

## **REQUEST FOR PROPOSALS**

### **REDISTRICTING SUPPORT SERVICES**

A proposal in response to this request must be received by Counsel to the House of Representatives and Counsel to the Senate , as directed herein, for providing the Massachusetts House of Representatives and Senate, hereinafter referred to as the General Court, with the goods/services listed herein by the date and time set forth below.

**DATE:           Friday April 16, 2021**  
**TIME:           5:00 PM**

## **Contractual Requirements and Administrative Information**

The following legal and administrative provisions govern this Request for Proposals (RFP):

### *Proposal Requirements*

Proposals submitted in response to this RFP should provide a concise and straightforward description of the bidder's ability, resources, and methodology for fulfilling the RFP's requirements. Bidders shall be responsible for furnishing the General Court or any committee designated by the General Court with sufficient information, including detailed costs, about the products and services offered. The General Court shall determine whether that information is sufficient for the purposes described.

To be considered, bidders shall submit their proposals electronically to both the Counsel to the House of Representatives and the Counsel to the Senate. The addresses are as follows:

James C. Kennedy  
Counsel to the House  
State House Room 139  
Boston, MA 02133  
[James.kennedy@mahouse.gov](mailto:James.kennedy@mahouse.gov)

Jennifer G. Miller  
Counsel to the Senate  
State House Room 200  
Boston, MA 02133  
[Jennifer.miller@masenate.gov](mailto:Jennifer.miller@masenate.gov)

A letter of transmittal must accompany each proposal. The letter must be signed by an individual who is authorized to bind the bidder.

All proposals must be received by the General Court by 5:00PM on Friday April 16, 2021. Late proposals will not be considered. Oral or faxed proposals will not be accepted. Upon submission, all proposals become the exclusive property of the General Court.

Bidders may be asked to make oral presentations of proposals. If presentations are deemed necessary, bidders will be contacted by the General Court to arrange the date and time.

The General Court is not responsible for any costs incurred by the bidder in preparing or submitting a response to this RFP.

### *Questions about RFP*

Questions about this RFP should be addressed via email jointly to both the Counsel to the House of Representatives and the Counsel to the Senate at: [James.kennedy@mahouse.gov](mailto:James.kennedy@mahouse.gov) and [Jennifer.miller@masenate.gov](mailto:Jennifer.miller@masenate.gov).

### *Modification of RFP*

This request has been issued to assist the General Court with identifying bidders who can fulfill the RFP's requirements. The General Court reserves the right to amend or cancel this request at any time, to reject any and all proposals as a result of this request, or to negotiate in any manner that serves the best interest of the General Court.

### *Modification and Withdrawal of Proposals*

The bidder may modify a proposal in writing or may withdraw a proposal upon written notice at any time prior to the deadline for submittal of proposals identified above. The bid, including the bid amount, shall be binding and irrevocable for ninety (90) days after the deadline for submittal of proposals identified above.

### *RFP Not Offer to Contract*

This RFP is not an offer to contract. A final award shall be subject to the appropriation of funds and upon the successful negotiation of a contract or contracts for goods or services separate from this RFP. A contract awarded because of such negotiations may incorporate any or all portions of the bidder's response to this RFP.

### *Bidder Responsibilities*

The selected bidder must guarantee delivery of the component parts of the resources necessary to fulfill the requirements of the RFP and must guarantee that all such resources will perform as specified whether or not the bidder is the manufacturer or supplier of the components.

### *Standard Contract Terms*

In addition to negotiated specific terms, contractors and subcontractors will be required to execute the General Court Terms and Conditions and other contract documentation as required by the General Court.

## **Project Information**

### *Scope of Work*

The General Court seeks database compilation and racial bloc voting analysis.

Bidders may propose to provide some or all of the requested services. Since the House of Representatives and Senate may have differing needs with respect to the number of municipalities or areas requiring such compilation and analysis, multiple engagements with respect to each part are possible.

#### *Other Employment and Potential Conflicts of Interest*

As part of the response to the request for proposals, the bidder shall set forth any current or prior contracts, engagements, or work on the part of the bidder and any personnel who would work under this proposal involving redistricting within, or related to, the Commonwealth of Massachusetts. The proposal must also state any contracts, engagements or other work involving redistricting within, or related to, the Commonwealth of Massachusetts which the bidder anticipates taking on during the term of services provided. As part of any contract awarded, the General Court may require that the General Court approve any work by the contractor with any third party that involves redistricting within, or related to, the Commonwealth of Massachusetts.

Please note that the bidder and key personnel may be deemed state or special state employees pursuant to the Massachusetts Conflict of Interest Law, G.L. c. 268A. Bidders should consult with their private legal counsel for advice on the requirements of the Massachusetts Conflict of Interest Law.

#### *Legal Requirements*

Prior to the 2022 state election the General Court is required to divide the commonwealth into (a) Congressional districts pursuant to the United States Constitution, (b) 40 senatorial districts pursuant to Section 2 of Article CI of the Amendments to the Constitution of the Commonwealth, as amended, (c) 160 representative districts pursuant to section 1 of said Article CI and (d) 8 councillor districts pursuant to Section 2 of said Article CI and Article XVI of the Amendments to the Constitution of the Commonwealth. The anticipated timeline for final enactment of the new districts is the fall of 2021. The General Court is issuing this request for proposals to assist the General Court in this process, with a principal focus upon congressional and legislative redistricting.

#### *Software*

The General Court has acquired licenses to use Maptitude for Redistricting Software from Caliper Corporation. Goods and services sought by this RFP must use or be compatible with Maptitude for Redistricting software.

#### *Services Requested*

The General Court seeks proposals to furnish any one or more of the following categories of goods and services. A bidder is not required to submit a proposal for all items. Bidders are invited to suggest comparable or additional services not enumerated in this solicitation.

- I. Redistricting Database including Database of Federal /State Election Data

As a result of this RFP, the General Court expects to receive from the bidder as deliverables an integrated geographic, demographic and election database using the 2020 TIGER/Line® files, the Census 2020 redistricting data (P.L. 94-171) files, US Census Bureau American Community Survey data, and election data including voter registration and turnout and election returns, by precinct, for selected elections from the years 2012 through 2020, and any 2021 special elections which occur prior to redistricting. Election returns must be disaggregated, or apportioned, among the census blocks in the TIGER/Line® files. Bidders must describe in the proposal their methodology for disaggregating election data.

The elections to be included in this database will consist of selected contested primary and general elections for federal and state offices from 2012 through 2020, and any 2021 special elections which occur prior to redistricting. Additionally, votes on selected initiative petitions and referendums may be included. All elections in Massachusetts are administered by each of the state's 351 cities and towns, but the Secretary of State maintains voter registration, turnout and election returns at the precinct level for federal and state elections, in electronic form.

The General Court has not determined whether it will be useful or cost-efficient to build such a database for the entire state. Bidders are requested to submit bids in which the election data to be compiled and integrated into the redistricting database covers the entire state. Bidders are also requested to submit a separate bid in which the election data to be compiled and integrated into the redistricting database includes only the following municipalities: Avon, Boston, Brockton, Cambridge, Chelsea, Everett, Haverhill, Holbrook, Holyoke, Lawrence, Lowell, Lynn, Methuen, Milton, Quincy, Randolph, Revere, Somerville, Springfield, Winthrop, and Worcester, with a cost break down by municipality or groups of municipalities. Suggestions as to the relative usefulness and cost benefits of covering the entire state, certain areas or particular municipalities will be welcome, especially if they are based on preliminary demographic analysis. Bidders who make such suggestions may define a cost breakdown for implementing their suggestions. Bids should clearly specify the scope of the database proposed under this item and should separately set forth costs for each area, or municipality.

## II. Analysis of Voting Patterns

As a result of this RFP, the General Court expects to receive from the bidder as deliverables expert racial bloc voting analyses for at least the municipalities identified in Part I. This item will require expert analysis based upon relevant election databases (items I and III) integrated with the 2020 TIGER/Line® files and the Census 2020 redistricting data files. If the analysis indicates the existence of legally significant racial bloc voting, the General Court expects to also receive expert advice, based upon such analysis, with respect to drawing districts that comply with all applicable legal requirements, including the United States Constitution and the federal Voting Rights Act. The bidder should be willing and able to provide expert witness testimony on these subjects if a redistricting plan is challenged in the courts, but the potential cost of providing such testimony is not within the scope of this request for proposals. Bidders are requested to submit a proposal covering the municipalities identified in Part I, above, breaking down the costs by area, or municipality. The General Court will not determine the extent to which racial bloc voting analysis will be required beyond the municipalities identified

in Part I until after the United State Census Bureau has released the Census 2020 redistricting data for Massachusetts and a preliminary analysis has been conducted.

### III. Selected Local Election Database

The General Court anticipates that the analysis described in item II, above, will require the compilation and integration into the redistricting database identified in Part I, above, of an additional database of selected local elections from the municipalities identified in Part I. The exact additional database of selected local elections from municipalities identified in Part I will not be finally determined until after the United States Census Bureau has released the Census 2020 redistricting data for Massachusetts and a preliminary analysis has been conducted, presumably in consultation with the successful bidder on item II of this RFP. Bidders are encouraged to suggest the proposed geographic scope of the requested database under this item. All bids shall clearly identify the geographic scope to which the bid relates; bidders may submit separate proposals for separate geographic coverages.

The General Court will not determine the extent, if any, to which it will require such compilations until after the United States Census Bureau has released the Census 2020 redistricting data for Massachusetts and a preliminary analysis has been conducted.

The General Court expects to receive from the bidder as deliverables an election database including voter registration and turnout and election returns, by precinct, for selected elections from the years 2012 through 2021, which occur prior to redistricting, in a form suitable for integration with the database identified in Part I, above.

The elections to be included in this database shall include selected contested primary and general mayoral, city council, and school committee elections from 2012 through 2020 which occur prior to redistricting. Such elections may or may not be available in electronic form, depending upon the city or town involved. It will be necessary for the bidder to obtain the data from the responsible officials for each city and town.

## **Required Information for Proposals**

### *Bidder Information*

In their proposals, bidders should include background information about themselves, including the name of the individual or organization, resume and/or business profile and history, mailing address, business focus, and parent or subsidiary companies (if any), and contact information for the persons authorized to negotiate contracts and respond to technical questions. Bidders should also describe their knowledge and experience providing the products and services specified by this RFP, their experience with Census products, including TIGER/Line® files, and Census data files, and their knowledge of and experience with Massachusetts geography and election processes. Bidders should provide contact information for at least three (3) past or current clients to serve as references.

### *Proposal Information*

A bidder is not required to submit a proposal for all services. A bidder may propose to contract with others to provide services, in which case the bidder must identify and describe completely the role of each subcontractor that will be used to perform any services in the proposal. All bidders and subcontractors are subject to General Court approval.

Bidders should include a description of how they will satisfy each of the project deliverables requirements on which they are bidding.

The bidder's ability to complete the project in a timely manner is of great importance; bidders should include a timetable for completion of the project and identify the resources that they anticipate devoting to meeting that timetable.

The General Court will consider technical, management and cost information in evaluating the bids. It is in a bidder's best interest to fully describe the services offered, how they will be of benefit, and their costs.