

AN ORDINANCE 2012-05-03-0332

AUTHORIZING THE AMENDMENT OF THE CONTRACT FOR ELECTION SERVICES WITH THE BEXAR COUNTY ELECTIONS OFFICE FOR THE MAY 12, 2012 SPECIAL AND CHARTER AMENDMENT ELECTION.

* * * * *

WHEREAS, on Thursday, February 16, 2012, by Ordinances 2012-02-16-0099 and 2012-02-16-0113, the City Council ordered a Special Bond Election and a Charter Amendment Election to be held Saturday, May 12, 2012; and

WHEREAS, also on Thursday, February 16, 2012, by Ordinance No. 2012-02-16-0114, the City Council authorized the execution of a contract for election services with the Bexar County Elections Administration in connection with such services to be conducted in accordance with the provisions of the Texas Election Code, Section 271.002(a); and

WHEREAS, as a result of state redistricting efforts, the Bexar County Elections Administration Office has revised several early voting and election day voting sites, resulting in an increase in the election services costs to the City from \$500,000.00 to \$631,914.30, and the need to amend the election services contract; **NOW THEREFORE:**

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

SECTION 1. The City Clerk, or her designee, is authorized to amend the contract for the conduct of the Joint Election with Bexar County, through the Bexar County Elections Administrator, and other participating governmental entities, for the planning, preparation and implementation of the Joint Election on Saturday, May 12, 2012, for a total amount not to exceed \$631,914.30. Upon execution of the contract, a copy will be attached to and incorporated within this Ordinance as **Exhibit A**.

SECTION 2. Funds are authorized to be encumbered in Cost Center 2701010001 in the amount of \$631,914.30. Funds will be expended from General Ledger 5201030, entitled "Fees for Governmental Contractors," Fund 11, entitled "General Fund," with other General Ledger Accounts being utilized when appropriate. The funds are authorized to be payable to Bexar County for election services in connection with the Saturday, May 12, 2012 Joint Election. Bexar County shall refund to the City all City of San Antonio funds remaining after the payment of all election costs.

SECTION 3. 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 Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 4. If any provision of this Ordinance or the application of any provision of this Ordinance to any circumstance shall be held to be invalid, the remainder of this Ordinance and

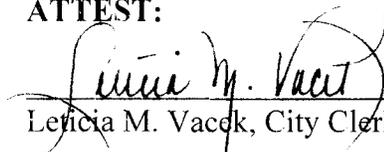
its application to other circumstances shall nevertheless be valid, and this Ordinance would have been enacted without such invalid provision.

SECTION 5. This ordinance is effective immediately, upon passage by eight affirmative votes; otherwise, the effective date shall be ten days from the date of passage.

PASSED AND APPROVED this 3rd day of May, 2012.


M A Y O R
Julián Castro

ATTEST:

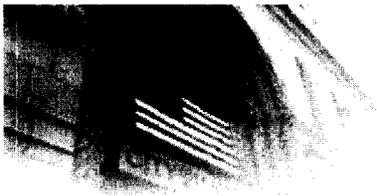


Leticia M. Vacck, City Clerk

APPROVED AS TO FORM:



Michael D. Bernard, City Attorney



Request for
COUNCIL
ACTION

City of San Antonio



Agenda Voting Results - 25B

Name:	4, 5, 6, 8, 9A, 9B, 10, 11, 12, 15, 16, 17, 18, 19A, 19B, 19C, 19D, 19E, 19F, 19G, 20, 21, 23, 24, 25A, 25B						
Date:	05/03/2012						
Time:	09:25:05 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance amending the cost of the Election Services Contract with Bexar County.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x				
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		x			x	
David Medina Jr.	District 5	x					
Ray Lopez	District 6		x				
Cris Medina	District 7		x				x
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				

Exhibit A

Contract for Election Services with the Bexar County Elections Office

equipment to and from the initial polling locations, including early voting 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 shall 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 CITY OF SAN ANTONIO, preparing or sending Justice

Department Submissions, 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 shall 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 agrees to pay ADMINISTRATOR the actual cost of performing the services, including any overtime incurred by ADMINISTRATOR'S employees. CITY further agrees to deposit with ADMINISTRATOR \$ _____ no later than April 6, 2012 to cover the estimated pro rata cost.

6.02. In the event 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 shall 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, shall be the property of the CITY and returned to it.

ARTICLE VII
GENERAL PROVISIONS

7.01. This Contract shall 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. In case any one or more of the provisions contained in this Contract shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision thereof, and this Contract shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

7.03. This Contract constitutes the sole and only agreement of the parties hereto 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 the term hereof shall be binding unless the same be in writing, dated subsequent to the date hereof and duly executed by the parties hereto.

ARTICLE VIII
BACKGROUND CHECKS

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

SIGNED this 24 day of March, 2012

ELECTIONS ADMINISTRATOR

BY: Jacquelyn F. Callanen
JACQUELYN F. CALLANEN

CITY OF SAN ANTONIO

BY: Leticia M. Vacek
PRINT: Leticia M. Vacek
TITLE: City Clerk

APPROVED AS TO LEGAL FORM:

SUSAN REED
CRIMINAL DISTRICT ATTORNEY
BEXAR COUNTY, TEXAS

BY: Kelsey Menzel
KELSEY MENZEL
ASSISTANT CRIMINAL DISTRICT
ATTORNEY- CIVIL SECTION

COSA		EXHIBIT "A"		12-May-12	
		Units	Cost Per Unit	Estimated	TOTALS
I	Early Voting				
A	REMUNERATION				
	REMUNERATION SUMMARY				
	NUMBER OF JUDGES	1			
	HOURS WORKED	97	\$10.00	\$970.00	
	HOURS WORKED OVERTIME	0	\$15.00	\$0.00	
	NUMBER OF CLERKS	3			
	HOURS WORKED	97	\$9.00	\$2,619.00	
	HOURS WORKED OVERTIME	0	\$13.50	\$0.00	
	JUDGES DAILY RETURN FEE				
	NUMBER OF TRIPS	9			
	COST PER TRIP		\$7.50	\$67.50	
	COST PER CREW	CC		\$3,656.50	
	NUMBER OF SITES	28			
	WAGES			\$102,382.00	
	TOTAL FICA			\$7,832.22	
	TEMP AGENCY MARKUP		15.59%	\$17,182.40	
	TOTAL REMUNERATION			\$127,396.62	\$127,396.62
B	PRINTING				
	PRINTING OF EARLY VOTING SUPPLIES				
	FORMATTING STYLE	17	\$50.00	\$850.00	
	COST OF BALLOTS		\$0.29		
	NUMBER OF BALLOTS	30,000		\$8,700.00	
	COST OF SAMPLE BALLOTS		\$0.05		
	NUMBER OF SAMPLE BALLOTS	30,000		\$1,500.00	
	Freight		\$0.00	\$0.00	
	TOTAL PRINTING			\$11,050.00	\$11,050.00
C	MAIL				
	NUMBER OF WHITE ENVELOPES	15,000	\$0.09	\$1,350.00	
	NUMBER APPLICATIONS	5,000	\$0.05	\$250.00	
	NUMBER OF CARRIER ENVELOPES	15,000	\$0.09	\$1,350.00	
	NUMBER OF TRANSPORT ENVELOPES	15,000	\$0.09	\$1,350.00	
	NUMBER OF POSTAGE STAMPS	15,000	\$0.60	\$9,000.00	
	TOTAL MAIL			\$13,300.00	\$13,300.00
D	TEMPORARY WORKERS				
	NUMBER OF TEMP EMPLOYEES/MAIL	4			
	HOURS WORKED	260	\$12.00	\$12,480.00	
	NUMBER OF MONTHS	3			
	WORKMANS COMP UNEMPLOYEMENT		\$49.33	\$591.96	
	iVotronic PREPARATION				
	NUMBER OF TEMPORARY EMPLOYEES	3	\$9.75		
	HOURS WORKED	36		\$1,053.00	
	WAREHOUSE				
	NUMBER OF TEMPORARY EMPLOYEES	3			
	HOURS WORKED	320	\$9.75	\$9,360.00	
	WORKMANS COMP UNEMPLOYEMENT		\$49.33		
	NUMBER OF MONTHS	2		\$295.98	

	FICA			\$1,670.76	
	TOTAL TEMP EMPLOYEE COST			\$25,451.70	\$25,451.70
E	RENTAL				
	NUMBER OF SITES	28			
	NUMBER OF SITES COSTS	3	\$500.00	\$1,500.00	
	NUMBER OF IVOTRONICS	5	\$118.90	\$16,646.00	
	NUMBER OF IVOTRONICS - ADA	1	\$143.05	\$4,005.40	
	NUMBER OF COMMPACS	28	\$80.00	\$2,240.00	
	NUMBER OF PEBS	112	\$7.50	\$840.00	
	NUMBER OF DAYS BALLOT CANS USED	11	\$6.00	\$66.00	
	NUMBER OF BALLOT CANS AND SEAL	11	\$1.50	\$16.50	
	VANS	0	\$0.00	\$0.00	
	NUMBER OF COMPUTERS	28	\$250.00	\$7,000.00	
	NUMBER OF AIRCARDS	28	\$39.45	\$1,104.60	
	NUMBER OF TABLES	12	\$10.00	\$120.00	
	NUMBER OF CHAIRS	40	\$2.50	\$100.00	
	NUMBER LOCKS ,CHAINS,	40	\$5.00	\$200.00	
	TOTAL RENTAL			\$33,838.50	\$33,838.50
F	STAFFTIME				
	DAILY RETURNS				
	NUMBER OF EMPLOYEES	14	\$30.00		
	HOURS WORKED (DAYS X NO. HOURS)	35		\$14,700.00	
	FICA 7.65			\$90.22	
	TOTAL WAGES			\$14,790.22	
	PRO RATA COST	1			
	TOTAL STAFFTIME			\$14,790.22	\$14,790.22
G	E.B.B.AND S.V.C.				
	EARLY BALLOT BOARD				
	NUMBER OF BOARD MEMBERS	10			
	HOURS WORKED	32	\$9.75	\$3,120.00	
	SIGNATURE VERIFICATION COMM.				
	NUMBER OF MEMBERS	0			
	HOURS WORKED	0	\$9.75	\$0.00	
	TOTAL WAGES			\$3,120.00	
	UNEMPLOYMENT			\$0.08	
	FICA 7.65			\$238.68	
	PRO RATA COST	1			
	TOTAL E.B.B. AND S.V.C. COST			\$3,358.76	\$3,358.76
H	PUBLICATION POLLING PLACES				
	EXPRESS NEWS	2	\$36,000.00	\$72,000.00	
	LA PRENSA	1	\$2,400.00	\$2,400.00	
	PRO RATA COST	1		\$0.00	
	TOTAL PUBLICATION			\$74,400.00	\$74,400.00
I	MISCELLANEOUS				
	NUMBER OF LABELS	56	\$15.00	\$840.00	
	NUMBER OF CELL PHONES	28	\$35.00	\$980.00	
	NUMBER OF RIBBONS	28	\$20.00	\$560.00	
	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	300	\$0.40	\$120.00	
	NUMBER OF KITS	28	\$50.00	\$1,400.00	
	TOTAL MISCELLANEOUS			\$3,980.00	\$3,980.00
K	SUMMARY OF E.V. COST				
	REMUNERATION			\$127,396.62	\$127,396.62
	PRINTING OF E.V. SUPPLIES			\$11,050.00	\$11,050.00
	MAIL			\$13,300.00	\$13,300.00
	TEMPORARY EMPLOYEE COST			\$25,451.70	\$25,451.70
	RENTAL			\$33,838.50	\$33,838.50
	STAFFTIME			\$14,790.22	\$14,790.22
	E.B.B.AND S.V.C. COST			\$3,358.76	\$3,358.76
	MISCELLANEOUS			\$3,980.00	\$3,980.00
	PUBLICATION			\$74,400.00	\$74,400.00
	EARLY VOTING COST SUBTOTAL			\$307,565.80	\$307,565.80
	TOTAL EARLY VOTING COST				
	10% CONTRACT FEE EARLY VOTING			\$30,756.58	\$30,756.58
	Grand Total Early Voting			\$338,322.38	\$338,322.38

COSA

EXHIBIT "B"

12-May-12

	Election Day	Units	Cost Per Unit	Estimated	TOTALS
II	REMUNERATIONS				
A	NUMBER OF JUDGES	1			
	HOURS WORKED	15	\$10.00	\$150.00	
	NUMBER OF CLERKS	2			
	HOURS WORKED	15	\$9.00	\$270.00	
	FICA 7.65 FOR JUDGES AND CLERKS			\$32.13	
	TOTAL WAGES JUDGES and CLERKS			\$452.13	
	NUMBER OF SITES	240	\$452.13	\$108,511.20	
	SECURITY	8			
	HOURS WORKED	18	\$30.00	\$4,320.00	
	FICA 7.65 FOR SECURITY			\$330.48	
	TOTAL WAGES SECURITY			\$4,650.48	
	TOTAL REMUNERATION			\$113,161.68	
	REMUNERATIONS TOTAL			\$113,161.68	\$113,161.68
B	ELECTION NIGHT RETURNS				
	NUMBER OF SITES RETURNS	240	\$25.00	\$6,000.00	
	NUMBER OF KITS	240	\$40.00	\$9,600.00	
	TOTAL KITS AND RETURNS			\$15,600.00	\$15,600.00
C	RENTAL				

	NUMBER OF IVOTRONICS	857	\$118.90	\$101,897.30	
	NUMBER OF IVOTRONICS - ADA	240	\$143.05	\$34,332.00	
	NUMBER OF COMMPACS	240	\$80.00	\$19,200.00	
	NUMBER OF PEBS	960	\$7.50	\$7,200.00	
	NUMBER OF FLASH CARDS	1,100	\$33.00	\$36,300.00	
	NUMBER OF PROVISIONAL BALLOT BAGS USED	240	\$6.00	\$1,440.00	
	NUMBER OF TV'S	0	\$10.00	\$0.00	
	TABLES	50	\$10.00	\$500.00	
	CHAIRS	150	\$2.50	\$375.00	
	TRAFFIC CONES	25	\$1.20	\$30.00	
	SHRINK WRAP COST	0	\$50.00	\$0.00	
	NUMBER OF BALLOT BOXES	25	\$1.45	\$36.25	
	COST OF LOCKS AND SEALS	240	\$1.50	\$360.00	
	TOTAL RENTAL			\$201,670.55	\$201,670.55
D	TRANSPORTATION				
	MOVERS	240	\$47.00	\$11,280.00	
	TRUCK RENTAL	7	\$400.00	\$2,800.00	
	PALLET JACK	0	\$0.00	\$0.00	
	PRO RATA COST	1			
	TRANSPORTATION			\$14,080.00	\$14,080.00
	TRANSPORTATION TOTAL			\$0.00	
E	PROGRAMMING, EQUIPMENT, TECHNICAL SERVICES				
	PERSONEL COST ON SITE TECHS	80	\$300.00	\$24,000.00	
	TEMP AGENCY MARKUP		15.59%	\$3,741.60	
	PROGRAMMING	10	\$1,500.00	\$15,000.00	
	VOICE FILES	1	\$2,500.00	\$2,500.00	
	CENTRAL COUNTING STATION JUDGE	8	\$25.00	\$200.00	
	REGIONAL SENDING SITES	1	\$560.00		
	NUMBER OF SITES/PERSONNEL	5		\$2,800.00	
	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	\$40,500.00	\$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	1	\$2,600.00	\$2,600.00	
	PICK AND DELIVERY	0	\$20.00	\$0.00	
	PRO RATA COST	1			
	INFORMATION SERVICES			\$60,211.60	
	TOTAL PETS			\$60,211.60	\$60,211.60
F	ELECTION DEPARTMENT STAFF				
	NUMBER OF EMPLOYEES	14	\$30.00		
	HOURS WORKED	19		\$7,980.00	
	FICA 7.65			\$610.47	
	PRO RATA COST	1			
	TOTAL STAFFTIME WAGES			\$8,590.47	\$8,590.47
G	TEMPORARY EMPLOYEE				
	NUMBER OF EMPLOYEES (POST ELEC.)	5			

	HOURS WORKED	40	\$10.00	\$2,000.00	
	PRO RATA COST			\$0.00	
	WORKMANS COMP UNEMPLOYEMENT	1	\$49.33	\$246.65	
	PHONE BANK RATE PER HOUR		\$9.75	\$0.00	
	HOURS WORKED	12			
	NUMBER OF EMPLOYEES	20		\$2,340.00	
	TEMPORARY EMPLOYEE COST	40		\$4,586.65	
	FICA 7.65	1		\$350.88	
	TOTAL TEMP EMPLOYEE COST	1		\$4,937.53	\$4,937.53
H	PUBLICATION				
	EXPRESS NEWS ACCURACY TEST	1	\$250.00	\$250.00	
	LA PRENSA	1	\$0.00	\$0.00	
	PRO RATA COST	1			
	TOTAL PUBLICATION			\$250.00	\$250.00
I	MISCELLANEOUS				
	NOTIFICATION TO JUDGES/payroll	2,530	\$0.47	\$1,189.10	
	POLLING SITE RENTAL	150	\$210.00	\$31,500.00	
	CELL PHONES AND AIRTIME	240	\$30.00	\$7,200.00	
	TOTAL MISCELLANEOUS			\$39,889.10	\$39,889.10
J	SUMMARY ELECTION DAY COST				
	REMUNERATIONS			\$113,161.68	\$113,161.68
	ELECTION KITS AND RETURNS			\$15,600.00	\$15,600.00
	RENTAL			\$201,670.55	\$201,670.55
	STAFFTIME			\$8,590.47	\$8,590.47
	PRINTING COST			\$0.00	\$0.00
	INFORMATION SERVICES			\$60,211.60	\$60,211.60
	TEMPORARY EMPLOYEE COST			\$4,937.53	\$4,937.53
	PUBLICATION			\$250.00	\$250.00
	TRANSPORTATION			\$14,080.00	\$14,080.00
	MISCELLANEOUS			\$39,889.10	\$39,889.10
	ELEC. DAY COST SUBTOTAL			\$458,390.93	\$458,390.93
	TOTAL ELECTION DAY			\$458,390.93	\$458,390.93
	10% CONTRACT FEE			\$45,839.09	\$45,839.09
	Grand Total Election Day			\$504,230.02	\$504,230.02

	Total	ESTIMATE
Early Voting Grand Total	\$338,322.38	\$338,322.38
Election Day Grand Total	\$504,230.02	\$504,230.02
Total For Early Voting and Election Day	\$842,552.40	\$842,552.40
Pro Rata Share 75%	\$631,914.30	\$631,914.30
Amount of Deposit	\$631,914.30	\$631,914.30
(Overpaid)/Underpaid		