

AN ORDINANCE 2014 - 12 - 04 - 0 939

**AUTHORIZING A CONTRACT FOR ELECTION SERVICES FOR THE
DECEMBER 9, 2014 RUN-OFF ELECTION WITH THE BEXAR COUNTY
ELECTIONS ADMINISTRATOR IN AN AMOUNT NOT TO EXCEED
\$204,753.01.**

* * * * *

WHEREAS, the City of San Antonio has historically contracted with the Bexar County Elections Administrator to conduct its municipal elections jointly with other political subdivisions within the county and provide services relating to the elections; and

WHEREAS, the November 4, 2014 special election resulted in the necessity to hold a run-off election on Tuesday, December 9, 2014, for City Council District 2; and

WHEREAS, it is now necessary to authorize a contract in accordance with Section 31.092 of the Texas Election Code, for the Bexar County Elections Administrator to provide election services to the City in connection with the Tuesday, December 9, 2014 run-off election; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager, or her designee, is authorized to execute a contract with Bexar County, through the Bexar County Elections Administrator, to conduct the run-off election on Tuesday, December 9, 2014. A copy of the contract for the election services in substantially final form is attached and incorporated as Exhibit A.

SECTION 2. Funding for this ordinance is available as part of the Fiscal Year 2015 budget as set forth in the table below.

Amount	Cost Center	General Ledger	Fund
\$204,753.01	2701010001	5201030	11001000

SECTION 3. Payment not to exceed the budgeted amount is authorized to the Bexar County Elections Administrator and should be encumbered with a purchase order.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or her designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 5. The Bexar County Elections Administrator is also authorized to appoint

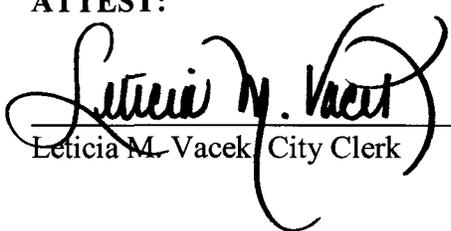
election officials to serve as judges and clerks for early voting and run-off election day, members of the Early Voting Ballot Board, Signature Verification Committee, and Central Counting Station, in connection with the run-off election to be held on Tuesday, December 9, 2014.

SECTION 6. This ordinance is effective immediately, if approved by eight or more affirmative votes; otherwise, it is effective on the tenth day from the date of passage.

***PASSED AND APPROVED** this 4th day of December, 2014.*


M A Y O R
Ivy R. Taylor

ATTEST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

for 
Martha G. Sepeda, Acting City Attorney

Agenda Item:	6 (in consent vote: 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15A, 15B, 16A, 16B, 16C, 16D, 16E, 17, 18, 19, 20, 21, 22A, 22B, 23, 24, 26, 27, 28, 30, 31, 33, 34)						
Date:	12/04/2014						
Time:	09:28:18 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing the execution of a contract in an amount up to \$204,753.01 for election services with the Bexar County Elections Office for the City's Tuesday, December 9, 2014 run-off election to fill the unexpired term of office for Council District 2. [Leticia M. Vacek, City Clerk]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
	District 1	x					
Keith Toney	District 2		x				
Rebecca Viagran	District 3	x					
Rey Saldaña	District 4		x				x
Shirley Gonzales	District 5		x				
Ray Lopez	District 6	x					
Cris Medina	District 7	x					
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x			x	

Exhibit A

Contract for Election Services

(original to be attached upon execution)

substations, for CITY;

- (E) **Distribute the lists of registered voters to be used in conducting the election, as provided by Bexar County Voter Registration pursuant to the request by CITY;**
- (F) **Pay election day and early voting judges and clerks;**
- (G) **Pay the judges for election night returns and early voting returns;**
- (H) **Provide information for election officers;**
- (I) **Provide general overall supervision of the election and advisory services;**
- (J) **Prepare writ of election to election officers and notice of appointment to Presiding and Alternate judges, as required by law;**
- (K) **Conduct early voting, in person and by mail, for CITY;**
- (L) **Establish a Central Counting Station for the purpose of tabulating ballots;**
- (M) **Provide such incidental related services as may be necessary to effect the election;**
- (N) **Meet ADA requirements as the law relates to polling locations and voter assistance, etc; and**
- (O) **Provide for Central Count Tabulation (s):**
 - a. **Preparation and programming of the ballots on the AIS 650 Optical Scanner**
 - b. **Preparation and tabulation of votes from the iVotronic Voting System.**

ARTICLE III
SCHEDULE FOR PERFORMANCE OF SERVICES

3.01. Specific services to be provided related to the general services identified in Article II will be performed in accordance with the time requirements set out in the Texas Election Code.

ARTICLE IV

SERVICES NOT PROVIDED BY COUNTY

4.01. ADMINISTRATOR shall have no responsibility for insuring the passage of the appropriate Election Order by the CITY, publishing and (or) posting the election notice as required by the Texas Election Code Section 4.003, or canvassing election results. ADMINISTRATOR shall have no responsibility as custodian of CITY'S election records.

**ARTICLE V
TERM**

5.01. Except as hereinafter set out, the term of this Contract will be from the time of execution until all items with respect to this Contract and the election held hereunder have been completed.

**ARTICLE VI
COST OF SERVICE AND BILLING**

6.01. In consideration for the services provided hereunder by ADMINISTRATOR, CITY shall pay ADMINISTRATOR the actual cost of performing the services, including any overtime incurred by ADMINISTRATOR'S employees. CITY shall deposit with ADMINISTRATOR _____ no later than December 1, 2014 to cover the estimated pro rata cost.

6.02. If the actual election costs exceed CITY'S deposit, the difference between the actual costs and the deposit will be paid by CITY within 30 days after receiving an itemized invoice from ADMINISTRATOR. Payment must be made by check payable to the Bexar County Clerk and mailed to:

Jacquelyn F. Callanen
Bexar County Elections Administrator
203 W Nueva St., Ste. 3.61
San Antonio, Texas 78207-4505

6.03. Any monies remaining after the payment of all costs of elections bills, will be the property of the CITY and returned to it.

**ARTICLE VII
GENERAL PROVISIONS**

7.01. This Contract will be construed under and in accordance with the laws of the State of Texas, and all obligations of the Parties created hereunder are performable in Bexar County, Texas.

7.02. If any one or more of the provisions contained in this Contract is for any reason held to be invalid, illegal or unenforceable in any respect, that invalidity, illegality or unenforceability will not affect any other provision, and this Contract will be construed as if

the invalid, illegal or unenforceable provision had never been contained in the Contract.

7.03. This Contract constitutes the sole and only agreement of the Parties and supersedes any prior understanding or written or oral agreement between the Parties respecting the written subject matter.

7.04. No amendment, modification, or alteration of this Contract will be binding unless it is in writing, dated subsequent to the date hereof and executed by the Parties.

**ARTICLE VIII
BACKGROUND CHECKS**

8.01 ADMINISTRATOR has conducted all criminal background checks required by Texas Election Code § 129.051(g).

SIGNED this ____ day of _____, 2014.

ELECTIONS ADMINISTRATOR

CITY OF SAN ANTONIO

BY: _____
JACQUELYN F. CALLANEN

BY: _____
PRINT: _____
TITLE: _____

APPROVED AS TO LEGAL FORM:
SUSAN REED
CRIMINAL CITY ATTORNEY
BEXAR COUNTY, TEXAS

BY: _____
LARRY ROBERSON
ASSISTANT CRIMINAL CITY
ATTORNEY- CIVIL DIVISION

I	Early Voting	Units	Cost Per Unit	Estimated	TOTALS
A	REMUNERATION				
	REMUNERATION SUMMARY				
	NUMBER OF JUDGES	1			
	HOURS WORKED	40	\$12.00	\$480.00	
	HOURS WORKED OVERTIME	30	\$18.00	\$540.00	
	NUMBER OF CLERKS	2			
	HOURS WORKED	40	\$10.50	\$840.00	
	HOURS WORKED OVERTIME	30	\$15.75	\$945.00	
	JUDGES DAILY RETURN FEE				
	NUMBER OF TRIPS	2			
	COST PER TRIP		\$7.50	\$15.00	
	COST PER CREW	CC		\$2,820.00	
	NUMBER OF SITES	7			
	WAGES			\$19,740.00	
	TOTAL FICA			\$1,510.11	
	TEMP AGENCY MARKUP		15.59%	\$3,312.89	
	TOTAL REMUNERATION			\$24,563.00	\$24,563.00
B	PRINTING				
	PRINTING OF EARLY VOTING SUPPLIES				
	FORMATTING STYLE	1	\$50.00	\$50.00	
	COST OF BALLOTS		\$0.40	\$0.00	
	BALLOTAR PROGRAMMING		\$750.00	\$750.00	
	NUMBER OF BALLOTS	3,000		\$1,200.00	
	COST OF SAMPLE BALLOTS		\$0.05		
	NUMBER OF SAMPLE BALLOTS	4,000		\$200.00	
	Freight		\$0.00	\$0.00	
	TOTAL PRINTING			\$2,200.00	\$2,200.00
C	MAIL				
	NUMBER OF WHITE ENVELOPES	3,000	\$0.09	\$270.00	
	NUMBER APPLICATIONS	3,000	\$0.05	\$150.00	
	NUMBER OF CARRIER ENVELOPES	3,000	\$0.09	\$270.00	
	NUMBER OF TRANSPORT ENVELOPES	3,000	\$0.09	\$270.00	
	NUMBER OF POSTAGE STAMPS	3,000	\$0.60	\$1,800.00	
	TOTAL MAIL			\$2,760.00	\$2,760.00
D	TEMPORARY WORKERS				
	NUMBER OF TEMP EMPLOYEES/MAIL	4			
	HOURS WORKED	145	\$9.75	\$5,655.00	
	NUMBER OF MONTHS	2			
	WORKMANS COMP UNEMPLOYEMENT		\$49.33	\$394.64	
	iVotronic PREPARATION				
	NUMBER OF TEMPORARY EMPLOYEES	0	\$10.00		
	HOURS WORKED	36		\$0.00	
	WAREHOUSE				
	NUMBER OF TEMPORARY EMPLOYEES	4			
	HOURS WORKED	150	\$9.75	\$5,850.00	
	WORKMANS COMP UNEMPLOYEMENT		\$49.33		
	NUMBER OF MONTHS	2		\$394.64	
	FICA			\$880.13	

	TOTAL TEMP EMPLOYEE COST			\$13,174.41	\$13,174.41
E	RENTAL				
	NUMBER OF SITES	7			
	NUMBER OF SITES COSTS	0	\$500.00	\$0.00	
	NUMBER OF IVOTRONICS	3	\$118.90	\$2,496.90	
	NUMBER OF IVOTRONICS - ADA	1.0	\$143.05	\$1,001.35	
	NUMBER OF PEBS	28	\$7.50	\$210.00	
	NUMBER OF PROVISIONAL BAGS USED	7	\$6.00	\$42.00	
	NUMBER OF BAGS AND SEAL	7	\$1.50	\$10.50	
	NUMBER OF COMPUTERS	7	\$100.00	\$700.00	
	NUMBER OF TABLES	0	\$10.00	\$0.00	
	NUMBER OF CHAIRS	0	\$2.50	\$0.00	
	NUMBER LOCKS ,CHAINS	7	\$5.00	\$35.00	
	TOTAL RENTAL			\$4,495.75	\$4,495.75
F	STAFFTIME				
	DAILY RETURNS				
	NUMBER OF EMPLOYEES	18	\$30.00		
	HOURS WORKED (DAYS X NO. HOURS)	40		\$21,600.00	
	FICA 7.65			\$90.22	
	TOTAL WAGES			\$21,690.22	
	PRO RATA COST	1			
	TOTAL STAFFTIME			\$21,690.22	\$21,690.22
G	E.B.B.AND S.V.C.				
	EARLY BALLOT BOARD				
	NUMBER OF BOARD MEMBERS	6			
	HOURS WORKED	16	\$12.00	\$1,152.00	
	SIGNATURE VERIFICATION COMM.				
	NUMBER OF MEMBERS	0			
	HOURS WORKED	0	\$12.00	\$0.00	
	TOTAL WAGES			\$1,152.00	
	UNEMPLOYMENT			\$0.08	
	FICA 7.65			\$88.13	
	PRO RATA COST	1			
	TOTAL E.B.B. AND S.V.C. COST			\$1,240.21	\$1,240.21
H	PUBLICATION POLLING PLACES				
	EXPRESS NEWS	1.0	\$36,000.00	\$36,000.00	
	LA PRENSA	1	\$6,500.00	\$6,500.00	
	PRO RATA COST	1		\$0.00	
	TOTAL PUBLICATION			\$42,500.00	\$42,500.00
I	MISCELLANEOUS				
	NUMBER OF LABELS	7	\$15.00	\$105.00	
	NUMBER OF CELL PHONES	7	\$35.00	\$245.00	
	SHRINK WRAP COST	0	\$50.00	\$0.00	
	TRAINING CLASS FOR E.V. JUDGES				
	NUMBER OF JUDGES	0			
	NUMBER OF HOURS	4	\$20.00	\$80.00	
	WRITS AND MAILOUTS TO JUDGES				
	ENVELOPES AND POSTAGE	50	\$0.48	\$24.00	
	NUMBER OF KITS	5	\$50.00	\$250.00	
	TOTAL MISCELLANEOUS			\$704.00	\$704.00

K	SUMMARY OF E.V. COST				
	REMUNERATION			\$24,563.00	\$24,563.00
	PRINTING OF E.V. SUPPLIES			\$2,200.00	\$2,200.00
	MAIL			\$2,760.00	\$2,760.00
	TEMPORARY EMPLOYEE COST			\$13,174.41	\$13,174.41
	RENTAL			\$4,495.75	\$4,495.75
	STAFFTIME			\$21,690.22	\$21,690.22
	E.B.B.AND S.V.C. COST			\$1,240.21	\$1,240.21
	MISCELLANEOUS			\$704.00	\$704.00
	PUBLICATION			\$42,500.00	\$42,500.00
	EARLY VOTING COST SUBTOTAL			\$113,327.59	\$113,327.59
	TOTAL EARLY VOTING COST				
	10% CONTRACT FEE EARLY VOTING			\$11,332.76	\$11,332.76
	Grand Total Early Voting			\$124,660.35	\$124,660.35

COSA

EXHIBIT "B"

9-Dec-14

	Election Day	Units	Cost Per Unit	Estimated	TOTALS
II	REMUNERATIONS				
A	NUMBER OF JUDGES	1			
	HOURS WORKED	15	\$12.00	\$180.00	
	NUMBER OF CLERKS	2			
	HOURS WORKED	15	\$10.50	\$315.00	
	FICA 7.65 FOR JUDGES AND CLERKS			\$37.87	
	TOTAL WAGES JUDGES and CLERKS			\$532.87	
	NUMBER OF SITES	24	\$532.87	\$12,788.82	
	SECURITY	5			
	HOURS WORKED	18	\$30.00	\$2,700.00	
	FICA 7.65 FOR SECURITY			\$206.55	
	TOTAL WAGES SECURITY			\$2,906.55	
	TOTAL REMUNERATION			\$15,695.37	
	REMUNERATIONS TOTAL			\$15,695.37	\$15,695.37
B	ELECTION NIGHT RETURNS				
	NUMBER OF SITES RETURNS	24	\$25.00	\$600.00	
	NUMBER OF KITS	24	\$40.00	\$960.00	
	TOTAL KITS AND RETURNS			\$1,560.00	\$1,560.00
C	RENTAL				
	NUMBER OF IVOTRONICS	90	\$118.90	\$10,701.00	
	NUMBER OF IVOTRONICS - ADA	24	\$143.05	\$3,433.20	
	NUMBER OF COMMPACS	24	\$80.00	\$1,920.00	
	NUMBER OF PEBS	96	\$7.50	\$720.00	
	NUMBER OF PROVISIONAL BAGS	24	\$6.00	\$144.00	
	TABLES	5	\$10.00	\$50.00	
	CHAIRS	15	\$2.50	\$37.50	
	TRAFFIC CONES	5	\$1.20	\$6.00	

	SHRINK WRAP COST	0	\$50.00	\$0.00	
	NUMBER OF BALLOT BOXES	3	\$1.45	\$4.35	
	COST OF BAG SEALS	24	\$1.50	\$36.00	
	TOTAL RENTAL			\$17,052.05	\$17,052.05
D	TRANSPORTATION				
	MOVERS	30	\$130.00	\$3,900.00	
	TRUCK RENTAL	0	\$600.00	\$0.00	
	PRO RATA COST	1			
	TRANSPORTATION			\$3,900.00	\$3,900.00
	TRANSPORTATION TOTAL			\$0.00	
E	PROGRAMMING, EQUIPMENT, TECHNICAL SERVICES				
	PERSONNEL COST ON SITE TECHS	10	\$300.00	\$3,000.00	
	TEMP AGENCY MARKUP		15.59%	\$467.70	
	PROGRAMMING	2	\$1,500.00	\$3,000.00	
	VOICE FILES	1	\$10,200.00	\$10,200.00	
	CENTRAL COUNTING STATION JUDGE	8	\$25.00	\$200.00	
	REGIONAL SENDING SITES	1	\$560.00		
	NUMBER OF SITES/PERSONNEL	1		\$560.00	
	CENTRAL COUNTING STATION MGR HRS	25	\$40.00	\$1,000.00	
	TABULATION SUPERVISOR HOURS	12	\$35.00	\$420.00	
	ASST TO TAB. SUPERVISOR HOURS	12	\$25.00	\$300.00	
	COMPUTER COST	0	\$5,500.00	\$0.00	
	TABULATION SOFTWARE	0	\$25,800.00	\$0.00	
	AIS 650 OPTICAL SCANNERS	1	\$7,600.00	\$7,600.00	
	PUBLIC TEST	1	\$50.00	\$50.00	
	PREVENTIVE MAINT. INSP	0	\$2,600.00	\$0.00	
	PICK AND DELIVERY	0	\$20.00	\$0.00	
	PRO RATA COST	1			
	INFORMATION SERVICES			\$26,797.70	
	TOTAL PETS			\$26,797.70	\$26,797.70
F	ELECTION DEPARTMENT STAFF				
	NUMBER OF EMPLOYEES	14	\$30.00		
	HOURS WORKED	9		\$3,780.00	
	FICA 7.65			\$289.17	
	PRO RATA COST	1			
	TOTAL STAFFTIME WAGES			\$4,069.17	\$4,069.17
G	TEMPORARY EMPLOYEE				
	NUMBER OF EMPLOYEES (POST ELEC.)	4			
	HOURS WORKED	40	\$10.00	\$1,600.00	
	PRO RATA COST			\$0.00	
	WORKMANS COMP UNEMPLOYEMENT	1	\$49.33	\$197.32	
	PHONE BANK RATE PER HOUR	1	\$10.00	\$0.00	
	HOURS WORKED	12			
	NUMBER OF EMPLOYEES	0		\$0.00	
	TEMPORARY EMPLOYEE COST	4		\$1,797.32	
	FICA 7.65	1		\$137.49	
	TOTAL TEMP EMPLOYEE COST	1		\$1,934.81	\$1,934.81
H	PUBLICATION				
	EXPRESS NEWS ACCURACY TEST	1	\$342.00	\$342.00	
	LA PRENSA	0	\$0.00	\$0.00	

	PRO RATA COST	1			
	TOTAL PUBLICATION			\$342.00	\$342.00
I	MISCELLANEOUS				
	NOTIFICATION TO JUDGES/payroll	230	\$0.48	\$110.40	
	POLLING SITE RENTAL	3	\$210.00	\$630.00	
	CELL PHONES AND AIRTIME	24	\$30.00	\$720.00	
	TOTAL MISCELLANEOUS			\$1,460.40	\$1,460.40
J	SUMMARY ELECTION DAY COST				
	REMUNERATIONS			\$15,695.37	\$15,695.37
	ELECTION KITS AND RETURNS			\$1,560.00	\$1,560.00
	RENTAL			\$17,052.05	\$17,052.05
	STAFFTIME			\$4,069.17	\$4,069.17
	PRINTING COST			\$0.00	\$0.00
	INFORMATION SERVICES			\$26,797.70	\$26,797.70
	TEMPORARY EMPLOYEE COST			\$1,934.81	\$1,934.81
	PUBLICATION			\$342.00	\$342.00
	TRANSPORTATION			\$3,900.00	\$3,900.00
	MISCELLANEOUS			\$1,460.40	\$1,460.40
	ELEC. DAY COST SUBTOTAL			\$72,811.50	\$72,811.50
	TOTAL ELECTION DAY			\$72,811.50	\$72,811.50
	10% CONTRACT FEE			\$7,281.15	\$7,281.15
	Grand Total Election Day			\$80,092.66	\$80,092.66

	Total	ESTIMATE
Early Voting Grand Total	\$124,660.35	\$124,660.35
Election Day Grand Total	\$80,092.66	\$80,092.66
Total For Early Voting and Election Day	\$204,753.01	\$204,753.01
Pro Rata Share 100%	\$204,753.01	\$204,753.01
Amount of Deposit	\$204,753.01	\$204,753.01
(Overpaid)/Underpaid		