

CITY OF SAN ANTONIO

CITY ATTORNEY'S OFFICE



REQUEST FOR QUALIFICATIONS

("RFQ")

for

REDISTRICTING COUNSEL

Release Date: February 14, 2011

Proposals Due: March 14, 2011

This contract has been designated as a high profile contract. Under Section 2-309 of the Municipal Campaign Finance Code, the following individuals are prohibited from making a campaign or officeholder contribution to any member of City Council, candidate for City Council or political action committee that contributes to City Council elections from the 10th business day after a contract solicitation has been released until 30 calendar days after the contract has been awarded:

1. legal signatory of a high-profile contract
2. any individual seeking a high-profile contract;
3. any owner or officer of an entity seeking a high-profile contract;
4. the spouse of any of these individuals;
5. any attorney, lobbyist or consultant retained to assist in seeking contract.

A high-profile contract cannot be awarded to the individual or entity if a prohibited contribution has been made by any of these individuals during the "black out" period.

I. BACKGROUND

The City of San Antonio, through its City Attorney's Office, is soliciting written Qualifications and Statements of Interests from law firms interested in assisting the City with its upcoming redistricting process. The City Attorney seeks a firm that has experience in this process with other municipalities and governmental entities and desires to enter into a contract for the development of a comprehensive redistricting plan based on forthcoming census data.

The City of San Antonio operates under a Council-Manager form of government with ten council members elected from single member districts and a Mayor elected at large, each serving two year terms, limited to four concurrent terms as required by the Charter. All members of City Council stand for election at the same time. The City's geographic area covers approximately 469 square miles and serves as the county seat for Bexar County. The population of San Antonio was determined to be 1,144,646 by the 2000 Census. The estimated population of the City is 1,378,000 for the year ending 2010. According to the United States Census Bureau, San Antonio ranks as the seventh largest city in the United States and the second largest in Texas. The results of the 2010 Census will determine the extent to which City Council district boundaries will need to be adjusted.

II. SCOPE OF WORK

The 2010 Census Redistricting Data (P.L. 94-171) is expected to be released to the State of Texas the week of February 14, 2011. The selected firm shall provide the City of San Antonio with a comprehensive redistricting plan based on this data and a framework for its implementation. Counsel will prepare briefings to City Council and staff on the requirements of redistricting and assist in developing criteria for the City Council to follow in its redistricting decisions. The selected firm shall: (1) attend meetings of the City Council and those scheduled by City Staff to the extent required or requested to discuss the redistricting plan; (2) attend public meetings involving redistricting; (3) assist in obtaining preclearance of the City's redistricting plan; and (4) provide ongoing legal counsel on questions that arise from redistricting issues.

III. SCHEDULE OF EVENTS

RFQ Issued	February 14, 2011
Responses Due	March 14, 2011
Firm Interviews	Week of March 14, 2011
City Council Consideration of recommended firm	March 31, 2011

IV. SUBMITTAL DOCUMENT REQUIREMENTS

All Respondents must complete and return the following documents with their response:

Qualification Data Form (EXHIBIT A)

Ethics Disclosure Form (EXHIBIT B)

V. BUDGET

Please indicate your firm's projected budget and hourly fees associated with the development and implementation of a redistricting plan. Your fee structure should allow for a generous level of redistricting consultation on matters including the legality and constitutionality of the newly drawn districts. City Staff Attorneys may elect to assume as much of the preparatory work, planning, and production work that is deemed feasible and allocable in order to reduce outside costs. The City will not pay for travel for firms located outside of San Antonio.

Incidental Costs. If the firm proposes that the City bear the costs of incidental expenses associated with these services, clearly state the type and estimated costs of such services.

VI. SUBMISSION INSTRUCTIONS

An original and five (5) signed copies of an "RFQ to provide Redistricting Counsel" must be submitted to the Office of the City Clerk, City Hall, 100 Military Plaza, San Antonio, Texas 78205 no later than 4:00 p.m. Central (San Antonio) Daylight time, on Monday, March 14, 2011. Any proposal received after 4:00 p.m. on such date will not be accepted or considered and will be returned unopened. All proposals must be delivered in a sealed package and plainly marked "RFQ to provide Redistricting Counsel", Attn.: Michael Bernard, City Attorney.

Submissions must be signed by a person authorized to bind the firm submitting the response. Responses signed by a person other than an officer or partner of the firm are to be accompanied by evidence of authority.

Contact Persons:

The City's authorized contact persons throughout the RFQ process are limited to the following individuals:

Contact Person	Position	Telephone	FAX	E-mail
Michael Bernard	City Attorney	(210) 207-8940	(210) 207-4004	dbrewton@sanantonio.gov
Veronica M. Zertuche	Deputy City Attorney	(210) 207-8940	(210) 207-4004	veronica.zertuche@sanantonio.gov

All questions concerning this RFQ must be submitted, in writing, on firm letterhead, and to the attention of the individuals listed above. All questions must be submitted no later than 4:00 p.m., Tuesday, March 1, 2011, to ensure adequate time for the City to respond. Please FAX or e-mail transmissions related to this response to the attention of Veronica M. Zertuche, Deputy City Attorney, City of San Antonio. Contact with persons other than those shown may result in the disqualification of the response. The City will not meet in person with anyone representing a potential provider of services during the RFQ process although the City reserves the right to contact any firm that submits a response for purposes of clarification or other discussion as deemed necessary after responses have been opened.

VII. EVALUATION CRITERIA

Responses will be evaluated according to the following criteria:

1. Experience with Texas municipalities' redistricting processes and the laws affecting such redistricting, including the Voting Rights Act and the Fourteenth Amendment;
2. Organization, size, structure, and financial stability of the firm;
3. Firm's demonstrated qualifications and experience in the practice of redistricting and qualifications of redistricting staff, education, position held in firm, and years and type of experience;

4. Description of the proposed methodology and software compatible with or use of ArcGIS 10.0 to be used in evaluating redistricting scenarios for the Council Districts and a management plan indicating proposed tasks, timeliness, and personnel hours of key staff and/or sub-consultants by task to accomplish the redistricting plan. Note, the City of San Antonio will assist consultant with development of various redistricting scenarios using ArcGIS
5. Proposed Fee; and
6. Hiring practices of the firm with regard to the employment and representation of minorities and women in professional level positions;

VIII. AWARD OF CONTRACT AND RESERVATION OF RIGHTS

Issuance of this RFQ does not commit the City of San Antonio to award a contract, to pay any costs incurred in preparation of a response to this Request, or to procure or contract for services. The City of San Antonio reserves the right to reject any and all submissions and re-issue an RFQ.

Interviews:

The City may elect to interview any or all respondents to this RFQ. Notification of such interview will be made by the City Attorney or his designee in a timely manner to allow sufficient time for respondents to prepare a personal presentation.

Public Information

Respondents are advised that responses shall become City property at the time of submission, and that the information contained in the proposals could be made available to the public upon request under the Texas Public Information Act. Any information deemed to be confidential by a submitting firm should be clearly noted on the page or pages where such confidential information is contained. However, the City cannot guarantee that such information will be kept from public disclosure as information deemed confidential by submitting firm may not be recognized as confidential under Texas Law.

Execution of Contract

The Respondent selected to provide the Redistricting Counsel Services agrees, by submission of a response to work with the City, to execute a final Contract within ten (10) business days of the approval of the law firm by the City Council. In the event the selected Respondent cannot or will not execute such Contract, the City may at its sole discretion, award the Contract to the Respondent it deems to have the next most advantageous response.

Conflict of Interest

The Charter of the City of San Antonio and its Ethics Code prohibit a City officer or employee, as those terms are defined in the Ethics Code, from having a financial interest in any contract with the City or any City agency such as City owned utilities. An officer or employee has a "prohibited financial interest" in a contract with the City or in the sale to the City of land, materials, supplies or service, if any of the following individual(s) or entities is a party to the contract or sale: a City officer or employee; his parent, child or spouse; a business entity in which the officer or employee, or his parent, child or spouse owns ten (10%) percent or more of the voting stock or shares of the business entity, or ten (10%) percent or more of the fair market value of the business entity; a business entity in which any individual or entity above listed is a subcontractor on a City contract, a partner or a parent or subsidiary business entity.

The Redistricting Counsel shall be required to warrant and certify that it, its officers, employees and agents are neither officers nor employees of the City.