretion of the Commission, the Contractor may be required to provide technical services to Commissioners and/or the Commission's legal counsel, other contractors or staff outside of scheduled Commission meetings, as related to the maps meeting California constitutional requirements (Article XXI, Section 2(d)). Contractor's technical services shall include, but are not limited to, technical education and/or consultation, providing census and district information, and/or production of alternate maps or visualizations as required by the Commission or Commission's legal counsel.

3. Post Map Approval: At the sole discretion of the Commission, the Contractor may be required to provide technical services to the Commissioners and/or the Commission's legal counsel, other contractors or staff outside of scheduled Commission meetings, in the event of any legal action arising from and/or relating to the redistricting maps developed with Contractor's assistance. Contractor's technical support shall include, but is not limited to, consultation, technical services, and/or testimony for any litigation resulting from this agreement in state and federal court.

d. Professionalism and Collaboration: Contractor and Contractor's staff and subcontractors (if any) must comport themselves at all times in a professional and respectful manner when interacting with the Commission, their staff, the public, and the Commission's external counsel and other contractors. Contractor and Contractor's staff and subcontractors (if any) will work collaboratively with the Commission, their staff, and the Commission's other contractors.

e. Staff Support: Contractor shall provide overall staff support to the Commission's redistricting effort sufficient to meet project goals and objectives.

f. Work Plans: The Contractor must develop work plans with specific deliverables and

timelines as directed by the Commission. These work plans will be required throughout the term of the contract and will be developed in collaboration between the Contractor and the Commission. The deliverables are required to be provided as mutually agreed upon in writing by the Contractor and the Commission.

g. Progress Reports: The Contractor shall provide progress reports on an as-needed basis as determined by the Commission or the Executive Director. This may be in the form of a progress schedule or reports, meetings on a regular basis, and/or a Final Summary Report once the project is completed. Any request for a written or verbal report must be responded to within twenty-four (24) hours of the request.

h. Final Map Report: Contractor must issue a report for each of the four (4) final maps that explains the basis for the decisions for achieving compliance with the criteria required by the voter initiatives (Proposition 11, passed in 2008 and Proposition 20 passed in 2010), and by applicable state and federal laws and requirements.

i. Timely Invoices for Services: The Contractor's staff shall include a designated accounting person, preferably with knowledge of the State's accounting and billing process and the ability to work within its requirements. Accounting staff shall be available during regular business hours to discuss the progress of invoices, assist in resolving invoice issues, and to provide documentation regarding billable services and related travel costs in a timely manner. Refer to Section VI, Sample Standard Agreement, Exhibit B - Sample Budget Detail and Payment Provisions.

j. Public Meeting Participation: The Contractor will provide public meeting services including but not limited to the following:

(i) Integrate public testimony as related to any corresponding draft and final maps, including communicating to the Commission how these integrations are reflected in the draft and final maps, and into the final report as required in Paragraph C. 8, Final Map Report.

(ii) Document the Commission's instructions throughout the development of the maps sufficiently to allow the Commission to track changes and draw comparisons between any iteration developed by the Commission during the process of line drawing.

(iii) Produce, digitally store, project maps and the line drawing on-screen or

transmitting a clear image (for audience viewing), and later print all maps, as required by the Commission.

(iv) Work collaboratively with tools and/or other consultants as requested by the Commission to gather and incorporate public testimonial input and non-testimonial geographic data (neighborhoods, economic districts, etc.).

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k. Remote Meeting Participation: The commission may elect to conduct/hold virtual (or remote) public meetings for any reason.

(i)The Contractor must be able to actively participate and provide all meeting services remotely. This includes public input meetings (hearings for both pre and post-map visualizations) and Commission meetings. The requirements include the ability to reliably hear and document the Commission’s instructions and public testimony, and the ability to transmit the line drawing occurring at the Contractor’s worksite with sufficient clarity to allow the Commission and public to view the effects of changes on their “home” screens, in real time. Section III, Paragraph F, Table 3.

(ii)Should the Commission desire, there may be occasions when simultaneous meetings will occur at different locations around the State. The Contractor must have the capacity to accommodate simultaneous meetings.

(iii)Due to the COVID-19 public health pandemic and applicable California Governor Order(s) and correlated governmental responses, the Contractor must be prepared to remotely participate in and to provide all meeting services outlined in this RFP should any meetings require remote attendance.

(iv)If applicable, Contractor shall ensure this work and coordination shall comply with all relevant laws, including public meeting requirements, the regulations of the Americans with Disability Act (ADA) and the Web Content Accessibility Guidelines 2.0 requirements.

I. Proposer’s Statements of Responsibilities: Proposer’s responses to all items under Section I. B and shall be attached to the Standard Agreement for public record and are made a part of the Standard Agreement (**Exhibit E Contractor Responsibilities**). .

2. Commission Responsibilities

a. Commission Oversight. A Project Manager will be assigned to this project and, along with other key Commission personnel, will work with the Contractor as active participants to provide project continuity at the operating level.

b. In-Process Review. The Commission may, at its sole discretion, assign an individual, individuals, or entity to provide an independent evaluation of any map.

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and/or report being submitted by the Contractor to the Commission for its consideration and approval. The individual, individuals, or entity will be considered a separate consultant to the Commission and the Contractor must provide unfettered access to any completed map and/or report and their respective supporting documentation during any phase of the redistricting process. This includes any and all data at any level being used by Contractor to construct a district boundary.

3. Deliverables

The contractor will provide the Commission with (INSERT DESCRIPTION) no later than (INSERT DATE), the following:

- (a) **Work Plans:** The Contractor must develop work plans with specific deliverables and timelines as directed by the Commission. These work plans will be required throughout the term of the contract and will be developed in collaboration between the Contractor and the Commission. The deliverables are required to be provided as mutually agreed upon in writing by the Contractor and the Commission.
- (b) **Progress Reports:** The Contractor shall provide progress reports on an as-needed basis as determined by the Commission or the Executive Director. This may be in the form of a progress schedule or reports, meetings on a regular basis, and/or a Final Summary Report once the project is completed. Any request for a written or verbal report must be responded to within twenty-four (24) hours of the request.
- (c) **Final Map Report:** Contractor must issue a report for each of the four (4) final maps that explains the basis for the decisions for achieving compliance

with the criteria required by the voter initiatives (Proposition 11, passed in 2008 and Proposition 20 passed in 2010), and by applicable state and federal laws and requirements.

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II. MINIMUM QUALIFICATIONS FOR PROPOSERS

The Contractor and all personnel proposed to perform professional services under the contract must have the qualifications and experience identified below.

1. Qualifications and Experience

- (a) The contractor and all personnel proposed to perform professional services under the contract must have demonstrated knowledge and experience drawing boundaries for state legislative, congressional, council, or other agency districts.
- (b) Experience in redistricting with commissioners, agencies and the public in open meetings.
- (c) Proof that the proposer, if a corporation, is in good standing and qualified to conduct business in California.
- (d) For proposers that are nonprofit organizations, proof of nonprofit status. (e) Copies of current business licenses, professional certifications, or other credentials.
- (f) A list of all projects for which the Contractor has drawn voting district maps for a redistricting process. For each process, the Contractor must identify:
 - o whether any of the maps were challenged for failing to meet legal requirements including Voting Rights Act compliance; and,
 - o whether any of the maps that were subject to a legal challenge were implemented substantially as originally drafted.
- (g) 1. Provide the name, location, and start and end dates for two (2) "reference" redistricting projects with districts and/or agencies that the Proposer has successfully performed services for within the past fifteen (15)

years.

2. For each reference project, provide a contact name, address, and phone number for a principal member of the reference project. The contact person must be an individual in a senior capacity who was directly involved in drawing the lines (and must be available by phone for two business days after the Proposal opening.)/??

3. The references must be for projects that are of a similar scope and complexity as those found in California's most populous cities including racial and ethnic diversity.

4. The Proposer must describe how the above two factors were addressed when boundary lines were being drawn and the Proposer's contribution to resolving any issues resulting from the prospective boundary lines, including whether Voting Rights Act Section 2 or 5 criteria impacted the line drawing and if so, the involvement of the Proposer in determining where the line should be drawn.

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(h) A description of the lead personnel and anticipated supporting personnel to be employed during performance (by classification or title) and their qualifications to perform the work.

(i) Identification of a project coordinator.

(j) Resumés for each major contract participant or personnel who will exercise a major policy, administrative, or consultative role in carrying out the services.

Résumés must specify project experience illustrating that the Contractor, Contractor's staff and/or Contractor's subcontractor (if any) have knowledge and/or expertise in the following areas:

- a. The Federal Voting Rights Act of 1965.
- b. California Constitution, Article XXI, Section 2.
- c. The geography of California as related to redistricting.
- d. The population diversity of California as related to redistricting.
- e. Census data as related to redistricting.
- f. The application of GIS-related databases to the problems of redistricting.
- g. Applicable provisions of the California Elections Code.

(k) The prospective contractor should list any prospective subcontractors it plans to use in performing the work, including a listing of the individuals the subcontractor proposes to assign to the engagement and the location where the work will be performed. The Commission, in its sole discretion, reserves the right to reject

subcontractors proposed by the contractor. Subcontractors, if used, shall be subject to all terms, conditions, and qualifications required by this RFP.

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10.Evaluation Process

(SECONDARY METHOD) NOTE: The scoring formula must be modified to reflect the statement of work. Work with staff to develop an acceptable alternative.

- (a) Proposals will be evaluated by the Commission and award shall be made to the responsible proposer [earning the highest score / depending on RFP requirements].
- (b) At the time of proposal opening, each proposal will be checked for the presence or absence of required information in conformance with the Submission of Proposals section of this RFP.
- (c) Proposals that meet the minimum qualifications will be evaluated and scored according to the Scoring Criteria in Table X. A responsive proposal is one, which meets or exceeds the requirements stated in this RFP.

Table X. Scoring Criteria [EXAMPLE]

Scoring Criteria	Maximum Possible Points
Technical Aspects of Proposal	
Quality of approach and methodology	20
Clarity and succinctness of proposal	10

Presentation	10
Reference projects	10
Qualifications and experience of management and lead staff to be assigned to the project	20
Cost	30
TOTAL	100