

Agenda Report

TO: CITY COUNCIL

NOVEMBER 2, 1998

FROM: CITY CLERK

SUBJECT: AUTHORIZATION TO ENTER INTO CONTRACT WITH MARTIN & CHAPMAN FOR PROFESSIONAL ELECTION SERVICES AND SUPPLIES FOR PASADENA MUNICIPAL PRIMARY AND GENERAL ELECTIONS

RECOMMENDATION:

It is recommended that the City Council:

- (a) Authorize the City Clerk to enter into a contract with Martin & Chapman Company, without competitive bidding pursuant to City Charter Section 1002(F) (professional or unique services) for professional election services and supplies for the March 9, 1999, primary consolidated municipal election and the April 20, 1999, general municipal election in an amount not to exceed \$232,875. It is estimated that the cost of services and supplies for the primary election may be \$133,546, and the cost of services for the general election, if there is one, may be \$99,329.
- (b) Grant this contract a partial exemption from the Affirmative Action in Contracting Ordinance (competitive selection only) pursuant to Pasadena Municipal Code Section 4.09.060(C) (contracts for which the City's best interests are served).

BACKGROUND:

This contract is for specialized election-related services (typesetting and printing of official ballots and sample ballot pamphlets, absentee voter supplies, delivery and pickup of precinct supplies, state-approved ballot tally software and equipment, etc.) There are only two companies in the State that are certified by the Secretary of State to print ballots and that provide full election services. One company, Sequoia Pacific, is located in Exeter, California (approximately 60 miles south of Fresno) and the other company, Martin & Chapman, is located in Anaheim.

Martin & Chapman has been the City's election supplier since the 1950's (with the exception of election years 1985, 1987 and 1989 when Sequoia Pacific's services were utilized). Having been Pasadena's primary election supplier for over 40 years, Martin & Chapman is readily familiar with our election process, our ballot grouping process for consolidated elections, our Charter pertaining to the conduct of our local elections, and the logistics and process for tabulating ballots on election night. Most importantly, the Company's printing plant is within our regional area and it has the ability to print and deliver "rush" orders, either the same day or following morning, for official ballots and absentee supplies. Based on the demand to vote absentee (which is steadily increasing over the years due to the convenience of voting by mail), it is not uncommon that additional ballots and absentee voter supplies need to be ordered on a rush basis. The City and School District do not receive a credit for unused ballots, thus staff attempts not to over estimate the demand for absentee ballots.

Staff believes that it is in the City's best interests to contract with Martin and Chapman based on the specialized services provided. The the only other competitor that provides full election services is in central California. Martin & Chapman has provided excellent service in the past, and it is better able to respond to "rush" orders for additional supplies, including same day delivery in most cases. The ability to print and deliver additional ballots is important in order for the election official to be able to process large batches of absentee applications (up to 800/day during peak periods) and to be able to mail absentee ballots to voters within one day of receipt of their applications.

Minority Language Translations

In the separate agenda report calling the March 9, 1999 primary municipal election, City Council is presented with two options pertaining to our method of complying with the Voting Rights Act ("VRA"). Option A of that report is to continue our present method of complying with the VRA by printing a bilingual English/Spanish sample ballot pamphlet, and providing translations, upon request, in the following languages: Chinese, Japanese, Vietnamese, Tagalog, and Armenian. Option B of that report is to utilize a targeting method of providing minority language translations according to practice County-wide. Under this method, multi-lingual translations of voting materials would be provided to minority populations where 1% of a single language minority has been identified by Census data as being limited-English proficient. Translations of voting materials would be provided in Chinese and Spanish, as these languages meet the 1% criteria, and the City would continue to print and mail a bilingual English/Spanish sample ballot pamphlet to all voters. The requested contract amount is based on using a 1% targeting method of providing minority language translations.

Affirmative Action

With the exception of the exemption from the competitive selection process, this transaction otherwise complies with the Affirmative Action in Contracting Ordinance. Martin & Chapman Co. has submitted the required affirmative action forms. The firm employs a total of 15 employees. Seven of the nine EEO job categories are utilized. Women comprise 20% of the workforce, and minorities are 20%.

Living Wage Compliance

Martin & Chapman Co. has completed the certification form for Living Wage Compliance reflecting that all company employees receive no less than the minimum wages under Pasadena's Living Wage Ordinance.

FISCAL IMPACT:

Funding for this contract is available in the approved FY 1999 Elections Budget, Account 8114-101-263000. The Pasadena Unified School District (PUSD) consolidates the Board of Education election with our municipal elections, and PUSD reimburses the City its pro-rata share which is approximately 68% of the total primary election costs. If there is a run-off for City Council seats and Board of Education seats, PUSD will again reimburse the City its pro-rata share. If there is a run-off for the Board of Education only, or the City Council only, the entity having candidates on the general election ballot will pay the full election costs.

The total estimated cost of this contract excludes the printing of candidates' statements in English. Costs for printing the statements in English will be billed to and paid by the candidates. The City and School District absorb the portion of costs for printing the candidate's statements in Spanish as part of our costs of complying with the Voting Rights Act.


The cost savings of doing a targeting method of providing minority language translations is approximately \$20,000 for the primary election, and \$7,000 for the general (run-off) election (costs vary based on number of pages in the sample ballot pamphlet). These cost savings can help offset estimated unbudgeted costs of approximately \$40,000 for placing five local measures on the November 3, 1998 consolidated ballot, and possible additional election costs if Measure M (citywide elected Mayor) and Measure N (1999 option for first Mayoral election) are passed by voters. Should the Council wish to

November 2, 1998

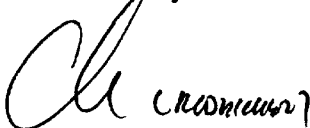
continue with our current policy of providing minority language translations (Option A referenced earlier – provide all five languages under the VRA, plus Armenian), the authorization amount for this contract will need to be increased by \$27,000 and savings will not be realized to help offset the estimated \$40,000 election costs for the consolidated November 3, 1998 election.

Fiscal impacts of having a citywide Mayoral race (if approved by voters on November 3) will vary depending on number of candidates; whether there is a run-off election; and whether the City, School District, or both have races in the run-off election. Available funding for this contract does not include additional costs for a Mayoral race. If voters approve a citywide Mayoral election for March 1999, additional funding will need to be identified and allocated to the Elections Budget.

Respectfully submitted,


Jane L. Rodriguez
City Clerk

Reviewed by:



Nicholas G. Rodriguez
Assistant City Attorney



Lance Charles
Affirmative Action Director