

Town of Silver City

Request for Proposals

**RFP: 15/16-2P
COMMUNITY PROMOTIONS
Lodger's Tax Promotions**

**Submission of Proposal Due: June 3, 2016 @ 11:00 am
Mandatory Meeting: May 23, 2016 @ 2:00 pm**

Approval:

/s/

Alex C. Brown, Town Manager/ Finance Director

/s/

Leann Misquez, 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.

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I. INTRODUCTION

A. PURPOSE OF THIS REQUEST FOR PROPOSALS

The Town of Silver City “Town” 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 to the successful proponents for services provided from July 1, 2016 through June 15, 2017. Due to the close of the end of our fiscal year, request for reimbursement will not be considered after June 15, 2017 after 5:00 pm.

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. The 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, hotels 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 cultures.

2. Minimum Requirements - The failure of an offeror to meet the following 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 attend the mandatory meeting; and
 - d. 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 effort towards tourism leading to lodging.

- b. Offeror should submit copies of ads (please do not submit entire publication ad), 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 Lodger's Tax will be required to participate with any community-wide marking project initiated by the Town of Silver City.
- e. All recipients of Lodger's Tax will be required to submit a year-end report on the results of the measurement of the success of their event.
- f. All recipients of Lodger's Tax will be required to include a Town of Silver City logo on all collateral and promotional materials.

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.

Leann Misquez, Purchasing Agent
Town of Silver City
P.O. Box 1188
Silver City, NM 88062
(575) 534-6352 (phone)
(575) 534-6377 (fax)
E-mail: purchasing@silvercitynm.gov

All deliveries via express carrier should be addressed as follows:

Leann Misquez, Purchasing Agent
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**" means 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" means that 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" means 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" means that 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" means 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 their 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 Town of Silver City, who 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**" means a paid night of lodging in an establishment that pays Lodger's Tax. This may be a hotel or RV park. It would not include an establishment that does not pay Lodger's Tax.

"**Tourist**" means 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**" means age, income, hometown of a tourist.

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

"**Shoulder Season**" means 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 proposal;
- 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 proposal;
- d. Identify the name and title of representative that attended the mandatory meeting;
- e. Must be signed by the person authorized to contractually obligate;
- f. Must acknowledge receipt of any and all amendments to RFP;
- g. Provide Federal Tax Identification Number or Social Security Number; and
- h. Indicate the amount of funds that are being requested.

2. Mission Statement of the Organization

3. Completed Lodger's Tax Proposal Application (must use provided forms)-
Appendix A

F. **PROPOSAL EVALUATION CRITERIA:**

1. **Lodger's Tax Impact**
Created a need for an overnight stay and therefore generated Lodger's Tax
2. **Size and demographic of the audience targeted**
A demographic that would spend money in restaurants, stay in a rented room and visit our retailers is significant.
2. **Enriches the lives of the residents of Silver City**
Providing a program or event not only for our tourists but for Silver City residents will have the most impact.
3. **Financials**
Shows financial viability and responsibility of the organization;
Indicates planning and support for the project/activity; and
In-kind donations are very important.
4. **Detailed Marketing/Advertising Plan**
The more detailed and better supported plan will have the most impact.
5. **Marketing/Advertising**
Marketing/advertising promoting Silver City as well as your organization/event.
6. Have adhered to the Lodger's Tax Advisory Board's rules, guidelines and contracts. Failure to comply may deem proposal non-responsive.

G. PROPOSAL REVIEW PROCESS BY ADVISORY BOARD

1. Individual assessment and scoring of all Request for Proposals (RFP)
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	05/03/2016
2.	Distribution List Response	Potential Offerors	n/a
3.	Deadline to Submit Additional Questions	Potential Offerors	05/13/2016

4.	Mandatory Meeting	Potential Offerors	05/23/2016
5.	Submission of Proposal	Offeror	06/03/2016
6.	Proposal Evaluation, Selection of Finalist, Best/Final Offers, Presentations and Negotiations	Evaluation Committee	06/03/2016 thru 06/13/2016
6.	Contract Award	Town Council	TBD
7.	Protest Deadline	Offeror	TBD

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 3, 2016**, is issuing this RFP.

2. Mandatory Meeting
The Town is requiring that anyone who wishes to submit a proposal must attend a mandatory meeting on **May 23, 2016 @ 2:00 pm** at the City Annex Building located at 1203 N. Hudson, 2nd Floor Conference Room. A representative from your committee must be present.

3. Submission of Proposal
All proposals must be received for review and evaluation by the Procurement Manager no later than **June 3, 2016 by 11:00 am**. 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 15/16-2P COMMUNITY PROMOTIONS; Lodger’s Tax Promotions**. 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.

4. Proposal Evaluation
The evaluation of proposals, selection of finalist, final offers, presentations and negotiations will be performed by the Lodger’s Tax Advisory Board of the Town of Silver City. This process will take place between **June 3, 2016 and June 13, 2016**. During this time, the Procurement Manager or the Lodger’s Tax Advisory Committee chairman may 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.**

5. 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 **TBD** at the Grant County Administration Center, 1400 Highway 180 East, Silver City, NM 88061. This date is subject to change at the discretion of the Town Council or Town Manager.

The contract awards shall be made to the offeror or offerors whose proposal are 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.

6. 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 **TBD**. 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:

Leann Misquez, 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's Purchasing Agent in writing should be used as the basis for the preparation of offeror's 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 quarterly written status report for submittal to the

Town Clerk. 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 15/16-2P
Community Promotions
Lodger's Tax 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 brad folder or spiral binded with tabs delineating each section, we highly recommend NOT using large binders unless absolutely necessary.

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) Lodger's Tax Proposal Application;
 1. Proposals must use the attached form "Application for Lodger's Tax" (see Appendix A). Microsoft Word versions may be obtained by electronic mail from purchasing@silvercitynm.gov; and

d) Other Supporting Material

Within each section of their proposal offeror 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**

A Campaign Contribution Form is attached as Appendix B. 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 PROPOSAL 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 Proposal Application**

1. Brief Project Narrative

The narrative (500 words or less) should describe the Activity/Project and should include the following information where applicable as well as other information that you determine to be relevant and helpful in evaluating your proposal.

How does the proposal meet the Town of Silver City Lodger's Tax objective:

1. Attract visitors from out of the local area and/or encourage those who come here to extend their stay? and/or
2. Encourage participants to spend their recreational and vacation dollars in Silver City?

Identify your marketing partners and briefly describe the role of each partner.

How long has this event been in existence?

Is this planned to be an annual event or activity?

Will your event bring in outside vendors? If so, identify vendors.

How will it enrich the lives of residents of Silver City?

Does your event occur during the Shoulder Season (November - February)?

2. Marketing Plan

Describe your marketing goals and target markets.

Briefly describe your marketing plan goals.

Briefly describe your target markets including demographic and geographic information.

Explain how the proposed project supports these goals as well as promotes Silver City.

Describe your organizations desired measurements and results and how your organizations will measure results. (The Town of City Lodger's Tax Advisory Board may request to have access to your records for promotion use).

For example: Advertising = Inquiries
 Web Page = Hits/Inquiries
 Trade Show = Contacts/Leads

Collateral (Brochures, Videos, etc.) = Quantity/Distribution

3. Financials

List for the current fiscal year, the organization's major revenue sources and amounts as well as its major expenditures and amounts. This is requested to indicate the financial viability of the organization.

In addition, give a detailed budget specific to the Activity/Project with expenditures and anticipated revenues. One may include anticipated Lodger's Tax monies.

4. Previous Lodger's Tax Funding

If your organizations received Lodger's Tax monies in the past:

Give details on how the monies were spent as well as sources and amounts of other funds;

Describe your target markets;

List your objectives, whether achieved and how this was measured; and

Provide examples of your advertising, identifying where and when they appeared. (Do not include entire publication).

Appendix B

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

- **Sec. 44-110. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Board means the advisory board established in this article to:

- (1) Make recommendations to the governing body;
- (2) Keep minutes of its proceedings; and
- (3) Submit its recommendations, correspondence and other pertinent documentation to the governing body.

Gross taxable rent means the total amount of rent paid for lodging, not including the state gross receipts tax or local sales taxes.

Lodging means 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 the rooms or other units of accommodations in or at a taxable premises. The term "lodging" means the room or other accommodation furnished by a vendor to a vendee by a taxable service of lodgings.

Occupancy tax means the tax on lodging authorized by the Lodgers' Tax Act.

Persons means a corporation, firm or other body corporate, partnership, association or individual. The term "person" includes an executor, administrator, trustee, receiver or other designated representative appointed according to law and acting in a representative capacity, but does not include the United States of America, the state, any corporation, department, instrumentality or agency of the federal government or the state government, or any political subdivision of the state.

Rent means 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 means a hotel, apartment, apartment hotel, apartment house, lodge, lodginghouse, rooming house, motor hotel, guesthouse, 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 means a person who travels for the purpose of business, pleasure or culture to a municipality or county imposing an occupancy tax.

Tourist related events means events that are planned for, promoted to and attended by tourists.

Tourist-related facilities and attractions means facilities and attractions that are intended to be used by or visited by tourists.

Tourist-related transportation system means transportation systems that provide transportation for tourists to and from tourist-related facilities, attractions and events.

Town clerk means the clerk of the Town of Silver City, New Mexico.

Vendee means a natural person to whom lodgings are furnished in the exercise of the taxable service of lodging.

Vendor means a person or agent furnishing lodgings in the exercise of the taxable services of lodging.

(Code 1979, § 27-103; Code 2005, § 110.082; Ord. No. 961, § 3, 8-12-1996)

State Law reference— Similar provisions, NMSA 1978, § 3-38-14.

- **Sec. 44-111. - Title.**

This article shall be known as and cited as the "Lodger's Tax Ordinance."

(Code 1979, § 27-101; Code 2005, § 110.080; Ord. No. 961, § 1, 8-12-1996)

- **Sec. 44-112. - Purpose.**

The purpose of this article 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 [section 44-126](#).

(Code 1979, § 27-102; Code 2005, § 110.081; Ord. No. 961, § 2, 8-12-1996)

- **Sec. 44-113. - Imposed.**

There is hereby imposed an occupancy tax of five percent of gross taxable rent for lodging within the municipality paid to vendors.

(Code 1979, § 27-104; Code 2005, § 110.083; Ord. No. 961, § 4, 8-12-1996)

State Law reference— Tax authorized, NMSA 1978, § 3-38-15.

- **Sec. 44-114. - License.**

(a)

Required. 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)

Application; contents. Applicants for a vendor's license shall submit an application to the town clerk stating:

(1)

The name of the vendor, including the identification of any person, as defined in this article, 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 state taxation and revenue department;

(4)

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

(5)

Other information reasonably necessary to effect a determination of eligibility for such license.

(c)

Review. 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)

Appeals. 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 such appeal to be made within 15 days of the date of the town clerk's decision on the application. The matter shall be referred to the governing body for a hearing at a regular or special meeting in the usual course of business. 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. The action of the governing body shall be deemed final.

(e)

Issuance of appropriate license or other notice. 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.

(Code 1979, § 27-105; Code 2005, § 110.084; Ord. No. 961, § 5, 8-12-1996)

State Law reference— Mandatory ordinance requirements, NMSA 1978, § 3-38-20.

• **Sec. 44-115. - Exemptions to article.**

The occupancy tax shall not apply:

(1)

If a vendee:

a.

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

b.

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

(2)

If the rent paid by the vendee is less than \$2.00 a day;

(3)

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

(4)

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

(5)

To clinics, hospitals or other medical facilities;

(6)

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

(7)

If the vendor does not offer at least three rooms within or attached to a taxable premises for lodging or at least three other premises for lodging or a combination of these within the taxing jurisdiction.

(Code 1979, § 27-106; Code 2005, § 110.085; Ord. No. 961, § 6, 8-12-1996)

State Law reference— Similar provisions, NMSA 1978, § 3-38-16.

• **Sec. 44-116. - Collection and reporting procedure.**

(a)

Every vendor providing lodgings shall collect the tax thereon on the municipality's behalf 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 licensed under this article shall be liable to the town for the tax provided in the article on the rent paid for lodging at his respective place of business.

(d)

Each vendor shall make a report by the 25th 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 lodger's 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.

(Code 1979, § 27-107; Code 2005, § 110.086; Ord. No. 961, § 7, 8-12-1996)

State Law reference— Similar provisions, NMSA 1978, § 3-38-17.

• **Sec. 44-117. - Duty of vendor to maintain records.**

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

(Code 1979, § 27-108; Code 2005, § 110.087; Ord. No. 961, § 8, 8-12-1996)

• **Sec. 44-118. - 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.

(Code 1979, § 27-109; Code 2005, § 110.088; Ord. No. 961, § 9, 8-12-1996)

State Law reference— Similar provisions, NMSA 1978, § 3-38-17.3.

- **Sec. 44-119. - Failure to make return; computation, civil penalty and notice; collection of delinquencies; occupation tax is a lien.**

(a) 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 failure to collect the tax or otherwise. He shall be liable for the tax plus a civil penalty equal to the greater of ten percent of the amount not remitted, or \$100.00. 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, and 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 article, 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 NMSA 1978, §§ 3-36-1—3-36-7. 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 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.

(Code 1979, § 27-110; Code 2005, § 110.089; Ord. No. 961, § 10, 8-12-1996)

- **Sec. 44-120. - Criminal penalty.**

Any person who violates the provisions of this article for failure to pay the tax, remit proceeds thereof to the municipality, or properly account for any lodging and tax proceeds pertaining thereto for the violation of the confidentiality provisions of [section 44-124](#) shall be guilty of a municipal offense and upon conviction shall be punished according to general penalty [section 1-9](#).

(Code 1979, § 27-111; Code 2005, § 110.090; Ord. No. 961, § 11, 8-12-1996)

State Law reference— Penalty authorized, NMSA 1978, § 3-38-19.

- **Sec. 44-121. - Refund and credit procedure.**

If any person believes he has made payment of any lodgers' tax in excess of that for which he was liable, he 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 \$100.00 or more may be made only with approval of the governing body.

(Code 1979, § 27-112; Code 2005, § 110.091; Ord. No. 961, § 12, 8-12-1996)

• **Sec. 44-122. - 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 may be performed by the town clerk or by any other designee of the governing body. A copy of the audit shall be filed annually with the local government division of the department of finance and administration.

(Code 1979, § 27-113; Code 2005, § 110.092; Ord. No. 961, § 13, 8-12-1996)

State Law reference— Audit of vendors, NMSA 1978, § 3-38-17.1.

• **Sec. 44-123. - Reports.**

(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 NMSA 1978, § 6-6-1 et seq. or the Audit Act (NMSA 1978, § 12-6-1 et seq.) that relates to the expenditure of occupancy tax funds within ten days of the filing or receipt of such proposed budget, report or audit by the governing body.

(b)

The governing body 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 NMSA 1978, §§ 3-38-15 and 3-38-21, and shall furnish a copy of this report to the advisory board when it is filed with the division.

(Code 1979, § 27-114; Code 2005, § 110.093; Ord. No. 961, § 14, 8-12-1996)

• **Sec. 44-124. - 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 (NMSA 1978, § 3-38-13 et seq.), except to a court of competent jurisdiction in response to an order thereof in an action relating to taxes to which the city is a party, and in which information sought is material to the inquiry; to the taxpayer himself or an authorized representative; and in such manner, for statistical purposes, the information revealed is not identified as applicable to any individual taxpayer.

(Code 1979, § 27-115; Code 2005, § 110.094; Ord. No. 961, § 15, 8-12-1996)

- **Sec. 44-125. - Advisory board created; composition; disposition of proceeds.**

(a)

The governing body shall administer the lodgers' tax monies collected. The mayor shall appoint, with the advice and consent of council, a five-member advisory board with the following qualifications:

(1)

Two members who are owners or operators of lodgings subject to occupancy tax within the municipality;

(2)

Two members who are owners or operators of industries located within the municipality that primarily provide services or products to tourists;

(3)

One member who is a resident of the municipality and represents the general public.

(b)

The terms of the board shall be staggered. All current terms of office shall terminate on December 31, 2012. Thereafter, two members shall be appointed for two year terms, and the remaining three members shall be appointed for three year terms. Thereafter, all appointments shall be for three year terms.

(c)

The board shall advise the governing body on the expenditure of funds authorized under [section 44-126](#) for advertising, publicizing and promoting tourist attractions and facilities in the municipality and surrounding areas.

(Code 1979, § 27-116; Code 2005, § 110.095; Ord. No. 961, § 16, 8-12-1996; [Ord. No. 1213, 9-11-2012](#))

- **Sec. 44-126. - Eligible uses of proceeds.**

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

(1)

Collecting and otherwise administering the tax, including the performance of audits required by the Lodgers' Tax Act (NMSA 1978, § 3-38-13 et seq.) pursuant to guidelines issued by the department of finance and administration;

(2)

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;

(3)

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

(4)

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

(5)

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

(6)

Any combination of the foregoing purposes or transactions stated in this section, but for no other

municipal purposes.

(Code 1979, § 27-117; Code 2005, § 110.096; Ord. No. 961, § 17, 8-12-1996)

- **Secs. 44-127—44-145. - Reserved.**

Town of Silver City

Request for Proposals

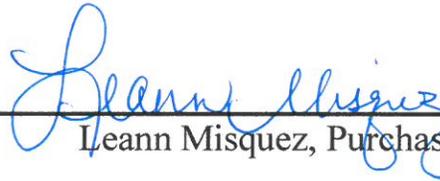
**RFP: 15/16-2P
COMMUNITY PROMOTIONS
Lodger's Tax Promotions**

Addendum #1

Approval:



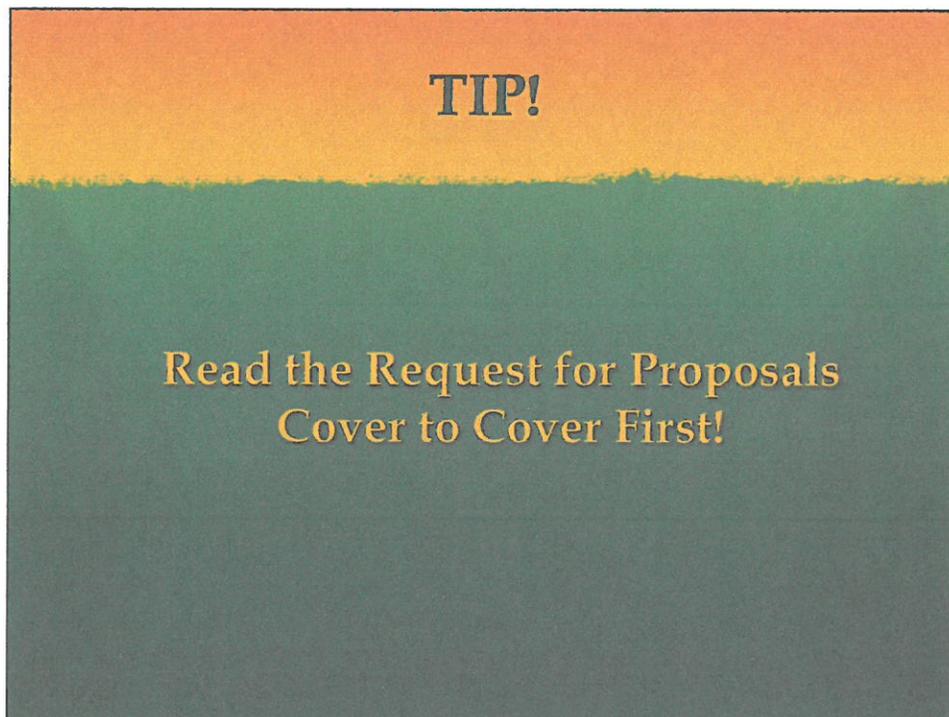
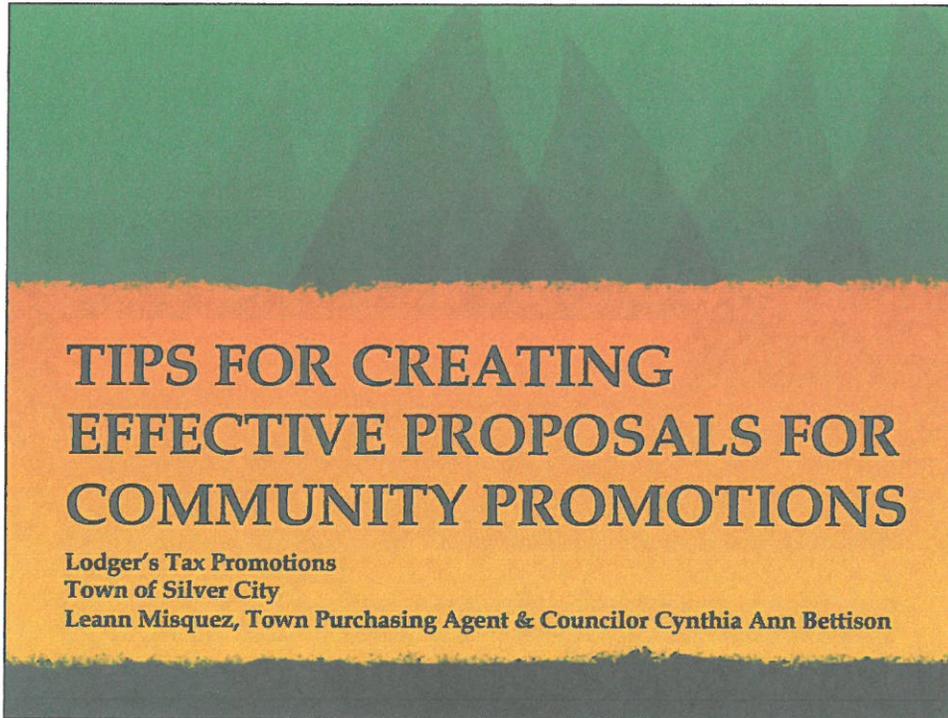
Alex C. Brown, Town Manager/ Finance Director



Leann Misquez, 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.

- Negotiation period has been extended from 6/3/2016 – 6/13/2016 to 6/3/2016 – 6/27/2016. Proposals will be evaluated and negotiated by the Lodger's Tax Evaluation Committee and the Town Council.
- Special Meeting to award Lodger's Tax Funds will be June 27, 2016 at 6:00 pm at the Grant County Administration Center located at 1400 Hwy 180 East, Silver City NM.
- Protest date will end on July 12, 2016 at 5:00 pm.
- It is recommended to have a representative present at the Special Meeting to clarify any questions the evaluation committee or board may have.
- Presentation from the Mandatory Meeting has been attached.
- List of Allowable/Non-Allowable Expenses has been attached. If an item is not listed that you feel may be covered, prior approval will be needed to include in your proposal.
- Budget Worksheet in Excel format is provided and must be included in your proposal.
- Check List in Order of Presentation is provided.
- Lodger's Tax Proposal Application (Appendix A) has been attached in Word format.
- Campaign Contribution Disclosure Form (Appendix B) has been attached in Word format.
- Proposals are due no later than June 3, 2016 at 11:00 am. Any proposals received after WILL NOT be accepted. Proposals must be turned in sealed; unsealed proposals WILL NOT be accepted.



Letter of Transmittal

The Letter of Transmittal is Required

TIP! Be Concise

Letter of Transmittal

Must include:

- *Identity* of organization or individual submitting the proposal

Tip! Use organizational letterhead, if possible

- *Identify* the name and title of the person *authorized to contractually obligate the organization*

Tip! Use wording as provided in RFP in your Letter of Transmittal

Letter of Transmittal (continued)

Must include (continued):

- The names, titles, and telephones numbers of *persons to be contacted for clarification of proposal*
- The name and title of the representative that *attended the mandatory meeting*
- Must be signed by the person *authorized to contractually obligate the organization*

Letter of Transmittal (continued)

Must include (continued):

- A statement *acknowledging receipt of any and all amendments to RFP*
- Federal Tax Identification Number or Social Security Number
- The amount of Lodger's Tax funds being requested

TIP! Only list the amount of funds being
Requested

Mission Statement

Provide the Mission Statement of the Organization

TIP! Place on separate sheet

Lodger's Tax Proposal Application (Appendix A)

TIP!

A Microsoft Word version of Appendix A can
be obtained by electronic mail from

purchasing@silvercitynm.gov

Lodger's Tax Proposal Application (Appendix A Cover Sheet)

TIP! Wait until your budget is final and completed, and your proposal is written before filling in:

Total Cost of Event
Amount Requested
Amount of Matching Funds
Source of Matching Funds

Lodger's Tax Proposal Application (Appendix A Cover Sheet)

Title of Event: Silver City Half Marathon	Date of Event: January 14, 2017
Total Cost of Event: \$30,000	Amount Requested: \$8,000
Amount of Matching Funds: \$18,000; \$4,000 In-kind; \$3,484 In-kind Non-cash	
Source of Matching Funds: \$18,000—Silver City Runner's Club, The International Club, X Business, The Car Dealership, The Gym, Gila University; \$4,000 In-kind—The Event Organization; \$3,484 in Volunteer Hours (200 hours X \$17.42)	
Title of Event: International 4-Corners X Games	Date of Event: October 10, 2017
Total Cost of Event: \$130,000	Amount Requested: \$25,000
Amount of Matching Funds: \$90,000; \$15,000 In-kind; \$13,936 In-kind Non-cash	
Source of Matching Funds: \$90,000—The Rappelling Club, The International Club, X Sports Gear Business, The X Car Dealership, The Extreme Gym, Gila University, Gila Physical Therapy, Your Hotels; \$15,000 In-kind—The Event Organization; \$13,936 In-kind Non-cash (800 volunteer hours X \$17.42/hour)	

Appendix A: Lodger's Tax Proposal Application

TIP!

Pay special attention to the Proposal Evaluation Criteria on pg. 6 of the Request for Proposals packet!

An effective proposal addresses these criteria in the 4 sections listed: Project Narrative, Marketing Plan, Financials, Previous Lodger's Tax Funding

Brief Project Narrative

TIP! Be succinct!

TIP! Address each question, each request in the order in which it is presented in the RFP

Brief Project Narrative

Briefly describe the event

Address the Lodger's Tax Impact

- Does the event attract visitors from our of the local area and/or encourage those who come here to extend their stay? And/or
- Encourage participants to spend recreation and vacation dollars in Silver City

TIP! Address Evaluation Criteria #1, #2, #3

TIP! Use Measurements (Statistics)

Brief Project Narrative

ID your *marketing* partner(s) and describe each partner(s) role.

How long have the event(s) been in existence?

Is this an annual event(s)?

Brief Project Narrative

Will your event bring in outside vendors? If so identify vendors.

How will it enrich the lives of SC residents?

Is the event during the Shoulder Season?

Marketing Plan

TIP! Evaluation Criteria #4

A Marketing Plan that is very detailed will have the most impact.

Marketing Plan

TIP! Evaluation Criteria #5

Marketing/advertising promoting Silver City as well as your organization/event will have the most impact

Marketing Plan

Briefly describe your marketing plan goals.

Briefly describe your target markets including demographic and geographic information.

Explain how the event supports these goals as well as promotes Silver City.

Marketing Plan

Describe your organization's *desired measurements and results*, and how it will *measure results* for each event.

Type of Advertising = Inquiries

Web page = Analytics/Inquiries

Trade Show = Contacts/Leads

Facebook Page = Activity/Insights

Survey = How they learned about event

Financials

TIP!

Provide the Organization's current fiscal year major revenue sources and amounts as well as its major expenditures and amounts in a table format.

Financials (Org's Current FY)

[NAME OF ORGANIZATION] OPERATING BUDGET FY 2015-2016			
ITEM	BUDGETED	IN-KIND NON-CASH	COMMENTS
REVENUES/INCOME			
Membership Dues	\$ 2,000.00		
TSC Lodger's Tax Promotion Award	\$ 6,500.00		
Grant County Lodger's Tax Award	\$ 500.00		
Private Donations	\$ 2,000.00		
Foundation/Grant #1	\$ 4,000.00		
Foundation/Grant #2	\$ 25,000.00		
Sponsorship #1	\$ 3,000.00		
Sponsorship #2	\$ 2,500.00		
Event Ticket Sales/Entrance Fees	\$ 5,000.00		
Ad Sales	\$ 1,500.00		
Merchandise Sales	\$ 3,000.00		
Vendor Booth Fees	\$		
Fundraisers	\$ 10,000.00		
Volunteer Hours	\$ -	\$ 6,968.00	400 Hours of Volunteer Time x \$17.42
TOTAL REVENUES	\$ 65,000.00	\$ 6,968.00	
EXPENDITURES			
Overhead	\$ 35,000.00		Salaries/Benefits/Rent/Utilities
Contract Labor	\$ 5,000.00		
Printing/Postage	\$ 1,000.00		
Telephone	\$ 1,500.00		
Advertising/Promotion	\$ 8,000.00		
Licenses/Permits/Insurance	\$ 2,500.00		
Venue/Equipment Rental	\$ 6,000.00		
Program Supplies	\$ 6,000.00		
TOTAL EXPENSES	\$ 65,000.00		

Detailed Proposed Budget

Provide a detailed proposed budget specific to each activity/project/event with expenditures and anticipated revenues.

Include anticipated Lodger's Tax monies.

TIP for those with multiple events!

Provide a Proposed Budget Summary of your Lodger's Tax Request

Detailed Proposed Budget (Summary of Proposed LT Budget for Organizations with Multiple Events)

[ORGANIZATION NAME] PROPOSED BUDGET SUMMARY OF LODGER'S TAX REQUEST					
ITEM	PROPOSED BUDGET	MATCHING FUNDS (CASH)	TSC LODGER'S TAX REQUEST	MATCHING IN-KIND VOLUNTEER /NON-CASH	COMMENTS
REVENUES/INCOME					
Membership Dues	\$ 3,000.00				
TSC Lodger's Tax Promotion Award	\$ 10,000.00				
Grant County Lodger's Tax Award	\$ 2,000.00				
Private Donations	\$ 3,000.00				
Foundation/Grant #1	\$ 4,000.00				
Foundation/Grant #2	\$ 25,000.00				
Sponsorship #1	\$ 3,000.00				
Sponsorship #2	\$ 2,500.00				
Event Ticket Sales/Entrance Fees	\$ 5,000.00				
Ad Sales	\$ 1,500.00				
Merchandise Sales	\$ 3,000.00				
Vendor Booth Fees	\$ 7,500.00				
Fundraisers	\$ 10,000.00				
Volunteer Hours				\$ 6,968.00	400 Hours of Volunteer Time x \$17.42
TOTAL REVENUES	\$ 74,500.00			\$ 6,968.00	
EXPENDITURES					
Overhead	\$ 37,000.00	\$ 37,000.00	\$ -		Salaries/Benefits/Rent/Utilities
Contract Labor	\$ 5,000.00	\$ 5,000.00	\$ -		
Printing/Postage	\$ 2,000.00	\$ 1,500.00	\$ 500.00		
Telephone	\$ 1,500.00	\$ 1,000.00	\$ 500.00		
Advertising/Promotion	\$ 9,500.00	\$ 500.00	\$ 9,000.00		
Licenses/Permits/Insurance	\$ 2,500.00	\$ 2,500.00	\$ -		
Venue/Equipment Rental	\$ 6,500.00	\$ 6,500.00	\$ -		
Program Supplies	\$ 10,000.00	\$ 10,000.00	\$ -		
TOTAL EXPENSES	\$ 74,000.00	\$ 64,000.00	\$ 10,000.00		

Detailed Proposed Budget (Allowable Expenses)

Allowable Expenses

- Security (non-Police)
- Travel Expenses (travel to promote your event)
- Port-a-Potties
- Radio Advertising
- Print Advertising
- Advertising

Detailed Proposed Budget (Non-Allowable Expenses)

Non-Allowable Expenses

Police Security

Salaries

Contractors/Labor Fees

Accountants

PR Firms

Scholarships

Detailed Proposed Budget

TIP!

In-kind donations are very important to list under your specific project budgets

Previous Lodger's Tax Funding

TIP! Evaluation Criteria #5

Marketing/advertising promoting
Silver City as well as your organization/
event will have the most impact

Previous Lodger's Tax Funding

Give details on how the monies were spent as
well as sources and amounts of other funds.

Describe your target markets

List your objectives, whether achieved, and
how they were measured

Provide examples of your advertising

Appendix B: Campaign Contribution Disclosure Form

As a prospective contractor pages 18 and 19 must be completed.

Make sure you understand what you are signing.
Completion of this form is **REQUIRED!**

Have the person *authorized to contractually obligate the organization* sign the form.

Please note, the person signing is stating that no contributions in the aggregate total over two hundred fifty dollars (\$250) were made to an applicable public official (of a local body during two years prior to the date on which the contractor submits the proposal) by the person signing, a family member, or representative of the prospective contractor.

Appendix C: Other Supporting Materials

You can attach other materials that you feel may improve the quality of your responses (make sure to refer to them in your responses if you include them).

Proposal Presentation (Organization)

- Letter of Transmittal
- Mission Statement
- Lodger's Tax Proposal App, Appendix A
 - Cover Sheet
 - Brief Project Narrative
 - Marketing Plan
 - Financials
 - Organization's Current Fiscal Year
 - Detailed Event(s) Budget(s)
 - Previous Lodger's Tax Funding
 - Advertising/Marketing Details
 - Statistics
 - Copies of Advertisements
- Completed and Signed W-9
- Appendix B: Campaign Contribution Disclosure Form
- Appendix C: Other Supporting Materials

Proposal Presentation

TIP!

Do not use a 3-ring binder of any size!

Get your proposal spiral bound or place it within a brad folder with tabs delineating each section.



Need Assistance?

Lisa Jimenez

Curbside Consulting

9AM – Noon Every Wednesday Morning

and By Appointment

301 W. College Ave (College Plaza) Suite #5

(575) 574-5473 or lmjimenez13@gmail.com

FREE!

ALLOWABLE AND NON-ALLOWABLE EXPENSES

Allowable Expenses

Security (non-Police)
Travel Expenses (travel to promote your event)
Port-a-Potties
Radio Advertising
Print Advertising
Advertising
Graphic Design Costs

Non-Allowable Expenses

Police Security
Salaries
Contractors/Labor Fees
 Accountants
 PR Firms
Scholarships

*Prior approval will be required if you have an expense that is not listed.

**CHECK LIST IN ORDER OF PRESENTATION
PROPOSAL ORGANIZATION**

- Letter of Transmittal
- Mission Statement
- Lodger's Tax Proposal Application (Appendix A)
 - Cover Sheet
 - Brief Project Narrative
 - Marketing Plan
 - Financials
 - Organization's Current Fiscal Year Budget
 - Detailed Event(s) Budget(s)
 - Previous Lodger's Tax Funding
 - Advertising/Marketing Details
 - Statistics
 - Copies of Advertisements
 - Completed and Signed W-9
- Campaign Contribution Disclosure Form (Appendix B)
- Other Supporting Materials (Appendix C)

Appendix A

**TOWN OF SILVER CITY
COMMUNITY PROMOTIONS
LODGER'S TAX PROPOSAL 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: _____

Appendix B

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)

BUDGET Source	Amount	EXPENSES	Lodger's Tax	Matching	In-Kind	Total Expense Paid Out
Event #1						
Foundation Grant #2	\$ 8,500.00	Overhead		\$ 8,500.00	\$ 3,500.00 (35 volunteers)	\$ 8,500.00
Lodger's Tax	\$ 120.00	Advertising - SC Daily Press	\$ 120.00			\$ 120.00
Lodger's Tax/Ad Sales	\$ 430.00	Advertising - SC Sun News	\$ 180.00	\$ 250.00		\$ 430.00
Lodger's Tax	\$ 95.00	Advertising - El Paso Times	\$ 95.00			\$ 95.00
Lodger's Tax	\$ 250.00	Advertising - Morning Star (shirts)	\$ 250.00			\$ 250.00
GC Lodger's Tax	\$ 2,000.00	Event Director	\$ 2,000.00	\$ 2,000.00	\$ 1,000.00 (50 hours @ \$20/hour)	\$ 2,000.00
Lodger's Tax	\$ 500.00	Overnight Security	\$ 500.00			\$ 500.00
Ad Sales	\$ 500.00	Venue Rental	\$ 500.00			\$ 500.00
Private Donations	\$ 700.00	Equipment Rental	\$ 700.00			\$ 700.00
Fundraisers	\$ 300.00	License/Permit/Insurance	\$ 300.00			\$ 300.00
Fundraisers	\$ 200.00	Supplies	\$ 200.00			\$ 200.00
Lodger's Tax	\$ 750.00	Port-a-potties	\$ 750.00			\$ 750.00
Private Donations	\$ 300.00	Financial Consultant	\$ -	\$ 300.00	\$ 300.00 (12 hours @ \$25/hour)	\$ 300.00
	<u>\$ 14,645.00</u>	<i>Total Expenses</i>	<u>\$ 1,895.00</u>	<u>\$ 12,750.00</u>	<u>\$ 4,800.00</u>	<u>\$ 14,645.00</u>
Event #2						
Foundation Grant #2	\$ 13,750.00	Overhead		\$ 13,750.00	\$ 8,000.00 (80 volunteers)	\$ 13,750.00
Lodger's Tax	\$ 120.00	Advertising - KRQE	\$ 120.00		\$ 120.00 (5 hours @ \$24/hour)	\$ 120.00
Lodger's Tax	\$ 75.00	Advertising - SC Daily Press	\$ 75.00			\$ 75.00
Lodger's Tax	\$ 150.00	Advertising - SC Sun News	\$ 150.00			\$ 150.00
Foundation Grant #2	\$ 1,200.00	Event Coordinator	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00 (60 hours @ \$20/hour)	\$ 1,200.00
Entrance Fees	\$ 250.00	Equipment Rental	\$ 250.00			\$ 250.00
Mechandise Sales	\$ 300.00	License/Permit/Insurance	\$ 300.00			\$ 300.00
Mechandise Sales	\$ 350.00	Supplies	\$ 350.00			\$ 350.00
Private Donations	\$ 250.00	Financial Consultant	\$ 250.00	\$ 200.00	\$ 200.00 (8 hours @ \$25/hour)	\$ 250.00
Private Donations	\$ 720.00	Graphic Design	\$ 720.00	\$ 50.00	\$ 50.00 (2 hours @ \$25/hour)	\$ 720.00
Lodger's Tax	\$ 490.00	Online Advertising - events.com	\$ 490.00			\$ 490.00
Lodger's Tax	\$ 750.00	Safety Control	\$ 750.00			\$ 750.00
Lodger's Tax	\$ 350.00	Port-a-potties	\$ 350.00			\$ 350.00
Lodger's Tax	\$ 250.00	Advertising - banners	\$ 250.00			\$ 250.00
	\$ 7,000.00	PR Firm	\$ -	\$ 7,000.00	\$ 200.00 (5 hours @ \$40/hour)	\$ 7,000.00
	<u>\$ 26,005.00</u>	<i>Total Expenses</i>	<u>\$ 2,185.00</u>	<u>\$ 23,820.00</u>	<u>\$ 9,770.00</u>	<u>\$ 26,005.00</u>
Event #3						
Grant #1/Spons.#1, Spons.#2/Entrance Fees	\$ 12,975.00	Overhead		\$ 12,975.00	\$ 7,500.00 (75 volunteers)	\$ 12,975.00
Lodger's Tax	\$ 375.00	Brochures	\$ 375.00			\$ 375.00
Lodger's Tax	\$ 320.00	Graphic Design	\$ 320.00			\$ 320.00
Lodger's Tax	\$ 350.00	Photographer	\$ 350.00	\$ 350.00	\$ 350.00 (10 hours @ \$35/hour)	\$ 350.00
Lodger's Tax	\$ 200.00	Web Maintenance	\$ 200.00			\$ 200.00
Lodger's Tax	\$ 75.00	Postage	\$ 75.00			\$ 75.00
Private Donations	\$ 1,500.00	Accountant	\$ 1,500.00	\$ 500.00	\$ 500.00 (5 hours @ \$100/hour)	\$ 1,500.00
Entrance Fees	\$ 250.00	Equipment Rental	\$ 250.00			\$ 250.00
Lodger's Tax	\$ 750.00	Security	\$ 750.00	\$ 100.00	\$ 100.00 (4 hours @ \$25/hour)	\$ 750.00
Lodger's Tax	\$ 1,500.00	Billboards/Signs	\$ 1,500.00			\$ 1,500.00
Fundraisers	\$ 2,000.00	PR Firm	\$ -	\$ 2,000.00	\$ 100.00 (2.5 hours @ \$40/hour)	\$ 2,000.00
	<u>\$ 20,295.00</u>	<i>Total Expenses</i>	<u>\$ 3,220.00</u>	<u>\$ 17,075.00</u>	<u>\$ 8,550.00</u>	<u>\$ 20,295.00</u>
Event #4						
Fundraisers	\$ 6,880.00	Overhead		\$ 6,880.00	\$ 3,500.00 (35 volunteers)	\$ 6,880.00
Lodger's Tax	\$ 600.00	Advertising - SC Sun News	\$ 375.00	\$ 225.00		\$ 600.00
Lodger's Tax	\$ 575.00	Graphic Design	\$ 450.00	\$ 125.00		\$ 575.00
Lodger's Tax	\$ 500.00	Online Advertising	\$ 350.00	\$ 150.00	\$ 350.00 (10 hours @ \$35/hour)	\$ 500.00
Lodger's Tax	\$ 250.00	Web Maintenance	\$ 250.00			\$ 250.00
Lodger's Tax	\$ 75.00	Postage	\$ 75.00			\$ 75.00
Private Donations	\$ 500.00	Financial Accountant	\$ 500.00	\$ 500.00	\$ 500.00 (5 hours @ \$100/hour)	\$ 500.00
Booth Fees	\$ 475.00	Equipment Rental	\$ 475.00			\$ 475.00
Lodger's Tax	\$ 550.00	Security	\$ 550.00	\$ 100.00	\$ 100.00 (4 hours @ \$25/hour)	\$ 550.00
Lodger's Tax	\$ 650.00	Billboards/Signs	\$ 650.00			\$ 650.00
	\$ 2,500.00	PR Firm	\$ -	\$ 2,500.00	\$ 100.00 (2.5 hours @ \$40/hour)	\$ 2,500.00
	<u>\$ 13,555.00</u>	<i>Total Expenses</i>	<u>\$ 2,700.00</u>	<u>\$ 10,855.00</u>	<u>\$ 4,550.00</u>	<u>\$ 13,555.00</u>

Overall Budget/Expenses for All Events

Total Expenses	Lodger's Tax	Matching	In-Kind	Total
Event #1	\$ 1,895.00	\$ 12,750.00	\$ 4,800.00	
Event #2	\$ 2,185.00	\$ 23,820.00	\$ 9,770.00	
Event #3	\$ 3,220.00	\$ 17,075.00	\$ 8,550.00	
Event #4	\$ 2,700.00	\$ 10,855.00	\$ 4,550.00	
	<u>\$ 10,000.00</u>	<u>\$ 64,500.00</u>	<u>\$ 27,670.00</u>	<u>\$ 102,170.00</u>
REVENUES				
Membership Dues		\$ 3,000.00		
TSC Lodger's Tax Promotion Award	\$ 10,000.00			
Grant County Lodger's Tax Award		\$ 2,000.00		
Private Donations		\$ 3,000.00		
Foundation/Grant #1		\$ 4,000.00		
Foundation/Grant #2		\$ 25,000.00		
Sponsorship #1		\$ 3,000.00		
Sponsorship #2		\$ 2,500.00		
Event Ticket Sales/Entrance Fees		\$ 5,000.00		
Ad Sales		\$ 1,500.00		
Merchandise Sales		\$ 3,000.00		
Vendor Booth Fees		\$ 2,500.00		
Fundraisers		\$ 10,000.00		
Volunteer Hours		\$ -	\$ 27,670.00	
TOTAL REVENUES	<u>\$ 10,000.00</u>	<u>\$ 64,500.00</u>	<u>\$ 27,670.00</u>	<u>\$ 102,170.00</u>