

**REQUEST FOR PROPOSALS
(RFP No.: ODCA- RFP-2020-02)**

**Impact Assessment of Fair Elections Program and
Recommendations for Improvement**

Date: July 30, 2020

Questions Due by: August 17, 2020

Proposal Due Date: **August 24, 2020, 5 p.m. EST**

Contact: Ms. Lindsey Poole
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Washington, DC 20005
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ALL NOTIFICATIONS, RELEASES AND AMENDMENTS WILL BE POSTED AT:
www.dcauditor.org

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SECTION I—SUMMARY INFORMATION

Project Title: Impact Assessment of Fair Elections Program and Recommendations for Improvement

Issuing Agency: Office of the District of Columbia Auditor

Proposal due: 5 PM EDT on August 26, 2020.

Submit proposals to: Ms. Lindsey Poole, Analyst
Office of the District of Columbia Auditor

Email: lindsey.poole@dc.gov

Submittals received after the stated time will be returned unopened and will not be considered. ODCA will select the proposal that shows the greatest ability to provide the best and most complete effort. The selection of a qualified proposal will be made no later than September 8, 2020.

Schedule: Public posting of Request for Proposal – July 30, 2020
Proposals Due to ODCA – 5 PM on August 26, 2020
Selection – September 8, 2020
Contract Executed – No later than close of business October 1, 2020

File format: Digital PDF copy, sent via email to Lindsey Poole (lindsey.poole@dc.gov) with Kathleen Patterson, D.C. Auditor, copied (kathy.patterson@dc.gov).

Performance Schedule: The performance period of this assessment is to begin October 1, 2020, to be ongoing before the November 2020 general election.

In addition, ODCA wishes to hold as closely as possible to the following schedule:

October 2, 2020 – Notice to proceed issued to the Consultant following full execution of contract.

No Later than October 9, 2020 – Meet with ODCA to identify research issues, clarify objectives, and agree on timeline.

No Later than November 24, 2020 – Meet with ODCA to provide verbal briefing on observations so far from the general election.

February 25, 2021 – Provide draft of report section(s) on public campaign finance and comparison of the District of Columbia's fair elections program with programs in other relevant jurisdictions and national best practices.

July 1, 2021 – Provide preliminary report, including impact and recommendations.

August 12, 2021 – Provide final report.

SECTION II—BACKGROUND

The mission of the Office of the D.C. Auditor is to support the Council of the District of Columbia by conducting performance audits that improve the economy, efficiency, and accountability of the D.C. Government. From time to time we contract with outside consulting firms for audits and evaluations. The agency has independent procurement authority and is not bound by the Procurement Practices Reform Act.¹ As part of a commitment to transparency and competitive contracting, we often seek one or more proposals before entering into a contract for consulting services. The agency has broad authority including “access to all books, accounts, records, reports, findings, and all other papers, things, or property belonging to or in use by” all sectors of the District government.²

The Fair Elections Amendment Act of 2018, as amended (DC Law 22-94) created a system of public financing for elections in the District of Columbia and required the Office of the D.C. Auditor to evaluate the impact of the law on the 2020 elections. Pursuant to provisions in D.C. Code §1-1163.32j(b) and Councilmember requests, ODCA is seeking proposals from qualified and experienced individuals/firms to assess the impact of the Fair Elections Program on candidate and voter participation in the 2020 elections, evaluate the collection and distribution of funds pursuant to the act, and in addition to these specific requirements of the law, also evaluate the overall administration of the 2020 District of Columbia elections including voting by mail.

D.C. Code § 1-1163.32j(b) specifically requires ODCA to prepare and submit to the Mayor and Council a report on the Fair Elections Program’s operations that includes:

- (1) An evaluation of the extent to which the Fair Elections Program and participating candidates met the requirements of the Fair Elections Amendment Act of 2018.
- (2) A financial audit of the Fair Elections Program.
- (3) Recommendations for improving the Fair Elections Program.

The audit mandated in the law was intended to provide the D.C. Council with guidance on potential changes to the law following the 2020 elections. The 2020 election cycle is taking place during the COVID-19 pandemic and the District of Columbia like other states sought to conduct as much voting as possible by mail. During the District’s June primary, many voters reported requesting but never receiving an absentee ballot. Requests for absentee ballots were low in Wards 7 and 8, which both had competitive D.C. Council races. Vote centers open for in-person voting had long lines on election day and some voters waited five hours to cast their ballots.

¹ See D.C. Code § 2-351.05(c)(10). ODCA is not subject to the provisions of the Act, with the exception of the requirement to undergo Council review and approval of multiyear contracts or contracts in excess of \$1 million during a 12-month period. See D.C. Code § 2-352.02.

² See D.C. Code § 1-204.55.

While the evaluation must meet the statutory requirements, it should also address broader issues of election administration to also provide guidance to policymakers going forward.

Questions to be answered include:

- What was the law’s impact on candidate and voter participation?
- Were funds collected and distributed consistent with the law?
- What changes are warranted to the fair elections policy and/or its implementation to better serve the public interest?
- Were the 2020 primary and general elections effectively administered?
- How could the conduct of the 2020 primary and general elections have been improved?
- What lessons can be learned from the District’s experience in the 2020 election cycle in terms of District elections and as potential lessons for other jurisdictions?

This will be a time and materials contract with a Not-to-Exceed amount, commencing immediately following the contract award date. All work must be completed no later than September 30, 2021.

SECTION III—SCOPE OF WORK

Proposers may select any combination of tasks 1-3 to include in submitted proposals. Tasks 4 and 5 are required. ODCA will select the tasks the selected Proposer will complete from those included in its proposal. For all tasks selected and undertaken, the Contractor shall provide ODCA regular updates in a schedule to be mutually agreed upon, no less than once every two weeks.

1. Assess the impact of the Fair Elections Program on candidate and voter participation in the 2020 elections.
 - a. Identify national best practices in public campaign finance program structure, including:
 - i. The qualified small-dollar contribution limits;
 - ii. The base amounts; and
 - iii. The matching payments match ratio.
 - b. Identify high-performing jurisdictions and their public campaign finance programs’:
 - i. Goals;
 - ii. Program structure; and
 - iii. Outcomes.
 - c. Determine the impact of the Fair Elections Program on candidate and voter participation in District elections in the election cycle beginning on November 7, 2018, and ending on November 3, 2020.
 - d. Determine if the Fair Elections Program could have had a greater impact on participation, and if so, why its impact was not greater.
 - e. Develop recommendations for District of Columbia policymakers for improving the Fair Elections Program.

- f. Identify lessons learned from the program for policymakers seeking to implement similar programs in other jurisdictions.
2. Evaluate the collection and distribution of funds pursuant to the Act.
 - a. Complete a financial audit of the Fair Elections program operations during the election cycle beginning on November 7, 2018, and ending on November 3, 2020.
 - b. Evaluate the extent to which the Fair Elections Program and participating candidates met the requirements of The Fair Elections Act (D.C. Law 22-94) for the election cycle beginning on November 7, 2018, and ending on November 3, 2020.
 - c. Determine the cause(s) of any weaknesses identified in the Fair Election Program's financial records or noncompliance with the requirements of the law, and develop recommendations to District of Columbia policymakers or administrators to address them.
3. Evaluate the overall administration of the 2020 District of Columbia elections including voting by mail.
 - a. Compare the District of Columbia Board of Election's administration of the 2020 District of Columbia elections to best practices and its public commitments and identify any problems.
 - b. Identify any obstacles to voting that voters faced, at the level of the District and by ward. This analysis should quantify impacts where possible (e.g., number of ballots requested and not received) and include, but not be limited to:
 - i. Determining if absentee ballots were available to those who wished to vote absentee (either received by those who requested them, or successfully mailed to all voters).
 - ii. Determining how long wait times were to vote in-person on election day, for each vote center and summarized by ward.
 - c. Determine how voter participation the 2020 election compared with previous election cycles by ward.
 - d. Determine the factors that contributed to these obstacles and recommend changes to address them.
4. Produce draft and final reports with the results of any of the above tasks undertaken.
5. Prepare and provide briefings to Councilmembers, D.C. government entities, and the press, as needed and as directed by ODCA.

All materials created in the performance of this project are the property of ODCA and are to be transferred to ODCA within 15 days of the issuance of the final report.³

³The successful Proposer, who ultimately completes the work successfully, will be permitted to use their research in subsequent projects, with appropriate attribution that the information was learned and/or developed as part of their contract with ODCA and only after ODCA has released its report.

SECTION IV—FORMAT

Proposers shall submit an electronic copy in pdf format to lindsey.poole@dc.gov, copying kathy.patterson@dc.gov. ODCA will not accept any proposals submitted via fax. Proposals shall be marked: “Proposal in Response to Solicitation No. **ODCA- RFP-2020-02.**”

Proposal Guidelines and Requirements:

Each Proposer must demonstrate in their proposal that they have the professional capabilities needed to complete this project. At a minimum, the proposal should contain the following:

Prior experience and qualifications. The Proposer should describe prior experience in performing similar research and knowledge of election laws and public campaign finance programs, The Proposer should offer any additional, innovative ideas of research approaches. The Proposer is encouraged to provide examples of (or links to) reports based on similar work on public campaign finance.

Proposed project team members. The Proposer must identify the person who will lead the work described and any additional team members and their qualifications, including a resume for each individual that describes the qualifications applicable to the performance of the tasks for which they would be responsible. Proposer must provide the billable hourly rate for each team member, which must comply with Wage Determination No. 2015-4281, Revision No. 7, dated July 25, 2017, issued by the U.S. Department of Labor in accordance with the Service Contract Act (41 U.S.C. 351 et seq.).

The Contractor may only make personnel changes during the audit with ODCA approval. In its request for such approval, the Contractor shall provide a resume and the billable hourly rate for each individual to be added to the project. The resume shall describe the qualifications applicable to the performance of the tasks for which the individual would be responsible.

Project schedule. Provide a calendar to define the proposed project schedule.

Cost proposal. The cost proposal shall consist of the Proposer’s best price for a time and materials contract with a Not-To-Exceed Amount. The cost proposal shall include the following categories:

- A base hourly rate for each of the persons/positions named in the Proposed Project Team Members section above, along with an estimate of how many hours each will devote to the project, broken down by each item on the Scope of Work.
- Expenses. Reimbursable out-of-pocket travel expenses for travel to D.C. shall be allowed on a per diem basis for the Washington, D.C., metropolitan area according to the schedule established by the General Services Administration. Expenditures in excess of those amounts, or for other items, shall not be reimbursed without prior written approval.

The Proposer shall include both cost for services and reimbursement for out-of-pocket expenditures in the proposal's Not-To-Exceed Amount.

Forms and documents. Please submit electronic copies in .pdf format of the following documents:

- Certificate of Clean Hands, obtained from the Office of Tax and Revenue according to the instructions available at <https://otr.cfo.dc.gov/page/certificate-clean-hands>.
- D.C. Basic Business License, and any other required licenses, registrations, or certifications, or certification of intent to obtain them or exemption from such requirements (see "Legal Status of Proposer", below).
- A signed electronic copy of the Application for Certificate of Good Standing (Attachment A)
- A signed electronic copy of the Tax Certification Affidavit (Attachment B)

SIGNING OF PROPOSALS

The Contractor shall sign the proposal and print or type its name on the Solicitation, Offer, and Award form of this solicitation. Each proposal must show a full business address and telephone number of the Proposer and be signed by the person or persons legally authorized to sign contracts. Erasures or other changes must be initialed by the person signing the proposal. Proposals signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the Contracting Officer.

All correspondence concerning the proposal or resulting contract will be mailed or emailed to the address shown on the proposal in the absence of written instructions from the Proposer or Contractor to the contrary. Any proposal submitted by a partnership must be signed with the partnership name by a general partner with authority to bind the partnership. Any proposal submitted by a corporation must be signed with the name of the corporation followed by the signature and title of the person having authority to sign for the corporation. Proposers shall complete and sign all Representations, Certifications, and Acknowledgments as appropriate. Failure to do so may result in a proposal rejection.

LEGAL STATUS OF PROPOSER

Each proposal must provide the following information:

- Name, address, telephone number, D-U-N-S number and federal tax identification number of the Proposer.
- An electronic copy in .pdf format of the Proposer's D.C. Basic Business License. If the Proposer is a corporation or partnership and does not provide a copy of its license, registration or certification to transact business in the District of Columbia, the Proposer shall certify its intent to obtain the necessary license, registration or certification prior to contract award or its exemption from such requirements.

- If the Proposer is a partnership or joint venture, the names and addresses of the general partners or individual members of the joint venture, and copies of any joint venture or teaming agreements.

SECTION V—SELECTION CRITERIA

Proposals will be evaluated, and selection will be made in consideration of the following criteria:

Proposal Evaluation

- Proposer’s expertise, knowledge and experience in election law, public campaign finance, and producing written reports on these subjects (50 points)
- Proposer’s past experience in making recommendations to comparable government entities for improving their public campaign finance and election programs (20 points)
- Proposer’s experience and familiarity with the District of Columbia, the D.C. Board of Elections, and the Office of Campaign Finance (10 points)
- Cost of proposal (20 points)

Minimum Qualifications

The Proposer must meet all the following minimum qualifications:

- Prior experience conducting similar research of comparable size, scope, and complexity as that described in the Scope of Work.
- Ability to perform within strict timetables and deadlines.
- Previous experience briefing press and/or government officials.

SECTION VI—GENERAL REQUIREMENTS

Single Point of Contact/Clarifying Information

The sole point of contact for proposal questions and all other contractual matters relating to this RFP, as well as requests for clarifying information may be submitted via email to:

Name: Ms. Lindsey Poole
Title: Analyst
Email (preferred): lindsey.poole@dc.gov
Telephone: 202-727-8993

To assure that no prospective Proposer may obtain a competitive advantage because of acquisition of information unknown to other prospective Proposer, answers to all written questions received will be posted on the Office of the District of Columbia Auditor’s website under RFP No.: ODCA-RFP-2020-02.

RFP Availability

The request for proposals will be published on the Office of the District of Columbia Auditor’s website at www.dcauditor.org. A request for proposal also may be obtained by written request to:

Name: Ms. Lindsey Poole
Title: Analyst
Telephone: 202-727-8993
Email: lindsey.poole@dc.gov

APPLICABILITY OF STANDARD CONTRACT PROVISIONS

The following document is hereby incorporated by reference and made a part of this solicitation and any resulting contract: Standard Contract Provisions for use with District of Columbia Government Supply and Services contracts (March 2007). These Provisions may be found here: http://ocp.dc.gov/sites/default/files/dc/sites/ocp/publication/attachments/OCP_Channel%20202_9%20Solicitation%20Attachments_standard_contract_provisions_0307.pdf

INVOICE REQUIREMENTS

The Contractor shall register with OCP vendor system by submitting Pass Master Supplier Form (MSF) to DCVendorSupport@dc.gov in order to receive electronic Purchase Orders. In addition, the Contractor shall register and create an account with the D.C. Vendor Portal at vendorportal.dc.gov and submit all invoices through it. Cost for services and out-of-pocket reimbursable expenditures shall be combined into one invoice each month, submitted no later than 10 days after the end of the month, except for the September 2021 invoice which must be submitted no later than October 7, 2021. Invoices for reimbursable out-of-pocket expenditures shall include supporting documentation. Invoices for cost for services and reimbursable expenses will be paid by ODCA to Consultant within 30 days of receiving complete invoice and documentation.

DISTRICT EMPLOYEES NOT TO BENEFIT CERTIFICATION

Each Proposer shall check one of the following:

_____ No person listed in Clause 13 of the SCP, “District Employees Not to Benefit” will benefit from this contract.

_____ The following person(s) listed in Clause 13 may benefit from this contract. For each person listed, attach the affidavit required by Clause 13 of the SCP.

WITHDRAWAL OR MODIFICATION OF PROPOSALS

A Proposer may modify or withdraw its proposal upon written or email notice if received at the location designated in the solicitation for submission of proposals, but not later than the exact time set for opening of proposals.

SECTION VII—SPECIAL PROVISIONS

Preference for Certified Business Enterprises Operating in the District of Columbia

Under the provisions of the “Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005” as amended, D.C. Code §§ 2-218.01 *et seq.*); 27 DCMR § 800 *et seq.*; preferences shall be given to Proposers that are certified by the Department of Small and Local Business Development (DSLBD) as being a Certified Business Enterprise. There are six categories of certification: Local Business Enterprise (LBE), a Small Business Enterprise (SBE), Disadvantaged Business Enterprise (DBE), Resident Owned Business (ROB), Longtime Resident Business (LRB), and Local Business Enterprise with Principal Offices Located in an Enterprise Zone (DZE). (A copy of the certification acknowledgment letter must be submitted with the Proposer’s submission and, if applicable, the Technical Proposal.) In accordance with these laws, the following preferences shall be awarded in evaluating a Proposer’s proposal (Proposers may qualify for more than one of these categories, and no CBE is entitled to more than 12 points.):

CBE Category:	Points
Small Business Enterprise	3
Resident-Owned Business	5
Longtime Resident Business	5
Local Business Enterprise	2
Enterprise Zone	2
Disadvantaged Business Enterprise	2
Veteran-Owned Business Enterprise	2
Development Enterprise Zone	2
Local Manufacturing Business Enterprise	2

SECTION VIII—ATTACHMENTS

Attachment A: Application for Certificate of Good Standing
Attachment B: Tax Certification Affidavit

Attachment A
Application for Certificate of Good Standing



DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUSINESS AND PROFESSIONAL LICENSING ADMINISTRATION
CORPORATIONS DIVISION

Government
Of the District of Columbia
DCRA
Corporations Division
P.O. Box 92300
WASHINGTON, D.C. 20090

APPLICATION FOR CERTIFICATE OF GOOD STANDING

The name of the organization: _____

My mailing address is: _____

Date: _____

Please check the "box" for the appropriate certificate and note the fee, make check payable to "DC Treasurer."

Select organization type:

- Business Corporation fee: \$15.00
- Nonprofit Corporation fee: \$30.00
- Limited Liability Company fee: \$15.00
- Limited Partnership fee: \$18.00
- Limited Liability Partnership fee: \$20.00
- Cooperative Association fee: \$ 1.00

By _____

Signature Name

Title _____

(Type or print)

Upon mailing the form, you will receive a response within 10 working days.

Please retain a copy for your records, make check payable to The D. C. Treasurer.

**For General Information Call:
The Corporations Division - (202) 442-4432**

Please check our corporate website to view organizations required to register, to search business names, to obtain step-by-step guidelines to register an organization, to search registered organizations, and to download forms and documents. Simply log onto our website at www.dkra.dc.gov, click on "Corporate Registrations" and procedure as prompted.

To ensure timely and accurate processing of this document, mail all required forms and payment to:

**Department of Consumer and Regulatory Affairs
Corporations Division
P.O. Box 92300
Washington, D.C. 20090**

**For Overnight Delivery send to:
Corporate
Bank of America
Attention: D.C. Government
Wholesale Lockbox # 92300
Mail code MD4-301-18-04
18th floor
225 North Calvert Street
Baltimore, Maryland 21202**

Attachment B
Tax Certification Affidavit

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Office of the Chief Financial Officer

Office of Tax and Revenue



TAX CERTIFICATION AFFIDAVIT

THIS AFFIDAVIT IS TO BE COMPLETED ONLY BY THOSE WHO ARE REGISTERED TO CONDUCT BUSINESS IN THE DISTRICT OF COLUMBIA.

Date

**Authorized Agent
Name of Organization/Entity
Business Address (include zip code)
Business Phone Number**

**Authorized Agent
Principal Officer Name and Title
Square and Lot Information
Federal Identification Number
Contract Number
Unemployment Insurance Account No.**

I hereby authorize the District of Columbia, Office of the Chief Financial Officer, Office of Tax and Revenue to release my tax information to an authorized representative of the District of Columbia agency with which I am seeking to enter into a contractual relationship. I understand that the information released will be limited to whether or not I am in compliance with the District of Columbia tax laws and regulations solely for the purpose of determining my eligibility to enter into a contractual relationship with a District of Columbia agency. I further authorize that this consent be valid for one year from the date of this authorization.

I hereby certify that I am in compliance with the applicable tax filing and payment requirements of the District of Columbia. The Office of Tax and Revenue is hereby authorized to verify the above information with the appropriate government authorities.

Signature of Authorizing Agent

Title

The penalty for making false statement is a fine not to exceed \$5,000.00, imprisonment for not more than 180 days, or both, as prescribed by D.C. Official Code §47-4106.