



Request for Proposal 2024-09

Eligible Tourism Entity – Administering 50% of the Township of Nipigon’s MAT Tax

Issue Date: September 12, 2024

Deadline for Questions: Tuesday, October 01, 2024, 4PM

Closing Date/Time: October 3, 2024, 4PM

Work commences: By arrangement with successful Proponent

Contact Person: Lars Moffatt, CAO (807) 887-3135 ext. 223

PROPONENT INFORMATION

BUSINESS NAME

MAILING ADDRESS

CITY

POSTAL CODE

() _____
TELEPHONE

() _____
CELL

EMAIL

SIGNATURE

NAME AND TITLE OF AUTHORIZED PERSON

DATE

Special Note: A signed copy of this form must be emailed along with the completed proposal to the Contact Person at cao@nipigon.net

A. PURPOSE

The Township of Nipigon is implementing a Municipal Accommodation Tax (MAT) as of October 01, 2024. A Municipal Accommodation Tax is a tax imposed by a local government or municipality on the price of overnight accommodations in its jurisdiction. Typically applied to hotels, motels, and other lodging establishments, this tax is collected from guests at the time of their booking. The primary purpose of the MAT is to generate additional revenue for the municipality to support various initiatives, such as tourism promotion, tourism infrastructure, and tourism product development, which directly or indirectly benefit both visitors and residents alike.

By implementing this tax on accommodations, municipalities can fairly distribute the costs of hosting tourists and maintaining tourism-related amenities, all without burdening local residents with increased taxes.

B. BACKGROUND

Under Ontario Regulation 435/17 Transient Accommodation Tax, the Township of Nipigon (the "Township") must share a minimum of 50% of MAT revenues with a designated "Eligible Tourism Entity" less the Township's reasonable cost for collecting and administering the tax.

The MAT is not a tax on local businesses, but is a tax of 4% on the accommodation charge paid by the customer only and applies to rooms sold for a continuous period of 29 days or less in a hotel, motel, lodge, inn, bed and breakfast, dwelling unit or any place an accommodation is provided. The MAT must be identified as a separate item or charge on each bill, receipt or invoice. A minimum of 50% of the funds obtained must be allocated to an arms-length non-profit organization, while the remainder can be retained by the municipality.

Eligible Tourism Entity is defined as a non-profit entity whose mandate includes the promotion of tourism in Ontario or in a municipality. For greater certainty:

- The expression "promotion of tourism" provides for the development of tourism products; and
- "Transient Accommodation" means accommodation for a continuous period stay of 29 nights or less; this continuous period is not disrupted by the purchase of different rooms, suites, beds or lodging in the same licensed establishment such as a hotel, motel or bed and breakfast.

C. MANDATE AND OBJECTIVES

The mandate of the Eligible Tourism Entity will be the promotion of tourism in alignment with the Township of Nipigon Community Strategic Plan (the "Strategy"). With the proposed implementation of the MAT, funding will be accessible to support the Strategy and related tourism initiatives moving forward.

The following objectives shall guide the Eligible Tourism Entity in decision-making throughout the Eligible Tourism Entity's lifecycle irrespective of changes in leadership, goals, strategies and activities:

- (1) The Eligible Tourism Entity will act as steward and receiver of funds from the MAT; and

- (2) The Eligible Tourism Entity’s business plan and/or guiding document will be the Township of Nipigon’s Community Strategic Plan, amended from time to time and including all subsequent updates; and
- (3) The Eligible Tourism Entity will engage in tourism promotion and tourism product development in the Township; and
- (4) The Eligible Tourism Entity will act as a vehicle for moving funding to third parties that enhances, but does not replace, existing municipal funding; and
- (5) The Eligible Tourism Entity will report to Council at least once a year or as otherwise stipulated in the Eligible Tourism Entity’s By-laws; and
- (6) The Eligible Tourism Entity will undertake its work based on objective decision-making processes that are accountable and transparent, resulting in Township-wide benefits.

D. THE PROCESS

Closing Date, Time Location

Each Proponent must deliver their proposal electronically. Proponents will have the opportunity to submit questions to the Contact Person via email only until October 1st, 2024 at 4PM. All questions and answers will be distributed to Bidders (who have indicated written interest in the Request for Proposal) as an addendum, via email, within one (1) business day of receipt of the questions by the Contact Person. All addenda will become part of the RFP. Proposals must be sent electronically to cao@nipigon.net no later than October 3rd, 2024, at 4PM.

Eligible Tourism Entity

As per O.Reg 435/17, “Eligible Tourism Entity” is defined as a non-profit entity whose mandate includes the promotion of tourism in Ontario or in a municipality. Bidders who do not meet the definition of an Eligible Tourism Entity will not be considered. For greater certainty:

Late Proposals

It is the responsibility of each Proponent to ensure that their proposal is received by the Contact Person by the Closing Date and Time and the Proponent assumes the entire risk of failure of the Township of Nipigon to receive their proposal by the contact person by Closing Time. Proposals received by the Contact Person after Closing Time will not be considered and may be returned to the Proponent.

Schedule and Timing of Project

Summary of Key Activities, Dates and Times:

Activity	Date/Time
Deadline to Submit Questions	October 1 st , 2024, 4 PM EST
RFP Closing	October 3 rd , 2024, 4 PM EST
Contract with Proponent	Upon signing

Evaluation of Proposals will be performed by a committee formed by Township of Nipigon staff members and council members. Proposals will first be checked against mandatory criteria. Proposals not meeting the mandatory criteria will be rejected without further consideration. Proposals that do meet the mandatory criteria will then be assessed against additional criteria. The intent is to enter into a Contract with the Proponent who has the highest overall ranking. Please refer to Section K for a list of criteria and their weighting.

Negotiation Delay

If a Contract cannot be negotiated with the highest-ranking Proponent within a period satisfactory to the Township of Nipigon, they may, at their sole discretion, terminate negotiations with that Proponent and either negotiate a Contract with another Proponent or choose to terminate this RFP process and not enter into a Contract with any of the Proponents. The Township of Nipigon may also at their sole discretion, send out a new RFP for this project should they be unable to negotiate a Contract with the successful Proponent or another Proponent.

E. PROPOSAL PREPARATION

Signed Proposals

The Proponent must ensure that their submission includes the Cover Page of this RFP, signed by a person authorized to sign on behalf of the Proponent and to bind the Proponent to their proposal and the terms of this RFP.

Irrevocability and Validity of Proposals

By submission of a clear and detailed written notice, the Proponent may amend or withdraw their proposal prior to Closing Time. After Closing Time, all Proposals become irrevocable and will remain open for acceptance for a period of ninety days from Closing Time. By submission of a Proposal, the Proponent agrees that, should the Proposal be successful, the Proponent will enter into a contract with the Township of Nipigon.

Proponents' Expenses

Proponents are solely responsible for their own expenses in preparing a Proposal and for subsequent negotiations, if any. Township of Nipigon will not be liable to any Proponent whether they accept a Proposal or reject all Proposals, for any claims, whether for costs or damages incurred by the Proponent in preparing the Proposal, loss of anticipated profit in connection with the Contract or any other matter whatsoever.

Liability for Errors

While the Township of Nipigon has taken considerable care to ensure an accurate representation of information in this RFP, the information contained in this RFP is supplied solely as a guideline for Proponents. The information is not guaranteed or warranted accurate, nor is it necessarily comprehensive or exhaustive. Nothing in this RFP is intended to relieve Proponents from forming their own opinions and conclusions with respect to the matters addressed in this RFP.

Sub-contracting

Using a sub-contractor (who must be clearly identified in the proposal) is acceptable. This includes a joint submission by two or more Proponents having no formal corporate links. However, in this case, one of

these Proponents must be prepared to take overall responsibility for successful performance of the Contract and this should be clearly identified in the proposal.

F. ADDITIONAL TERMS AND CONDITIONS

Acceptance and Rejection of Proposals

This RFP should not be construed as an agreement to purchase goods or services. The lowest priced or any Proposal will not necessarily be accepted. Township of Nipigon is not bound to enter into a Contract with any Proponent.

Right to Amend or Cancel

Township of Nipigon reserves the right in their sole discretion at any time, and for whatever reason to, by addendum, modify, amend, or otherwise change this RFP.

Contract

Notice in writing will be provided to the identified successful Proponent, and the subsequent full execution of a written Contract will constitute a Contract for the goods or services, and no Proponent will acquire any legal or equitable rights or privileges relative to the goods or services until the occurrence of both events.

Terms of Reference & Accountability

The Successful Proponents will be required to establish a 'Terms of Reference' that shall be accepted by the Council of the Township of Nipigon. The Terms of Reference shall include the establishment of a Municipal Accommodation Tax Committee, which shall be responsible with determining how and where MAT dollars are utilized. The Successful Proponents and the Township shall agree on reasonable financial accountability matters in order to ensure that amounts paid to the entity are used for the exclusive purpose of promoting tourism, and the agreement may provide for other matters.

No Public Announcements

Proponents will not make any public announcement or have any communication with the media in connection with this RFP without the prior written consent of the Township of Nipigon.

No Promotion of Relationship

Proponents will not disclose their relationship with the Township of Nipigon for promotional purposes, including by means of verbal declarations and announcements through any medium whatsoever.

Proprietary Information Notice

This RFP may contain proprietary and confidential information of the Township of Nipigon, which is provided for the sole purpose of permitting the Proponent to respond to this RFP. In consideration of the receipt of this RFP, the Proponent agrees to maintain such information in confidence and not to reproduce or otherwise distribute this information.

Assignment of Intellectual Rights

All intellectual work carried out because of this RFP will be the exclusive property of Township of Nipigon and will be surrendered to the Township immediately upon completion, expiration, or cancellation of the project. Township of Nipigon will own all rights, title, and interest in all intellectual property rights, including copyrights, patents, trade secrets and trademarks in any work created that is paid for by Township of Nipigon.

Law

The successful Proponent shall indemnify and make immune the Township of Nipigon, its officers and its employees against any damage caused by the Township of Nipigon as a result of any negligence or unlawful acts of the successful Proponent, its employees, or agents. Similarly, the successful Proponent shall agree to indemnify and make immune the Township of Nipigon, its officers and employees against any claims or costs initiated by third parties as a result of any negligence or wrongful acts of the successful Proponent, its employees, or agents.

G. PROPOSAL CONTENT AND FORMAT

The following format and sequence should be followed to provide consistency in Proponents' responses and to ensure that each Proposal receives full consideration:

1. Title page: include title of RFP, Bidder's name, contact person, address, telephone number and E-mail address.
2. Signed RFP Cover Page.
3. Table of Contents: use page numbers.
4. Executive Summary: Briefly describe the key features of the Proposal (2 pages maximum).
5. Tourism Entity Profile: Include a profile of the entity's history including the length of time in business, number of employees, and organizational structure (2 pages maximum).
6. Include references for at minimum, two (2) related projects. References should include name, title, and contact information.
7. Project Understanding (maximum 4 pages):
 - Proposal clearly demonstrates understanding of the following (please use these headings in your Proposal):
 - o Scope of Work
 - o Schedule
 - o Project Deliverables
 - o Description of How Requirements Will be Met
8. Project Management Description: Describe the work plan and schedule demonstrating the approach to be used (maximum 2 pages).
9. Budget/Pricing: Provide a breakdown of fund allocation (maximum 1 page).
10. File size must not exceed 5 MB and files are to be submitted in Microsoft Word (where applicable) and/or PDF.

H. PROPOSAL EVALUATION

Evaluation of proposals will be performed by municipal staff and forwarded to Council for consideration. Selection of the Consultant will be achieved through a formal evaluation process described earlier in this RFP.

The following are the **mandatory** requirements:

- Proponent must deliver a signed electronic copy of the RFP form (first page of this document) along with the Proposal to cao@nipigon.net by the "closing time";
- The Proposal must not be mailed, delivered, or sent by facsimile;
- The Proposal must contain a cover letter; and
- Size of the file should not exceed 10 MB

Criteria will be scored out of a total score of **100 points**, broken down as follows:

1. Experience and Qualifications – 40 points

- a) The proposal must identify all members of the team (including subcontractors if applicable) and their relevant skills, qualifications and experience, the amount of time each team member will devote to the project, roles/responsibilities, and team structure.
- b) Evidence of knowledge of Municipal Accommodation Tax should be demonstrated.
- c) It is recommended (but not required) for the proposal to provide evidence of the Proponent's recent (in the last 5 years) experience relevant to the Municipal Accommodation Tax. Other related, relevant experience will also be considered.
- d) It is recommended to provide contact information of at least two (2) references for which the Proponent has completed similar projects.
- e) Proponents may, if they wish, provide **links** to samples of relevant work that may be of interest to the proponent. Please do not include examples of past work as attachments to the Proposal.

2. Approach to the Project and its Deliverables – 30 points

- a) The proposal should demonstrate the Proponents' clear understanding of the project by recommending a suitable approach which reflects the Township's objectives.
- b) The proposal should also present evidence of the Proponent's comprehension of the project scope of work and rationale.

3. Document Quality – 10 points

As it is considered to be a precursor of the quality of the final product, written proposals will be assessed in terms of overall quality, i.e., organization, presentation/appearance, clarity, and conciseness.

4. Pricing – 20 points

The Proponent should identify any required professional fees that they will charge for administering the 50% of the MAT funds provided to the Eligible Tourism Entity. Ranges of cost (Ex. 15-20%) are acceptable. Examples of such may include, but are not limited to, cost to administer their affairs, bookkeeping costs, marketing costs, etc. Proponents can also advise that any charged administration/marketing costs would be subject to revenues received from the Municipal Accommodation Tax and what initiatives were being taken.