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December 8, 2023

TO: PROSPECTIVE REDISTRICTING ANALYSIS CONSULTANTS

On December 5, 2023, the North Dakota Legislative Management approved the issuance of a request for proposals (RFP) from prospective qualified independent consultants for the purpose of providing 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.

The selection of the consultant will be made by the Chairman of the Legislative Management.

1. The consultant services must include:

- a. A detailed analysis of alternative district configurations that demonstrate the Native American population in northeast North Dakota is sufficiently large and geographically compact to constitute an effective majority in a single multimember district;
- b. A detailed analysis of the VRA and its application in the state, including voting behavior, race and ethnicity, racially polarized voting, map drawing, electoral performance, and redistricting analysis; and
- c. A review of the Gingles preconditions as they relate to any proposed map created by the Redistricting Committee.

2. The analysis should consider:

- a. The state's [existing redistricting plan](#), the two plans produced by the plaintiffs in [Turtle Mountain Band of Chippewa Indians et al. v. Howe](#) (3:22-cv-00011-PDW-ARS), and any new plan developed by the Redistricting Committee;
- b. The likelihood a new plan would conform to Section 2 of the VRA; and
- c. The reports and testimony used to determine the maps proposed by the plaintiffs.

The objective is to provide a data analysis of the state's legislative districts, specifically relating to Native American populations in northeast North Dakota.

Each proposal should include:

1. Information on the individuals who would conduct the analysis, indicating educational and employment experiences, and the company's experience with redistricting and the VRA;

2. Representative samples or summaries of related work conducted by the company and the status of the implementation of any recommendations; and
3. References for previous related work.

Proposed contract amounts should be inclusive of all expenses. Consultants under contract for the state should be able to obtain lodging in the state at the rate provided by law for state government officials and employees (\$96.30 per night plus tax). Meals should be reimbursed at a maximum rate of \$45 per person per day.

The Legislative Management intends to award contracts based on the information contained within the proposals received as well as information received from other sources. The Legislative Management reserves the right to accept or reject any or all proposals and to award contracts which the Legislative Management considers the most advantageous to the state.

If you are interested in submitting a proposal for providing these services, please submit your proposal to the Legislative Council office at the address below by Friday, January 26, 2024.

The Legislative Council is the point of contact for this RFP. All consultant communications regarding the RFP should be directed to the Legislative Council.

Email Correspondence:

Legislative Council - Emily Thompson

Email: ethompson@ndlegis.gov

Legislative Council - Samantha E. Kramer

Email: skramer@ndlegis.gov

Postal Correspondence:

North Dakota Legislative Council

State Capitol

600 East Boulevard Avenue

Bismarck, ND 58505

Telephone Correspondence:

701-328-2916

The RFP, any amendments to the RFP, and all questions submitted with responses will be posted on the following website at <https://ndlegis.gov/rfp/prospective-redistricting-analysis-consultants>.

Interested consultants are encouraged to check that website periodically for any updates related to this RFP.

Sincerely,



Representative Mike Lefor
Chairman

ML/JJB