



PROPOSAL INSTRUCTIONS

Michigan Independent Citizens Redistricting Commission

Voting Rights Act Legal Counsel

Request for Proposal No. 920, 210000001155

Solicitation Manager Name: Chad Bassett
c/o Michigan Independent Citizen Redistricting Commission

Direct Phone: 517.241.2646

Email: bassettc@michigan.gov

This is a Request for Proposal (RFP) for:
Voting Rights Act Legal Counsel

RFP Timeline

Event	Time	Date
RFP issue date	N/A	Friday, February 26, 2021
Deadline for bidders to submit questions about this RFP	3:00 p.m. EST	Tuesday, March 2, 2021
Anticipated date the Commission will post answers to bidder questions on www.michigan.gov/SIGMAVSS and Independent Citizens Redistricting Commission website.	N/A	Friday, March 5, 2021
Proposal deadline*	3:00 p.m. EST	Wednesday, March 17, 2021
Anticipated contract begin date	N/A	Monday, April 5, 2021

***A bidder's proposal received at 3:00:01 p.m. Eastern is late and subject to disqualification.**

This RFP is subject to change. Check www.michigan.gov/SIGMAVSS and [Independent Citizens Redistricting Commission](http://www.michigan.gov/IndependentCitizensRedistrictingCommission) website for current information.



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Michigan Independent Citizens Redistricting Commission

**Voting Rights Act Legal Counsel
Request for Proposal No. 920, 210000001115
Summary Sheet – Key Deliverables**

In 2018, Michigan voters amended the state constitution to put the power to draw state and congressional district lines in the hands of citizens, not legislators or special interests. The inaugural and historic Michigan Independent Citizens Redistricting Commission is seeking expert legal and advisory services specific to the analysis and application of the Voting Rights Act (“VRA”) and other state and federal laws applicable to redistricting.

1.1 Key Deliverable One

Key expertise or desirable expertise to fulfill the Statement of Work located within Section A of this RFP:

- (a) **Redistricting Expertise.** The attorney, firm or other entity must demonstrate experience and expertise in legal and advisory services specific to redistricting and the Voting Rights Act (“VRA”) to advise the Commission, its staff, attorneys and consultants.
- (b) **Michigan Election Law Expertise.** It is desirable that the attorney, firm or other entity demonstrate expertise in Michigan Election Law. However, extensive expertise is not required, as redistricting experience and federal Voting Rights Act legal expertise are of paramount importance.
- (c) **Cumulative Experience.** Provide a summary of why, based on previous experience, the Contractor is uniquely qualified to assume the role of Voting Rights Act Legal Counsel for the Commission.

1.2 Key Deliverable Two

Key operational requirements and inquiries to fulfill the Statement of Work located within Section A of this RFP:

- (a) **Key Personnel.** In the case of a law firm or other entity, identify the lead attorney or other attorneys, if any, who will be assigned to the work and the anticipated percentage of time for each.
- (b) **Motivations.** Provide a summary of why the attorney, firm or other entity seeks to serve the Commission.
- (c) **Disclosures.** Disclose the following;
 - i) Previous legal services (paid or volunteer) by the attorney, firm, or other entity as it relates to redistricting, reapportionment, districting and elections activities provided to persons holding elective office, as well as partisan or non-partisan entities or organizations



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ii) Any monetary political contributions or donations made on behalf of the attorney, firm or other entity

iii) Any monetary political contributions personally made by the attorneys listed in question 1.2(a).

(d) **Approach.** Provide a description of the approach of the attorney, firm or other entity to performing the responsibilities of Voting Rights Act Legal Counsel while remaining impartial, unbiased and non-partisan as set forth in Article IV, Section 6, Subsections 4 and 5 of the Michigan Constitution.

**PROPOSAL INSTRUCTIONS**

- 1. PROPOSAL PREPARATION.** The Commission recommends reading **all** RFP materials prior to preparing a proposal, particularly these Proposal Instructions and the Vendor Questions Worksheet. Bidders must follow these Proposal Instructions and provide a complete response to the items indicated in the table below. References and links to websites or external sources may not be used in lieu of providing the information requested in the RFP within the proposal. Include the bidder's company name in the header of all documents submitted with your proposal.

RFP Structure and Documentation

Document	Description	Bidder Response Instructions
Cover Page	Provides RFP title and number, important dates, and contact information for Solicitation Manager	Informational
Summary Sheet	Provides a summary of the Key Deliverables	Informational
Proposal Instructions	Provides RFP instructions to bidders	Informational
Confidential Treatment Form	Required verification on whether bidder's proposal contains confidential information	Bidder to complete and submit by proposal deadline
Vendor Questions Worksheet	Questions to bidders on background and experience	Bidder to complete and submit by proposal deadline
Schedule A – Statement of Work	Statement of work	Bidder to complete and submit by proposal deadline
Schedule B – Pricing	Pricing for goods and services sought by the Commission through this RFP	Bidder to complete and submit by proposal deadline
Contract Terms	Provides legal terms for a contract awarded through this RFP	Deemed accepted by bidder unless information required in the Evaluation Process section of this document is submitted by proposal deadline



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2. **CONTACT INFORMATION FOR THE COMMISSION.** The sole point of contact for the Commission concerning this RFP is listed on the Cover Page. Contacting any other Commission personnel, agent, consultant, or representative about this RFP may result in bidder disqualification.
3. **MODIFICATIONS.** The Commission may modify this RFP at any time. Modifications will be posted on www.michigan.gov/SIGMAVSS and on the [Independent Citizens Redistricting Commission](http://www.michigan.gov/IndependentCitizensRedistrictingCommission) website. This is the only method by which the RFP may be modified.
4. **QUESTIONS.** Bidder questions about this RFP must be emailed to the Solicitation Manager no later than the time and date specified on the Cover Page. In the interest of transparency, only written questions are accepted. Answers to questions will be posted on www.michigan.gov/SIGMAVSS and on the [Independent Citizens Redistricting Commission](http://www.michigan.gov/IndependentCitizensRedistrictingCommission) website. Submit questions using the format below; a Microsoft Excel format or similar is suggested.

Q #	Document and Section	Page #	Bidder Question

5. **DELIVERY OF PROPOSAL.**

Electronic – The bidder must submit its proposal, all attachments, and any modifications or withdrawals via email to the Solicitation Manager. The price proposal should be saved separately from all other proposal documents. The bidder should submit all documents in a modifiable (native) format (examples include but are not limited to Microsoft Word or Excel and Google Docs or Sheets). In addition to submitting documents in a modifiable format, the bidder may also submit copies of documents in PDF. Bidder's failure to submit a proposal as required may result in disqualification. The proposal and attachments must be received by the Solicitation Manager via email by the proposal deadline.

6. **MANDATORY MINIMUM REQUIREMENTS.** To avoid disqualification, the bidder must provide documentation to support the following:

The primary contractor, subcontractors or key personnel must have experience providing legal and advisory services directly related to the work described in this RFP. This experience must include analysis of applicable federal and state law, in particular the Voting Rights Act, and ensuring compliance with such laws during a redistricting process.

Only proposals meeting the mandatory minimum requirements will be considered for evaluation. Bidder must be specially trained, experienced and competent to perform the services required by this Contract.



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7. **EVALUATION PROCESS.** If all mandatory minimum requirements are met then the Commission will evaluate each proposal based on the following factors:

	Technical Evaluation Criteria	Weight
1.	Key Deliverable One Schedule A: Sec. 1.1	25
2.	Key Deliverable Two Schedule A: Sec. 1.2	25
3.	Training, Key Personnel Schedule, Organizational Chart and Disclosure of Subcontractors, Project Management- Schedule A: Sec 1.3, 4.12, 4.13, 4.14 and 5.0	25
4.	Vendor Questions Worksheet	25
	Total	100

Proposals receiving 80 or more technical evaluation points will have pricing evaluated and considered for award.

The Commission may utilize all bidder information, without regard to a proposal's technical score, to determine fair market value for goods or services sought. The Commission is not obligated to accept the lowest price proposal.

The Commission strongly encourages strict adherence to the Contract Terms. The Commission reserves the right to deem a bid non-responsive for failure to accept the Contract Terms. Nevertheless, the bidder may submit proposed changes to the Contract Terms in track changes (i.e., visible edits) with an explanation of the bidder's need for each proposed change. Failure to include track changes with an explanation of the bidder's need for the proposed change constitutes the bidder's acceptance of the Contract Terms. General statements, such as that the bidder reserves the right to negotiate the terms and conditions, may be considered non-responsive.

The Commission may but is not required to conduct an on-site visit to tour and inspect the bidder's facilities; require an oral presentation of the bidder's proposal; conduct interviews, research, reference checks, and background checks; and request additional price concessions at any point during the evaluation process.

8. **NOTICE OF DEFICIENCY.** The Commission reserves the right to issue a **Notice of Deficiency** to bidders if the Commission determines after the proposal deadline that a portion of the RFP was deficient, unclear, or ambiguous. Failure to respond to a **Notice of Deficiency** timely may be cause for disqualification.
9. **CLARIFICATION REQUEST.** The Commission reserves the right to issue a **Clarification Request** to a bidder to clarify its proposal if the Commission determines the proposal is not clear. Failure to respond to a **Clarification Request** timely may be cause for disqualification.
10. **RESERVATIONS.** The Commission reserves the right to:
- Disqualify a bidder for failure to follow these instructions.



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- b. Discontinue the RFP process at any time for any or no reason. The issuance of an RFP, your preparation and submission of a proposal, and the Commission's subsequent receipt and evaluation of your proposal does not commit the Commission to award a contract to you or anyone, even if all the requirements in the RFP are met.
 - c. Consider late proposals if: (i) no other proposals are received; (ii) no complete proposals are received; (iii) the Commission received complete proposals, but the proposals did not meet mandatory minimum requirements or technical criteria; or (iv) the award process fails to result in an award.
 - d. Consider an otherwise disqualified proposal if no other proposals are received.
 - e. Disqualify a proposal based on: (i) information provided by the bidder in response to this RFP; (ii) the bidder's refusal to complete registration on www.michigan.gov/SIGMAVSS upon award or (iii) if it is determined that a bidder purposely or willfully submitted false or misleading information in response to the RFP.
 - f. Consider prior performance with the State of Michigan in making its award decision.
 - g. Consider overall impact to the economy of Michigan when evaluating proposal pricing and in the final award recommendation. This includes but is not limited to: considering principal place of performance, number of Michigan citizens employed or potentially employed, dollars paid to Michigan residents, Michigan capital investments, job creation, tax revenue implications, and economically disadvantaged businesses.
 - h. Consider total-cost-of-ownership factors (e.g., transition and training costs) when evaluating proposal pricing and in the final award recommendation.
 - i. Refuse to award a contract to any bidder that has failed to pay the State of Michigan taxes or has outstanding debt with the State of Michigan.
 - j. Enter into negotiations with one or more bidders on price, terms, technical requirements, or other deliverables.
 - k. Award multiple, optional-use contracts, or award by Contract Activity.
 - l. Evaluate the proposal outside the scope identified in the **Evaluation Process** section of this document if the Commission receives only one proposal.
- 11. AWARD RECOMMENDATION.** The contract will be awarded to the responsive and responsible bidder who offers the best value to the Commission, as determined by the Commission. Best value will be determined by the bidder meeting the minimum point threshold and offering the best combination of the factors stated in the **Evaluation Process** section of this document, and price, as demonstrated by the proposal. The Commission will post an **Award Recommendation and Evaluation Synopsis** on www.michigan.gov/SIGMAVSS and on the [Independent Citizens Redistricting Commission](http://www.independentcitizensredistricting.com) website.

DEBRIEF MEETING AND BID PROTEST. The Commission will post an **Award Recommendation and Evaluation Synopsis** which will provide instructions on how to request a debrief meeting.



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If you wish to initiate a protest of the award, you must submit your written protest to bassettc@michigan.gov no later than 3:00pm, two calendar days after posting the **Award Recommendation and Evaluation Synopsis** or by 3:00pm the next business day if that date falls on a State of Michigan holiday or weekend. The Commission reserves the right to adjust this timing and will publish any change on the SIGMA VSS system and on the [Independent Citizens Redistricting Commission](#) website.

12. **GENERAL CONDITIONS.** The Commission will not be liable for any costs, expenses, or damages incurred by a bidder participating in this solicitation. The bidder agrees that its proposal will be considered an offer to do business with the Commission in accordance with its proposal, including the Contract Terms, and that its proposal will be irrevocable and binding for a period of 90 calendar days from date of submission. If a contract is awarded to the bidder, the Commission may, at its option, incorporate any part of the bidder's proposal into a contract. This RFP is not an offer to enter into a contract. This RFP may not provide a complete statement of the Commission's environment or contain all matters upon which agreement must be reached. Other than verified trade secrets, proposals submitted to the Solicitation Manager are the Commission's property.
13. **CONFIDENTIAL TREATMENT FORM AND THE FREEDOM OF INFORMATION ACT.** All portions of the bidder's proposal and resulting contract are subject to disclosure as required under Michigan's Freedom of Information Act (FOIA), MCL 15.231, et seq. However, some information may be exempt from disclosure. Under MCL 18.1261(13)(b), records containing "a trade secret as defined under section 2 of the uniform trade secrets act, 1998 PA 448, MCL 445.1902," are exempt from disclosure under FOIA. In addition, "financial or proprietary information" submitted with a bidder's proposal is exempt from disclosure under FOIA. A bidder's failure to comply with this Section is grounds for rejecting a bidder's proposal as non-responsive. As a part of its proposal, each bidder must follow the procedure below.
 - a. **SUBMIT A COMPLETED "CONFIDENTIAL TREATMENT FORM" (CT FORM) WITH YOUR BID.** Completion and submission of the CT Form is required regardless of whether the bidder seeks confidential treatment of information. Failure to submit a completed CT Form may be cause for disqualification from the solicitation process.
 - i. Complete and sign Section 1 of the CT Form if the bidder does NOT request confidential treatment of information contained in its proposal; or
 - ii. Complete and sign Section 2 of the CT Form if the bidder requests confidential treatment of certain information. Bidder must also submit a "Public Copy" of the proposal with the trade secret, financial, and proprietary information redacted and clearly labeled as the "Public Copy."
 - b. **FOIA REQUESTS.** If a FOIA request is made for a bidder's proposal, the Public Copy may be distributed to the public along with the bidder's CT Form. The CT Form is a public document and serves as an explanation for the redactions to the Public Copy. Do not put any trade secret, financial, or proprietary information in the CT Form. Do not redact the CT Form itself.
 - c. **NO ADVICE.** The Commission will not advise a bidder as to the nature or content of documents entitled to protection from disclosure under FOIA or other laws, as to the interpretation of such laws, or as to the definition of trade secret or financial or proprietary



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information. Nothing contained in this provision will modify or amend requirements and obligations imposed on the Commission by FOIA or other applicable law.

- d. **FAILURE TO REQUEST CONFIDENTIAL TREATMENT.** Failure to request material be treated as confidential as specified herein relieves the Commission, its agencies, and personnel from any responsibility for maintaining material in confidence.
- e. Bids containing a request to maintain an entire proposal as confidential may be rejected as non-responsive. Bidders may not request confidential treatment with respect to resumes, pricing, and marketing materials. The Commission reserves the right to determine whether material designated as exempt by a bidder falls under MCL 18.1261 or other applicable FOIA exemptions. If a FOIA request is made for materials that the bidder has identified as trade secret, financial, or proprietary information, the Commission has the final authority to determine whether the materials are exempt from disclosure under FOIA.
- f. Bidder forever releases the Commission, its officers, employees, and agents from all claims, rights, actions, demands, damages, liabilities, expenses and fees, which arise out of or relate to the disclosure of all or a portion of bidder's proposal submitted under this RFP. Bidder must defend, indemnify and hold the Commission, its officers, and employees harmless, without limitation, from and against all actions, claims, losses, liabilities, damages, costs, attorney fees, and expenses (including those required to establish the right to indemnification), arising out of or relating to any FOIA request, including potential litigation and appeals, related to the portion of bidder's proposal submitted under this RFP that bidder has identified as a trade secret, or financial or proprietary information. The Commission will notify bidder in writing if indemnification is sought. The Commission is entitled to: (i) regular updates on proceeding status; (ii) participate in the defense of the proceeding; (iii) employ its own counsel; and to (iv) retain control of the defense, or any portion thereof, if the Commission deems necessary. Bidder will not, without the Commission's written consent (not to be unreasonably withheld), settle, compromise, or consent to the entry of any judgment in or otherwise seek to terminate any claim, action, or proceeding. If a Commission employee, official, or law is involved or challenged, the Commission may control the defense of that portion of the claim. Any litigation activity on behalf of the Commission, or any of its subdivisions under this Section, must be coordinated with the General Counsel of the Commission. An attorney designated to represent the Commission may not do so until approved by the Commission.



CONFIDENTIAL TREATMENT FORM

INSTRUCTIONS. Complete either *Section 1* or *Section 2* of this CT Form and sign where indicated. This CT Form must be signed by the individual who signed the bidder's proposal. A completed CT Form must be submitted with your proposal, regardless of whether your proposal contains confidential information.

Failure to submit a completed CT Form with your bid is grounds for rejecting the proposal as non-responsive. See the **Confidential Treatment Form** and **The Freedom of Information Act (FOIA)** sections of the *Proposal Instructions* for additional information.

Section 1. CONFIDENTIAL TREATMENT IS NOT REQUESTED

This section must be completed, signed, and submitted with the proposal if the bidder does **not** request confidential treatment of any material contained in the proposal.

By signing below, the bidder affirms that confidential treatment of material contained in their proposal is not requested.

RFP Number

RFP Title

Signature

Date

Printed Name, Title, Company



CONFIDENTIAL TREATMENT FORM

Section 2. CONFIDENTIAL TREATMENT IS REQUESTED

This section must be completed, signed, and submitted with the proposal if bidder requests confidential treatment of any material contained in the proposal. Submission of a completed CT Form is required to request confidential treatment.

Provide the information in the table below. Bidder may add rows or additional pages using the same format shown in the table. Bidder must specifically identify the information to be protected as confidential and Commission the reasons why protection is necessary.

The CT Form will not be considered fully complete unless, for each confidentiality request, the bidder: (1) Identifies the Proposal Page #, Section #, and Paragraph #, (2) Identifies whether the material is a Trade Secret (TS), Proprietary Financial Information (FI), or Proprietary Information (PI), (3) Explains the specific legal grounds that support treatment of the material as TS, FI, or PI. Bidders must provide a complete justification as to how the material falls within the scope of an applicable FOIA Exemption or relevant case law. Bidders must not simply cite to an applicable exemption or case name, and (4) Provides the contact information for the person at Bidder's organization authorized to respond to inquiries by the Commission concerning the material.

(1) Proposal Page #, Section #, Paragraph #	(2) Material is Trade Secret (TS), Proprietary Financial Information (FI), Proprietary Information (PI)	(3) Applicable FOIA Exemption with Written Justification	(4) Bidder Contact Information

By signing below, the bidder affirms that confidential treatment of material contained in their proposal is requested and has attached to this form a redacted "Public Copy" of the bidder's proposal.

RFP Number

RFP Title

Signature

Date

Printed Name, Title, Company



VENDOR QUESTION WORKSHEET

Provide a detailed response to each question. "You" and "company" refers to the bidder.

Information Sought	Bidder Response
1. Contact Information	
Bidder's sole contact person, during the RFP process, include name, title, email and phone number	Jeffrey M. Wice Of Counsel, Sandler Reiff Lamb Rosenstein & Birkenstock, PC 1090 Vermont Avenue NW, #750 Washington, DC 20005 [REDACTED] [REDACTED]
Person authorized to receive and sign a resulting contract. Include name, title, address, email, phone number. The awarded vendor will be required to establish an account in SIGMA Vendor Self-Service	Jeffrey M. Wice Of Counsel, Sandler Reiff Lamb Rosenstein & Birkenstock, PC 1090 Vermont Avenue NW, #750 Washington, DC 20005 [REDACTED] [REDACTED]
2. Company Background Information	
Legal business name and address. Include business entity designation, e.g., sole proprietor, Inc., LLC, or LLP.	Sandler, Reiff, Lamb, Rosenstein, & Birkenstock, P.C.
What State was the company formed in?	D.C.
Phone number.	(202) 479-1111
Website address.	https://sandlerreiff.com/
Number of years in business and number of employees.	22 years, 13 employees
Legal business name and address of parent company, if any.	n/a
Has there been a recent change in organizational structure (e.g., management team) or control (e.g., merger or acquisition) of your company? If the answer is yes: (a) explain why the change occurred and (b) how this change has affected your company.	no
Discuss your company's history. Has growth been organic, through mergers and acquisitions, or both?	organic



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Has bidder ever been debarred, suspended, or disqualified from bidding or contracting with any entity, including the State of Michigan? If yes, provide the date, the entity, and details about the situation.	no
Has your company been a party to litigation against the State of Michigan? If the answer is yes, then state the date of initial filing, case name and court number, and jurisdiction.	Bidder has not. Subcontractor is currently representing a group of individual plaintiffs challenging the membership requirements of the Michigan Independent Citizens Redistricting Commission. This lawsuit, <i>Daunt v. Benson</i> , is currently on appeal to the Sixth Circuit.
Within the last 5 years, has your company or any of its related business entities defaulted on a contract or had a contract terminated for cause? If yes, provide the date, contracting entity, type of contract, and details about the termination or default.	no
State your gross annual sales for each of the last 5 years. If receiving a contract under this RFP will increase your gross revenue by more than 25% from last year's sales, explain how the company will scale-up to manage this increase.	2020: \$4,490,000 2019: \$3,719,000 2018: \$43,699,000 2017: \$2,903,000 2016: \$2,753,000
Describe partnerships and strategic relationships you think will bring significant value to the Commission.	Sander Reiff is partnering with Holtzman, Vogel Josefiak Torchinsky <u>PLLC</u> to provide bipartisan comprehensive services to the Commission. Each firm has had extensive experience in the fields of redistricting and voting rights for both major national political parties.
For the bidder, primary contractor, principal(s) of the primary contractor, key personnel, any subcontractors, or employees provide disclosures regarding the following relative to their redistricting work with individuals, groups or any public or private entities for the same or substantially similar work described in this RFP: (1) list of past relationships and (2) identify any current relationships and (3) identify any anticipated or future relationships that will be sought by the bidder. For each of the 3 categories of relationships, please identify which could give rise to a potential, actual or apparent conflict of interest and provide measures that would	<u>For primary contractor:</u> Jeff Wice: (1) New York State Legislature (1978-present), Massachusetts State Legislature (1990, 2000, 2010 cycles), Connecticut General Assembly (1990, 2000, 2010 cycles), Virginia House of Delegates Democratic Caucus (1990, 2000, 2010, 2020 cycles), New York City Redistricting Commission (2000, 2010 cycles), Nassau County NY (1990, 2000, 2010 cycles), Town of North Hempstead, NY (2000), Town of Brookhaven, NY (2013), Democratic National Redistricting committees (1980s, 1990s, 2000s, 2010s, 2020 cycles), Clark County,



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<p>be taken to avoid or address a conflict, should one currently exist or would likely arise in the future.</p> <p>These disclosure and conflict requirements are ongoing and will be the responsibility of the successful bidder for the full contract term.</p>	<p>NV (2011), Arkansas Democratic Party (2011), California State Senate (2010-11), Baltimore, MD (1991)</p> <p>(2) No conflicts of interest</p> <p>Jim Lamb: no conflicts or past redistricting experience</p> <p>Aaron Barden: The Princeton Gerrymandering Project (2019-2020), no conflict; OneVirginia2021 (2017), no conflict</p> <p>For subcontractor:</p> <p>Jason Torchinsky: National Republican Congressional Committee (2008-present), Village of Port Chester (2018-19), Louisiana Attorney General (2017-present), Pennsylvania Senate (2017-18), Department of Justice – Civil Rights Division (2005), National Republican Redistricting Trust (2017-present), Fair Lines America (2018-present), Fair Lines America Foundation (2018-present), Individual Plaintiffs in <i>Daunt v. Benson</i> (2019-present), Individual Plaintiffs in <i>Fletcher v. Lamone</i> (2011-12), Members of the Virginia State Senate (2011-12), Republican National Committee (2001-present), Arizona Attorney General (2015-16). No conflict for any projects.</p> <p>Phil Gordon: National Republican Congressional Committee (2016-present), Village of Port Chester (2018-19), Louisiana Attorney General (2017-present), Pennsylvania Senate (2017-18), National Republican Redistricting Trust (2017-present), Fair Lines America (2018-present), Fair Lines America Foundation (2018-present). No conflict for any projects.</p> <p>Andrew Pardue: Louisiana Attorney General (2020-present) and Louisiana Secretary of State (2020-present), no conflict.</p>
<p>State the physical address of the place of business that would have primary responsibility for this account if bidder is awarded a contract under this RFP.</p>	<p>1090 Vermont Ave NW Suite 750 Washington, D.C. 20005</p>
<p>3. Participation in RFP Development or Evaluation</p>	



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<p>Did your company, an employee, agent, or representative of your company, or any affiliated entity participate in developing any component of this solicitation? For purposes of this question, business concerns, organizations, or individuals are affiliates of each other if, directly or indirectly: (1) either one controls or has power to control the other or (2) a third-party controls or has the power to control both. Indicia of control include, but are not limited to, interlocking management or ownership, identity of interests among family members, shared facilities or equipment, and common use of employees.</p>	<p>NO.</p>
<p>If you are awarded a contract under this solicitation, in order to provide the goods or services required under a resulting contract, do you intend to partner or subcontract with a person or entity that assisted in the development of this solicitation?</p>	<p>NO.</p>
<p>Will your company, or an employee, agent, or representative of your company, participate in the evaluation of the proposals received in response to this RFP?</p>	<p>NO.</p>
<p>4. State of Michigan Experience and Prior Experience</p>	
<p>Does your company have experience working with the State of Michigan? If so, please provide a list (including the contract number) of the contracts you hold or have held with the State for the last 10 years.</p>	<p>Bipartisan Solutions Dave Coulter for Oakland County Executive Lon Johnson for Congress Michigan Democratic Party Oakland Strong Sandy Levin for Congress Stand Tall PAC The Voting Project Voters Not Politicians Subcontractor HVJT has previously represented Michigan House Speaker Lee Chatfield and Republican members of the Michigan Congressional Delegation.</p>
<p>Describe all relevant experiences from the last 20 years supporting your ability to successfully manage a contract of similar size and scope for the work</p>	<p>At Sandler Reiff, Jeffrey M. Wice has had over 40 years of experience working in redistricting and voting rights law. Since joining the firm in 2010, Wice has undertaken</p>



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<p>described in this RFP. These experiences should include:</p> <ul style="list-style-type: none"> • Significant expertise and experience in providing legal and advisory services specific to the Voting Rights Act ("VRA"), redistricting, and issues of equal protection and race in redistricting. • Experience and expertise in Michigan Election Law as it pertains to the Michigan Election Law (Act 116 of 1954). • Experience or expertise providing legal counsel and guidance to public bodies, boards or commissions 	<p>several client voting rights-related efforts listed below.</p>
Experience 1	
<p>Company name. Contact name. Contact role at time of project. Contact phone. Contact email.</p>	<p>California Senate Rules Committee Joshua Walters Redistricting Director [REDACTED] no phone available</p>
<p>City. State. Zip.</p>	<p>Sacramento California 95814</p>
Dollar value.	\$30,000
Start and end date (mm/yy – mm/yy)	1/1/10-12/31/11
Status (completed, live, other – specify phase)	completed
Results obtained.	Plan enactment.
Experience 2	
<p>Company name. Contact name. Contact role at time of project. Contact phone. Contact email.</p>	<p>Massachusetts State Senate Former Senator Stan Rosenberg Committee Chair Stan.c.rosenberg@gmail.com No phone available</p>
<p>City. State. Zip.</p>	<p>Boston Massachusetts 02133</p>



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1. Project name and description of the scope of the project. 2. What role did your company play? 3. How is this project experience relevant to the subject of this RFP?	2010 Congressional/Senate Redistricting Counsel Similar work, guiding committee and legislature to plan enactment
Dollar value.	\$30,000
Start and end date (mm/yy – mm/yy)	1/1/11-12/31/11
Status (completed, live, other – specify phase)	Completed
Results obtained.	Plan enactment, no legal challenges
Experience 3	
Company name. Contact name. Contact role at time of project. Contact phone. Contact email.	Connecticut General Assembly Jeffrey Greenfield Staff Coordinator [REDACTED] [REDACTED]
City. State. Zip.	Hartford CT 06106
1. Project name and description of the scope of the project. 2. What role did your company play? 3. How is this project experience relevant to the subject of this RFP?	Congressional, Senate, House redistricting Counsel to entire process Very similar, advising legislature on all aspects of redistricting & voting rights
Dollar value.	\$30,000
Start and end date (mm/yy – mm/yy)	
Status (completed, live, other – specify phase)	4/1/11-6/30/12
Results obtained.	Plan enactment
5. Standard Contract Terms	
Bidder must affirm agreement with the attached Contract Terms. If not in agreement, written exceptions in accordance with the Evaluation Process section of the Proposal Instructions must be provided with Bidder's proposal.	Agreed.



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6. Michigan Economic Impact	
Number of employees currently employed at locations within the State of Michigan.	None.
Number of additional employees to be employed at locations within the State of Michigan if awarded this Contract (if any)	None.
Minimum wage paid to employees employed at locations within the State of Michigan.	None.
Average wage paid to employees employed at locations within the State of Michigan.	None.
Percentage of employees employed at locations within the State of Michigan that are covered by employer-provided health insurance.	None.
8. Other	
Abusive Labor Practices. The Contractor certifies that it will not furnish any Deliverable that was produced fully or partially by forced labor, forced or indentured child labor, or indentured servitude.	YES.
Certification of Michigan Business- Public Act 431 of 1984, Sec. 268. I certify that the company has, pursuant to the provisions of Sec 268 of Public Act 431 of 1984, filed a Michigan Business Tax Corporate Income Tax Return. I certify that the company has, pursuant to the provisions of Sec 268 of Public Act 431 of 1984, filed a Michigan Income Tax return showing income generated in, or attributed to the State of Michigan. I certify that the company has, pursuant to the provisions of Sec 268 of Public Act 431 of 1984, withheld Michigan Income Tax from compensation paid to the company's owners and remitted the tax to the Michigan Department of Treasury.	NO.
Iran Linked Business- Public Act 517 of 2012. I certify that the Company is not an Iran-Linked business as defined by Public Act 517 of 2012.	YES.
Clean Corporate Citizen. I certify that the Company is a Clean Corporate Citizen as defined by the Environmental Protection Act, 1994 PA 451.	YES
Convict Labor. The Contractor certifies that if using convict labor, it is complying with all applicable state and federal laws and policies.	YES



STATE OF MICHIGAN

INDEPENDENT CITIZENS REDISTRICTING COMMISSION

VENDOR QUESTIONS WORKSHEET

SOM Debt/Tax Payment. I certify that all applicable State of Michigan taxes are paid, and that no outstanding debt is owed to the State of Michigan.	YES.
Authorization to Verify Information Provided by Vendor. I authorize the Commission to verify that all information provided in this registration, in bidding and contracting documents, and any attachments or supplement documents and processes are accurate.	YES.



SCHEDULE A- STATEMENT OF WORK CONTRACT ACTIVITIES

Sandler, Reiff, Lamb, Rosenstein, & Birkenstock, P.C.

Request for Proposal (RFP) No. 920, 210000001155

Voting Rights Act Legal Counsel

This schedule identifies the anticipated requirements of any Contract resulting from this RFP. The term “Contractor” in this document refers to a bidder responding to this RFP, as well as the Contractor who is awarded the contract. The term “bidder” is used to identify where specific responses to the RFP are required.

The Contractor must respond to each requirement or question and explain how it will fulfill each requirement. Attach any supplemental information and appropriately reference within your response.

IMPORTANT NOTE TO CONTRACTORS/BIDDERS: There are specific requirements for which acceptance must be simply acknowledged through a checkbox(es), and others that require further explanation. Click one checkbox and complete the entries as identified.

BACKGROUND

In accordance with the Michigan Constitution of 1963, Article IV, Section 6, an Independent Citizens Redistricting Commission (the “Commission”) shall adopt a redistricting plan in Michigan, not later than November 1 in the year immediately following the federal decennial census, for each of the following types of Michigan districts: state senate districts, state house of representative districts, and congressional districts. This proposal and adoption of district lines (called “redistricting”) shall comply with the Voting Rights Act and other federal laws as well as conform with all criteria set forth in Article IV, Section 6 of the Michigan Constitution, and in particular Article IV, Section 6, subsection 13 of the Michigan Constitution.

The Commission is seeking Requests for Proposals (“RFP”) from attorneys, law firms or other entities, to provide legal and advisory services specific to the analysis and application of the Voting Rights Act (“VRA”) and other state and federal laws applicable to redistricting, for the inaugural Commission. These legal and advisory services will aid the Commission in the proposal and adoption of redistricting plans, pursuant to the Michigan Constitution of 1963, Article IV, Section 6.

STATEMENT OF WORK

The required legal and advisory services may include, but will not be limited to, legal support to the Commission as well as Commission staff, attorneys and consultants regarding the redistricting process based on publicly available data, specifically as it relates to compliance



SCHEDULE A- STATEMENT OF WORK CONTRACT ACTIVITIES

with the federal Voting Rights Act and similar criteria outlined in Article IV, Section 6, subsection 13 of the Michigan Constitution of 1963.

Any Contractor selected by the Commission will be required to enter into a Legal Services Agreement for the work described in this RFP. It is anticipated that work will begin as soon as practicable following the RFP selection process and continue through approximately March 2022.

Applicants must have demonstrated expertise in the federal Voting Rights Act and the application of it in evaluating redistricting plans during a redistricting process. In addition, expertise with Michigan Election Law (Act 116 of 1954) and relevant federal and state case law are preferred. Participation in public meetings as requested by the MICRC is required.

Qualifications and responsibilities for the attorney, law firm or other entity are as follows below:

1. Perform all normal and customary duties required of special redistricting counsel in connection with legal issues related to the full range of redistricting activities.
2. Work with and advise the Commission, its staff, attorneys and consultants with respect to legal issues (in particular pertaining to the Voting Rights Act) in connection with drawing new district boundaries and advise the Commission, its staff, attorneys and consultants as to the procedures, legality of documents, policy concerns and legal implications concerning redistricting activities.
3. Advise the Commission, its staff, attorneys and consultants regarding the requirements of State and Federal laws relevant to redistricting activities, and in particular demonstrate expertise and experience with Section 2 and Section 5 of the Voting Rights Act, and subsequent relevant cases.
4. Advise the Commission, its staff, attorneys and consultants of litigation risks associated with redistricting activities and approaches to limit such risks.
5. Participate in litigation or provide expert witness services related to compliance with the Voting Rights Act as well as state and federal laws. This legal support and defense of the redistricting plans approved by the Commission will be provided in consultation with the General Counsel of the Commission.
6. Attend various meetings and hearings, including but not limited to Commission public meetings and hearings when requested by Commission members or its staff or the Program Manager.

Contractors, subcontractors and employees must be in compliance with any applicable law or policy at all times, and if an attorney be in good standing with the State Bar of Michigan or their state licensing entity through the full contract term and any extensions. If the primary contractor is not licensed to practice in the State of Michigan, please provide information on local counsel that would be engaged or the process that would be used to select local counsel if direct representation becomes necessary, and whether their role is anticipated to be advisory or more substantive in nature. Contractor must possess the skill, experience, ability, background, certification and knowledge to provide the services described in this Contract on the terms and conditions described herein.



SCHEDULE A- STATEMENT OF WORK CONTRACT ACTIVITIES

1 Requirements

1.1 Key Deliverable One

Key expertise or desirable expertise to fulfill the Statement of Work above:

- (a) **Redistricting Expertise.** The attorney, firm or other entity must demonstrate experience and expertise in legal and advisory services specific to redistricting and the Voting Rights Act ("VRA") to advise the Commission, its staff, attorneys and consultants.

Provide a description of demonstrated expertise and experience with redistricting, reapportionment districting and elections activities and subsequent relevant cases, including the following:

- i) Names of the public entities or private parties represented in redistricting matters, including experience representing public bodies, boards or commissions.
- ii) The principal legal issues presented in each matter handled by the attorney, law firm or entity.
- iii) The outcome of the prior redistricting representation.
- iv) Any relevant published work.
- v) Specifically address demonstrated experience as it pertains to Section 2 and Section 5 of the Voting Rights Act.

Bidder must provide a detailed response for requirement(s):

Jeffrey M. Wice

Mr. Wice has over 40 years of experience working in redistricting, voting rights, and census law. He is considered a national expert on redistricting and has been included by ROLL CALL in its list of the top 50 Washington policy insiders.

Mr. Wice has assisted many legislative leaders, Members of Congress, and other state and local government officials on redistricting and voting rights matters across the nation. During the last redistricting cycle, he served as outside counsel to the California State Senate leadership, advising them on redistricting and monitoring the California commission. During the 1980s, Mr. Wice developed redistricting assistance programs for state legislators and municipalities. Mr. Wice served as a counsel to President Bill Clinton's appointees to the 2000 federal Census Monitoring Board.

As a longtime counsel to the New York State Legislature, Mr. Wice has served in several National Conference of State Legislatures (NCSL) leadership positions,



SCHEDULE A- STATEMENT OF WORK CONTRACT ACTIVITIES

including service on the national Executive Committee and currently as staff chair of the Elections and Redistricting Committee. He is currently the staff co-chair of NCSL's Redistricting & Elections Committee and is a co-editor/co-author of NCSL's 2020 Redistricting Handbook.

At New York Law School, Wice serves as an Adjunct Professor and Senior Fellow, directing the NY Census & Redistricting Institute and teaching classes in redistricting, voting rights, and census law.

He is also a Fellow at SUNY Buffalo Law School and has taught election law at Hofstra Law School and at the Touro Law Center.

- a. Prior representation of public/private parties in redistricting matters, including experience representing boards/commissions
 - California:
 - Mr. Wice served as counsel to the California Senate from 2010 to 2012 to monitor the Commission's work and provide advice on how the state commission's plans complied with the Voting Rights Act. The state's plan was approved and implemented.
 - New York
 - Mr. Wice has served as redistricting counsel to several New York State Assembly Speakers and Senate leaders during the 1980, 1990, 2000 and 2010 cycles. He is currently counsel to the New York State Assembly redistricting co-chair. All New York plans were approved and implemented.
 - In New York City, he helped guide the 2003 and 2013 New York City Council redistricting plans through enactment and federal Justice Department approval. Neither plan was challenged in a federal or state court.
 - In 2013, New York's Town of Brookhaven on Long Island retained Mr. Wice to develop the town's first redistricting process and successful map. The plan was approved and implemented.
 - New York's Town of North Hempstead utilized Mr. Wice's expertise to guide its redistricting commission when it developed its first map. The plan was approved and implemented.
 - In Nassau County, NY, Mr. Wice has served as counsel to three successive county legislative redistricting efforts.
 - Mr. Wice has also served as redistricting counsel to the Massachusetts state legislature, Connecticut General Assembly, Virginia House of



SCHEDULE A- STATEMENT OF WORK CONTRACT ACTIVITIES

Delegates Democratic Caucus, Clark County. NV, Baltimore, MD. All plans were approved and implemented without litigation.

- Through his national work, Mr. Wice has worked in nearly every state on redistricting as an advisor.
- b. Principal legal issues handled in each matter handled by the attorney, firm, or entity
 - Mr. Wice has had extensive experience working with the Voting Rights Act and in every aspect of redistricting law and legislation.
- c. Experience with Section 2 and Section 5 of the Voting Rights Act
 - Mr. Wice has had extensive experience in both Section 2 and Section 5 applications.
 - In New York, he participated in Section 5 U.S. Justice Department submissions on behalf of New York State and New York City.
 - Two successive New York City Council redistricting commissions and the New York State legislature utilized his expertise in developing council and state legislative districts to conform with Section 5 requirements and to avoid Section 2 districting problems.
 - In 2001, Mr. Wice represented the Louisiana Legislative Black Caucus in its opposition to that state's state House plan in a Section 5 action.
 - Mr. Wice has also participated in submitting several Voting Rights Act amicus briefs in the U.S. Supreme Court.
- d. The outcome of prior redistricting representations, e.g., resolved without litigation, negotiated settlement, or trial
 - Mr. Wice assisted the New York Legislature and City of New York with speedy U.S. Justice Department submissions required under Section 5 of the Voting Rights Act.
 - In 2002, Mr Wice's efforts working for the Louisiana Legislative Black Caucus helped settle a case before a federal district court after the State accepted adjustments proposed by the Attorney General to 12 majority-minority districts and one majority district.
- e. Any experience with voting rights litigation not related to the VRA
 - Mr. Wice has participated in several New York cases involving challenges to state and local redistricting plans. He has also advised counsel in numerous states involved with redistricting challenges.



SCHEDULE A- STATEMENT OF WORK CONTRACT ACTIVITIES

f. Any relevant published work

- In 2016, Mr. Wice co-authored a chapter on redistricting in the book “New York’s Broken Constitution” (SUNY Press).
- Court Deference to State Legislatures in Redistricting After *Perry v. Perez* (with Leonard M. Kohen); Election Law Journal (December 2012)
- NCSL Redistricting Law Redbook (co-editor/author, 2020 edition); contributor to 1990, 2000 and 2010 editions (National Conference of State Legislatures)
- CENSUS 2000: Considerations And Strategies For State And Local Government (2000), American Bar Association
- From 2015 to 2017, he edited a national redistricting resource website (“All About Redistricting”) that tracked and posted information on redistricting litigation. See <http://redistricting.ils.edu/>
- Beginning in 2021, he became an editor of another national redistricting resource website (“Redistricting Online” that also tracks and post information on redistricting litigation and activity. See: www.redistrictingonline.org

Aaron Barden

Mr. Barden currently advises clients on compliance with federal, state, and local lobbying laws; assists non-profit organizations through the formation process and related matters; and provides clients with guidance on federal and state campaign finance issues.

Prior to joining Sandler Reiff, Mr. Barden worked as a Legal & Policy Analyst for the Princeton Gerrymandering Project (PGP, or the Project), a nonpartisan redistricting reform organization hosted at Princeton University. In this position, Mr. Barden assisted the Project in its mission to bridge the gaps between the law, math, and data in redistricting. As part of this work, he gained valuable experience working with demographic data in the creation and analysis of districting plans.

With the help of the Project’s analysts, Mr. Barden assisted in the writing of an amicus curiae brief in *Common Cause v. Lewis*, a 2019 partisan gerrymandering case in the Wake County Superior Court, submitted by the Project’s Director, Prof. Samuel S.-H. Wang, with the assistance of local counsel. The arguments in the brief provided a statistical analysis of the remaining partisan bias in the legislature’s remedial district maps as well as concerns regarding communities of interest.

Mr. Barden also authored and released a long-form white paper called “A Citizen’s Guide to Redistricting in Virginia,” which provided a background of redistricting law,

**SCHEDULE A- STATEMENT OF WORK CONTRACT ACTIVITIES**

including the VRA, and a statistical analysis of the effect of the *Bethune-Hill v. Va. Bd. of Elections* remedial map on black voting age population percentages in the redrawn districts.

Mr. Barden had discussions with Ms. Sally Marsh in the Secretary Benson's office regarding the Commission's initial learning documents, orientation, and other introductory materials. The discussions with Ms. Marsh built upon the Project's earlier work with the Secretary of State's Office, which included the release of "A Commissioner's Guide to Redistricting in Michigan," a white paper authored by the Project and the Princeton Public Policy School that was released in February 2019 (prior to Mr. Barden's employment at the Project). Mr. Barden's work with Ms. Marsh in 2020 also included consultation with stakeholders at Michigan State University's Institute for Social Policy and Public Research (IPPSR) and the University of Michigan Ford School of Public Policy's Center for Local, State, and Urban Policy (CLOSUP). These conversations related to the introductory materials for Commissioners, the general outline of the orientation, and compiling the list of possible expert speakers. They in no way related to any part of the current RFP solicitation.

Mr. Barden also assisted the Project in rolling out its partnership with Representable.org, a mapping software that allows citizens to draw their own community-of-interest maps online and download them as pdfs or json files for presentation to redistricting authorities.

Lastly, Mr. Barden assisted other members of the Project in writing *Up by Their Own Bootstraps: State Legislative Attempts to Bypass the Governor During Redistricting*, an article accepted for publication by the Albany Law Review: State Constitutional Commentaries. The article describes issues surrounding state legislatures' attempts to bypass the governor in passing redistricting plans.

While attending William & Mary Law School, Mr. Barden served as the Voter Outreach Chair and the Co-President for the Election Law Society. He also enrolled in a course co-taught by the law school and the William & Mary Center for Geospatial Analysis that was a deep dive into issues of race in redistricting and a crash-course in how to draw and analyze districts using Geographic Information System software. He also served as an intern for OneVirginia2021, a Virginia-based redistricting reform organization, in the summer of 2017.

Outside of the redistricting context, Mr. Barden also served as *amicus* counsel in *Hagopian v. Dunlap* (D. Me. 2020, admitted *pro hac vice*) to submit an *amicus curiae* brief on behalf of the Princeton Electoral Innovation Lab. The purpose of the brief was to point out issues with the plaintiffs' arguments regarding ranked-choice voting.

Clients represented by subcontractor HVJT in redistricting and VRA litigation:



SCHEDULE A- STATEMENT OF WORK CONTRACT ACTIVITIES

Pennsylvania Senate Majority Leader Jacob Corman: filed petition for certiorari for Leader Corman in an appeal from a state court decision extending Pennsylvania's absentee ballot return deadline for the November 2020 general election. The U.S. Supreme Court denied the petition.

Republican Governors Public Policy Committee: filed *amicus curiae* brief on behalf of RGPPC in *Brnovich v. Arizona* explaining the merits of a precinct-based election system.

Louisiana Secretary of State: represented Louisiana's Secretary of State in defending against a 2019 challenge to the state's congressional district map under Section 2 of the Voting Rights Act. Defendant's motion to dismiss was denied by the U.S. District Court for the Middle District of Louisiana.

Louisiana Attorney General: represented Louisiana's Attorney General in successfully defending against a 2014 challenge to the state's judicial district map under Section 2 of the Voting Rights Act. The U.S. Court of Appeals for the Fifth Circuit reversed the trial court's finding of liability based on a lack of minority vote dilution and discriminatory intent.

Virginia State Senate: successfully defended a bipartisan group of members of the Virginia General Assembly in an assertion of legislative privilege under the state constitution. The Virginia Supreme Court vacated the trial court's enforcement of plaintiffs' subpoenas for internal legislative redistricting materials.

Pennsylvania House of Representatives: represented the Pennsylvania House of Representatives in defending against a 2017 challenge to the state's congressional district map under the state constitution. The Pennsylvania Supreme Court determined that the map was unconstitutional and devised its own alternative map.

Speaker of the Michigan House of Representatives: successfully represented the Speaker of the Michigan House of Representatives in an appeal of a trial court opinion overturning Michigan's state legislative district map. The U.S. Supreme Court vacated the trial court opinion and remanded for reconsideration.

Republican National Committee: filed an *amicus curiae* brief on behalf of the RNC in *Rucho v. Common Cause* concerning the proper role of the federal courts in partisan gerrymandering disputes.

National Republican Congressional Committee: filed *amicus curiae* brief on behalf of the NRCC in *Gill v. Whitford* critiquing the proposed "efficiency gap" test for partisan gerrymandering on constitutional and practical grounds.

Village of Port Chester, NY: represented the City in its post-consent decree legal challenges maintaining its cumulative voting process, following a Section 2 lawsuit from the U.S. Department of Justice.



SCHEDULE A- STATEMENT OF WORK CONTRACT ACTIVITIES

City of Sandy Springs, GA: successfully represented the City of Sandy Springs, Georgia in a “bailout” action that removed the city from Section 5 of the Voting Rights Act’s preclearance formula coverage.

Individual Plaintiffs in Maryland Redistricting Case: represented groups of African-American plaintiffs in federal court who sought an additional majority-minority Congressional district, and in state court seeking additional majority-minority legislative districts. The federal trial took place before a three-judge panel, and the state proceedings concluded with oral argument before the highest court in Maryland.

Individual Plaintiffs in Michigan Redistricting Commission Case: represented a group of individual plaintiffs challenging the membership restrictions for service on the Michigan Independent Redistricting Commission. As explained above, the Commission itself was not a party to this case and HVJT never represented a party that was directly adverse to the Commission.

Individual Plaintiffs in Alabama Census Case: HVJT is currently representing two individual plaintiffs, William Green and Camaran Williams, in the State of Alabama’s lawsuit challenging the U.S. Census Bureau’s use of differential privacy in 2020 redistricting data.

- (b) **Michigan Election Law Expertise.** It is desirable that the attorney, firm or other entity demonstrate experience and expertise in Michigan Election Law.

Provide a description of demonstrated expertise and experience in advisory and legal services (if any) as it pertains to Michigan Election Law (Act 116 of 1954), including number of years’ experience.

Bidder must provide a detailed response for requirement(s):

Jim Lamb

Jim Lamb is a partner at Sandler Reiff Lamb Rosenstein & Birkenstock, P.C who will serve as a Member of the Michigan Bar for Michigan redistricting. He represents federal and state candidates, U.S. Senators, Members of Congress , PACs, non-profit organizations, grassroots advocacy groups, media consultants, fundraising firms, corporations, and associations.

He has represented federal PACs, Presidential campaigns, US Senate and Congressional campaign committees, including many in Michigan,

Lamb's government service includes positions with the U.S. Senate Governmental Affairs Committee (as Minority counsel on the committee’s 1997 investigation of illegal or improper activities in connection with the 1996 presidential campaign (Ranking Member Senator John Glenn). Congressman John D. Dingell (deputy district administrator in his Dearborn, Michigan office from 1991 to 1995),



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Michigan Democratic Party (executive assistant to state chairman F. Thomas Lewand from 1989 to 1991) and U.S. Senator Donald W. Riegle (community development specialist in the Detroit regional office from 1987 to 1989).

He has been recognized by Washingtonian Magazine as one of Washington's Top Political Lawyers several times. Lamb is a graduate of the University of Michigan (BA) and Wayne State University Law School.

Since 1996, Mr. Lamb has represented Michigan federal and state candidates, a ballot initiative committee, Michigan state and federal political committees, a state party committee, consultants, and non-profit organizations on Michigan election law related matters:

- Bipartisan Solutions
- Dave Coulter for Oakland County Executive
- Lon Johnson for Congress
- Michigan Democratic Party
- Oakland Strong
- Sandy Levin for Congress
- Stand Tall PAC
- The Voting Project
- Voters Not Politicians

He is a member of the Michigan State Bar Association since 1995, in good standing.

(c) **Cumulative Experience.** Provide a summary of why, based on previous experience, the Contractor is uniquely qualified to assume the role of Voting Rights Act Legal Counsel for the Commission.

Bidder must provide a detailed response for requirement(s):

The combination of Mr. Lamb's Michigan-based experience on Michigan election law matters along with Mr. Wice and Mr. Barden's experience in redistricting law and policy, including Sections 2 and 5 of the Voting Rights Act, will make the Contractor an effective Counsel to the Commission, particularly with the help of the Subcontractors.



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Subcontractor's attorneys are uniquely qualified to contribute their expertise to the Commission, in conjunction with Bidder's services, because Subcontractor has been involved in numerous cases over the last decade that implicate redistricting and the Voting Rights Act. In defending state governments against constitutional and statutory challenges to their adopted district maps, Subcontractor's attorneys have learned how to wage an effective defense of state prerogatives in redistricting. But in challenging the maps adopted by other states on behalf of individual and organizational plaintiffs, as well as through experience in the U.S. Department of Justice's Civil Rights Division, Subcontractor's attorneys have gained extensive experience in developing the very kinds of legal challenges to redistricting plans that the State of Michigan hopes to avoid in the future.

1.2 Key Deliverable Two

Key operational requirements and inquiries to fulfill the scope of work above:

(a) **Key Personnel.** In the case of a law firm or other entity, identify the lead attorney or other attorneys, if any, who will be assigned to the work and the anticipated percentage of time for each. Attorneys shall provide their state identification numbers and attest that they are in good standing with the state licensing agency. If the contractor is not licensed to practice in the State of Michigan, provide information on local counsel that would be engaged or the process that would be used to select local counsel if direct representation becomes necessary, and whether their role is anticipated to be advisory or more substantive in nature.

Bidder must provide a detailed response for requirement(s):

Attorneys

- Jeffrey M. Wice (DC Bar 376293) is in good standing with the District Of Columbia Bar. He will participate in 20% of the work.
- Jim Lamb (Michigan Bar P49598) is in good standing with the Michigan State Bar and will participate in 5% of the work.
- Aaron Barden (VA Bar #94653) is in good standing with the Virginia State Bar. He will participate in 25% of the work.
- Jason Torchinsky (DC Bar #976033 and VA Bar #47481) is in good standing with the District of Columbia Bar. He will participate in 10% of the work.
- Phillip Gordon (TX Bar #24096085, VA Bar #95621, DC Var #1531277) is in good standing with the Virginia State Bar and will participate in 20% of the work.
- Andrew Pardue (VA Bar #95926) is in good standing with the Virginia State Bar and will participate in 20% of the work.



SCHEDULE A- STATEMENT OF WORK CONTRACT ACTIVITIES

(b) **Motivations.** Provide a summary of why the attorney, firm or other entity seeks to serve the Commission.

Bidder must provide a detailed response for requirement(s):

Sandler Reiff s committed to ensuring fair representation for Michigianians in the redistricting context, as shown by the experiences of all the attorneys involved in this response. Jeff Wice has a long record of advocating for fair redistricting and minority voting rights for many decades. His district specific analytical approaches balances the need to work with communities of interest and to comply with Section 2 of the Voting Rights Act regarding racial vote dilution. He has also successfully guided redistricting authorities from avoiding excessive “packing” of minority voters into districts that potentially violate the 14th Amendment to the U.S. Constitution.

Subcontractor has partnered with Bidder in offering their legal services to the Commission because they want to ensure that the maps the Commission draws in the 2021 redistricting cycle are fair and consistent with all applicable legal criteria. Although Subcontractor is sometimes viewed as a Republican-leaning law firm, they have partnered with a Democratic-leaning firm to ensure that the legal services provided to the Commission are politically neutral and balanced. By engaging experienced attorneys who have represented clients from both major parties early in this redistricting process, the Commission can proactively identify and avoid errors that could lead to costly litigation for the State of Michigan in the future.

(c) **Disclosures.** Disclose the following;

- i) Previous legal services (paid or volunteer) by the attorney, firm, or other entity as it relates to redistricting, reapportionment, districting and elections activities provided to persons holding elective office, as well as partisan or non-partisan entities or organizations
- ii) Any monetary political contributions or donations made on behalf of the attorney, firm or other entity
- iii) Any monetary political contributions personally made by the attorneys listed in question 1.2(a).

Bidder must provide a detailed response for requirement(s):

Aaron Barden

- i. Princeton Electoral Innovation Lab, *amicus* counsel in Hagopian v. Dunlap (D. Maine, *pro hac vice*)



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ii. \$1 to Bernie 2020 (ActBlue)

Jeffrey M. Wice

i. Democratic National Committee and affiliates (work in all 50 states); States of New York, Connecticut, California, Massachusetts; New York City, NY; Nassau County, NY; Baltimore, MD; Clark County, NV; Virginia House of Delegates; Town of North Hempstead, NY; Town of Brookhaven, NY; Foundation For The Future; National Redistricting Action Fund; National Democratic Redistricting Committee; Democratic Legislative Leaders Association

ii. Biden for President

James Lamb

i. Bipartisan Solutions, Dave Coulter for Oakland County Executive. Lon Johnson for Congress, Michigan Democratic Party, Oakland Strong, Sandy Levin for Congress, Stand Tall PAC, The Voting Project, Voters Not Politicians

ii. None

Jason Torchinsky

i. Elected officials previously represented in redistricting litigation by Mr. Torchinsky include: Michigan House Speaker Lee Chatfield; Pennsylvania Senate President Pro-tempore Joseph Scarnati III; Pennsylvania Senate Majority Leader Jacob Corman; Pennsylvania House Speaker Michael C. Turzai; Louisiana Attorney General Jeff Landry; Louisiana Secretary of State R. Kyle Ardoin; Louisiana House Speaker Jim Tucker; Rep. Bill Huizenga; Rep. John Moolenaar; Rep. Fred Upton; Rep. Tim Walberg; Rep. Mike Bishop; Rep. Paul Mitchell; Rep. David Trott; Montana Senate President Scott Sales; Montana House Speaker Greg Hertz; Va. Sen. John S. Edwards; Va. Sen. Ralph K. Smith; Va. Sen. Richard L. Saslaw; Va. Sen. Charles J. Colgan; Va. Sen. David W. Marsden; and Va. Sen. George L. Barker.

Partisan organizations previously represented in redistricting and election litigation by Mr. Torchinsky include the Republican Governors Public Policy Committee; New York Republican State Committee; Republican National Committee; National Republican Senatorial Committee; National Republican Congressional Committee; National Republican Redistricting Trust; Republican Governors Association; and Tennessee Republican Party.

Non-partisan organizations previously represented in redistricting and election litigation by Mr. Torchinsky include the Hispanic Leadership Fund; Evergreen Freedom Foundation; the Legacy Foundation; Americans for Prosperity; Americans for Prosperity Foundation; United for Missouri; American Civil Liberties Union; Honest Elections Project; and the Virginia Division of Legislative Services.



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ii. ABC PAC, Inc.; Righroots, Inc.; Rudy Giuliani Presidential Committee, Inc.; John McCain 2008, Inc.; Friends of Gineen Bresso; Bill Cassidy for U.S. Senate; National Republican Senatorial Committee; Steve Daines for Montana; Portman for Senate Committee; Marco Rubio for President; Marco Rubio for Senate.

Phillip Gordon

i. Elected officials previously represented in redistricting litigation by Mr. Gordon include: Michigan House Speaker Lee Chatfield; Pennsylvania Senate President Pro-Tempore Joseph B. Scarnati III; Pennsylvania Senate Majority Leader Jacob Corman; Pennsylvania House Speaker Michael C. Turzai; Louisiana Attorney General Jeff Landry; Louisiana Secretary of State R. Kyle Ardoin; Rep. Bill Huizenga; Rep. John Moolenaar; Rep. Fred Upton; Rep. Tim Walberg; Rep. Mike Bishop; Rep. Paul Mitchell; and Rep. David Trott.

Partisan organizations previously represented in redistricting litigation by Mr. Gordon include the National Republican Redistricting Trust; National Republican Congressional Committee; and Republican National Committee.

ii. None

Andrew Pardue

i. Louisiana Secretary of State R. Kyle Ardoin and Louisiana Attorney General Jeff Landry.

ii. None

(d) **Approach.** Provide a description of the approach of the attorney, firm or other entity to performing the responsibilities of Voting Rights Act Legal Counsel while remaining impartial, unbiased and non-partisan as set forth in Article IV, Section 6, Subsections 4 and 5 of the Michigan Constitution.

Bidder must provide a detailed response for requirement(s):

Sandler Reiff's attorneys approach the redistricting process objectively and with fairness in mind. Jeffrey M. Wice, "of counsel" to the firm, has worked in many states and localities where he emphasizes the need to be fair, transparent and objective. He works to ensure that every legislative district developed by a redistricting authority meet all relevant federal, state, and local laws and requirements. Each district must be able to stand up to scrutiny. His strategies have assisted redistricting authorities with successful Voting Rights Act Sections 2 and 5 situations.

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Further, Mr. Wice uses an approach where all plans to be considered by the commission for approval must be reviewed in advance by a qualified expert political or social scientist who shall have conducted complete racial voting analyses reports on voting patterns in the state. Such review shall include standard statistical analyses for determining voting patterns by race and any other reports deemed necessary by the commission/committee or the expert. These analyses shall demonstrate the degree to which districting plans comply with the federal Voting Rights Act of 1965 (as amended). He also believes that communities of interest play an integral role in the development of legislative districts.

In addition, all plans and analyses must also reflect compliance with the 14th Amendment to the United States Constitution.

Mr. Wice has had extensive experience working with Kimball Brace at Election Data Services, Inc and Dr. Lisa Handley, two individuals who have already been selected by the Commission to provide mapping and voting rights analysis. Mr. Wice and Dr. Handley worked together during the 2002-2003 and 2012-2013 New York City Councilmanic redistricting processes to ensure full compliance with the Voting Rights Act's Section 2 and Section 5 requirements. No challenges were filed against the New York City council district plans in 2003 or 2013 and Department of Justice preclearance under Section 5 of the Voting Rights Act was provided without delay or questions. Similarly, they worked together to ensure that congressional and state senate districts in Massachusetts complied with Section 2 of the Voting Rights Act. No challenges were filed against the state's state senate or congressional plans in 2002 or 2012.

1.3 Training

The Contractor must explain its training capabilities and any training that is included in its proposal, if any.

X	I have reviewed the above requirement and agree with no exception.
X	I have reviewed the above requirement and have noted all exception(s) below.
List all exception(s):	
Bidder must explain its training capabilities and any training that is included in its proposal: Bidders will provide training on the Voting Rights Act as may be requested by the Commission members and staff. Through ZOOM sessions, one-on-one consultations and written material, the bidder will guide commission members and staff through all provisions of the Voting Rights Act and how they interrelate with the 14 th Amendment, other criteria, and other requirements	

**SCHEDULE A- STATEMENT OF WORK CONTRACT ACTIVITIES****2 Service Requirements****2.1 Timeframes**

All Contract Activities must be delivered pursuant to work plans and internal deadlines set by the Commission. The receipt of order date is pursuant to the **Notices** section of the *Standard Contract Terms*.

<input checked="" type="checkbox"/>	I have reviewed the above requirement and agree with no exception.
<input type="checkbox"/>	I have reviewed the above requirement and have noted all exception(s) below.
List all exception(s):	
Bidder must describe how they comply with the above requirement(s): There are no exceptions. Attorneys at Sandler Reiff Lamb Rosenstein & Birkenstock and Holtzman Vogel Josefiak Torchinsky will work as a team to meet all deadlines in a timely manner.	

3 Reserved**4 Staffing****4.10 Contractor Representative**

The Contractor must appoint one (1) contract administrator specifically assigned to the Commission account(s), who will respond to Commission inquiries regarding the Contract Activities, answer questions related to ordering and delivery, etc. (the "Contractor Representative").

The Contractor must notify the Contract Administrator at least 14 calendar days before removing or assigning a new Contractor Representative.

<input checked="" type="checkbox"/>	I have reviewed the above requirement and agree with no exception.
<input type="checkbox"/>	I have reviewed the above requirement and have noted all exception(s) below.
<input checked="" type="checkbox"/>	I have reviewed the above requirement and have noted all exception(s) below.
List all exception(s):	
Bidder must identify its Contract Administrator: Jeffrey M. Wice	

4.11 Work Hours



SCHEDULE A- STATEMENT OF WORK CONTRACT ACTIVITIES

The Contractor must provide Contract Activities during the Commission's normal working hours Monday – Friday, 7:00 a.m. to 6:00 p.m. EST and possible night and weekend hours depending on the requirements of the project.

<input checked="checked" type="checkbox"/>	I have reviewed the above requirement and agree with no exception.
<input type="checkbox"/>	I have reviewed the above requirement and have noted all exception(s) below.
List all exception(s):	

4.12 Key Personnel

The Contractor must identify all Key Personnel who will be directly responsible for the day-to-day operations of carrying out the key deliverables of the Contract ("Key Personnel"). Key Personnel must be specifically assigned to the Commission account, be knowledgeable on the contractual requirements, and respond to Commission inquiries within 24 hours.

Contractor's Key Personnel are expected to be available to participate in all MICRC meetings virtual or in person.

The Commission has the right to recommend and approve in writing the initial assignment, as well as any proposed reassignment or replacement, of any Key Personnel. Before assigning an individual to any Key Personnel position, Contractor will notify the Commission of the proposed assignment, introduce the individual to the Commission's Program Manager, and provide the Commission with a resume and any other information about the individual reasonably requested by the Commission. The Commission reserves the right to interview the individual before granting written approval. In the event the Commission finds a proposed individual unacceptable, the Commission will provide a written explanation including reasonable detail outlining the reasons for the rejection. The Commission may require a 30-calendar day training period for replacement personnel.

Contractor will not remove any Key Personnel from their assigned roles on this Contract without the prior written consent of the Commission. The Contractor's removal of Key Personnel without the prior written consent of the Commission is an unauthorized removal ("Unauthorized Removal"). An Unauthorized Removal does not include replacing Key Personnel for reasons beyond the reasonable control of Contractor, including illness, disability, leave of absence, personal emergency circumstances, resignation, or for cause termination of the Key Personnel's employment. Any Unauthorized Removal may be considered by the Commission to be a material breach of this Contract, in respect of which the Commission may elect to terminate this Contract for cause under the **Termination for Cause** section of the Standard Contract Terms. It is further acknowledged that an Unauthorized Removal will interfere with the timely and proper completion of this Contract, to the loss and damage of the Commission, and that it would be impracticable and extremely difficult to fix the actual damage sustained by the Commission as a result of any Unauthorized Removal. Therefore, Contractor and the Commission agree that in the case of any Unauthorized Removal in respect of which the Commission does not elect to exercise its rights under Termination for Cause, Contractor will issue to the Commission the corresponding credits set forth below (each, an "Unauthorized Removal Credit"):



SCHEDULE A- STATEMENT OF WORK CONTRACT ACTIVITIES

- i. For the Unauthorized Removal of any Key Personnel designated in the applicable Statement of Work, the credit amount will be \$25,000.00 per individual if Contractor identifies a replacement approved by the Commission and assigns the replacement to shadow the Key Personnel who is leaving for a period of at least 30-calendar days before the Key Personnel's removal.
- ii. If Contractor fails to assign a replacement to shadow the removed Key Personnel for at least 30-calendar days, in addition to the \$25,000.00 credit specified above, Contractor will credit the Commission \$833.33 per calendar day for each day of the 30-calendar day shadow period that the replacement Key Personnel does not shadow the removed Key Personnel, up to \$25,000.00 maximum per individual. The total Unauthorized Removal Credits that may be assessed per Unauthorized Removal and failure to provide 30-calendar days of shadowing will not exceed \$50,000.00 per individual.

Contractor acknowledges and agrees that each of the Unauthorized Removal Credits assessed above: (i) is a reasonable estimate of and compensation for the anticipated or actual harm to the Commission that may arise from the Unauthorized Removal, which would be impossible or very difficult to accurately estimate; and (ii) may, at the Commission's option, be credited or set off against any fees or other charges payable to Contractor under this Contract.

The Contractor must identify the Key Personnel, indicate where they will be physically located, describe the functions they will perform, and provide current chronological résumés.

<input checked="checked" type="checkbox"/>	I have reviewed the above requirement and agree with no exception.
<input type="checkbox"/>	I have reviewed the above requirement and have noted all exception(s) below.
List all exception(s):	

1. The Contractor must identify all Key Personnel that will be assigned to this contract in the table below which includes the following: Name and title of staff that will be designated as Key Personnel.
2. Key Personnel years of experience in the current classification.
3. Identify which of the required key personnel positions they are fulfilling.
4. Key Personnel's roles and responsibilities, as they relate to this RFP, if the Contractor is successful in being awarded the Contract. Descriptions of roles should be functional and not just by title.
5. Identify if each Key Personnel is a direct, subcontract, or contract employee.
6. Identify if each Key Personnel staff member is employed full-time (FT), part-time (PT) or temporary (T), including consultants used for the purpose of providing information for the proposal.



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SCHEDULE A- STATEMENT OF WORK CONTRACT ACTIVITIES

7. List each Key Personnel staff member's length of employment or affiliation with the Contractor's organization.
8. Identify each Key Personnel's percentage of work time devoted to this Contract.
9. Identify where each Key Personnel staff member will be physically located (city and state) during the Contract performance.

1. Name	2. Years of Experience in Current Classification	3. Role(s) / Responsibilities	4. Direct / Subcontract/ Contract	5. % of Work Time	6. Physical Location
Aaron Barden	Associate, less than one year	Barden will assist with legal research and analysis.	Direct, FT	25	Washington, D.C
Jeffrey M. Wice	Of counsel, 11 years	Wice will take lead with Torchinsky to coordinate with the Commission, legal research & analysis	Direct, PT	20	Washington, D.C.
Jim Lamb	Partner, 13 years	Lamb will serve as local counsel and help advise the other attorneys on compliance with Michigan law.	Direct, FT	5	Washington, D.C.
Jason Torchinsky	Partner, 13 years	Torchinsky will work with Wice to coordinate with the Commission and direct Subcontractor's team.	Subcontract, FT	10	Washington, DC
Phillip Gordon	Of counsel, 1 year	Gordon will provide legal support and analysis.	Subcontract, FT	20	Haymarket, VA
Andrew Pardue	Associate, less than one year	Pardue will provide legal support and analysis.	Subcontract, FT	20	Haymarket, VA

- A.** The Contractor must provide **detailed, chronological resumes** of all proposed Key Personnel, including a description of their work experience relevant to their proposed role as it relates to the RFP utilizing the required resume template labeled as Appendix A



SCHEDULE A- STATEMENT OF WORK CONTRACT ACTIVITIES

Qualifications will be measured by education and experience with particular reference to experience on projects similar to that described in the RFP.

Bidder must provide the resumes and information as required above –as an attachment to this RFP labelled as Contractor-Resume.

See attachments

4.13 Organizational Chart

The Contractor must provide an overall organizational chart that details staff members, by name and title, and subcontractors.

Bidder must provide detailed information as required above – as an attachment to this RFP labelled as Contractor- Org. chart

See attachments

4.14 Disclosure of Subcontractors

If the Contractor intends to utilize subcontractors, the Contractor must disclose the following:

- The legal business name; address; telephone number; a description of subcontractor's organization and the services it will provide; and information concerning subcontractor's ability to provide the Contract Activities.
- The relationship of the subcontractor to the Contractor.
- Whether the Contractor has a previous working experience with the subcontractor. If yes, provide the details of that previous relationship.
- A complete description of the Contract Activities that will be performed or provided by the subcontractor.

Bidder must provide detailed information as requested in the above requirement(s).	
The legal business name, address, telephone number of the subcontractor(s).	Holtzman Vogel Josefiak Torchinsky PLLC ("HVJT"), 15405 John Marshall Hwy., Haymarket VA 20169, (540) 341-8808
A description of subcontractor's organization and the services it will provide and information concerning subcontractor's ability to provide the Contract Activities.	Subcontractor is a nationally recognized law firm specializing in election law and campaign finance related matters. The firm and its attorneys have extensive experience in redistricting and Voting Rights Act cases at every level of the federal court system and in state courts across the country. This experience will enable the subcontractor to assist the Bidder in providing high-quality legal advice to the Commission as it commences the 2021 redistricting process.
The relationship of the subcontractor to the Bidder.	Bidder and subcontractor are professional acquaintances in the election law field.
Whether the Bidder has a previous working experience with the	Bidder and subcontractor were co-counsel in <i>Am. Ass'n of Political Consultants v. U.S. Small Business</i>



SCHEDULE A- STATEMENT OF WORK CONTRACT ACTIVITIES

subcontractor. If yes, provide the details of that previous relationship.	<i>Administration</i> , 2020 U.S. Dist. LEXIS 69782 (D.D.C. 2020). Bidder and subcontractor have served together on National Conference of State Legislatures panels on the subject of redistricting and elections.
A complete description of the Contract Activities that will be performed or provided by the subcontractor.	Subcontractor will assist Bidder in supplying expert legal advice and analysis to the Commission concerning the state's obligations under the U.S. Constitution and Voting Rights Act when conducting the 2021 redistricting process. Subcontractor and Bidder will each draw upon their extensive experience litigating redistricting cases to anticipate and avoid likely legal challenges.
Of the total bid, the price of the subcontractor's work.	The subcontractor will contribute approximately half (50%) of the work quoted in the bid.
The subcontractor must provide detailed, chronological resumes of all proposed Key Personnel, including a description of their work experience relevant to their purposed role as it relates to the RFP utilizing the provided template labeled as Appendix A. Qualifications will be measured by education and experience with particular reference to experience on projects similar to that described in the RFP.	Resumes for all three of subcontractor's Key Personnel are attached as "Subcontractor Resumes."

4.15 Security

The Contractor may be subject to the following security procedures:

- Background Checks

The Commission may require the Contractor's personnel to wear Commission issued identification badges for in person meetings.

<input checked="" type="checkbox"/>	I have reviewed the above requirement and agree with no exception.
<input type="checkbox"/>	I have reviewed the above requirement and have noted all exception(s) below.
List all exception(s):	
Bidder must explain any additional security measures in place to ensure the security of the Commission and its facilities: none	

**SCHEDULE A- STATEMENT OF WORK CONTRACT ACTIVITIES****5 Project Management****5.10 Project Plan**

The Contractor will carry out this project under the direction and control of the Program Manager. Within 14 calendar days of the Effective Date, the Contractor must submit a final project plan to the Program Manager for approval. The plan must include: (a) the Contractor's organizational chart with names and title of personnel assigned to the project, which must align with the staffing stated in accepted proposals; and (b) the project breakdown showing sub-projects, tasks, timeline, and resources required.

<input checked="" type="checkbox"/>	I have reviewed the above requirement and agree with no exception.
<input type="checkbox"/>	I have reviewed the above requirement and have noted all exception(s) below.
List all exception(s):	
Bidder must submit its project plan as described above: Bidder will provide guidance and training on the Voting Rights Act (as requested), help guide the Commission in its deliberations to comply with the Voting Rights Act and to avoid situations that might result in a violation of the 14 th Amendment to the U.S. Constitution through excessive racial "packing," assist with and draft final plan map development, and help defend Commission-adopted maps in the event of a legal challenge (if requested).	

5.11 Meetings

The Contractor must be available to attend all Commission meetings through the contract term either virtually or in person. The Commission will give the vendor as much notice as practical however, in no circumstances less than 18 hours of when they will be required to participate.

The Commission may require attendance at other meetings or events, as it deems appropriate.

<input checked="" type="checkbox"/>	I have reviewed the above requirement and agree with no exception.
<input type="checkbox"/>	I have reviewed the above requirement and have noted all exception(s) below.
List all exception(s):	

5.12 Reporting

In addition to submitting weekly status reports to the General Counsel of the Commission the Contractor should also identify other reports that would be helpful in accomplishing the Key Deliverables.

<input checked="" type="checkbox"/>	I have reviewed the above requirement and agree with no exception.
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**SCHEDULE A- STATEMENT OF WORK CONTRACT ACTIVITIES**

<input type="checkbox"/>	I have reviewed the above requirement and have noted all exception(s) below.
List all exception(s):	
Bidder must explain its reporting capabilities and any reporting that is included in its proposal: The bidder will provide reports to the Commission as requested.	
Bidder must provide samples of required reports as attachments to this RFP. List file names here.	

6 Pricing**6.10 Price Term**

Pricing is firm for the entire length of the Contract.

<input checked="" type="checkbox"/>	I have reviewed the above requirement and agree with no exception.
<input type="checkbox"/>	I have reviewed the above requirement and have noted all exception(s) below.
List all exception(s):	

6.11 Price Changes

Adjustments will be based on changes in actual Contractor costs. Any request must be supported by written evidence documenting the change in costs. The Commission may consider sources, such as the Consumer Price Index; Producer Price Index; other pricing indices as needed; economic and industry data; manufacturer or supplier letters noting the increase in pricing; and any other data the Commission deems relevant.

Following the presentation of supporting documentation, both parties will have 30 days to review the information and prepare a written response. If the review reveals no need for modifications, pricing will remain unchanged unless mutually agreed to by the parties. If the review reveals that changes are needed, both parties will negotiate such changes, for no longer than 30 days, unless extended by mutual agreement.

The Contractor remains responsible for Contract Activities at the current price for all orders received before the mutual execution of a Change Notice indicating the start date of the new Pricing Period.

<input checked="" type="checkbox"/>	I have reviewed the above requirement and agree with no exception.
<input type="checkbox"/>	I have reviewed the above requirement and have noted all exception(s) below.
List all exception(s):	



SCHEDULE A- STATEMENT OF WORK CONTRACT ACTIVITIES

7 Ordering

7.10 Authorizing Document

The appropriate authorizing document for the Contract will be a Delivery Order.

<input checked="" type="checkbox"/>	I have reviewed the above requirement and agree with no exception.
<input type="checkbox"/>	I have reviewed the above requirement and have noted all exception(s) below.
List all exception(s):	

8 Invoice and Payment

8.10 Invoice Requirements

All invoices submitted to the Commission must include: (a) date; (b) delivery order; (c) quantity; (d) description of the Contract Activities; (e) unit price; (f) shipping cost (if any); and (g) total price. Overtime, holiday pay, and travel expenses will not be paid.

<input checked="" type="checkbox"/>	I have reviewed the above requirement and agree with no exception.
<input type="checkbox"/>	I have reviewed the above requirement and have noted all exception(s) below.
List all exception(s):	

8.11 Payment Methods

The Commission will make payment for Contract Activities via EFT to the banking information established in your vendor account within SIGMA-Vendor Self-Service.

<input checked="" type="checkbox"/>	I have reviewed the above requirement and agree with no exception.
<input type="checkbox"/>	I have reviewed the above requirement and have noted all exception(s) below.
List all exception(s):	

8.12 Procedure

Invoices must be submitted to: Julianne Pastula, the General Counsel of the MICRC for review, approval and forwarding for payment to Suann Hammersmith, the Executive Director of the MICRC.

<input checked="" type="checkbox"/>	I have reviewed the above requirement and agree with no exception.
<input type="checkbox"/>	I have reviewed the above requirement and have noted all exception(s) below.
List all exception(s):	



SCHEDULE A- STATEMENT OF WORK CONTRACT ACTIVITIES

9 Liquidated Damages

Late or improper completion of the Contract Activities will cause loss and damage to the Commission and it would be impracticable and extremely difficult to fix the actual damage sustained by the Commission. Therefore, if there is late or improper completion of the Contract Activities the Commission is entitled to collect liquidated damages in the amount of \$50,000 and an additional \$1,000 per day for each day Contractor fails to remedy the late or improper completion of the Work.

<input checked="checked" type="checkbox"/>	I have reviewed the above requirement and agree with no exception.
<input type="checkbox"/>	I have reviewed the above requirement and have noted all exception(s) below.
List all exception(s):	