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**COUNTY OF OCEAN
ADMINISTRATION BUILDING
101 HOOPER AVENUE
TOMS RIVER, NEW JERSEY 08753**

REQUEST

FOR

PROPOSAL

FOR

ELECTION BALLOT DESIGN

AND

PRINTING SERVICES

2021

REQUEST FOR PROPOSALS

The Ocean County Board of Commissioners is requesting qualifications for vendors to provide **ELECTION BALLOT DESIGN AND PRINTING SERVICES**.

The Request for Proposal (RFP) is available on the Ocean County Procurement Portal Website: <https://secure.procurenw.com/portal/oceancounty> or by contacting the Ocean County Purchasing Department at 732-929-2101.

All proposals must be received prior to **4:00pm**, prevailing time on **November 16, 2021**. The County will not be responsible for late submissions and no proposals will be accepted after the time stipulated in this notice.

By order of the Board of Commissioners of the County of Ocean.

Signed: **GARY QUINN**
Director

JENNIFER BOWENS
County Purchasing Agent

INTRODUCTION

The County of Ocean is a County of Fifth Class as defined in N.J.S.A. 40A:6-1 et seq. Pursuant to N.J.S.A. 19:44A-20.4 et seq., the County of Ocean requests proposals from firms capable of providing election ballot design and printing services for a two (2) year contract term with two (2) additional one-year extensions.

The successful vendor(s) must have a minimum of two (2) years' experience in providing election ballot design and printing services.

METHOD OF SUBMISSION

The county of Ocean is accepting **only** electronic proposals for this RFP. Submitting your proposal manually is cause for rejection.

You may only submit one (1) proposal. **DO NOT** submit a hard copy of your electronic submission.

SCOPE OF WORK

The successful vendor will be required to adhere to the following requirements in the delivery of election ballot design and printing services to the County of Ocean:

- Provider must have its own exclusive printing facility;
- Provider must be certified by Dominion Voting Equipment, Inc. as a Dominion AVC voting machine technician;
- Provider must be able to turn-around proofs of voting machine ballot faces at a minimum of 80% of ballot size in a maximum of three (3) working days or less and have the capability of transmitting all ballot proofs to the Ocean County Clerk in a PDF or other electronic format agreeable to the Ocean County Clerk;
- Provider's turnaround time for completing final voting machine ballot faces shall not exceed three (3) working days after the date of final approval by the Ocean County Clerk. Backup or additional voting machine ballot faces must be delivered to the Ocean County Clerk within one business day upon the request of the Ocean County Clerk;
- Provider must be able to print a ballot with a minimum of three colors: black and red as required by law and a shade of yellow that matches the "Cast Vote" instruction plaque on the console of the voting machine, which shall be used to print a warning statement on the ballot face for the "Cast Vote" button;
- The printing of button locations must be exact to the five hundred and four (504) positions on the Dominion Advantage AVC voting machine. Standard bond or text papers are not acceptable. Paper must be of an opacity that allows for clear visibility of "X" diodes on machine;
- All items, including typefaces, must meet the requirements set forth in the New Jersey election laws, found in Title 19 of the New Jersey statutes;
- The Provider must be able to provide to the Ocean County Clerk's office with the switch position of every office and candidate on each individual machine ballot face for the purpose of programming each voting machine. This information must be made available to the Ocean County Clerk after the County Clerk's approval of the final ballot.
- The Provider must have a complete and thorough knowledge of the Dominion Advantage AVC voting machine's programmability for each individual ballot and its relationship to the overall election being programmed on all of the voting machines used.

- The Provider must have a complete and thorough knowledge of both the Dominion ImageCast X & ImageCast Precinct voting machine's programmability for each individual ballot and its relationship to the overall election being programmed on all of the voting machines used.
- All voting machine ballot face designs must be done to match or replicate the layout and design of the Sample Ballot created by Ocean County's Printing Department.

The Provider will also be required to adhere to these special requirements and services regarding Vote By Mail Ballots:

- The Provider must be able to turn-around proofs of Vote by Mail ballots at 100% ballot size within a maximum of one working day or less if necessary or a maximum of three (3) days otherwise. Provider must be able to retrieve all election data and material from the Dominion Vote By Mail ballot and create emergency and provisional ballots in adherence with the requirements of N.J.S.A. Title 19 and provide PDF files to the Ocean County Printing Department for the final printing of these ballots;
- The Provider must be familiar with the Dominion Voting ImageCast Central system and design and print Vote By Mail ballots in strict compliance with the ImageCast Central system.
- The ballots must be printed in a minimum of black and red inks. The red must be of the proper Pantone color and shade to be invisible to the Dominion infra-red scanning system;
- The Provider must be capable of creating the Vote By Mail ballots on blank stock in order to provide clear and unconfusing ballots to the voter
- All counting oval locations must be in strict adherence with the new Dominion Vote by Mail ballot system placement. The Provider must be able to provide precise locations of timing marks, skunk marks and ballot identifier locations. The Provider must be capable of providing the binary coding for ballot identification and programming.
- The ballot paper stock must meet all Dominion system specifications including, but not limited to, reflectability and must be precisely cut square. Any slight variation will affect the automatic machine counting of Vote By Mail ballots. Printing standards are extremely critical for this Vote By Mail system. The Provider must provide test decks to Dominion in strict compliance with Dominion's Vote By Mail ballot programming standards to assure that Vote By Mail ballots can be read by the Dominion infra-red Vote By Mail ballot scanning system.

The Provider must be able to provide on an "as needed" basis the following services which include, but are not limited to:

- Design, layout, printing and folding of sample ballots size 11x14, 14x18, 17-1/2x23, 23x35, or other sizes that may be required pursuant to Title 19.
- Design, layout, and printing of a trifold Vote By Mail ballot application with kleen strip and wafer seals.

Any additional services necessitated as a result of amendments to Title 19 and printing requirements as a result thereof.

All proposals shall include the following minimum information:

1. Name of the individual(s) to be assigned to perform the tasks set forth above.
2. Professional experience of the individual(s) to be assigned including a listing of experience with the County of Ocean and/or experience with other New Jersey counties.
3. A statement concerning the ability of the firm/individual to perform tasks assigned by the County in a timely fashion.
4. Cost proposal for the following items:
 - a. Design, layout, printing and testing of voting machine ballot faces, including any price differential based on quantity breakdown
 - b. Design, layout, printing of Vote By Mail ballots
 - c. Design, layout, printing of ballot styles
 - d. Design, layout, printing of camera ready emergency ballots
 - e. Design, layout, printing of camera ready provisional ballots
 - f. Design, layout, printing and testing of provisional ballot envelopes
 - g. Design, layout, and printing and folding of sample ballots size: 11x17, 14x18, and 17-1/2 x 23, 23x35, or other sizes as required.
 - h. Design, layout, and printing and folding of bilingual sample ballots
 - i. Design, layout, and printing of a trifold Vote By Mail ballot application with kleen strip and wafer seals.
 - j. Design and layout of Early Voting ballots
 - k. Design and layout of Early Voting provisional ballots
 - l. Design and layout of Early Voting emergency ballots
 - m. All other costs to the County for providing the services set forth above
5. A description of the support staff available to the individual(s) to be assigned.
6. A list of four (4) references with addresses and telephone contact numbers. Three must have direct knowledge relating to your experience in providing the requested services.

SELECTION CRITERIA

The County Clerk shall designate a committee to review and rank all responses. The selection criteria to be used in awarding a contract for the services described herein, shall include:

- 25% Proposer's Understanding of the Project**
- 35% Experience and Qualifications**
- 20% Contractual Conditions**
- 20% Cost**

Proposer's Understanding of the Project: Proposals will be evaluated against the questions set forth below:

- Has the proposer demonstrated a thorough understanding of the purpose and scope of the project?
- How well has the proposer identified pertinent issues and potential problems related to the project?
- Has the proposer demonstrated that they understand the deliverables the County expects them to provide?
- Has the proposer fully responded to all the questions set forth herein?
- Does the proposal depict a logical approach to fulfilling the requirements of the RFP?

Experience and Qualifications: Proposals will be evaluated against the questions set forth below:

- Do the individuals assigned to the project have experience on similar projects?
- Are resumes complete and do they demonstrate backgrounds that would be desirable for individuals engaged in work this project requires?
- How extensive is the applicable education and experience of the personnel designated to work on the project?
- Has the proposer demonstrated experience in completing similar projects?
- How successful is the general history of the proposer regarding timely and successful completion of the projects?
- Has the proposer provided letters of reference from previous clients?

Contractual Conditions: Proposals will be evaluated against the questions set forth below:

- Has the proposer provided a sample Certificate of Insurance evidencing the required types and levels of insurance coverage?
- If the proposer requested any modifications to the Specifications, are they reasonable and acceptable to the County?

Cost: Once the list of Proposers has been rated on the above scoring system, the cost proposals for the highest scoring vendors will be evaluated. The lowest cost proposal will receive the maximum number of points allocated to cost. The point allocations for cost on the other proposals will be determined through the method set forth below:

$$\frac{(\text{lowest cost proposal}) \times (\text{max points})}{(\text{amount of proposal being rated})} = \text{points awarded}$$

PROPOSAL SUBMISSION REQUIREMENTS

All responses to the Request for Proposal (“RFP”):

1. Must be submitted electronically and must be received prior to 4:00pm, prevailing time on the date on which they are to be unsealed.
2. The County will not be responsible for late submissions and no responses to this RFP will be accepted by the County if received after the time stipulated above.

AWARD

The County of Ocean shall award a contract to the vendor or vendors that best meet the needs and interests of Ocean County. The County reserves the right to negotiate the terms and conditions of a contract with the successful vendor or vendors to obtain the most cost advantageous services for the County.

The County reserves the right to reject any or all proposals in accordance with N.J.S.A. 40A:11-13.2, or to waive any informalities and non-material defects in the proposals and to accept any proposal deemed in the best interest of the County.

It is to be understood by the proposer that their proposal is submitted on the basis of specifications prepared by the County and the fact that any proposer is not familiar with these specifications or conditions will not be accepted as an excuse.

INDEMNITY CLAUSE

The proposer, if awarded a contract, agrees to protect, defend and save harmless the County against any damage for payment for the use of any patented material process, article or device that may enter into the manufacture, construction or form a part of the work covered by either order or contract, and he further agrees to indemnify and save harmless the County from suits or actions of every nature and description brought against it, for, or on account of injuries or damages received or sustained by any party or parties by, or from any of the negligent acts of the contractor, his servants or agents.

INSURANCE REQUIREMENTS

The contractor shall maintain primary insurance to protect against all claims under Worker’s Compensation, Comprehensive General Liability and Automobile. Except for Worker’s Compensation, all coverage shall apply as primary coverage with respect to any other insurance or self-insurance program afforded to the County. There shall be no endorsement or modification of this coverage to make it excess over other available insurance/coverage; alternatively, if the CGL and umbrella, excess of reinsurance states that it is pro rata, it shall be endorsed to be primary with respect to the County. Primary coverage shall be subject to approval for adequacy of protection as per the following limits:

Worker's Compensation

1. Limits according to Worker's compensation Laws of the State of New Jersey.
2. Contractor's Liability not less than \$100,000.

Comprehensive General Liability

1. Bodily Injury - \$500,000 per person; \$1,000,000 per occurrence.
2. Property Damage - \$1,000,000 per occurrence.

Comprehensive General Liability shall include the following:

1. Coverage for explosion, collapse or underground hazards.
2. Occurrence basis coverage.
3. Broad form property damage coverage.
4. Coverage for personal injury sustained by any person as a result of an offense directly or indirectly related to the employment of such person by the insured.

Comprehensive Automobile Liability shall include the following:

Business auto liability insurance or its equivalent with a minimum limit of \$1,000,000 per accident and including coverage for all of the following:

- a. Liability arising out of the ownership, maintenance or use of any auto;
- b. Auto non-ownership and hired car coverage.
- c. Contractor's Worker's Compensation, Comprehensive General Liability and Comprehensive Automobile Liability arising out of subcontractor's operations shall be identical as that listed above.

Copies of each insurance certificate shall be furnished to the County with Proposal (when requested).

ADDITIONAL INFORMATION

It is to be understood by the proposer that their proposal is submitted on the basis of specifications prepared by the County and the fact that any proposer is not familiar with these specifications or conditions will not be accepted as an excuse.

Payments will be made upon the approval of vouchers submitted by the successful proposer in accordance with the requirements of the Board of Commissioners and subject to the Board of Commissioners customary procedures. The County will not pay interest or late fees regardless of language provided.

Ocean County Board of Commissioners will make award within sixty (60) days after receipt of proposals.

The County of Ocean is exempt from any State sales tax or Federal excise tax.

“All contractors must comply with the provisions of New Jersey Statute Title 40A:11-18, when applicable.”

PAY TO PLAY REQUIREMENTS

Starting in January 2007, all business entities are advised of their responsibility to file an annual disclosure statement of political contributions with the New Jersey Election Law Enforcement Commission (ELEC) pursuant to N.J.S.A. 19:44A-20.27 if they receive contracts in excess of \$50,000 from public entities in a calendar year. Business entities are responsible for determining if filing is necessary. Additional information on this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us.

CERTIFICATION OF NON-INVOLVEMENT IN PROHIBITED ACTIVITIES IN IRAN

Pursuant to N.J.S.A. 52:32-58, the proposer must certify that neither the proposer, nor one of its parents, subsidiaries, and/or affiliates (as defined in N.J.S.A. 52:32-56(e)(3)), is listed on the Department of the Treasury's List of Persons or Entities Engaging in Prohibited Investment Activities in Iran and that neither is involved in any of the investment activities set forth in N.J.S.A. 52:32-56(f). If the proposer is unable to so certify, the proposer shall provide a detailed and precise description of such activities. Prior to contract award or authorization, the contractor shall provide the Contracting Agency with a completed Certification on Non-Involvement in Prohibited Activities in Iran.

TRANSITIONAL PERIOD (excluding Professional Contracts)

In the event services are terminated by contract expiration or by voluntary termination by either the Contractor or the County of Ocean, the Contractor shall continue all terms and conditions of said contract for a period not to exceed one month, at the County's request.

NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

Pursuant to N.J.S.A. 52:32-44, Ocean County ("Contracting Agency") is prohibited from entering into a contract with an entity unless the bidder/proposer/contractor, and each subcontractor that is required by law to be named in a bid/proposal/contract has a valid Business Registration Certificate on file with the Division of Revenue and Enterprise Services within the Department of the Treasury.

Prior to contract award or authorization, the contractor shall provide the Contracting Agency with its proof of business registration and that of any named subcontractor(s).

Subcontractors named in a bid or other proposal shall provide proof of business registration to the bidder, who in turn, shall provide it to the Contracting Agency prior to the time a contract, purchase order, or other contracting document is awarded or authorized.

During the course of contract performance:

- (1) the contractor shall not enter into a contract with a subcontractor unless the subcontractor first provides the contractor with a valid proof of business registration.
- (2) the contractor shall maintain and submit to the Contracting Agency a list of subcontractors and their addresses that may be updated from time to time.
- (3) the contractor and any subcontractor providing goods or performing services under the contract, and each of their affiliates, shall collect and remit to the Director of the Division of Taxation in the Department of the Treasury, the use tax due pursuant to the Sales and Use Tax Act, (N.J.S.A. 54:32B-1 et seq.) on all sales of tangible personal property delivered into the State. Any questions in this regard can be directed to the Division of Taxation at (609)292-6400. Form NJ-REG can be filed online at www.state.nj.us/treasury/revenue/busregcert.shtml.

Before final payment is made under the contract, the contractor shall submit to the Contracting Agency a complete and accurate list of all subcontractors used and their addresses.

Pursuant to N.J.S.A. 54:49-4.1, a business organization that fails to provide a copy of a business registration as required, or that provides false business registration information, shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000, for each proof of business registration not properly provided under a contract with a contracting agency.

COMPLETION OF DOCUMENTS

Proposer's shall complete all documents and acknowledge all terms included with this proposal package. All documents should be from this proposal package and must not be dated or executed prior to the date of advertising. Failure to follow these instructions is cause for rejection.