

[DRAFT] SCOPE OF SERVICES**1. Background**

Every 10 years, following the release of decennial census data, the Broward County Board of County Commissioners (the “Board”) is required to establish boundaries for the County’s nine (9) Commission Districts in accordance with Section 2.01 of the County Charter (www.broward.org/charter) and other applicable law. This project is to facilitate the County’s redistricting process for 2021. Final Board approval of the new districts must occur by December 2021.

2. Project Scope

Consultant shall develop four (4) draft redistricting plans (the “Plans”) for the nine (9) County Commission districts and submit such Plans for Board consideration no later than October 1, 2021. These Plans must each be developed consistent with the process and the requirements stated below.¹

3. Development of Plans

3.1 Consultant shall develop the Plans in accordance with current, generally accepted methods and standards for the development of redistricting plans. The process utilized by Consultant shall be open and transparent. The County Commission districts proposed in each of the Plans must comply with Section 2.01 of the Broward County Charter and all state and federal legal requirements, including but not limited to Section 2 of the Voting Rights Act, all relevant provisions of the United States Constitution, Article VIII, Section 1 of the Florida Constitution, and Chapter 125 of the Florida Statutes. At the time of submittal to the County Commission, Consultant must certify that each Plan meets the requirements stated in this section.

3.2 Consultant shall utilize all data required to develop the Plans, including but not limited to the 2020 decennial census data and voting pattern data from the Broward County Supervisor of Elections. Consultant shall use GIS mapping software to develop maps and legal descriptions of proposed County Commission districts. Each Plan shall contain an analysis of bloc voting, vote dilution, and vote polarization with respect to the County Commission districts proposed in the plan.

3.3 By August 1, 2021, Consultant shall submit the Plans for initial review by the Offices of the County Administrator and the County Attorney for consistency with the applicable geographical and legal requirements, and shall meet with County Administration and the Office of the County Attorney to receive comments and other feedback. Consultant shall update the Plans to address, as appropriate, the comments and feedback received, if any.

3.4 By October 1, 2021, Consultant shall submit the updated Plans for consideration by the Board. Consultant shall attend Board meeting(s) to receive comments and other feedback from the Board. Consultant shall update and/or modify the Plans to address, as appropriate, the comments and feedback received from the Board, if any, and shall thereafter resubmit the Plans until the Board approves a final Plan.

¹ All dates provided herein are subject to change due to potential delays from the United States Census Bureau in releasing the required redistricting data.

4. Community Outreach

4.1 To provide context and background for development of the Plans, and in consultation with the Contract Administrator, Consultant shall conduct and participate in the meetings identified below. Such meetings may be conducted virtually if appropriate and/or if public health mandates would prevent them from safely occurring in person, as determined by the Contract Administrator.

4.1.1 Community Meetings: Five (5) community meetings in geographically and demographically diverse locations throughout Broward County to educate the public and obtain public input regarding the redistricting process.

4.1.2 Community Leader Meetings: Five (5) meetings with a broad range of key community leaders in business and civic organizations to explain and discuss the redistricting process; determine those leaders' expectations and concerns and obtain their suggestions about the process; and develop a mailing list of people and organizations suggested by these key community leaders to notify and invite to participate in the process.

4.2 Consultant shall coordinate with the Contract Administrator for the preparation of public notices and media releases for community meetings. Each notice must include a physical and email address to which members of the public may send questions or provide input regarding the redistricting process. Consultant shall prepare illustrative and explanatory materials (*e.g.*, maps, brochures, descriptions of the redistricting process) for community meetings and for distribution to or other access by members of the public as reasonably requested by members of the public and/or the Contract Administrator.

4.3 Consultant shall preserve and document all material substantive input received from members of the public, whether or not such input was solicited by Consultant.

5. Public Meetings

5.1 Consultant shall attend and participate in meetings with the Board as may be requested from time to time by the Board, which shall include, at a minimum:

5.1.1 An initial meeting to describe the redistricting process and legal requirements, the methodology Consultant will use to develop the Plans, and the Consultant's plan to conduct community outreach and receive public comment;

5.1.2 A meeting to present results of community outreach and input received from the public; and

5.1.3 A meeting to present the draft Plans to the Board for its consideration.

6. Project Schedule & Progress Reporting

Release of the 2020 decennial census data April 1, 2021 (estimated)

Completion of Community Outreach August 1, 2021

Submission of Plans for Initial Staff Review	August 1, 2021
Submission of Four Plans for Board consideration	October 1, 2021
Board approval of a Final Plan	December 7, 2021

From the date of contract execution until Board approval of a Final Plan, the Consultant shall provide the Contract Administrator with a weekly report on the project status, and, commencing July 1, 2021, shall provide updates at such shorter intervals requested by the Contract Administrator.

7. Payment Schedule

Except for the first payment, all payments are contingent upon completion of required services. Completion of the services shall be measured as fulfillment of all services required, including submission to and final acceptance by the County of the below deliverables, unless otherwise negotiated.

Execution of Agreement	20%
Submission of Initial Plans (per Section 3.3)	20%
Submission of Plans to Board (per Section 3.4)	30%
Board approval of a Final Plan	30%

8. Optional Additional Services

The following optional additional services (“Optional Services”) may be required of the Consultant, as may be requested by the Contract Administrator on an as needed basis. Unless otherwise stated below or agreed by the County in the executed Work Authorization, all Optional Services shall be performed on a time and materials basis at the rates stated in the parties’ contract.

8.1 Expert Testimony: Consultant may be required to provide expert technical assistance to the County in legal action(s) relating to the redistricting process or a redistricting plan adopted by the Board. Such assistance shall include, without limitation, providing litigation support and expert testimony in state and/or federal court proceedings.

8.2 Additional Hourly Services: Consultant shall provide such additional services, such as attending additional Community, Community Leader, or Board meetings, as may be requested by the Contract Administrator.

8.3 Additional Redistricting Plans: For a fixed fee per additional plan (inclusive of all goods and services required to produce that plan), Consultant may be required to provide additional redistricting Plans (*i.e.*, more than the four Plans required by this Scope of Services) if requested by the Contract Administrator. Consultant shall prepare any additional redistricting Plan(s) in accordance with the Scope of Services outlined above and shall present such additional plan(s) at a public meeting before the Board. The fixed fee shall be per additional Plan and shall be inclusive of Consultant’s participation at one (1) Board meeting in addition to the meetings required in the Scope of Services above.

8.4 Reprecincting. If requested by the Contract Administrator, Consultant shall provide reprecincting plans consistent with the adopted Plan approved by the Board. Each precinct shall be

numbered and, as nearly as practicable, composed of contiguous and compact areas. To the greatest extent practicable, precinct boundaries shall conform to municipal boundaries in accordance with the provisions of Section 101.002, Florida Statutes. No precinct may consist of fewer than 25 registered electors of any major national political party.

9. Questions for Interested Vendor

Submittals by interested proposers should include responses to the questions below:

9.1 State any prior experience serving as a consultant for any governmental entity, whether inside or outside of Florida, with respect to legislative redistricting, including cases involving Sections 2 and 5 of the Voting Rights Act of 1965 and Florida's Fair Districting Amendment. With respect to such instances, please identify (1) the governmental entity, (2) the work you performed, (3) the year(s) in which such redistricting took place, (4) whether the redistricting plan on which you consulted was challenged in court, and, if so, the result of such challenge, and (5) any other information you believe is relevant.

9.2 Identify all legal cases concerning legislative redistricting (including cases involving Sections 2 and 5 of the Voting Rights Act of 1965 and Florida's Fair Districting Amendment) in which you were retained as an expert witness, regardless of whether you provided testimony or the case ultimately went to trial. For all such cases, please provide all nonconfidential (or filed) expert reports that you drafted in your expert capacity. Please provide any other information you believe is relevant to this request.

9.3 Identify all legal cases concerning legislative redistricting in which you (individually, or on behalf of any entity) have been an amicus curia, including cases involving Voting Rights Act of 1965 and Florida's Fair Districting Amendment. Please provide a copy of any court filings submitted by you or on your behalf, and please submit any other information you believe is relevant to this request.

9.4 Identify all academic papers you have authored, talks/symposia or interviews in which you have participated, and courses you have taught, related to legislative redistricting, the Voting Rights Act of 1965, or Florida's Fair Districting Amendment. If available, provide copies of relevant publications, electronic links, or transcripts of talks/symposia/interviews and relevant syllabi. Please provide any other information you believe is relevant to this request.

9.5 Provide your proposed lump sum amount for all goods and services required for completion of Plans pursuant to Sections 1-7, your proposed hourly rate for the completion of any requested Optional Services under Section 8, and your proposed fixed fee per additional plan pursuant to Section 8.3.