

THE STATE OF TEXAS §
 § **CONTRACT FOR ELECTION SERVICES**
COUNTY OF BEXAR §

This Contract is entered into by and between the BEXAR COUNTY ELECTIONS ADMINISTRATOR (“ADMINISTRATOR”) on behalf of Bexar County, a political subdivision of the State of Texas, and the CITY OF SAN ANTONIO (“CITY”) (also, individually, a “Party” or, collectively, the “Parties”), pursuant to Texas Election Code Section 31.092.

RECITALS

CITY, by appropriate action of its governing body acting in accordance with all applicable laws, has called a general election to be conducted by Bexar County on Saturday, May 4, 2019 (Runoff, if needed) and desires that certain election services be provided by ADMINISTRATOR through her Elections Department.

ADMINISTRATOR has provided cost estimates for election services to be rendered by her office pursuant to the terms of this Contract that are set out on Exhibits “A” and “B,” attached and incorporated into this Contract.

CITY and ADMINISTRATOR want to enter into this Contract setting out the respective responsibilities of the Parties.

Accordingly, the Parties agree as follows:

ARTICLE I
PURPOSE

1.01. The Parties have entered into this Contract for election services described in Article II to be provided to CITY for its election to be held on May 4, 2019 (Runoff, if needed).

ARTICLE II
SERVICES

2.01. ADMINISTRATOR agrees to provide to CITY the following general services:

- (A) Procure and distribute election supplies, including, but not limited to, the preparation, printing and distribution of ballots and sample ballots;
- (B) Procure election judges and clerks for early voting and election day voting;
- (C) Procure early voting polling places and election day polling places, as ordered;
- (D) Procure, prepare, and distribute adequate election equipment and transport

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 and
 - 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, 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 \$779,732.44 no later than March 1, 2019 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
1103 S. Frio St., Ste. 100
San Antonio, Texas 78207

6.03. Any monies remaining after the payment of all costs of election 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 _____, 2019.

ELECTIONS ADMINISTRATOR

CITY OF SAN ANTONIO

BY: Jacquelyn F. Callanen
JACQUELYN F. CALLANEN

BY: _____
PRINT: _____
TITLE: _____

APPROVED AS TO LEGAL FORM:
JOE GONZALES
CRIMINAL DISTRICT ATTORNEY
BEXAR COUNTY, TEXAS

BY: Agatha Wade
AGATHA WADE
ASSISTANT CRIMINAL DISTRICT
ATTORNEY - CIVIL DIVISION

COSA		EXHIBIT "A"		4-May-19	
I	Early Voting	Units	Cost Per Unit	Estimated	TOTALS
A	REMUNERATION				
	REMUNERATION SUMMARY				
	NUMBER OF JUDGES	1			
	HOURS WORKED	80	\$13.00	\$1,040.00	
	HOURS WORKED OVERTIME	10	\$19.50	\$195.00	
	NUMBER OF CLERKS	3			
	HOURS WORKED	80	\$11.50	\$2,760.00	
	HOURS WORKED OVERTIME	10	\$17.25	\$517.50	
	JUDGES DAILY RETURN FEE				
	NUMBER OF TRIPS	2			
	COST PER TRIP		\$7.50	\$630.00	
	COST PER CREW	CC		\$5,142.50	
	NUMBER OF SITES	42			
	WAGES			\$215,985.00	
	TOTAL FICA			\$16,522.85	
	TEMP AGENCY MARKUP		20.00%	\$36,247.97	
	TOTAL REMUNERATION			\$268,755.83	\$268,755.83
B	PRINTING				
	PRINTING OF EARLY VOTING SUPPLIES				
	FORMATTING STYLE	68	\$50.00	\$3,400.00	
	COST OF BALLOTS		\$0.50		
	NUMBER OF BALLOTS	25,000		\$12,500.00	
	COST OF SAMPLE BALLOTS		\$0.05		
	NUMBER OF SAMPLE BALLOTS	40,000		\$2,000.00	
	Freight		\$0.00	\$0.00	
	TOTAL PRINTING			\$17,900.00	\$17,900.00
C	MAIL				
	NUMBER OF WHITE ENVELOPES	25,000	\$0.09	\$2,250.00	
	NUMBER APPLICATIONS	5,000	\$0.05	\$250.00	
	NUMBER OF CARRIER ENVELOPES	25,000	\$0.09	\$2,250.00	
	NUMBER OF TRANSPORT ENVELOPES	25,000	\$0.09	\$2,250.00	
	NUMBER OF POSTAGE STAMPS	25,000	\$0.60	\$15,000.00	
	TOTAL MAIL			\$22,000.00	\$22,000.00
D	TEMPORARY WORKERS				
	NUMBER OF TEMP EMPLOYEES/MAIL	5			
	HOURS WORKED	260	\$15.00	\$19,500.00	
	NUMBER OF MONTHS	3			
	WORKMANS COMP UNEMPLOYEMENT		\$49.33	\$739.95	
	BY MAIL TEMPS				
	NUMBER OF TEMPORARY EMPLOYEES	4	\$15.00		
	HOURS WORKED	200		\$12,000.00	
	WAREHOUSE				
	NUMBER OF TEMPORARY EMPLOYEES	3			
	HOURS WORKED	320	\$15.00	\$14,400.00	
	WORKMANS COMP UNEMPLOYEMENT		\$49.33		
	NUMBER OF MONTHS	2		\$295.98	
	FICA			\$2,593.35	

	TOTAL TEMP EMPLOYEE COST			\$49,529.28	\$49,529.28
E	RENTAL				
	NUMBER OF SITES	40			
	NUMBER OF SITES COSTS	3	\$500.00	\$1,500.00	
	NUMBER OF IVOTRONICS	4	\$118.90	\$19,024.00	
	NUMBER OF IVOTRONICS - ADA	1	\$143.05	\$5,722.00	
	NUMBER OF FLASH CARDS	200	\$33.00	\$6,600.00	
	NUMBER OF PEBS	160	\$7.50	\$1,200.00	
	NUMBER OF DAYS PROVISIONAL BAGS USED	7	\$6.00	\$42.00	
	NUMBER OF COMPUTERS	40	\$250.00	\$10,000.00	
	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			\$44,508.00	\$44,508.00
F	STAFFTIME				
	DAILY RETURNS				
	NUMBER OF EMPLOYEES	18	\$30.00		
	HOURS WORKED (DAYS X NO. HOURS)	30		\$16,200.00	
	FICA 7.65			\$90.22	
	TOTAL WAGES			\$16,290.22	
	PRO RATA COST	1			
	TOTAL STAFFTIME			\$16,290.22	\$16,290.22
G	E.B.B.AND S.V.C.				
	EARLY BALLOT BOARD				
	NUMBER OF BOARD MEMBERS	8			
	HOURS WORKED	32	\$13.00	\$3,328.00	
	SIGNATURE VERIFICATION COMM.				
	NUMBER OF MEMBERS	0			
	HOURS WORKED	0	\$9.75	\$0.00	
	TOTAL WAGES			\$3,328.00	
	UNEMPLOYMENT			\$0.08	
	FICA 7.65			\$254.59	
	PRO RATA COST	1			
	TOTAL E.B.B. AND S.V.C. COST			\$3,582.67	\$3,582.67
H	PUBLICATION POLLING PLACES				
	EXPRESS NEWS	2	\$36,000.00	\$54,000.00	
	LA PRENSA	1	\$6,000.00	\$6,000.00	
	PRO RATA COST	1		\$0.00	
	TOTAL PUBLICATION			\$60,000.00	\$60,000.00
I	MISCELLANEOUS				
	NUMBER OF LABELS	52	\$15.00	\$780.00	
	NUMBER OF CELL PHONES	40	\$35.00	\$1,400.00	
	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	150	\$0.49	\$73.50	
	NUMBER OF KITS	42	\$55.00	\$2,310.00	
	TOTAL MISCELLANEOUS			\$4,643.50	\$4,643.50
K	SUMMARY OF E.V. COST				

REMUNERATION			\$268,755.83	\$268,755.83
PRINTING OF E.V. SUPPLIES			\$17,900.00	\$17,900.00
MAIL			\$22,000.00	\$22,000.00
TEMPORARY EMPLOYEE COST			\$49,529.28	\$49,529.28
RENTAL			\$44,508.00	\$44,508.00
STAFFTIME			\$16,290.22	\$16,290.22
E.B.B.AND S.V.C. COST			\$3,582.67	\$3,582.67
MISCELLANEOUS			\$4,643.50	\$4,643.50
PUBLICATION			\$60,000.00	\$60,000.00
EARLY VOTING COST SUBTOTAL			\$487,209.50	\$487,209.50
TOTAL EARLY VOTING COST				
10% CONTRACT FEE EARLY VOTING			\$48,720.95	\$48,720.95
Grand Total Early Voting			\$535,930.45	\$535,930.45

COSA

EXHIBIT "B"

4-May-19

	Election Day	Units	Cost Per Unit	Estimated	TOTALS
II	REMUNERATIONS				
A	NUMBER OF JUDGES	1			
	HOURS WORKED	15	\$13.00	\$195.00	
	NUMBER OF CLERKS	2			
	HOURS WORKED	14	\$11.75	\$329.00	
	FICA 7.65 FOR JUDGES AND CLERKS			\$40.09	
	TOTAL WAGES JUDGES and CLERKS			\$564.09	
	NUMBER OF SITES	272	\$564.09	\$153,431.39	
	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			\$158,081.87	
	REMUMERATIONS TOTAL			\$158,081.87	\$158,081.87
B	ELECTION NIGHT RETURNS				
	NUMBER OF SITES RETURNS	272	\$25.00	\$6,800.00	
	NUMBER OF KITS	272	\$40.00	\$10,880.00	
	TOTAL KITS AND RETURNS			\$17,680.00	\$17,680.00
C	RENTAL				
	NUMBER OF IVOTRONICS	816	\$118.90	\$97,022.40	
	NUMBER OF IVOTRONICS - ADA	272	\$143.05	\$38,909.60	
	NUMBER OF COMMPACS	272	\$80.00	\$21,760.00	
	NUMBER OF PEBS	1,088	\$7.50	\$8,160.00	
	NUMBER OF FLASH CARDS	1,088	\$33.00	\$35,904.00	
	NUMBER OF PROVISIONAL BAGS USED	272	\$6.00	\$1,632.00	
	TABLES	50	\$10.00	\$500.00	
	CHAIRS	40	\$2.50	\$100.00	

	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	272	\$1.50	\$408.00	
	TOTAL RENTAL			\$204,462.25	\$204,462.25
D	TRANSPORTATION				
	MOVERS	312	\$165.00	\$51,480.00	
	TRUCK RENTAL	7	\$400.00	\$2,800.00	
	PRO RATA COST	1			
	TRANSPORTATION			\$54,280.00	\$54,280.00
	TRANSPORTATION TOTAL			\$0.00	
E	PROGRAMMING, EQUIPMENT, TECHNICAL SERVICES				
	PERSONEL COST ON SITE TECHS	72	\$300.00	\$21,600.00	
	TEMP AGENCY MARKUP		20.00%	\$3,367.44	
	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	8	\$560.00	\$4,480.00	
	NUMBER OF SITES/PERSONNEL	8		\$3,500.00	
	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	\$0.00	
	PICK AND DELIVERY	0	\$20.00	\$0.00	
	PRO RATA COST	1			
	INFORMATION SERVICES			\$60,017.44	
	TOTAL PETS			\$60,017.44	\$60,017.44
F	ELECTION DEPARTMENT STAFF				
	NUMBER OF EMPLOYEES	19	\$30.00		
	HOURS WORKED	19		\$10,830.00	
	FICA 7.65			\$828.50	
	PRO RATA COST	1			
	TOTAL STAFFTIME WAGES			\$11,658.50	\$11,658.50
G	TEMPORARY EMPLOYEE				
	NUMBER OF EMPLOYEES (POST ELEC.)	3			
	HOURS WORKED	40	\$15.00	\$1,800.00	
	PRO RATA COST			\$0.00	
	WORKMANS COMP UNEMPLOYEMENT	1	\$49.33	\$147.99	
	PHONE BANK RATE PER HOUR		\$15.00	\$0.00	
	HOURS WORKED	12			
	NUMBER OF EMPLOYEES	20		\$3,600.00	
	TEMPORARY EMPLOYEE COST	40		\$5,547.99	
	FICA 7.65	1		\$424.42	
	TOTAL TEMP EMPLOYEE COST	1		\$5,972.41	\$5,972.41
H	PUBLICATION				
	EXPRESS NEWS ACCURACY TEST	1	\$425.00	\$425.00	

	PRO RATA COST	1			
	TOTAL PUBLICATION			\$425.00	\$425.00
I	MISCELLANEOUS				
	NOTIFICATION TO JUDGES/payroll	1,722	\$0.47	\$809.34	
	POLLING SITE RENTAL	200	\$210.00	\$42,000.00	
	CELL PHONES AND AIRTIME	272	\$30.00	\$8,160.00	
	TOTAL MISCELLANEOUS			\$50,969.34	\$50,969.34
J	SUMMARY ELECTION DAY COST				
	REMUNERATIONS			\$158,081.87	\$158,081.87
	ELECTION KITS AND RETURNS			\$17,680.00	\$17,680.00
	RENTAL			\$204,462.25	\$204,462.25
	STAFFTIME			\$11,658.50	\$11,658.50
	PRINTING COST			\$0.00	\$0.00
	INFORMATION SERVICES			\$60,017.44	\$60,017.44
	TEMPORARY EMPLOYEE COST			\$5,972.41	\$5,972.41
	PUBLICATION			\$425.00	\$425.00
	TRANSPORTATION			\$54,280.00	\$54,280.00
	MISCELLANEOUS			\$50,969.34	\$50,969.34
	ELEC. DAY COST SUBTOTAL			\$563,546.81	\$563,546.81
	TOTAL ELECTION DAY			\$563,546.81	\$563,546.81
	10% CONTRACT FEE			\$56,354.68	\$56,354.68
	Grand Total Election Day			\$619,901.49	\$619,901.49
			Total	ESTIMATE	
	Early Voting Grand Total		\$535,930.45	\$535,930.45	
	Election Day Grand Total		\$619,901.49	\$619,901.49	
	Total For Early Voting and Election Day		\$1,155,831.94	\$1,155,831.94	
	Pro Rata Share 64%		\$739,732.44	\$739,732.44	
	Amount of Deposit		\$739,732.44	\$739,732.44	
	(Overpaid)/Underpaid				