

AN ORDINANCE 2013-05-30-0377

**AUTHORIZING A CONTRACT FOR ELECTION SERVICES FOR THE
JUNE 15, 2013 RUN-OFF ELECTION WITH THE BEXAR COUNTY
ELECTIONS ADMINISTRATOR IN AN AMOUNT NOT TO EXCEED
\$272,359.16.**

* * * * *

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 including, but not limited to:

- a) Obtaining U.S. Department of Justice Pre-clearance for polling sites to be utilized;
- b) Procuring and distributing election supplies, to include the printing and distribution of ballots for mail balloting;
- c) Hiring, training, and paying Election Judges, Clerks, and other election personnel;
- d) Securing Early Voting and Election Day polling sites;
- e) Programming Election equipment to be utilized during Early Voting and Election Day;
- f) Transporting Election equipment to each polling site;
- g) Conducting Early Voting, in person, and by mail;
- h) Conducting Election Day Voting;
- i) Tabulating Election Returns; and

WHEREAS, the May 11, 2013 General Election resulted in the necessity to hold a Run-Off election on Saturday, June 15, 2013, for City Council Districts 5 and 8; 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 Saturday, June 15, 2013 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 Saturday, June 15, 2013. 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 2013 budget as set forth in the table below.

Amount	Cost Center	General Ledger	Fund
\$225,989.16	2701010001	5201030	11001000
\$1,720.00	2701010001	5203060	11001000
\$2,615.00	2701010001	5205010	11001000
\$39,450.00	2701010001	5203040	11001000
\$2,585.00	2701010001	5205050	11001000
Total Amount			
\$272,359.16			

SECTION 3. Payment not to exceed the budgeted amount is authorized to 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 Saturday, June 15, 2013.

SECTION 6. This ordinance is effective immediately, upon passage by eight affirmative votes; otherwise, the effective date shall be ten days from the date of passage.

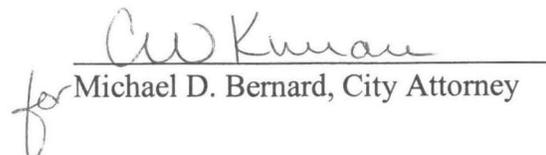
PASSED AND APPROVED this 30th day of May, 2013.

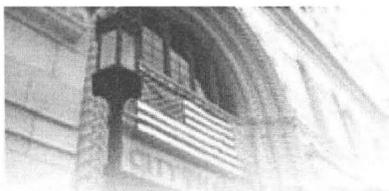

M A Y O R
Julián Castro

ATTEST:

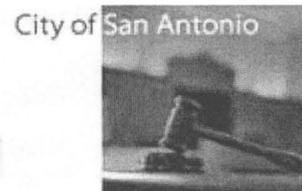

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


for Michael D. Bernard, City Attorney



Request for
**COUNCIL
ACTION**



Agenda Voting Results - 28

Name:	6, 7, 8, 9A, 9B, 11, 12, 13, 14, 15A, 15B, 16A, 16B, 16C, 17, 18, 20A, 20B, 20C, 21, 22, 25, 26, 27, 28, 29A, 29B, 30A, 30B						
Date:	05/30/2013						
Time:	10:49:32 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing a contract amount of \$272,359.16 for Election Services to the Bexar County Elections Administrator for the June 15, 2013 Run-off Election in Council Districts 5 and 8. [Leticia M. Vacek, City Clerk]						
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				
W. Reed Williams	District 8		x			x	
Elisa Chan	District 9		x				
Carlton Soules	District 10	x					

Exhibit A

Contract for Election Services

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 \$ 272,359.16 no later than June 3, 2013 to cover the estimated 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 ____ day of _____, 2013

ELECTIONS ADMINISTRATOR

CITY OF SAN ANTONIO

BY: _____
JACQUELYN F. CALLANEN

BY: _____
PRINT: _____
TITLE: _____

APPROVED AS TO LEGAL FORM:

SUSAN REED
CRIMINAL DISTRICT ATTORNEY
BEXAR COUNTY, TEXAS

BY: _____
KELSEY MENZEL
ASSISTANT CRIMINAL DISTRICT
ATTORNEY- CIVIL SECTION

	COSA	EXHIBIT "A"		15-Jun-13	
I	Early Voting	Units	Cost Per Unit	Estimated	TOTALS
A	REMUNERATION				
	REMUNERATION SUMMARY				
	NUMBER OF JUDGES	1			
	HOURS WORKED	99	\$10.00	\$990.00	
	HOURS WORKED OVERTIME	0	\$15.00	\$0.00	
	NUMBER OF CLERKS	3			
	HOURS WORKED	99	\$9.00	\$2,673.00	
	HOURS WORKED OVERTIME	15	\$13.50	\$607.50	
	JUDGES DAILY RETURN FEE				
	NUMBER OF TRIPS	2			
	COST PER TRIP		\$7.50	\$15.00	
	COST PER CREW	CC		\$4,285.50	
	NUMBER OF SITES	8			
	WAGES			\$34,284.00	
	TOTAL FICA			\$2,622.73	
	TEMP AGENCY MARKUP		15.59%	\$5,753.76	
	TOTAL REMUNERATION			\$42,660.48	\$42,660.48
B	PRINTING				
	PRINTING OF EARLY VOTING SUPPLIES				
	FORMATTING STYLE	2	\$50.00	\$100.00	
	COST OF BALLOTS		\$0.29		
	NUMBER OF BALLOTS	3,000		\$870.00	
	COST OF SAMPLE BALLOTS		\$0.05		
	NUMBER OF SAMPLE BALLOTS	15,000		\$750.00	
	Freight		\$0.00	\$0.00	
	TOTAL PRINTING			\$1,720.00	\$1,720.00
C	MAIL				
	NUMBER OF WHITE ENVELOPES	3,000	\$0.09	\$270.00	
	NUMBER APPLICATIONS	100	\$0.05	\$5.00	
	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			\$2,615.00	\$2,615.00
D	TEMPORARY WORKERS				
	NUMBER OF TEMP EMPLOYEES/MAIL	2			
	HOURS WORKED	260	\$12.00	\$6,240.00	
	NUMBER OF MONTHS	3			
	WORKMANS COMP UNEMPLOYEMENT		\$49.33	\$295.98	
	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			\$1,193.40	
	TOTAL TEMP EMPLOYEE COST			\$18,438.36	\$18,438.36

E	RENTAL				
	NUMBER OF SITES	8			
	NUMBER OF SITES COSTS	0	\$500.00	\$0.00	
	NUMBER OF IVOTRONICS	4	\$118.90	\$3,804.80	
	NUMBER OF IVOTRONICS - ADA	1	\$143.05	\$1,144.40	
	NUMBER OF FLASH CARDS	40	\$33.00	\$1,320.00	
	NUMBER OF PEBS	32	\$7.50	\$240.00	
	NUMBER OF DAYS PROVISIONAL BAGS USED	8	\$6.00	\$48.00	
	NUMBER OF COMPUTERS	8	\$250.00	\$2,000.00	
	NUMBER OF TABLES	0	\$10.00	\$0.00	
	NUMBER OF CHAIRS	0	\$2.50	\$0.00	
	NUMBER LOCKS ,CHAINS,	8	\$5.00	\$40.00	
	TOTAL RENTAL			\$8,597.20	\$8,597.20
F	STAFFTIME				
	DAILY RETURNS				
	NUMBER OF EMPLOYEES	18	\$20.00		
	HOURS WORKED (DAYS X NO. HOURS)	35		\$12,600.00	
	FICA 7.65			\$90.22	
	TOTAL WAGES			\$12,690.22	
	PRO RATA COST	1			
	TOTAL STAFFTIME			\$12,690.22	\$12,690.22
G	E.B.B.AND S.V.C.				
	EARLY BALLOT BOARD				
	NUMBER OF BOARD MEMBERS	6			
	HOURS WORKED	16	\$9.75	\$936.00	
	SIGNATURE VERIFICATION COMM.				
	NUMBER OF MEMBERS	0			
	HOURS WORKED	0	\$9.75	\$0.00	
	TOTAL WAGES			\$936.00	
	UNEMPLOYMENT			\$0.08	
	FICA 7.65			\$71.60	
	PRO RATA COST	1			
	TOTAL E.B.B. AND S.V.C. COST			\$1,007.68	\$1,007.68
H	PUBLICATION POLLING PLACES				
	EXPRESS NEWS	1	\$36,000.00	\$36,000.00	
	LA PRENSA	1	\$3,200.00	\$3,200.00	
	PRO RATA COST	1		\$0.00	
	TOTAL PUBLICATION			\$39,200.00	\$39,200.00
I	MISCELLANEOUS				
	NUMBER OF LABELS	16	\$15.00	\$240.00	
	NUMBER OF CELL PHONES	8	\$35.00	\$280.00	
	TRAINING CLASS FOR E.V. JUDGES				
	NUMBER OF JUDGES	0			
	NUMBER OF HOURS	0	\$20.00	\$0.00	
	WRITS AND MAILOUTS TO JUDGES				
	ENVELOPES AND POSTAGE	44	\$0.40	\$17.60	
	NUMBER OF KITS	8	\$55.00	\$440.00	
	TOTAL MISCELLANEOUS			\$977.60	\$977.60

K SUMMARY OF E.V. COST					
	REMUNERATION			\$42,660.48	\$42,660.48
	PRINTING OF E.V. SUPPLIES			\$1,720.00	\$1,720.00
	MAIL			\$2,615.00	\$2,615.00
	TEMPORARY EMPLOYEE COST			\$18,438.36	\$18,438.36
	RENTAL			\$8,597.20	\$8,597.20
	STAFFTIME			\$12,690.22	\$12,690.22
	E.B.B.AND S.V.C. COST			\$1,007.68	\$1,007.68
	MISCELLANEOUS			\$977.60	\$977.60
	PUBLICATION			\$39,200.00	\$39,200.00
	EARLY VOTING COST SUBTOTAL			\$127,906.55	\$127,906.55
	TOTAL EARLY VOTING COST				
	10% CONTRACT FEE EARLY VOTING			\$12,790.65	\$12,790.65
	Grand Total Early Voting			\$140,697.20	\$140,697.20
COSA		EXHIBIT "B"		15-Jun-13	
	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	47	\$452.13	\$21,250.11	
	SECURITY	4			
	HOURS WORKED	18	\$40.00	\$2,880.00	
	FICA 7.65 FOR SECURITY			\$220.32	
	TOTAL WAGES SECURITY			\$3,100.32	
	TOTAL REMUNERATION			\$24,350.43	
	REMUNERATIONS TOTAL			\$24,350.43	\$24,350.43
B	ELECTION NIGHT RETURNS				
	NUMBER OF SITES RETURNS	47	\$25.00	\$1,175.00	
	NUMBER OF KITS	47	\$40.00	\$1,880.00	
	TOTAL KITS AND RETURNS			\$3,055.00	\$3,055.00
C	RENTAL				
	NUMBER OF IVOTRONICS	150	\$118.90	\$17,835.00	
	NUMBER OF IVOTRONICS - ADA	47	\$143.05	\$6,723.35	
	NUMBER OF COMMPACS	55	\$80.00	\$4,400.00	
	NUMBER OF PEBS	188	\$7.50	\$1,410.00	
	NUMBER OF FLASH CARDS	197	\$33.00	\$6,501.00	
	NUMBER OF PROVISIONAL BAGS USED	47	\$6.00	\$282.00	
	NUMBER OF TV'S	0	\$10.00	\$0.00	
	TABLES	6	\$10.00	\$60.00	
	CHAIRS	18	\$2.50	\$45.00	
	TRAFFIC CONES	0	\$1.20	\$0.00	
	SHRINK WRAP COST	0	\$50.00	\$0.00	
	NUMBER OF BALLOT BOXES	3	\$1.45	\$4.35	
	COST OF LOCKS AND SEALS	47	\$1.50	\$70.50	
	TOTAL RENTAL			\$37,331.20	\$37,331.20

D	TRANSPORTATION				
	MOVERS	55	\$47.00	\$2,585.00	
	TRUCK RENTAL	0	\$400.00	\$0.00	
	PRO RATA COST	1			
	TRANSPORTATION			\$2,585.00	\$2,585.00
	TRANSPORTATION TOTAL			\$0.00	
E	PROGRAMMING, EQUIPMENT, TECHNICAL SERVICES				
	PERSONEL COST ON SITE TECHS	15	\$300.00	\$4,500.00	
	TEMP AGENCY MARKUP		15.59%	\$701.55	
	PROGRAMMING	5	\$1,500.00	\$7,500.00	
	VOICE FILES	1	\$2,500.00	\$2,500.00	
	CENTRAL COUNTING STATION JUDGE	2	\$25.00	\$50.00	
	REGIONAL SENDING SITES	1	\$560.00	\$4,480.00	
	NUMBER OF SITES/PERSONNEL	8		\$4,480.00	
	CENTRAL COUNTING STATION MGR HRS	10	\$40.00	\$400.00	
	TABULATION SUPERVISOR HOURS	10	\$35.00	\$350.00	
	ASST TO TAB. SUPERVISOR HOURS	10	\$25.00	\$250.00	
	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	\$0.00	
	PICK AND DELIVERY	0	\$20.00	\$0.00	
	PRO RATA COST	1			
	INFORMATION SERVICES			\$32,861.55	
	TOTAL PETS			\$32,861.55	\$32,861.55
F	ELECTION DEPARTMENT STAFF				
	NUMBER OF EMPLOYEES	18	\$20.00		
	HOURS WORKED	19		\$6,840.00	
	FICA 7.65			\$523.26	
	PRO RATA COST	1			
	TOTAL STAFFTIME WAGES			\$7,363.26	\$7,363.26
G	TEMPORARY EMPLOYEE				
	NUMBER OF EMPLOYEES (POST ELEC.)	1			
	HOURS WORKED	40	\$10.00	\$400.00	
	PRO RATA COST			\$0.00	
	WORKMANS COMP UNEMPLOYEMENT	1	\$49.33	\$49.33	
	PHONE BANK RATE PER HOUR		\$9.75	\$0.00	
	HOURS WORKED	12			
	NUMBER OF EMPLOYEES	0		\$0.00	
	TEMPORARY EMPLOYEE COST	0		\$449.33	
	FICA 7.65	1		\$34.37	
	TOTAL TEMP EMPLOYEE COST	1		\$483.70	\$483.70
H	PUBLICATION				
	EXPRESS NEWS ACCURACY TEST	1	\$250.00	\$250.00	
	PRO RATA COST	1			
	TOTAL PUBLICATION			\$250.00	\$250.00
I	MISCELLANEOUS				
	NOTIFICATION TO JUDGES/payroll	282	\$0.47	\$132.54	
	POLLING SITE RENTAL	47	\$210.00	\$9,870.00	
	CELL PHONES AND AIRTIME	47	\$30.00	\$1,410.00	
	TOTAL MISCELLANEOUS			\$11,412.54	\$11,412.54
J	SUMMARY ELECTION DAY COST				
	REMUNERATIONS			\$24,350.43	\$24,350.43
	ELECTION KITS AND RETURNS			\$3,055.00	\$3,055.00

RENTAL			\$37,331.20	\$37,331.20
STAFFTIME			\$7,363.26	\$7,363.26
PRINTING COST			\$0.00	\$0.00
INFORMATION SERVICES			\$32,861.55	\$32,861.55
TEMPORARY EMPLOYEE COST			\$483.70	\$483.70
PUBLICATION			\$250.00	\$250.00
TRANSPORTATION			\$2,585.00	\$2,585.00
MISCELLANEOUS			\$11,412.54	\$11,412.54
ELEC. DAY COST SUBTOTAL			\$119,692.68	\$119,692.68
TOTAL ELECTION DAY			\$119,692.68	\$119,692.68
10% CONTRACT FEE			\$11,969.27	\$11,969.27
Grand Total Election Day			\$131,661.95	\$131,661.95

	Total	ESTIMATE
Early Voting Grand Total	\$140,697.20	\$140,697.20
Election Day Grand Total	\$131,661.95	\$131,661.95
Total For Early Voting and Election Day	\$272,359.16	\$272,359.16
Amount of Deposit	\$272,359.16	\$272,359.16
(Overpaid)/Underpaid		