



**TOWN OF TAOS**

**RFP #: SB02-PO1718**

**REQUEST FOR PROPOSALS (RFP)**

**Short Term Rental Compliance Service and Software**

**Mayor**

**Daniel R. Barrone**

**Council Members**

**Judith Y. Cantu**

**Nathaniel Evans**

**Darien D. Fernandez**

**George "Fritz" Hahn**

**SEALED PROPOSAL SUBMISSION DEADLINE**

**NO LATER THAN 2:00 PM LOCAL TIME, JANUARY 16, 2018**

# **RFP #: SB02-PO1718**

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# SECTION I – NOTIFICATION OF INTENT TO SUBMIT PROPOSAL

**Please complete the following form and fax IMMEDIATELY to:**

Town of Taos Purchasing Division  
ATTN: Sharon Voigt, Procurement Officer  
400 Camino de la Placita  
Taos, New Mexico 87571  
Facsimile: (575) 751-2026  
svoigt@taosgov.com

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***Failure to return this form may result in a termination of communication regarding this RFP.***

**RFP #: SB02-PO1718 Short Term Rental Compliance Service and Software**

Company Name: \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Fax No: \_\_\_\_\_

E-Mail Address \_\_\_\_\_

**I have received a copy of the above noted RFP.**

\_\_\_\_\_ **Yes**, I will be responding to this RFP. I also authorize the Town of Taos Purchasing Division to send further correspondence that it deems to be of an urgent nature by the following method:

\_\_\_\_\_ **Courier Collect**

\_\_\_\_\_ **Facsimile**

\_\_\_\_\_ **E-Mail**

\_\_\_\_\_ **No**, I will not be responding to this RFP. I understand that if I do not submit a proposal, this will not affect our company's status as a potential **contractor/vendor** to Town of Taos in the future. I also understand that if I do not return this form, our company will not receive any further notices with regard to this RFP.

SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

## SECTION II – GENERAL CONDITIONS

### Protest Deadline

Any protest by an Offeror must be timely and in conformance with Section 13-1-172 NMSA 1978 and applicable procurement regulations. The fifteen (15) calendar day protest period shall begin on the day following the award of the contract and will end at 2:00 pm on the 15<sup>th</sup> day. Protests must be written and must include the name and address of the protestor and the request for proposal number. It must also contain a statement of the grounds for protest including appropriate supporting exhibits. The protest must be delivered to:

Sharon Voigt, Town of Taos Procurement Officer  
400 Camino de la Placita, Room 202  
Taos, NM 87571

***\*Protests received after the deadline will not be accepted.\****

1. **Proposal Forms and Delivery:** ALL ORIGINAL PAGES INCLUDED IN THIS REQUEST FOR PROPOSAL MUST BE COMPLETED AND RETURNED AS PART OF THE PROPOSAL DOCUMENT. Offerors who submit more than one proposal are instructed to complete a separate form for each proposal. Forms may be submitted together, or individually, at the discretion of the Offeror. The forms must be signed, and the package sealed, with the proposal number clearly stated on the outside of the envelope or package.
2. **Applicable Law:** This contract shall be governed by the Laws of the State of New Mexico, including the New Mexico Procurement Code (NMSA 1978, § 13-1-28 et seq. (as amended) and the ordinances, resolutions, rules and regulations of the Town.
3. **Application of Preferences:** This procurement is subject to the application of preferences, pursuant to §13-1-21, NMSA 1978. Offerors are not eligible to receive both a Resident Business Preference and a Resident Veteran Business preference. See Section IV of this RFP.
4. **Acceptance of Conditions Governing the Procurement:** Submission of a proposal constitutes acceptance of all conditions, terms, and evaluation factors within this RFP.
5. **Amended Proposal:** An Offeror may submit an amended proposal before the deadline for receipt of proposals. These must be identified clearly on the envelope or package as “ADDMENDMENT TO RFP # 16-17-11”, and its contents will supersede in part or whole the prior submission.
6. **No Obligation:** This procurement, nor its award to a vendor, does not obligate Town of Taos in any way until a valid written contract is executed.
7. **Right to Reject Proposal:** The Town reserves the right to reject a proposal from any Offeror who has previously failed to perform properly, has caused the Town to incur unreasonable costs or expense, failed to complete on time an agreement of a similar nature, or who is not in a position to perform the work governed by this RFP.
8. **Offeror’s Right to Withdraw Proposal:** The Offeror may request to withdraw a proposal at any time up to the receipt’s deadline. The request must be in writing and signed by the Offeror or a duly authorized agent. A proposal which was not withdrawn before the

deadline may be binding on the offeror. Approval or denial of such request after the deadline shall be at the sole discretion of Taos of Taos.

9. **Cancellation:** This RFP may be canceled at any time and any and all proposals may be rejected in a whole or in part when the Procurement Officer determines such action to be in the best interest of the Town.
10. **Ownership of Proposals:** All materials submitted in connection with this RFP shall become the property of Town of Taos.
11. **Responsible Offeror:** Town of Taos shall review the Offeror's qualifications, references, and history, and the Town shall be the sole determinant of the acceptability of the Offeror to provide the needed goods and/or services.
12. **Interviews:** The Town reserves the right pursuant to NMSA 13-1-115 to interview and engage in discussions and negotiations with the responsible Offerors who submit proposals that the Town has determined to be reasonably likely to be selected for award. Town further reserves the right to allow revisions in proposals as allowed pursuant to NMSA 13-1-115 in order to obtain the best and final offers and to determine pursuant to NMSA 13-1-117 the proposal that is most advantageous to the Town. The Town may re-evaluate the interviewed offerors as a result of interviews according to the evaluation criteria.
13. **Costs Incurred in Responding:** This solicitation does not commit the Town to pay any costs incurred in the preparation and submission of proposals, to making studies or designs for the preparation thereof, nor to procure or contract services.
14. **Disclosure of Proposal Contents:** A public log will be kept of the names of all Offerors that submitted proposals. The proposals and documents pertaining to the proposals will be kept confidential throughout the duration of the procurement process and until a contract is awarded. At that time, all proposals will be open to the public, except for material which has been previously noted and deemed as proprietary or confidential.
15. **Release of Information:** Only the Town is authorized to release information covered by this RFP. The Offerors must refer to the Town any requests to release any information that pertains to the work or activities covered by any action or award related to this RFP.
16. **Proposal Binding for 90 days:** Unless otherwise specified, all formal proposals submitted shall be binding for ninety (90) calendar days following bid opening date, unless the bidder, upon request of the Procurement Officer, agrees to an extension.
17. **Authority of Agent:** The Contractor represents that the person executing documents on behalf of the Contractor has been duly authorized to do so.
18. **Compensation and Taxes:** The Town of Taos is required to pay taxes on services, labor, and/or personal property leases. However, the Town is exempt from Gross Receipts Tax ("GRT") for the purchase of tangible personal property. Prices shown on the bid proposal shall be exclusive of GRT. Applicable GRT for items other than tangible personal property shall be shown as a separate amount on each billing made under the contract. A properly issued Type 9 Non-Taxable Transaction Certificate may be obtained from the Town that will document any exemption from the GRT.
19. **Additional Costs:** The Town shall not be responsible to pay for any costs associated with proposal submission, nor for the payment of any add-on, addition, or optional equipment or service that has not been authorized in writing by the Town.

20. **W-9 Information:** Pursuant to Federal Tax Law (Internal Revenue Code, Section 6041), the Town is required to obtain a Taxpayer Identification Number (TIN) and a completed W-9 from the successful Offeror; according to Federal Income Tax Law (Internal Revenue Code, Section 3406), failure to furnish this information promptly and correctly (within 30 days) may result in a \$50.00 penalty imposed by the Internal Revenue Service. In addition, the Internal Revenue Service may require the Town to withhold 28% of payments made if this information is not furnished by the successful Offeror.

If the successful Offeror's business is classified as a Corporation, Tax Exempt Corporation, government entity, or other exempt payee, the Town will not file an IRS Annual Information Return (Form 1088 Misc.) on your behalf. However, the law requires the provision of your TIN in addition to informing the Town of payee type. If classified as an individual or sole proprietor, the TIN is your Social Security Number; otherwise, your Federal Employer Identification Number serves as your TIN.

21. **Proof of Licensing:** The Town reserves the right to request proof of licensing for which licensure by the State of New Mexico or another agency is required (i.e. Professional Architect/Engineer, State Bar Member, etc.).
22. **Delivery:** Delivery of goods or services, if applicable, shall be FOB-Destination, and shall be specified within the Specifications of this Request for Proposal.
23. **Proposal Irregularities and Formalities:** The Town of Taos reserves the right to waive immaterial irregularities and formalities.
24. **Minimum Specifications:** Specifications supplied are as minimum standards.
25. **Multiple Awards:** The Town reserves the right pursuant to NMSA 13-1-153 to make multiple source awards when the determination is based on the evaluation criteria, interviews, discussions, and negotiations that making a single award would sacrifice economy or service and therefore not be most advantageous to the Town.
26. **Contract Term:** The contract is for a term of one (1) year, with up to (3) three, one-year renewal option at the sole discretion of the Town. It is anticipated that this contract will commence January, 2018 or shortly thereafter.
27. **Procurement Under Existing Contract NMSA 1978, § 13-1-129:** Under the terms and conditions of the RFP all local-area public bodies allowed by law may issue orders for the goods and/or services as described herein. The terms and conditions of this RFP shall form a part of each order issued herein. This RFP is available for use by all Town of Taos departments, Taos County, Village of Questa, Village of Angel Fire and other agencies, as provided by law, at the discretion of the contracted vendor.

## SECTION III – SPECIFICATIONS

### 1. Evaluation Criteria:

The Town of Taos Evaluation Committee will use the following criteria in its review and evaluation of the Proposals marked as Exhibit 1:

- A. **Experience and qualifications in the provision of stated services. 25 Points**
- B. **Ability to meet the needs of the required scope of work as detailed. 25 Points**
- C. **Services Offered:** include understanding of scope of work, to include key performance indicators that also support the Town of Taos Marketing Strategy. **25 Points**
- D. **Overall cost to the Town:** Detailed pricing for proposed project to include all aspects of the services to be rendered to be provided by the offeror. **25 Points**
- E. **Resident Business or Resident Veteran Business Preference: 5 – 10 Points**

### **NEW MEXICO PREFERENCES**

To ensure adequate consideration and application of NMSA 1978, § 13-1-21 (as amended), Respondents must include a copy of their preference certificate with their proposal. Certificates for preferences must be obtained through the New Mexico Department of Taxation & Revenue <http://www.tax.newmexico.gov/Businesses/in-state-veteran-preference-certification.aspx>.

- **New Mexico Business Preference**

- **New Mexico Resident Veterans Business Preference**

In addition to a copy of the certification, the Respondents should sign and complete the Resident Veterans Preference Certificate form, as provided in this RFP.

**Total possible points available add up to 110 Points**

### 2. Required Forms:

- A. Proposal Form
- B. Campaign Disclosure Form
- C. Addendums (if applicable)
- D. Copy of Resident Business Preference Certificate & Certification Form (if applicable)
- E. Copy of Resident Veteran Business Preference Certificate & Certification Form (if applicable)
- F. Response to Proposal Requirements (see Section IV- Specifications)
- G. Five (5) reference contacts

### **3. Scope of Work:**

Town of Taos is soliciting proposals for specific services in conjunction with the implementation and administration of its' recent Short Term Rental (STR) Ordinance 15-11.

Bidders must provide five (5) references and demonstrate proven experience in administering local government STR Regulations in a tourism and recreation based economies with similar total estimated number of STR's. Bidders must provide each service outlined in Exhibit "A":

#### **EXHIBIT "A" SCOPE OF SERVICES**

##### **A. Online/Mobile Permitting**

The Development and Hosting of an electronic web-based Short Term Rental Permit Process. The capabilities of the process to include:

- 24/7 availability
- Mobile adaptive design
- Compatible with Town of Taos website
- The ability to validate inputs whenever possible as to minimize data-entry errors
- Electronic signature capabilities
- SSL encryption
- Data available through an online application and/or website
- Data downloadable into csv format via online application and/or website

##### **B. Physical Address Identification**

Monthly email-delivered report and live web-delivered dashboard with complete address information and screenshots of all identifiable STRs in Taos city limits:[

- Up-to-date list of jurisdiction's active STR listings
- High resolution screenshots of all active listings (captured weekly)
- Full address and contact information for all identifiable STRs in jurisdiction
- All available listing and contact information for non-identifiable STRs in jurisdiction

##### **C. Compliance Monitoring**

Ongoing monitoring of the short-term rentals operating in the Town of Taos' jurisdiction for zoning and permit compliance coupled with systematic outreach to non-compliant short-term rental property owners (using Town of Taos' form letters)

- Ongoing monitoring of STRs for zoning and permit compliance
- Pro-active and systematic outreach to unpermitted and/or illegal short-term rental operators (using jurisdiction's form letters)



- Monthly staff report on jurisdiction's zoning and permit compliance:
- Up-to-date list of STRs operating illegally or without the proper permits
- Full case history for non-compliant listings

**D. 24/7 Short-term Rental Hotline**

24/7 staffed telephone and email hotline for neighbors to report non-emergency problems related to STR properties:

- Incidents can be reported by phone or email
- Full documentation of all reported incidents
- Digital recordings and written transcripts of all calls
- Ability for neighbors to include photos, video footage and sound recordings to document complaints
- Real-time outreach to owners of problem properties
- Weekly staff reports containing:
  - The number and types of reported incidents
  - List of properties for which incidents have been reported
- Custom reports and analysis of hotline related activities

**E. Dashboard**

Develop or provide a real-time, online application or web-based dashboard that will give Town of Taos the capability for continuous monitoring of all short term rental activity by location, type of dwelling being rented, advertisements, permitted and unpermitted operations and the number and type of issues, problems and violations resolved and unresolved associated with short term rental activity.

**F. Options**

Provide option to identify short term rentals within the corporate limits of the two municipalities of Taos County and the Village of Taos Ski Valley.

**G. Deployment**

- If applicable, provide complete turnkey on-site implementation and project management support
- Provide training to end users and IT staff
- If applicable, provide future software releases and updates to all applications as part of regular software maintenance fees
- If applicable, provide technical documentation for support staff including system overviews, design, flowcharts, and file layouts

**4. Proposed Timeline and Required Documentation:**

- |   |                   |
|---|-------------------|
| • Release Date  | December 21, 2017 |
| • Last Day for Submittal of Questions                   | January 9, 2018   |
| • Submission of Proposals                               | January 16, 2018  |
| • Proposal Ratings/Interviews /Committee Summary Report | January 16, 2018  |
| • Staff Recommendation to Management                    | January 23, 2018  |

- **One (1) ORIGINAL and Three (3) HARD COPY of Envelope 1 (Technical Proposal); ORIGINAL and COPY shall be in separate labeled envelopes; all confidential**

information in the proposal shall be clearly identified and easily segregated from the rest of the proposal.

- **One (1) ORIGINAL and Three (3) HARD COPY of Envelope 2 (Cost Proposal); ORIGINAL and COPY of Cost Proposal shall be in separate labeled envelope and/or from envelope 1.**
- ***Any proposal that does not adhere to the requirements of Section III. 4, Proposed Timeline and Required Documentation may be deemed non-responsive and rejected on that basis.***

Three (3) **HARD COPIES** plus One (1) **ORIGINAL** of the sealed proposals must be submitted to the office of the Purchasing Officer by **Tuesday, January 16, 2018 at 2:00 p.m.** **Originals** shall clearly be marked as such. The proposals should be sent to:

*Town of Taos Purchasing Division  
Attn: Sharon Voigt, Procurement Officer  
400 Camino de la Placita, Room 202  
Taos, NM 87571*

**Procurement Officer:**

The Town of Taos has designated a Procurement Officer who is responsible for this procurement and whose name, address, and telephone number are listed below. Any inquiries or requests regarding this procurement should be submitted to the Procurement Officer in writing. Offerors may contact **ONLY** the Procurement Officer regarding the procurement. Other Town employees do not have the authority to respond on behalf of the Town of Taos.

**Sharon Voigt, Procurement Officer**  
Town of Taos Purchasing Division  
400 Camino de la Placita, Taos, NM 87571  
Phone: (575) 751-2025  
Fax: (575) 751-2026  
E-mail: [svoigt@taosgov.com](mailto:svoigt@taosgov.com)

**Proposal Information**

Copies of the Request for Proposal may be obtained by calling Town of Taos Purchasing Division at 575-751-2025. The proposal opening time shall be according to our clock. **No proposals will be accepted after the time and date established above, except by written addenda.**

Only sealed proposals received by the Purchasing Division will be accepted; proposals submitted by telephone, telegram, facsimile machines **are not acceptable**. The Town assumes no responsibility for proposals being either opened early or improperly routed if the envelope is not clearly marked on the outside **RFP #: SB02-PO 1718 Short Term Rental Compliance Service and Software**

***This form and all forms hereafter must be included in your submitted proposal packet as well as five (5) reference contacts.*** The proposer is required to signify whether the proposal complies

with the specifications listed above. Please identify any items which your firm would not be able to accomplish from the tasks listed above.

The total cost of your proposal shall include all labor, materials, equipment, overhead, freight, taxes, etc. to cover the complete work of the items listed. Proposals must include complete information covering all of the above items to enable the evaluators to make accurate determinations regarding the experience and qualifications of the firm. Respondents are encouraged to include samples and any other information that will highlight qualifications of the firm. The highest ranked firms/maybe invited to participate in an interview session at Town's discretion.

Every effort will be made to adhere to the proposed timeline. You will be contacted if there are any addendums issued for this RFP. Please remember to fill out your Intent to Submit Proposal Form on Page 3 so that we are able to contact you during this process.

**SECTION IV – PROPOSAL**

To: Town of Taos  
400 Camino de la Placita, Room 202  
Taos, NM 87571

Date: \_\_\_\_\_

Having read the proposal conditions and examined the specifications for **RFP # SB02-PO1718 Short Term Rental Compliance Service and Software.**

I/we hereby submit a proposal accordingly.

**We understand that we must return the completed Proposal document with cost proposal attached to be considered a responsive.**

N.M. Five Percent Resident Business Certification Number: \_\_\_\_\_

NON-DISCRIMINATION POLICY: This Company does not discriminate on the basis of color, national origin, sex, religion, age and disabled status in employment or the provision of services.

SUBMITTED BY:

\_\_\_\_\_  
Signature of Agent

\_\_\_\_\_  
Printed Name & Title of Agent

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

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Telephone # Fax # (optional)

\_\_\_\_\_  
Federal Tax I.D. #

\_\_\_\_\_  
NM CRS # (if located in-state)

## CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to Chapter 81, Laws of 2006, any prospective Contractor seeking to enter into a contract with any state agency or local public body must file this form with the state agency or local public body. The prospective must disclose whether they, a family member or a representative of the prospective 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 submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the signs the contract, if the aggregate total of contributions given by the prospective, a family member or representative of the prospective to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

THIS FORM MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAD 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 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 either 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 un-reimbursed 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.

**“Contract”** means any agreement for the procurement of items of tangible personal property, services, professional services or construction

**“Family member”** means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law.

**“Tendency 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.

**“Person”** means any corporation, partnership, individual, joint venture, association or any other private legal entity.

**“Prospective”** means a person who 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 qualifies for a sole source or a small purchase contract.

**“Representative of a prospective”** 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 .

**DISCLOSURE OF CONTRIBUTIONS** applies to contributions made to the following Public Officials: **DANIEL R. BARRONE, MAYOR**

**COUNCIL MEMBERS:**

**JUDITH Y. CANTU  
DARIEN D. FERNANDEZ**

**NATHANIEL EVANS  
GEORGE "FRITZ" HAHN**

Contribution made by: \_\_\_\_\_

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

Name of Applicable Public Official: \_\_\_\_\_

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

Amount(s) of Contributions(s) \_\_\_\_\_

Nature of Contributions (s) \_\_\_\_\_

Purpose of Contributions(s) \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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

***OR***

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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