

Issue Date: November 14, 2007

Request No: ITP-0711

Direct Inquiries to: See Below

Response Deadline:

December 31, 2007

Invitation To Participate



Department of Personnel & Administration
Division of Central Services
State Travel Management Program
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SUBMIT INFORMATION: *Invitation To Participate* -- will be accepted on-line **ONLY** The State of Colorado In-State Lodging Directory will be officially updated & posted on the STMP website. Submissions received after the deadline may be accepted at the discretion of the State Travel Manager.

COMPLETE DESCRIPTION OF IN-STATE LODGING SERVICES

These authorizations are permissive; travelers are not required to use authorized hotels. The State Travel Management Program uses federal lodging per diems as a base line to establish authorized hotels for state travel, but such use in no way affects State reimbursement policy for lodging or meal expenses as set by the State Controller's Office. The State of Colorado Fiscal Rule 5-1 set policy for travel reimbursement.

The State Travel Management Program (STMP) seeks lodging accommodations for official *State Traveler's* (includes all state agencies, institutions of higher education and participating political subdivisions). The State intends to grant authorizations to all vendors agreeing to the terms of this *Invitation To Participate* that will extend from December 1, 2007 to October 31, 2009. The State will develop an authorized in-state hotel listing which it will publish on the STMP website and distribute to all all state agencies, institutions of higher education and participating political subdivisions.

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State Travel Manager

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State Travel Coordinator

This ***Invitation To Participate*** includes the following:

- 1.) ITP Terms and Conditions;
- 2.) ITP Statement of Work;
- 3.) **On-line** Vendor Response Form;
- 4.) The State's Benchmarked Maximum Rates are located on the GSA website:
http://www.gsa.gov/Portal/gsa/ep/contentView.do?queryYear=2008&contentType=GSA_BASIC&contentId=17943&queryState=Colorado&noc=T ;

ITP Response Requirements

Only responses that agree to ALL of the following requirements will receive consideration by the State:

1. Room rates (tax excluded) offered are at or below current federal lodging per diems;
2. Property agrees to honor State Fiscal Rule 5-1 effective 10/1/07 & Executive order D 005 03 which requires all travel expenses be placed on the state travel card (individual or Central travel card A.K.A. Event card);
4. Property will accept the state travel US Bank VISA cards as a form of payment;
5. Property agrees to accept the US Bank VISA Central travel card (A.K.A Event card) as a TAX-EXEMPT form of payment;
6. Non-smoking rooms are available and must qualify at least as AAA 2, 3 or 4 diamond property or equivalent;
7. Property will not charge cancellation penalty with maximum of 24-hour notice -- or less if stipulated in response;
8. Property will honor confirmed reservations or will provide for stay at another comparable hotel in area;
9. Property agrees to offer unrestricted room rates for all rooms of the room type offered as stipulated by ITP.

INVITATION TO PARTICIPATE -- STATEMENT OF WORK IN-STATE LODGING SERVICES

State Plan

The State of Colorado plans to use rates as an incentive to direct travelers to selected hotels. Travel agencies, State travel offices, travel arrangers and State travelers will utilize a listing of State authorized hotels. Lodging vendors with *State Authorizations* may market themselves to State travel offices and the awarded travel agencies servicing the State (see list: www.colorado.gov/travel).

Background

The State of Colorado--including State agencies, institutions of higher education, and certain participating political subdivisions--have an estimated 20,000 employees traveling throughout the United States and abroad. They stay in hotels, motels, apartment suites or other accommodations (hereafter referred to as hotels) throughout the year. The State total annual fiscal year (July 1-June 30) hotel spend has been:

<u>Fiscal Year</u>	<u>Total Hotel Spend</u>
FY05: July 1, 2004 – June 30, 2005	\$12,278,000
FY06: July 1, 2005 - June 30, 2006	\$13,382,400
FY07: July 1, 2006 – June 30, 2007	\$14,188,700
	<u>In-State Hotel Spend</u>
FY07: July 1, 2006 – June 30, 2007	\$ 5,452,350

No Guarantee of Volume

The State makes no guarantee of volume. The State does not intend to limit the number of authorized hotels by location or type. The only condition for qualification is the response of each hotel to agree to and abide by the terms and conditions of this *Invitation To Participates*. Employees who attend conferences are encouraged to use conference hotels at the conference rates; otherwise, the State will encourage travelers to use hotels with *State Authorizations*.

Rates Lower Than Retail and At or Below GSA Per Diems Sought

The State of Colorado solicits responses for room rates from December 1, 2007 through October 31, 2009. The State seeks rates lower than retail (rack) rate **and** at or below the federal government hotel per diems as established by the General Services Administration of the federal government. Federal per diems DO NOT include tax. Rates that are **above** federal per diem rates will **not** be accepted. Therefore, the State Travel Management Program uses GSA lodging per diems current at the time of *Invitation To Participate* as a benchmark only and identify these per diem rates as The State's Benchmarked Maximum Rates. See GSA link: www.colorado.gov/travel Go to: 'News & Updates' on the homepage).

State of Colorado Fiscal Rules 5-1

3.6 The following rates shall be used for reimbursement :

3.6.1 Lodging

Employees authorized to travel shall be reimbursed the actual cost of reasonable accommodations. Employees may be required to use approved or designated lodging facilities in certain areas to assist the state agency or institution of higher education in controlling travel cost. The STMP Travel Payment program, if available to the employee, shall be used to pay for all lodging expenses. Reimbursement shall be limited to the actual cost of commercial lodging. Receipts for lodging shall be obtained and submitted.

The State does not set a lodging per diem. State agencies may, however, impose maximum lodging requirements. The State Travel Program will highlight rates offered by vendors that are lower than federal per diems and identify them as **State Budget Rate**. In addition, vendors that provide documentation meeting at least ten (10) 'Green Seal' certifications will be showcased with **Green Seal Recognition** .

Hotels must indicate whether they pay commissions to State authorized travel agents when the travel agent makes arrangements for State travel. The State will solicit responses from hotels and hotel chains. If the State receives more than one response for a particular hotel, the State will accept only the response most advantageous to the State.

Required Use of State Travel Card

Executive Order D 005 03, issued March 17, 2003, mandates the State of Colorado will utilize the state travel credit card to facilitate transactions regarding necessary and approved state employee travel. Therefore, all travel expenses for employees or official state government travelers be charged on the state travel card – US Bank VISA. In addition, each agency and institution were required to assign a Travel Compliance Designee (TCD) to provide guidance and oversight to their travelers. The TCD will also determine the appropriate type of travel card to assign to manage each state traveler's travel expenses.

INVITATION TO PARTICIPATE--STATEMENT OF WORK-- PAGE 2 OF 2

Required Use of State Travel Card - continued

Presently, many State employees carry the US Bank VISA individual card that includes the employee name and displays the state seal in the upper right hand corner. Beneath the cardholder name will be the state agency. However, this card does not show a "98" tax-exempt number and does NOT allow for tax-exempt purchases. In addition, numerous traveler's lodging needs will be paid by the US BankVISA Central travel card (A.K.A Event card). The Central travel card (A.K.A Event card) includes a cardholder name, the state seal in the upper right corner and reads "Tax Exempt" followed by the tax exemption number (which begins with "98" followed by five digits) allowing purchases to be exempt from state tax. A lodging provider should limit the state rate to the US Bank VISA individual card and US BankVISA Central travel card (A.K.A Event card) as the only forms of payment to obtain the ITP lodging rate. However, some agencies may facilitate the use of the US Bank VISA Central travel card (A.K.A Event card) to pay a direct bill in order to be in compliance with the Executive Order.

Hotel Requirements -- See Invitation To Participate Sheet

Capacity Control: The State requires unrestricted room rates to stop hotels from practicing capacity control. If a hotel receives authorization and is listed by the State, the State expects to benefit from these rates whenever the type of room offered is available. The State of Colorado has made allowances for hotels with particular needs by allowing seasonal rates and blackout periods. The State has also excluded prior contractual agreements--a written contractual agreement with a company or consortium that holds a room or block of rooms from sale until a certain time or date. Prior contractual agreements do not apply to any general policy which prefers corporate clients with corporate rates that may be higher than the State government rate offered. All rooms comparable to the type of room offered by each hotel must be included and must not be restricted. If a hotel cannot comply with this requirement, the State asks that this hotel not respond to this *Invitation To Participate*.

ADA and Fire Safety: In addition to these requirements the State requests responses to the information questions on ADA Accessibility and the Fire Safety Act compliance. About 30 percent of the State's travel dollars are from federal government grants and may require hotels that comply with the requirements of the Fire Safety Act and the American Disabilities Act.

Acceptance of Participation

The State will authorize all lodging vendors that meet the terms and conditions of this *Invitation To Participate*. If the State receives more than one response for a specific hotel, the State will accept only the most advantageous offer. A few political subdivisions such as authorities, counties, and cities have qualified to use the current State authorized travel card contract with US Bank and may wish to access hotel rates offered to the State of Colorado. The State Travel Management Program provides a current list of these political subdivisions on the STMP website available to all authorized vendors.

Traveler Safety: The State has a considerable number of travelers with concerns about safety. Wherever possible, State agencies and travelers may select properties with secure sleeping room floors or secure parking, secure meaning access limited to hotel guests and companions only. Hotels may explain security features on the on-line *Vendor Response Form* under "Amenities, Services and Features."

INVITATION TO PARTICIPATE TERMS AND CONDITIONS

- 1. Late Requests for Authorization.** Submissions in response to this *Invitation To Participate* received after the deadline may be accepted at the discretion of the State Travel Manager.
- 2. Statement of Work.** Statement of Work is provided to identify the service required and to establish an acceptable quality level. The State will be the sole judge in determining comparable levels of service and quality in all offers. The vendor shall furnish the services in strict accordance with the SOW, and within the price or price limitation, if any, set forth in the *Invitation To Participate*.
- 3. Information Required.** Vendors shall furnish all the information required as indicated in this *Invitation To Participate*. Amendments to this *Invitation To Participate* will be official only if furnished, in writing, by the State Travel Management Program. Vendors should not rely on verbal statements that alter any specification or any term or condition of the *Invitation To Participate*.
- 4. Vendor Response.** *Invitation To Participate* -- will be accepted on-line ONLY.
- 5. Valid Offer Period.** Vendors will have the option to choose the valid offer period as provided in the *Vendor Response Form*. Option 1.) Rate to remain for the duration of ITP (10/31/09); Option 2.) Rate adjusted Oct 1, 2008 to sync w/ federal per diem; Option 3.) Rate adjusted Oct 1, 2008 to sync w/ federal per diem to be \$ below.
- 6. Offer Acceptance/Obligation.** The State Travel Management Program reserves the right to reject any or all offers and to waive informalities and minor irregularities in offers received and to accept all or any portion of an offer, if deemed in the best interest of the State and not contrary to law. This offer implies no obligation on the part of any state agency to pay any costs incurred in the preparation or the submission of such offers, or to purchase or contract for products or services, nor does the State Travel Management Program's silence imply any acceptance or rejection of any offer.
- 7. Authorization.** Authorizations will be made to responsive and responsible vendors in accordance with the criteria described in the *Invitation To Participate*. The State of Colorado In-State Lodging Directory will automatically be updated & posted on the STMP website upon acceptance by the State Travel Management Program. Vendor's will be notified via email if and when their property has been accepted & authorized as a result of this *Invitation To Participate*.
- 8. Indemnification.** In the event any article sold or delivered under this *Invitation To Participate* is covered by any patent, copyright, trademark, or application therefor, the vendor will indemnify and hold harmless the State of Colorado from any and all loss, liability, cost, expenses and legal fees incurred on account of any claims, legal actions, or judgments arising out of manufacture, sale or use of such article in violation, infringement or the like of rights under such patent, copyright, trademark or application. If this *Invitation To Participate* is for services, to the extent authorized by law, the vendor shall indemnify, save, and hold harmless the State, its employees and agents, against any and all claims, damages, liability and court awards including costs, expenses, and attorney fees incurred as a result of any act or omission by the vendor, or its employees, agents, subcontractors or assignees arising out of or in connection with performance of services ordered by this *Invitation To Participate*.
- 9. Americans with Disabilities Act (ADA) Requirements.** The vendor shall comply with the Title II requirements of the Americans with Disabilities Act regarding the accessibility of the State's services and programs, as an explicit requirement. The vendor shall also comply with the Title III requirements of the Americans with Disabilities Act which prohibits discrimination on the basis of disability by "private entities" operating places of "public accommodation."
- 10. Non-discrimination.** The vendor agrees to comply with the letter and spirit of all applicable state and federal laws respecting discrimination and unfair employment practices.
- 11. Termination of Authorization.** The State Travel Management Program reserves the right to remove the authorization of a lodging vendor to participate in the State of Colorado In-State Lodging Directory if the terms and conditions of this *Invitation To Participate* are not adhered to. State Traveler's are encouraged to resolve non-compliance issues directly with the vendor.
- 12. Tax Exempt Status.** The US Bank VISA state travel card with individual liability includes the employee name and displays the state seal in the upper right hand corner. Beneath the cardholder name will be the state agency. However, this card does not show a "98" tax-exempt number and does **NOT** allow for tax-exempt purchases. The US Bank VISA Central (A.K.A Event) state travel card with corporate liability includes a cardholder name, the state seal in the upper right corner and reads "Tax Exempt" followed by the tax exemption number (which begins with "98" followed by five digits) allowing purchases to be exempt from state tax.