



Montana Districting and Apportionment Commission

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March 9, 2022

Misty Ann Giles, Director
Department of Administration
P.O. Box 200101
Helena, MT 59620-0101

Dear Director Giles,

The Montana Districting and Apportionment Commission is a five-member citizen commission charged by the Montana Constitution with adopting congressional and state legislative district lines after each decennial Census. Working with the State Procurement Bureau, we issued two Requests for Proposals (RFPs) to acquire specialized technical assistance for the state legislative redistricting task. Our experiences through the procurement process lead us to make the following request and suggestion.

Given the public interest in redistricting and shortened timeframe facing us because of Census delays, we request that the Department give priority in scheduling and staff time to the Commission RFPs to ensure the procurement process is completed as quickly as possible. Those RFPs are:

- LEG-RFP-2022-0018NH (Prisoner Reallocation); and
- LEG-RFP-2022-0019NH (Racial Bloc Voting Analysis).

In addition, we encourage you to review the Department's and any statutory insurance requirements, as well as other requirements imposed on contractors who respond to RFPs and who engage in contract negotiations with state agencies to determine if they create barriers to a streamlined process. Utilizing an electronic process for all aspects of the contract process could significantly decrease the timeline for completing the necessary documents and reduce delays in finalizing the RFPs. Our suggestions arise from reading the standard contract language related to insurance requirements and from the surprising length of time it took one of the successful bidders to acquire exemptions from an unnecessary workers' compensation requirement. The changing nature of the economy has created opportunities for individuals and "gig workers" who might be shut out of the procurement and contracting process by insurance and other requirements that may no longer be appropriate due to the business structure of the bidding entity.

Please contact me or any of the commissioners with questions.

Sincerely,

A handwritten signature in blue ink that reads "Maylinn Smith".

Maylinn Smith
Presiding Officer, Montana Districting and Apportionment Commission

cc

Laurie Esau, Commissioner, Department of Labor and Industry