

**TOWN OF SILVER CITY**  
**REQUEST FOR PROPOSALS**

**RFP: 10/11-4P**

**COMMUNITY PROMOTIONS**  
**(Lodger's Tax Promotions)**

**RFP Due Date and Time: June 13, 2011 at 11:00am**

**Approval:**

*/s/*

**Alex C. Brown- Town Manager/ Finance Director**

*/s/*

**Anita Norero, Purchasing Agent**

**The Procurement Code, §13-1-28 through 13-1-199 NMSA, imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities and criminal kickbacks**

## I. INTRODUCTION

### A. PURPOSE OF THIS REQUEST FOR PROPOSALS

The Town of Silver City is accepting competitive sealed proposals for advertising, publicizing and promoting tourism leading to overnight lodging in the Town of Silver City. Funding is authorized through guidelines stated in Town Ordinance No. 961. It is our goal to assist those organizations who assist in promoting the Town of Silver City and its tourist attractions and events. Contracts will be granted the successful proponents for services provided from July 1, 2011 through June 9, 2012. Due to the close of the end of our fiscal year, request for reimbursement will not be considered after June 9, 2012 after 5:00pm.

The Town provides funding to organizations that meet the minimum requirements for the purpose of marketing the Town of Silver City as a visitor destination. The Town encourages advertising efforts that maximize local and statewide benefit as well as year-round economic benefit. Awarded entity is subject to interim evaluations and review during the agreement period.

### B. SPECIFICATIONS

1. Detailed Scope of Work: Organization must promote the Town of Silver City in its effort to establish tourism leading to overnight stays at motels, hotel and other lodging facilities in Silver City, New Mexico.

The mission of the Town's visitor promotion program is to strengthen the Town's economy by promoting the Town of Silver City as a preferred, year-round travel destination, with particular emphasis on increasing weekend visitation, while respecting the Town's unique and diverse ecosystems, environments, lifestyles and culture.

2. Minimum Requirements - The failure of an offeror to meet the minimum requirements will result in disqualification of the proposal.
  - a. Completed Community Promotions Proposal Application (must use provided form) – **Appendix A**
  - b. Be able to demonstrate sufficient knowledge of area
  - c. Must be in good standing with Town.

3. Specifications

The failure of an offeror to meet specifications may result in disqualification of the proposal or offeror receiving lesser amounts of funding.

- a. Offeror should describe how their organization has assisted in their efforts towards tourism leading to lodging.

- b. Offeror should submit copies of ads (please do not submit entire publication ad was placed within), brochures and other promotional items used to promote events in the Silver City area or the Town of Silver City tourism in general leading to lodging.
- d. All recipients of Lodgers Tax will be required to participate with any community wide marking project initiated by the Town of Silver City.
- e. All recipients of Lodgers Tax will be required to submit a yearend report on the results of the measurement of the success of your event.
- f. All recipients of Lodgers Tax will be required to include a Town of Silver City logo on all collateral and promotional material.

C. **PROCUREMENT MANAGER**

The Town of Silver City has designated a Purchasing Agent who is responsible for the conduct of this procurement whose name; address and telephone number are listed below.

Anita Norero  
Town of Silver City  
P.O. Box 1188  
Silver City, NM 88062  
(575) 534-6373  
(575) 534-6377  
E-mail: [purchasingagent@qwestoffice.net](mailto:purchasingagent@qwestoffice.net)

All deliveries via express carrier should be addressed as follows:

Anita Norero  
Town of Silver City  
101 W. Broadway  
Silver City, NM 88061

Any inquiries or requests regarding this procurement should be submitted to the Purchasing Agent in writing. Only those questions or inquiries answered in writing by the Purchasing Agent will be considered to be legal and binding.

D. **DEFINITION OF TERMINOLOGY**

This paragraph contains definitions that are used through-out this procurement document, including appropriate abbreviations.

"Agency" means the Town of Silver City or Town.

"Contract" means an agreement for the procurement of items of tangible personal property or services.

"Contractor" shall mean successful offeror.

"Determination" means the written documentation of a decision of a Purchasing Agent including findings of fact required to support a decision. A determination becomes part of the procurement file to which it pertains.

**"Desirable"** The terms "may", "can", "should", "preferably", or "prefers" identify a desirable or discretionary item or factor.

**"Evaluation Committee"** means a body appointed by the Town of Silver City to perform the evaluation of offeror proposals.

**"Evaluation Committee Report"** means a report prepared by the Purchasing Agent and the Evaluation Committee for submission to the Governing Body of The Town of Silver City for contract award that contains all written determinations resulting from the conduct of a procurement requiring the evaluation of competitive sealed proposals.

**"Finalist"** is defined as an offeror who meets all the mandatory specifications of the Request for Proposal and whose score on evaluation factors is sufficiently high to qualify that offeror for further consideration by the Evaluation Committee.

**"Mandatory"** The terms "must", "shall", "will", "is required", or "are required", identify a mandatory item or factor. Failure to meet a mandatory item or factor will result in the rejection of the offeror's proposal.

**"Offeror"** is any person, corporation, or partnership who chooses to submit a proposal.

**"Purchasing Agent,"** means the person or designee authorized by the Town of Silver City to manage or administer a procurement requiring the evaluation of competitive sealed proposals.

**"Request for Proposals" or "RFP"** means all documents, including those attached or incorporated by reference, used for soliciting proposals.

**"Responsible Offeror"** means an offeror who submits a responsive proposal and who has furnished, when required, information and data to prove that his financial resources, production or service facilities, personnel, service reputation and experience are adequate to make satisfactory delivery of the services or items of tangible personal property described in the proposal.

**"Responsive Offer" or "Responsive Proposal"** means an offer or proposal which conforms in all material respects to the requirements set forth in the request for proposals. Material respects of a request for proposals include, but are not limited to, price, quality, quantity or delivery requirements.

**"Multiple source award"** means an award of an indefinite quantity contract for one or more similar services or items of tangible personal property to more than one offeror.

**"Price agreement"** means a definite quantity contract or indefinite quantity contract which requires the contractor to furnish items of tangible personal property or services to a Town of Silver City which issues a purchase order, if the purchase order is within the quantity limitations of the contract, if any.

**"Purchase order"** means the document which directs a contractor to deliver items of tangible personal property or services pursuant to an existing contract.

**"Room Night"** - a paid night of lodging in an establishment that pays Lodgers Tax. This may be a hotel or RV Park. It would not include an establishment that does not pay Lodgers Tax.

**"Tourists"** - a person who travels for the purpose of business, pleasure or culture to a municipality or county imposing an occupancy tax. (defined by the State of New Mexico Lodger's Tax Ordinance)

**"Demographic"** - age, income, hometown of a tourist.

**"Match"** - monetary or in-kind.

“Shoulder Season” - November through February

E. **REQUIREMENTS**

1. Letter of Transmittal

**Organizations submitting a proposal are required to submit a Letter of Transmittal. Any proposal deficient of this Letter shall be deemed non-responsive and no further consideration shall be given.**

The following is a list of topics that **will** be addressed in a Letter of Transmittal by the offeror:

- (a) Identify the organization or individual submitting the offer
- (b) Identify the name and title of the person authorized to contractually obligate the organization
- (c) Identify the names, titles and telephone numbers of persons to be contacted for clarification of offeror
- (d) Be signed by the person authorized to contractually obligate organization.
- (e) Acknowledge receipt of any and all amendments to RFP
- (f) Federal Tax Identification Number or Social Security Number.
- (g) Indicate the amount of funds that are being requested.

2. Mission Statement of the Organization

3. Completed Lodgers Tax Proposal Application (must use provided forms)- **Appendix A**

F. **PROPOSAL EVALUATION CRITERIA:**

1. Lodgers Tax Impact Information

- (a) Does your organization create an attraction that creates the need for an overnight stay thus creating lodgers tax?
- (b) Describe the impact on lodging.
- (c) **10 Maximum Point Value:** The more impact on lodging will have the most point impact.

2. Information on the size and demographic of the audience targeted.

- (a) If this is an event, how many people are anticipated to attend the event or visit the organization
- (b) What is the age, income, hometown of the target audience?
- (c) **10 Maximum Point Value:** A demographic that would spend money in restaurants, stay in a rented room and visit our retailers would create more points than a demographic that would not stay in a rented room and prepare their own food.

3. Information on how your organization/event will enrich the lives of the guests and residents of Silver City.
  - (a) Do you provide a program or event that is otherwise absent in our Town and requested by tourists and residents; and/or
  - (b) Does your event occur during the shoulder season?
  - (c) **10 Maximum Point Value:** Providing a program or event not only for our tourists, but for Silver City residents will have the most impact.
  
4. Organizational financials and budget
  - (a) The purpose is to show financial viability and responsibility.
  - (b) **5 Maximum Point Value:** A variety of matching funds and show of support will have the most impact.
  
5. Detailed Advertising Budget showing matching funds.
  - (a) Where are matching funds generated?
  - (b) **5 Maximum Point Value:** A variety of matching funds and show of support will have the most impact
  
6. Detailed Marketing/Advertising Plan
  - (a) Show details on where you plan to market and advertise your organization/event, including media used, what demographic will be targeted, frequency, etc.
  - (b) **15 Maximum Point Value:** The more detail and better supported plan will have the most impact
  
7. Provide examples of past marketing/advertising materials-*(do not submit entire publication ad was placed within)*.
  - (a) Did past marketing materials follow the Lodgers Tax Advisory Board rules/guidelines?
  - (b) Did past marketing materials provide a quality that would represent the organization/event and the Town of Silver City well?
  - (c) **5 Maximum Point Value:** To get maximum points you must have followed the Lodgers Tax Advisory Board guidelines in the previous year. The higher the quality of the past marketing materials, the more impact.
  
8. Did you provide all the information and documents requested?
  - (a) **5 Maximum Point Value:** To get the most points you must have all documents and information requested by the Lodgers Tax Advisory Board.
  
9. If you have received Lodgers Tax funds in the past; how long has this organization/event been in existence?
  - (a) Longevity will show a success event that has been well received and supported by the patrons.
  - (b) **5 Maximum Point Value:** The longevity of the organization/event will have the most impact.

10. Did your Marketing/Advertising benefit Silver City as well as you organization/event?
  - (a) In what specific and quantifiable ways did your marketing/advertising benefit Silver City?
  - (b) What other organizations did you cooperate with?
  - (c) **10 Maximum Point Value:** The more benefit, the more impact.
  
11. Have you adhered to the Lodgers Tax Advisory Board's rules, guidelines and previous contracts?
  - (a) **Pass/Fail** – Failure to comply may deem proposal non-responsive.

**F. PROPOSAL REVIEW PROCESS BY ADVISORY BOARD**

1. Individual assessment and scoring of all Request of Proposals (RFP) – Scoring Sheet (**Appendix B**)
2. Advisory Board discussion of each RFP
3. Advisory Board assessment and scoring of each RFP

**II. CONDITIONS GOVERNING THE PROCUREMENT**

This section of the RFP contains the schedule for the procurement, describes the major procurement events and the conditions governing the procurement.

**A. SEQUENCE OF EVENTS**

The Procurement Manager will make every effort to adhere the following schedule:

	<u>Action</u>	<u>Responsibility</u>	<u>Date</u>
1.	Issue of RFP	Purchasing Agent	05/12/2011
2.	Distribution List Response	Potential Offerors	N/A
3.	Deadline to Submit Additional Questions	Potential Offerors	N/A
4.	Submission of Proposal	Offeror	06/13/2011
5.	Proposal Evaluation, Selection of Finalist, Best/Final Offers/Presentations and Negotiations	Evaluation Committee thru	06/13/2011 07/11/2011
6.	Contract Award	Town Council	07/26/2011
7.	Protest Deadline	Offeror	08/11/2011

**B. EXPLANATION OF EVENTS**

The following paragraphs describe the activities listed in the sequence of events shown in Section II, Paragraph A.

1. Issue of RFP

The Town of Silver City, Finance Department on May 12, 2011, is issuing this RFP.

2. Submission of Proposal

ALL OFFEROR PROPOSALS MUST BE RECEIVED FOR REVIEW AND EVALUATION BY THE PROCUREMENT MANAGER OR DESIGNEE NO LATER THAN **11:00 AM MOUNTAIN STANDARD TIME ON June 13, 2011**. Proposals received after this deadline will not be accepted. The date and time will be recorded on each proposal. Proposals must be addressed and delivered to the Procurement Manager at the address listed. Proposals must be labeled on the outside of the package to clearly indicate that they are in response to RFP 10/11-4P COMMUNITY PROMOTIONS Request for Proposals. Proposals submitted by facsimile will not be accepted.

A public log will be kept of the names of all organizations that submitted proposals. Pursuant to Section 13-1-116 NMSA 1978, the contents of any proposal shall not be disclosed to competing offerors during the evaluation and negotiation process.

3. Proposal Evaluation

The evaluation of proposals, selection of finalist, final offers, presentations and negotiation will be performed by the Lodgers Tax Advisory Board of the Town of Silver City. This process will take place between **June 13, 2011 and July 11, 2011**. During this time, the Procurement Manager or the lodger's tax advisory committee chairman may at their option initiate discussions with offerors who submit responsive or potentially responsive proposals for the purpose of clarifying aspects of the proposals, but proposals may be accepted and evaluated without such discussion. **Discussions SHALL NOT be initiated by the offerors.**

4. Contract Award

The Lodger's Tax Evaluation Committee will prepare a recommendation for award. The Governing Body of the Town of Silver City will consider the recommendation at a public meeting scheduled to be held at 6:00pm on **July 26, 2011** at the Grant County Administration Center, 1400 HWY 180 E, Silver City, NM 88061. This date is subject to change at the discretion of the Finance Director of the Town of Silver City.

The contract award shall be made to the offeror or offerors whose proposal is most advantageous, taking into consideration the evaluation factors set forth in the RFP. The most advantageous proposal(s) may or may not have received the most points.

5. Protest Deadline

Any protest by an offeror must be in conformance with protest procedures set out in the Town Procurement Procedures. The fifteen (15) day protest period shall begin on the day following notice of the contract award and will end as of close of business on **August 11, 2011**. Protests must be written and must include the name and address of the protestor and the request for proposals number. It must also contain a statement of grounds for protest including appropriate supporting exhibits, and it must specify the ruling requested from the Town Purchasing Agent. The protest must be addressed and delivered as follows:

Anita Norero, Purchasing Agent  
Town of Silver City  
P.O. Box 1188  
Silver City, NM 88062

Protests received after the deadline will not be accepted.

C. **GENERAL REQUIREMENTS**

This procurement will be conducted in accordance with the Procurement Procedures of the Town of Silver City and the ordinances of the Town of Silver City.

1. **Acceptance of Conditions Governing the Procurement**  
Offerors must indicate their acceptance of the Conditions Governing the Procurement section in the letter of transmittal. Submission of a proposal constitutes acceptance of the Evaluation Factors contained of this RFP.
2. **Incurring Cost**  
Any cost incurred by the offeror in preparation, transmittal, presentation of any proposal or material submitted in response to this RFP shall be borne solely by the offeror.
3. **Prime Contractor Responsibility**  
Any contract that may result from this RFP shall specify that the prime contractor is solely responsible for fulfillment of the contract with the Agency. The Agency will make contract payments to only the prime contractor.
4. **Amended Proposals**

An offeror may submit an amended proposal before the deadline for receipt of proposals. Such amended proposals must be complete replacements for a previously submitted proposal and must be clearly identified as such in the transmittal letter. The Town of Silver City personnel will not merge, collate, or assemble proposal materials.

5. Offerors' Rights to Withdraw Proposal

Offerors will be allowed to withdraw their proposals at any time prior to the deadline for receipt of proposals. The offeror must submit a written withdrawal request signed by the offeror's duly authorized representative addressed to the Procurement Manager.

The approval or denial of withdrawal requests received after the deadline for receipt of the proposals is governed by the applicable procurement regulations.

6. Proposal Offer Firm

Responses to this RFP, including proposal prices, will be considered firm for ninety (90) days after the due date for receipt of proposals or sixty (60) days after receipt of a best and final offer if one is submitted.

7. Disclosure of Proposal Contents

The proposals will be kept confidential until a contract is awarded by the Governing Body of the Town of Silver City at a public meeting. At that time, all proposals and documents pertaining to the proposals will be open to the public, except for the material which is proprietary or confidential. The Procurement Manager will not disclose or make public any pages of a proposal on which the offeror has stamped or imprinted "proprietary" or "confidential" subject to the following requirements.

Proprietary or confidential data shall be readily separable from the proposal in order to facilitate eventual public inspection of the non-confidential portion of the proposal. Confidential data is normally restricted to confidential financial information concerning the offeror's organization and data that qualifies as a trade secret in accordance with the Uniform Trade Secrets Act, 57-3A-1 to 57-3A-7 NMSA 1978. The price of products offered or the cost of services proposed shall not be designated as proprietary or confidential information.

If a request is received for disclosure of data for which an offeror has made a written request for confidentiality, the Town Purchasing Agent shall examine the offeror's request and make a written determination that specifies which portions of the proposal should be disclosed. Unless the offeror takes legal action to prevent the disclosure, the proposal will be so disclosed. The proposal shall be open to public inspection subject to any continuing prohibition on the disclosure of confidential data.

8. No Obligation

This procurement in no manner obligates the Town of Silver City or any of its agencies to the eventual rental, lease, purchase, etc., of any equipment, software, or services offered until a valid written contract is fully executed and approved by the Town of Silver City, and other appropriate authorities.

9. Termination

This RFP may be canceled at any time and any and all proposals may be rejected in whole or in part when the Agency determines such action to be in the best interest of the Town of Silver City.

10. Sufficient Appropriation

Any contract awarded as a result of this RFP process may be terminated if sufficient appropriations or authorizations do not exist. Such termination will be effected by sending written notice to the contractor. The Town's decision as to whether sufficient appropriations and authorizations are available will be accepted by the contractor as final.

11. Legal Review

The Town requires that all offerors agree to be bound by the General Requirements contained in this RFP. Any offeror concerns must be promptly brought to the attention of the Procurement Manager.

12. Basis for Proposal

Only information supplied by the Town Purchasing Agent in writing should be used as the basis for the preparation of offeror proposals.

13. Contract Terms and Conditions

The contract between the Agency and a contractor will follow the format specified by the Agency and contain the terms and conditions set forth in the DRAFT SERVICE AGREEMENT. However, the Agency reserves the right to negotiate with a successful offeror provisions in addition to those contained in this RFP. The contents of this RFP, as revised and/or supplemented, and the successful offeror's proposal will be incorporated into the contract.

Should an offeror object to any of the Town's terms and conditions, as contained in this Section, that offeror must propose specific alternative language that would be acceptable to the Town. General references to the offeror's terms and conditions or attempts at complete substitutions are not acceptable to the Agency and will result in disqualification of the offeror's proposal.

Offerors must provide a brief discussion of the purpose and impact, if any, of each proposed change followed by the specific proposed alternate wording.

14. Offeror's Terms and Conditions

Offerors must submit with the proposal a complete set of any additional terms and conditions which they expect to have included in a contract negotiated with the Town of Silver City.

15. Contract Deviations

Any additional terms and conditions, which may be the subject of negotiation, will be discussed only between the Town and the selected offeror and shall not be deemed an

opportunity to amend the offeror's proposal.

16. Offeror Qualifications

The Evaluation Committee may make such investigations as necessary to determine the ability of the offeror to adhere to the requirements specified within this RFP. The Purchasing Agent will reject the proposal of any offeror who is not a responsible offeror or fails to submit a responsive offer.

17. Right to Waive Minor Irregularities

The Evaluation Committee reserves the right to waive minor irregularities. The Evaluation Committee also reserves the right to waive mandatory requirements provided that all of the otherwise responsive proposals failed to meet the same mandatory requirements and the failure to do so does not otherwise materially affect the procurement. This right is at the sole discretion of the Evaluation Committee.

18. Change in Contractor Representatives

The Town reserves the right to [request/require] a change in contractor representatives if the assigned representatives are not, in the opinion of the Town, meeting its needs adequately.

19. Notice

Notice - The Procurement Code, Sections 13-1-28 through 13-1-199 NMSA 1978, imposes civil and misdemeanor criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for bribes, gratuities and kick-backs.

20. Agency Rights

The Agency reserves the right to accept all or a portion of an offeror's proposal.

21. Right to Publish

Throughout the duration of this procurement process and contract term, potential offerors and contractors must secure from the Town's written approval prior to the release of any information that pertains to the potential work or activities covered by this procurement or the subsequent contract. Failure to adhere to this requirement may result in disqualification of the offeror's proposal or termination of the contract.

22. Project Reporting

The contractor will prepare a monthly written status report for submittal to the Town Executive Administrative Assistant. Written status reports will include as a minimum a discussion of claims progressed, problems encountered and recommended solutions, identification of policy or management questions, and requested project plan adjustments.

23. Ownership of Documents

All materials, work papers, meeting notes, design documents, or other documents

produced by the contractor shall be the property of the Town of Silver City. The original and one copy of all such documents shall be indexed and placed in appropriately labeled binders and delivered to the Town Executive Administrative Assistant at the conclusion or termination of the contract.

24. Ownership of Proposals

All documents submitted in response to this Request for Proposals shall become the property of the Town of Silver City.

### III. RESPONSE FORMAT AND ORGANIZATION

A. NUMBER OF RESPONSES

Offerors may submit only one (1) proposal. The Lodger's Tax Advisory Board will not collate, merge, or otherwise manipulate the offeror's proposals.

B. NUMBER OF COPIES

Offerors shall provide eleven (11) identical copies of their proposal. All copies shall be sealed in an envelope or box. Outside of envelope or box shall clearly indicate:

**RFP: 10/11-4P Community Promotions**

C. PROPOSAL FORMAT

All proposals must be typewritten on standard 8 ½ x 11 paper (larger paper is permissible for charts, spreadsheets, etc.) and placed within a binder with tabs delineating each section.

1. Proposal Organization

The proposal must be organized and indexed in the following format and must contain, as a minimum, all listed items in the sequence indicated.

- a) Letter of Transmittal
- b) Mission Statement of the organization
- c) Lodgers Tax Proposal Application
  1. Proposals must use the attached form "Application for Lodgers Tax" (see Appendix A). Microsoft Word versions may be obtained by electronic mail from [purchasingagent@qwestoffice.net](mailto:purchasingagent@qwestoffice.net)
- d) Other Supporting Material

Within each section of their proposal, offerors should address the items in the order in which they appear in this RFP. All forms provided in the RFP must be thoroughly completed and included in the appropriate section of the proposal.

Any proposal that does not adhere to these requirements may be deemed non-responsive and rejected on that basis.

The proposal summary may be included by offerors to provide the Lodger's Tax Advisory Board with an overview of the technical and business features of the proposal; however, this material will not be used in the evaluation process unless specifically referenced from other portions of the offeror's proposal.

Offerors may attach other materials which they feel may improve the quality of their responses. However, these materials should be included as items in a separate appendix.

D. **CAMPAIGN CONTRIBUTION FORM**

1. A Campaign Contribution Form is attached as Appendix C. Upon award, contractor must submit this form in accordance with Chapter 81 of the laws of 2006 of the State of New Mexico.

Appendix A

**TOWN OF SILVER CITY  
COMMUNITY PROMOTIONS  
LODGER'S TAX APPLICATION**

Organization Name: \_\_\_\_\_

Address: \_\_\_\_\_

Requester: \_\_\_\_\_

Organization Contact/Title: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Title of Event: \_\_\_\_\_ Date of Event: \_\_\_\_\_

Total cost of Event: \_\_\_\_\_ Amt. Requested: \_\_\_\_\_

Amount of Matching Funds: \_\_\_\_\_

Source of Matching Funds: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Federal Tax ID/Social Security Number: \_\_\_\_\_

*(Please include a completed and signed W-9)*

Signature of Authorized Official: \_\_\_\_\_ Date: \_\_\_\_\_

**Town of Silver City  
Community Promotions  
Lodger's Tax Application**

**1. Brief Project Narrative**

The narrative (100 words or less) should explain the marketing strategy and how it can significantly increase tourism in Silver City.

1. How does the proposal meet the following Town of Silver City Lodger's Tax objectives?

**OBJECTIVE #1:** Attract visitors from out of the local area and/or encourage those who come here extend their stay.

and/or

**OBJECTIVE #2:** Encourage participant to spend their recreational and vacation dollars in Silver City.

2. Is this a marketing partnership? (i.e. geographic, historic, recreational, etc.)
  - Identify your partners
  - Briefly describe the role of each partner
3. How long has this event been in existence?
4. Is this planned to be an annual event?
5. Will your event bring in outside vendors? If so identify vendors.

**2. Brief summary of your organizations' marketing plan**

In 100 words or less, describe your goals and target markets.

1. Briefly describe your marketing plan goals.
2. Briefly describe your target markets.
3. Explain how the proposed project supports the goals
4. Describe previous funding through the Town of Silver City Community Promotions Program.
5. If this event has occurred in the past, list sources and amounts of matching funds for the previous years. (i.e. lodger's tax, private contributions, organization marketing budget, etc.)
  - Describe target markets and audiences reached.
  - Were your objectives achieved? If so how?

### **3. Project Questions**

The Town of Silver City Community Promotions Funds must be tracked. In 100 words or less, describe your organizations desired measurements and results and how your organization will measure results. (The Town of City Lodger's Tax Advisory Board may request to have access to your records for promotional use.)

1. Describe which of the following methods your organization will use to measure the results. For example:
  - Advertising = Inquiries
  - Web Page = Hits-Inquiries
  - Trade Show = Contacts- Leads
  - Collateral (Brochures, Videos, etc.) = Quantity-Distribution
  - Revenue Generated = Gross receipts tax, lodger's tax, ticket sales, sponsorships, etc.
  - Other results you would like to identify.

### **4. Project Questions**

In 100 words or less, please summarize your organizations' revenue sources and expenditures.

1. Please list revenue sources and amounts, including cash and in-kind support.
  
2. List project expenditures.

## Request for Taxpayer Identification Number and Certification

**Give Form to the  
 requester. Do not  
 send to the IRS.**

<b>Print or type See Specific Instructions on page 2.</b>	Name (as shown on your income tax return)	
	Business name/disregarded entity name, if different from above	
	Check appropriate box for federal tax classification (required): <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate	
	<input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶	
	<input type="checkbox"/> Other (see instructions) ▶	
	<input type="checkbox"/> Exempt payee	
Address (number, street, and apt. or suite no.)		Requester's name and address (optional)
City, state, and ZIP code		
List account number(s) here (optional)		

<b>Part I Taxpayer Identification Number (TIN)</b>																						
Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i> on page 3.																						
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**Note.** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

<b>Part II Certification</b>	
Under penalties of perjury, I certify that:	
1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and	
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and	
3. I am a U.S. citizen or other U.S. person (defined below).	
<b>Certification instructions.</b> You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.	

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶
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### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

### Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

**Note.** If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.



*Appendix C*

**CAMPAIGN CONTRIBUTION DISCLOSURE FORM**

Pursuant to the Procurement Code, Sections 13-1-28, et seq., NMSA 1978 and NMSA 1978, § 13-1-191.1 (2006), as amended by Laws of 2007, Chapter 234, any prospective contractor seeking to enter into a contract with any state agency or local public body **for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources** must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body may cancel a solicitation or proposed award for a proposed contract pursuant to Section 13-1-181 NMSA 1978 or a contract that is executed may be ratified or terminated pursuant to Section 13-1-182 NMSA 1978 of the Procurement Code if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

The state agency or local public body that procures the services or items of tangible personal property shall indicate on the form the name or names of every applicable public official, if any, for which disclosure is required by a prospective contractor.

**THIS FORM MUST BE INCLUDED IN THE REQUEST FOR PROPOSALS AND MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.**

The following definitions apply:

**“Applicable public official”** means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

**“Campaign Contribution”** means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to statewide or local office. “Campaign Contribution” includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

**“Family member”** means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law of (a) a prospective contractor, if the prospective contractor is a natural person; or (b) an owner of a prospective contractor.

**“Pendency of the procurement process”** means the time period commencing with the

public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

**“Prospective contractor”** means a person or business that is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person or business qualifies for a sole source or a small purchase contract.

**“Representative of a prospective contractor”** means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

Name(s) of Applicable Public Official(s) if any: \_\_\_\_\_  
(Completed by State Agency or Local Public Body)

**DISCLOSURE OF CONTRIBUTIONS BY PROSPECTIVE CONTRACTOR:**

Contribution Made By: \_\_\_\_\_

Relation to Prospective Contractor: \_\_\_\_\_

Date Contribution(s) Made: \_\_\_\_\_  
\_\_\_\_\_

Amount(s) of Contribution(s): \_\_\_\_\_  
\_\_\_\_\_

Nature of Contribution(s) \_\_\_\_\_  
\_\_\_\_\_

Purpose of Contribution(s) \_\_\_\_\_  
\_\_\_\_\_

(Attach extra pages if necessary)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title (position)

**--OR--**

**NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE** to an applicable public official by me, a family member or representative.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title (Position)

## **LODGERS' TAX**

### **§ 110.080 SHORT TITLE.**

This subchapter shall be known as and cited as the "Lodgers' Tax Ordinance."  
(1979 Code, § 27-101) (Ord. 961, passed 8-12-1996)

### **§ 110.081 PURPOSE.**

The purpose of this subchapter is to impose a tax which will be borne by persons using commercial lodging accommodations which tax will provide revenues for the purpose of advertising, publicizing and promoting tourist-related attractions, facilities and events, and acquiring, establishing and operating tourist-related facilities, attractions or transportation systems, as authorized in § 110.096.  
(1979 Code, § 27-102) (Ord. 961, passed 8-12-1996)

### **§ 110.082 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**BOARD.** The advisory board established herein to make recommendations to the governing body, keep minutes of its proceedings and submit its recommendations, correspondence and other pertinent documentation to the governing body.

**GROSS TAXABLE RENT.** The total amount of rent paid for lodging, not including the state gross receipts tax or local sales taxes.

**LODGING.** The transaction of furnishing rooms or other accommodations by a vendor to a vendee who for rent uses, possesses or has the right to use or possess any room or rooms or other units of accommodations in or at a taxable premises. **LODGINGS.** The rooms or accommodations furnished by a vendor to a vendee by a taxable service of lodgings.

**OCCUPANCY TAX.** The tax on lodging authorized by the Lodgers' Tax Act, §§ 3-38-13 through 3-38-24 NMSA 1978.

**PERSONS.** A corporation, firm or other body corporate, partnership, association or individual; **PERSON** includes an executor, administrator, trustee, receiver or other representative appointed according to law and acting in a representative capacity, but does not include the United States of America, the State of New Mexico, any corporation, department, instrumentality or agency of the federal government or the state government, or any political subdivision of the state;

**RENT.** The consideration received by a vendor in money, credits, property or other consideration valued in money for lodgings subject to an occupancy tax authorized in the Lodgers' Tax Act.

**TAXABLE PREMISES.** A hotel, apartment, apartment hotel, apartment house, lodge, lodging house, rooming house, motor hotel, guest house, guest ranch, ranch resort, guest resort, mobile home, motor court, auto court, auto camp, trailer court, trailer camp, trailer park, tourist camp, cabin or other premises for lodging.

**TOURIST.** A person who travels for the purpose of business, pleasure or culture to a municipality or county imposing an occupancy tax.

**TOURIST-RELATED EVENTS.** Events that are planned for, promoted to and attended by tourist.

**TOURIST-RELATED FACILITIES AND ATTRACTIONS.** Facilities and attractions that are intended to be used by or visited by tourist.

**TOURIST-RELATED TRANSPORTATION SYSTEM.** Transportation systems that provide transportation for tourists to and from tourist-related facilities, attractions and events.

**TOWN CLERK.** The Town Clerk of Silver City, New Mexico.

**VENDEE.** A natural person to whom lodgings are furnished in the exercise of the taxable service of lodging.

**VENDOR.** A person furnishing lodgings in the exercise of the taxable services of lodging. (1979 Code, § 27-103) (Ord. 961, passed 8-12-1996)

### § 110.083 IMPOSITION OF TAX.

There is hereby imposed an occupancy tax of five percent of gross taxable rent for lodging within the municipality paid to vendors. (1979 Code, § 27-104) (Ord. 961, passed 8-12-1996)

**Statutory reference:**

*Authority to impose tax, see § 3-38-15 NMSA 1978*

### § 110.084 LICENSING.

(A) No vendor shall engage in the business of providing lodging in the town who has first not obtained a license as provided in this section.

(B) Applicants for a vendor's license shall submit an application to the Town Clerk stating:

(1) The name of the vendor, including identification of any person, as defined in this subchapter, who owns or operates, or both owns and operates a place of lodging and the name or trade names under which the vendor proposes to do business and the mailing address thereof;

(2) A description of the facilities; including the number of rooms and the usual schedule of rates thereof;

(3) A description of other facilities provided by vendor or others, and a statement identifying the license issued, to whom issued, the authority issuing and the period for which issued; If applicable, also the identification number provided by the Bureau of Revenue of the State of New Mexico.

(4) The nature of the business of the vendor and to what extent, if any, his or her business is exempt from the lodger's tax;

(5) Other information reasonably necessary to effect a determination of eligibility for the license.

(C) The Town Clerk shall review applications for license within ten days of receipt thereof, and grant the license in due course if the applicant is doing business subject to the lodger's tax.

(D) (1) An applicant who is dissatisfied with the decision of the Town Clerk may appeal the decision to the governing body by written notice to the Town Clerk of the appeal to be made within 15 days of the date of the decision of the Town Clerk on the application. The matter shall be referred to the governing body for hearing at a regular or special meeting in the usual course of business.

(2) The decision of the governing body made thereof shall be expressed in writing and be communicated in the same manner as the decision of the Town Clerk is transmitted.

(3) The action of the governing body shall be deemed final.

(E) If the governing body finds for the applicant, the Town Clerk shall issue the appropriate license or other notice conforming to the decision made by the governing body.

(1979 Code, § 27-105) (Ord. 961, passed 8-12-1996)

#### **§ 110.085 EXEMPTIONS.**

The occupancy tax shall not apply:

(A) If a vendee:

(1) Has been a permanent resident of the taxable premises for a period of at least 30 consecutive days; or

(2) Enters into or has entered into a written agreement for lodgings at the taxable premises for a period of at least 30 consecutive days;

(B) If the rent paid by the vendee is less than \$2 a day;

(C) To lodging accommodations at institutions of the federal government, the state or any political subdivision thereof;

(D) To lodging accommodations at religious, charitable, educational or philanthropic institutions, including without limitation such accommodations at summer camps operated by such institutions;

(E) To clinics, hospitals or other medical facilities;

(F) To privately owned and operated convalescent homes, or homes for the aged, infirm, indigent or chronically ill; or

(G) If the taxable premises does not have at least three rooms or three other units of accommodations for lodging or a combination of these within the taxing jurisdiction.

(§ 3-18-16 NMSA 1978) (1979 Code, § 27-106) (Ord. 961, passed 8-12-1996)

#### **§ 110.086 COLLECTION OF THE TAX AND REPORTING PROCEDURES.**

(A) Every vendor providing lodgings shall collect the tax thereon on behalf of the municipality and shall act as a trustee thereof.

(B) The tax shall be collected from vendees and shall be charged separately from the rent fixed by the vendor for the lodgings.

(C) Each vendor license under this subchapter shall be liable to the town for the tax provided herein on the rent paid for lodging at his or her respective place of business.

(D) Each vendor shall make a report by the twenty-fifth day of each month, on forms provided by the Town Clerk, of the receipts for lodging in the preceding calendar month, and shall submit the proceeds of the lodgers' tax to the municipality and include sufficient information to enable the municipality to audit the reports and shall be verified on oath by the vendor.

(§ 3-18-17 NMSA 1978) (1979 Code, § 27-107) (Ord. 961, passed 8-12-1996)

**§ 110.087 DUTIES OF VENDOR.**

Vendor shall maintain adequate records of facilities subject to the tax and of proceeds received for the use thereof. The records shall be maintained in the town and shall be open to the inspection of the municipality during reasonable hours and shall be retained for three years.

(1979 Code, § 27-108) (Ord. 961, passed 8-12-1996)

**§ 110.088 ENFORCEMENT.**

(A) An action to enforce the Lodgers' Tax Act may be brought by:

- (1) The Attorney General or the District Attorney in the county of jurisdiction; or
- (2) A vendor who is collecting the proceeds of an occupancy tax in the county of jurisdiction.

(B) A district court may issue a writ of mandamus or order an injunction or other appropriate remedy to enforce the provisions of the Lodgers' Tax Act.

(C) The court shall award cost and reasonable attorneys' fees to the prevailing party in a court action to ensure the provisions of the Lodgers' Tax Act.

(§ 3-18-17.3 NMSA 1978) (1979 Code, § 27-109) (Ord. 961, passed 8-12-1996)

**§ 110.089 FAILURE TO MAKE RETURN;  
COMPUTATION, CIVIL PENALTY AND  
NOTICE; COLLECTION OF DELINQUENCIES;  
OCCUPATION TAX IS A LIEN.**

(A) (1) Every vendor is liable for the payment of the proceeds of any occupancy tax that the vendor failed to remit to the municipality, whether due to his or her failure to collect the tax or otherwise.

(2) He or she shall be liable for the tax plus a civil penalty equal to the greater of ten percent of the amount not remitted or \$100. The Town Clerk shall give the delinquent vendor written notice of the delinquency, which notice shall be mailed to the vendor's local address.

(B) If payments are not received within 15 days of the mailing of the notice, the municipality may bring an action in law or equity in the district court for the collection of any amounts due, including without limitation penalties thereon, interest on the unpaid principal at a rate not exceeding one percent a month. If the town attempts collection through an attorney or the Town Attorney for any purpose with regard to this subchapter, the vendor shall be liable to the municipality for all costs, fees paid to the attorney or Town Attorney, and all other expenses incurred in connection therewith.

(C) The occupancy tax imposed by a municipality constitutes a lien in favor of the municipality upon the personal and real property of the vendor providing lodgings. The lien may be enforced as provided in §§ 3-36-1 through 3-36-7 NMSA 1978. Priority of the lien shall be determined from the date of filing.

(D) Under process or order of court, no person shall sell the property of a vendor without first ascertaining from the town's Finance Director the amount of any occupancy tax due the municipality. Any occupancy tax due the municipality shall be paid from the proceeds of the sale before payment is made to the judgment creditor or any other person with a claim on the proceeds of the sale.

(§§ 3-18-18, 3-18-18.1 NMSA 1978) (1979 Code, § 27-110) (Ord. 961, passed 8-12-1996)

**§ 110.090 CRIMINAL PENALTIES.**

Any person who violates the provisions of the Lodgers' Tax Ordinance for failure to pay the tax, to remit proceeds thereof to the municipality, to properly account for any lodging and tax proceeds pertaining thereto for the violating of the confidentiality provisions of § 110.094 of this subchapter shall be guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed \$500 or by imprisonment not to exceed 90 days, or both.  
(§ 3-18-19 NMSA 1978) (1979 Code, § 27-111) (Ord. 961, passed 8-12-1996)

#### **§ 110.091 REFUNDS AND CREDITS.**

If any person believes he or she has made payment of any lodgers' tax in excess of that for which he or she was liable, he or she may claim a refund thereof by directing to the Town Clerk, no later than 90 days from the date the payment was made, a written claim for the refund. Every claim for refund shall state the nature of the person's complaint and the affirmative relief requested. The Town Clerk shall allow the claim in whole or in part or may deny it. Refunds of tax and interest erroneously paid and amounting to \$100 or more may be made only with the approval of the governing body.  
(1979 Code, § 27-112) (Ord. 961, passed 8-12-1996)

#### **§ 110.092 VENDOR AUDITS.**

- (A) The municipality shall conduct random audits to verify full payment of occupancy tax receipts.
- (B) The municipality shall determine each year the number of vendors within the municipality to audit.
- (C) The audit(s) may be performed by the Town Clerk or by any other designee of the governing body. A copy of the audit(s) shall be filed annually with the local Government Division of the Department of Finance and Administration.  
(1979 Code, § 27-113) (Ord. 961, passed 8-12-1996)

#### **§ 110.093 FINANCIAL REPORTING.**

- (A) The Finance Director shall furnish to the advisory board that portion of any proposed budget, report or audit filed or received by the governing body pursuant to either Chapter 6, Subchapter 6 NMSA 1978 or the Audit Act that relates to expenditure of occupancy tax funds within 10 days of the filing or receipt of the proposed budget, report or audit by the municipality.
- (B) The municipality shall report to the local Government Division of the Department of Finance and Administration on a quarterly basis any expenditure of occupancy tax funds pursuant to §§ 3-38-15 and 3-38-21 NMSA 1978 and shall furnish a copy of this report to the advisory board when it is filed with the Division.  
(§ 3-18-17.2 NMSA 1978) (1979 Code, § 27-114) (Ord. 961, passed 8-12-1996)

#### **§ 110.094 CONFIDENTIALITY OF RETURN AND AUDIT.**

It is unlawful for any employee of the town to reveal to any individual other than another employee of the town any information contained in the return or audit of any taxpayer, including vendors subject to the Lodgers' Tax Act, except to a court of competent jurisdiction in response to an order thereof in an action relating to taxes to which the town is a party, and in which information sought is material to the inquiry; to the taxpayer himself or herself or to his or her authorized representative; and in such manner, for statistical purposes, the information revealed is not identified as applicable to any individual taxpayer.  
(1979 Code, § 27-115) (Ord. 961, passed 8-12-1996)

#### **§ 110.095 ADMINISTRATION OF LODGERS' TAX**

## **MONIES COLLECTED.**

The governing body shall administer the lodgers' tax monies collected. The Mayor shall appoint a five-member advisory board that consists of two members who are owners or operators of lodgings subject to occupancy tax within the municipality, two members who are owners or operators of industries located within the municipality that primarily provide services or products to tourists and one member who is a resident of the municipality and represents the general public. The Board shall advise the governing body on expenditure of funds authorized under § 110.096 of this subchapter for advertising, publicizing and promoting tourist attractions and facilities in the municipality and surrounding area.

(1979 Code, § 27-116) (Ord. 961, passed 8-12-1996)

## **§ 110.096 ELIGIBLE USES OF LODGERS' TAX PROCEEDS.**

The municipality may use the proceeds from the tax to defray the costs of:

(A) Collecting and otherwise administering the tax, including the performance of audits required by the Lodgers' Tax Act pursuant to guidelines issued by the Department of Finance and Administration;

(B) Establishing, operating, purchasing, constructing, otherwise acquiring, reconstructing, extending, improving, equipping, furnishing or acquiring real property or any interest in real property for the site or grounds for tourist-related facilities, attractions or transportation systems of the municipality, the county in which the municipality is located or the county;

(C) The principal of and interest on any prior redemption premiums due in connection with any other charges pertaining to revenue bonds authorized by §§ 3-38-23 or 3-38-24 NMSA 1978;

(D) Advertising, publicizing and promoting tourist-related attractions, facilities and events of the municipality or county and tourist facilities or attractions within the area;

(E) Providing police and fire protection and sanitation services for tourist-related events, facilities and attractions located in the municipality; or

(F) Any combination of the foregoing purposes or transactions stated in this section but for no other municipal purposes.

(§ 3-18-21 NMSA 1978) (1979 Code, § 27-117) (Ord. 961, passed 8-12-1996)