

CHAPTER 4
SPECIFICATIONS FOR VOTER REGISTRATION DATA PROCESSING SERVICES
CONTRACTS AND APPROVAL PROCEDURE FOR SUCH CONTRACTS

[Prior to 3/21/90, see Voter Registration Commission[845], Ch 4]

821—4.1(47) Evaluation procedure. Where the county commissioner of elections wishes to evaluate providers of voter registration data processing services other than county agencies or the state facilities, procedures for such evaluation and procurement shall be in conformance to Iowa Code section 47.5(3).

4.1(1) Bid specifications shall be in substantial conformance with model bid specifications approved by the voter registration commission and available in the voter registrar's office.

4.1(2) Notice shall be given to registrar 30 days prior to publication of specifications.

821—4.2(47) Review authority. The authority to review and approve data processing contracts conferred under Iowa Code section 47.5(3) upon the voter registration commission is hereby delegated to the registrar of voters whose signature and approval shall be construed as approval of the voter registration commission under section 47.5(3). If a contract is disapproved by the registrar, either party may appeal directly to the voter registration commission at its next scheduled meeting.

821—4.3(47,48) Data processing contract specifications. All contracts or agreements for voter registration data processing services between a county and a data processing service agency, company or bureau except the Iowa department of general services data processing division shall conform substantially to the following model contract language.

4.3(1) *Contract for voter registration data processing services.* This is an agreement for the provision of voter registration data processing services by and between _____ county hereinafter referred to as "county" and _____ hereinafter referred to as "vendor".

a. Scope of work. Vendor shall perform the services listed below at the rates (unit costs) quoted on the attached rate schedule:

(1) General work statement. Vendor shall maintain a computer-based voter registration system and shall process and maintain the county's voter registration data in accordance with the terms of this contract, the requirements of the state registrar of voters extant at this time this contract goes into effect, rules of the state of Iowa voter registration commission, and the laws of the state of Iowa. The vendor shall have available documentation of all systems and programs associated with those systems. This documentation shall include, but not be limited to, systems flow, program narrative for each program in the system flow, a complete record format of each data file used, and current program listings. The vendor shall warrant that copies of the current programs and master files are housed in a separate storage facility which would not normally be subjected to the same disaster which could destroy the programs and master files kept in the processing area.

(2) Input to state system. Vendor shall provide the state registrar with a complete master file of the county voter registration list in machine readable form and in accordance with the registrar's specifications upon demand of the county commissioner of registration. "Complete" includes any data in the master file generated by vendor in carrying out this agreement.

(3) Required updates to state registrar. Vendor shall provide all necessary updates to the state registrar in the form, format and at times specified by the state registrar.

(4) Rescinded IAB 11/23/94, effective 1/5/95.

(5) Election registers. Vendor should ensure that valid and complete election registers be delivered no later than the day designated by the county commissioner.

(6) Date of last vote. County shall be responsible and vendor shall provide services such that the record of election participation of each elector on the voter registration file shall be reported to the state

registrar pursuant to 821—subrule 7.1(4) within 35 days after the official canvass by the board of supervisors held after each election; or upon completion of recount or contested proceedings, any change in the record of election participation shall be reported to the registrar.

(7) Cancellation notices. If vendor contracts for cancellation of registration notice, such shall be sent to voter pursuant to Iowa Code section 48.31 within 14 days of receipt of deletion notice from the county.

(8) Responsibility to be aware of technical specifications. It is the vendor's responsibility to obtain from the state registrar of voters all technical specifications necessary to carry out the intent of this agreement.

b. County responsibilities.

(1) Input to vendor's system. The county shall provide to the vendor voter registration input forms on at least a weekly basis, except during the last ten days of registration prior to an election when additions, corrections, and deletions shall be forwarded on a daily basis.

(2) Changes in rules. The county shall notify vendor of all changes in procedures, rules or laws as they come to the attention of the county commissioner of registration.

(3) Notification of upcoming elections. County shall give written notification to the vendor of each election for which vendor must provide election registers at least 25 days prior to the date of election.

c. General provisions.

(1) Provided materials public documents. All materials, forms, news bulletins, and procedural instructions provided by vendor under this agreement are public documents and are the property of the county.

(2) Disclosure of voter registration information. The vendor shall not disclose any information concerning the county voter registration and shall provide no lists from the county voter registration file unless authorized in writing by the county commissioner of voter registration and state registrar except those files and updates required to be sent to the state registrar of voters for input to the state system.

(3) Forms. Any and all forms, other than those internal to the business of the vendor, dealing with voter registration procedures, must have prior approval of the state registrar of voters.

(4) Cancellation. Nonperformance by vendor of vendor's responsibilities under this agreement or vendor's statement of intent not to perform constitutes a breach of this agreement.

(5) Postage costs. Vendor may anticipate postage costs and notify the county thereof and the county shall promptly remit to vendor a warrant payable to the postmaster in the amount of such anticipated costs. Such anticipated costs shall not exceed that necessary for two months' operation and shall not anticipate any costs beyond the expiration date of this agreement.

(6) Vendor errors. Errors caused by the vendor shall be corrected by the vendor. The expense of making such corrections shall be the responsibility of the vendor.

4.3(2) Contracts for providing voter registration data processing services shall not include other kinds of services, such as election consultant services, etc. These services may be provided under a separate agreement.

821—4.4(47,48) Notice of publication. Bids for data processing contracts shall not be published earlier than 90 days before expiration of the current contract or of anticipated date of contract. A contract shall not be executed sooner than 60 days before the date of expiration of current contract. If a contract is not signed within 30 days of the final date for submission of bids, republication of bid specifications and notice is required, unless written appeal of the terms of the contract has been made to the voter registration commission.

These rules are intended to implement Iowa Code sections 47.5, 48A.37 and 48A.38.

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