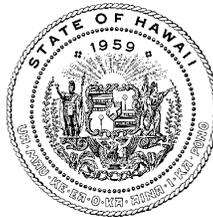




**REQUEST FOR PROPOSAL
for
CRUISE VISITORS' BASIC CHARACTERISTICS AND
EXPENDITURES SURVEY FOR CALENDAR YEAR 2021-2023**

HTA RFP NO. 21-10



Hawai'i Tourism Authority
State of Hawai'i
1801 Kalākaua Avenue
Hawai'i Convention Center, First Level
Honolulu, Hawai'i 96815

Date of Issuance: August 17, 2020

Procurement Officer/Contract Manager:
Mr. Ronald D. Rodriguez

DEADLINE FOR RECEIPT OF PROPOSALS IS
Friday, September 18, 2020, 4:30 p.m. HST
See Proposal Outline for Submission Requirements

REQUEST FOR PROPOSAL
for
CRUISE VISITORS' BASIC CHARACTERISTICS AND EXPENDITURES SURVEY
FOR CALENDAR YEAR 2021-2023

HTA RFP NO. 21-10

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SECTION 1 – OVERVIEW AND TIMELINE

1.01

Introduction

The HAWAII TOURISM AUTHORITY (“HTA” or “STATE”) is issuing this Request for Proposals (“RFP”) to seek a qualified contractor to provide a CRUISE VISITORS’ BASIC CHARACTERISTICS AND EXPENDITURES SURVEY FOR CALENDAR YEAR 2018-2020”. Potential applicants are strongly encouraged to sign up for updates to this RFP at <https://htacontracts.wufoo.com/forms/pt86ae61cwvmbz/>. Those who fill out the form in a timely manner will receive notice of changes and addendums directly to the email indicated on the form.

1.02

Procurement Timeline

The Procurement Timeline represents the HTA’s best estimates. Dates may be subject to change. Notice of changes will be emailed to those who register for updates (see paragraph 1.04) and will be posted on the HTA RFP page as an Addendum to the RFP. Applicants are solely responsible for being aware of any date changes. All times are HST.

RFP 21-10 Cruise Visitors’ Basic Characteristics and Expenditures 2021-2023	
ACTIVITIES	SCHEDULED DATE
Distribution of RFP	Monday, August 17, 2020
Deadline to email your interest if you want to receive updates	Friday, August 28, 2020
Deadline to submit written questions to HTA	Friday, August 28, 2020
RFP Addendum – Responses to Written Questions	Week of August 31, 2020
Deadline for Protest of Content to RFP	Within 5 calendar days of issuance of Addendum with answer to questions
Deadline for written proposal submissions (by 4:30 pm HST)	Friday, September 18, 2020
If necessary: Oral Presentation or BAFO Request	Week of September 28, 2020
Notice of Selection or Non-selection	Week of October 5, 2020
Deadline to Protest of Non-Award	Within 5 business days of notice of non-award
Start of Initial Contract Period	December 1, 2020
End of initial Contract Period	June 30, 2024

1.03

Vendor Qualifications

This RFP is open to in-state applicants only. Applicants must include evidence that they have applied for a Certificate of Vendor Compliance (CVC). A compliant CVC is a requirement for contracting. See Section 4 of this RFP for an explanation of the CVC.

1.04

Registration

Interested applicants are encouraged to register for updates. This is done by emailing us at contracting@gohta.net. We will not be accepting requests by phone. Those who have registered by the

registration deadline will receive notice of changes and addendums directly to their email. Changes will also be posted on the RFP page of HTA's website <https://www.hawaiitourismauthority.org/RFPs/>.

1.05

HTA Research

The primary goal of HTA's Tourism Research is to continue to provide the State of Hawai'i with timely and accurate visitor information, which is useful to policy makers, industry leaders and businesses for economic development and business planning purposes.

Sound business decisions based on visitor data and research is important for effective development. Hawai'i's visitor industry is in a very mature phase, which requires constant research and data to increase brand awareness, improve and enhance products, maintain competitive advantages against other destinations and expand to new markets. Government-based services ensure industry-wide access to this data. HTA's Tourism Research Division (TRD) will sustain efforts to make available research to educate and empower stakeholders and facilitate data driven decision-making.

The HTA Tourism Research program contract with research contractors to conducts surveys of visitors' characteristics and spending in Hawai'i. These essential research projects include: 1) Domestic Inflight survey; 2) International Departure survey; 3) Island Departure survey; and 4) Cruise Visitor survey The objective is to collect, process and report statistics from a representative sample of visitors across all markets and the six major islands (O'ahu, Hawai'i Island, Maui, Moloka'i, Lāna'i, and Kaua'i). Counts, characteristics and spending of visitors who came by cruise ships to Hawai'i is combined with statistics of visitors who came by air to calculate total visitor data for the state.

1.06

Agency Authorization

HTA is authorized to execute contracts for a period of up to five years under 201B-3(a)(3) Hawai'i Revised Statutes (HRS), and conduct market development-related research per 201B-3(a)(16) HRS. HTA the authority to enter into contracts and agreements for tourism research and statistics under 201B-7(a)(8) HRS. HTA's 2020 Strategic Plan recognizes research as being essential support element to all of the HTA's work.

1.07

RFP Point-of-Contact

Applicants to this RFP are to communicate only with the point of contact listed below. HTA is not responsible for misinformation or reliance from other sources. Please include RFP number in subject line of emails. Note: due to the COVID-related work situation, we are only taking email communication. Unless otherwise specified in a written Addendum to the RFP, the points-of-contact for this RFP are:

Ronald D. Rodriguez, Head of Contracts & Procurement
Evita Cabrera, Contract Specialist

Hawai'i Tourism Authority
1801 Kalākaua Avenue
Hawai'i Convention Center, First Level
Honolulu, Hawai'i 96815

Email: contracting@gohta.net

1.08

Website Reference

The following is a list of websites referenced throughout this RFP.

Item	Website
Hawai'i Tourism Authority Website	www.hawaiiauthority.org
HTA RFP Website	http://www.hawaiiauthority.org/RFPs
HTA Five-Year Strategic Plan	https://www.hawaiiauthority.org/media/4286/hta-strategic-plan-2020-2025.pdf
HTA Research	https://www.hawaiiauthority.org/research/
Hawai'i Compliance Express (Certificate of Vendor Compliance)	https://vendors.ehawaii.gov
eHawaii.gov YouTube Channel	https://www.youtube.com/user/eHawaiiGov1/videos
Hawai'i State General Conditions	https://dhrd.hawaii.gov/wp-content/uploads/2017/08/103D-General-Conditions.pdf
Chapter 201B HRS. HTA's inception statute.	https://www.capitol.hawaii.gov/hrscurrent/Vol04_Ch0201-0257/HRS0201B/HRS_0201B-.htm

1.08

Submission of Questions

Applicants may submit written questions to contracting@gohta.net by the date specified in the [timeline](#). The HTA will share answers via an Addendum to this RFP. Please provide questions as an unprotected Word document, not as a PDF or picture.

1.09

Disclaimer: Cancellation and Cost Liability

HTA reserves the right to cancel any component of this RFP, to change portions of the RFP, or to cancel the RFP in its totality at any time. HTA assumes no responsibility and bears no liability for costs incurred by an applicant in the preparation and submittal of proposals in response to this RFP.

SECTION 2 – CONTRACT SPECS

2.01

Overview

The Cruise Visitors' Survey is an on-going project that has been an essential part of the Department of Business, Economic Development and Tourism / Hawai'i Tourism Authority Tourism Research Program since 2001. The purpose of this project is to collect and report basic characteristics and expenditure data from visitors on cruise ships touring the islands in calendar years 2021, 2022, and 2023. Samples will be drawn from all out-of-state ships in Hawai'i for more than 2 nights and the Norwegian Cruise Line Hawai'i-based cruise ship Pride of America.

2.02

Scope of Work

The successful CONTRACTOR shall efficiently prepare survey materials and coordinate with various shipping agents and key ship staff to have the survey forms delivered and distributed aboard cruise ships touring the Hawaiian Islands in calendar years 2021, 2022 and 2023. The CONTRACTOR shall retrieve the completed survey forms on a timely basis, accurately scan returned survey forms, process, weight and report cruise visitor basic characteristics and expenditures data. The HTA will provide the current programming syntax for data processing. Electronic data highlights and banners shall be delivered to the HTA on a monthly, cumulative year-to-date, and annual basis. The data is used to produce the HTA's monthly visitor statistics reports, its Annual Visitor Research reports and other analyses.

For further details on the survey described below, please refer to the 2019 Cruise Documentation Manual posted on the RFP page HTA website at <https://www.hawaiitourismauthority.org/rfps/> .

The CONTRACTOR shall perform all services necessary, according to HTA specification, to ensure that fielding and data collection and reporting shall commence on January 1, 2021.

1. Equipment/Software Requirements.

The CONTRACTOR is required to have the following equipment, and to have extensive working knowledge of the following software programs:

- a) TELEform data verification, handwriting recognition and scanner programming software, version 10.0 or later.
- b) Statistical Package for the Social Sciences (SPSS) data processing software, version 22.0 or comparable.

2. Overall Project Requirements.

- a) Maintain an office in Hawai'i with at least one full-time person dedicated to this project. Said person(s) shall have at least five (5) years of experience in tourism research, i.e. data collection, SPSS programming, and processing tourism data, and shall be the project manager overseeing all responsibilities required for the SURVEY.
- b) Maintain the current data collection, processing and reporting procedures used to conduct the SURVEY. In data collection, ensure the timely preparation and delivery of survey materials to each cruise ship, ensure the timely return of the completed survey

forms, and ensure that the minimum monthly sample of completed surveys is obtained with fair representation across all ships. In data processing, ensure quality control to correctly scan the forms, check data verification, flag uncharacteristic data (i.e. outliers and false responses) and ensure that they are appropriately addressed. In data reporting, ensure quality control to accurately generate monthly data highlights and banners within established deadlines. In their proposal to the HTA, offerors shall detail the methods to address all these data collection, processing and reporting issues.

- c) Meet with the HTA weekly, throughout the term of the Contract, to discuss the project. Any issues shall be resolved immediately to ensure the accurate and timely submission of the deliverables as described herein. The CONTRACTOR shall submit weekly progress report to the HTA.

3. Survey Instrument. The CONTRACTOR shall:

- a) Work with the HTA to make any revisions and finalize both the domestic cruise survey form and the international (out-of-state) cruise survey form. Begin printing, upon receiving HTA approval. Print at least, on a quarterly basis, a sufficient quantity of forms to yield a valid and reliable representative sample of cruise visitors each month. The print clarity and paper quality of the forms shall be equal to or better than the forms currently in use.
- b) Maintain and update both versions of the cruise survey forms, as requested by HTA throughout the term of the Contract. Be responsible for the layout of the forms in TELEform and the programming of the scanner to ensure compatibility.

4. Sample Design. The CONTRACTOR shall:

- a) Create a Master Schedule of cruise ship arrivals (see Hawaii.portcall.com). Continuously update the master schedule for calendar years 2021, 2022 and 2023, throughout the term of the Contract, and make adjustments to the sampling plan accordingly.
- b) Offerors shall include in their proposal a sampling plan. The proposal should indicate the appropriate sample size (number/percent of cabins per ship selected, number/percent of expected forms collected, and number/percent of completed forms) and proposed confidence interval for reporting statewide and by MMA.
- c) Based on the master cruise ship schedule, survey a minimum of sixty-five percent (65%) of all cabins from every trip made by out-of-state cruise ships in Hawai'i for two (2) or more nights. Ensure that different cabin levels are sampled. Ensure that there is fair representation of visitors across all ships. The minimum response rate of completed surveys collected shall be thirty-five percent (35%) of each ship, during cruise season (January-May; and September-December) for out-of-state ships.
- d) Survey a minimum of sixty percent (60%) of all cabins from every trip made by a Hawai'i home ported ship (Pride of America). The minimum monthly sample of completed surveys collected shall be three hundred sixty (360) surveys per month for the Hawai'i home-ported ship.
- e) Deliver a monthly sampling schedule to the HTA which shall include the names and origins of the ships, and the number of cabins to be sampled.

- f) Monitor the response rate and the number of completed forms received monthly. If the response rate is lower than the required minimum, the CONTRACTOR shall increase the percentage of cabins to be sampled. If any ships are not sampled due to non-participation, the CONTRACTOR shall target to achieve the minimum quota by increasing the percentage of cabins to be sampled from the remaining ships.
- g) Should the Pride of America discontinue services in Hawai'i and be replaced immediately by another ship home-based in Hawai'i, the CONTRACTOR must contact the appropriate ship agent and key ship personnel and make arrangements to survey this new ship. With minor adjustments, data collection, processing and reporting methodologies should remain relatively unchanged.
- h) A Supplemental Contract shall be executed to amend the scope of services and adjust the compensation schedule if:
 - 1) There is a discontinuation of service from the Hawai'i home-based cruise ship for the remainder of the contract.
 - 2) There is another ship(s) based in Hawai'i, in addition to the existing Hawai'i home-based ship. The CONTRACTOR must contact the appropriate ship personnel and make arrangements to survey these ships.

5. Survey form Distribution and Data Collection. The CONTRACTOR shall:

- a) Contact each cruise line with ships scheduled to visit Hawai'i for clearance and assistance from ship personnel in the distribution and collection of survey forms. Provide clear procedures on the distribution, collection, and return of the survey forms. Follow up to ensure that the surveys are being properly conducted.
- b) Prepare and deliver survey materials to each ship as it docks in Hawai'i.
- c) Interested offerors may (but not required) propose incentive(s) to encourage passengers to complete the survey forms. An example of a past incentive was a drawing to win a Hawaiian gift basket at the end of every cruise, conducted by ships' purser offices. Offerors shall detail in their proposals, the type of incentive(s) to be used (if any), and how the incentives will be implemented. Costs of the incentive(s) shall be included in the proposed budget.
- d) Make all arrangements to transport the survey materials to the other neighbor island ports on a timely basis if the ship does not dock in Honolulu.
- e) Make all arrangements to pick up the completed survey forms on a timely basis. If the CONTRACTOR is not able to pick up the survey forms before an out-of-state cruise ship leaves the islands, coordinate with ship personnel to mail back the completed forms to the CONTRACTOR's office on a timely basis.
- f) All completed survey forms from cruise ships in Hawai'i during the month must be collected by the 10th of the following month. This is critical in order to meet the HTA's monthly reporting deadlines. Offerors shall propose ways to address efficient and timely survey form distribution and data collection in the RFP.

6. Data Processing. The CONTRACTOR shall:

The HTA shall provide the CONTRACTOR with the current specifications and syntax in SPSS for data processing and reporting.

- a) Perform regular tests throughout the term of the Contract to check on the accuracy of the data processing and reporting procedures and to ensure compatibility with historical data sets. Make any adjustments as needed to ensure that survey forms are scanned correctly, and outliers are appropriately handled. Offerors shall propose ways to address these issues in the RFP.
- b) Log, code and scan survey forms on a timely basis. Clean and tabulate the coded data by checking for outliers and identify items for HTA review.
- c) Work with the HTA to determine monthly weights for Hawai'i home-ported and out-of-state cruise ships by the 10th of each month.

7. Data Processing. The CONTRACTOR shall:

- a) Deliver to the HTA a weekly progress report, which shall include the sample size and number of completed cruise visitor survey forms surveyed and collected by ship.
- b) Ensure quality control in reporting, to accurately generate monthly highlights and banners by the requested deadlines. Proposals should address proposed quality control measures in detail.
- c) Tabulate weighted and unweighted cruise basic characteristics and expenditures data highlights and banners, in SPSS files, and submit to the HTA (via e-mail and on CD/DVD) no later than four (4) working days after receiving the weights. Data shall be tabulated and reported on a monthly and cumulative year-to-date basis.
- d) Deliver to the HTA electronic files (via email and CDs/DVDs) of final annual highlights and banners, and all syntax and data files, within seven (7) business days after the HTA provides the final monthly cruise weights each year, for calendar years 2021, 2022 and 2023.
- e) Adjust/enhance the cruise data highlights and banner specifications as needed to reflect any modifications made to the survey forms. Develop appropriate routines, syntax and macros to ensure that highlights and banners are produced accurately and that results are compatible with historical data sets. The HTA has the right to change the content and format of the data highlights as needed throughout the duration of the Contract.
- f) Maintain a valid codebook, and edit and update procedures in the Documentation Manual on an ongoing basis. Submit final version of the manual by June 30, 2022 for calendar year 2021 detailing step by step all agreed upon changes in data collection, editing, coding, processing, and tabulating of all data in accordance with this solicitation. Submit final version of the manual by June 30, 2023 for calendar year 2022 detailing step by step all agreed upon changes in data collection, editing, coding, processing, and tabulating of all data in accordance with this solicitation. Submit final version of the manual by June 30, 2024 for calendar year 2023 detailing step by step all agreed upon changes in data collection, editing, coding, processing, and tabulating of all data in accordance with this solicitation.

8. Additional Deliverables and Conditions.

- a) The CONTRACTOR acknowledges and agrees that if the CONTRACTOR fails to meet any of the deadlines required for the submittal of deliverables provided herein, the STATE may assess a two percent (2%) penalty for each day the CONTRACTOR fails to meet said deadlines. The penalty shall be applied to the payment amounts associated with the outstanding deliverables and the payment to the CONTRACTOR shall be reduced in accordance with said penalty.
- b) Provide to the HTA for each calendar year, five (5) cross tabulations of data highlight tables and banners, other than that described herein, with criteria and times to be determined by the HTA at no additional cost.

An example of a cross tabulation request: honeymoon cruise visitors, who also stayed in hotel properties on Maui, by month.

- c) Any additional cross tabulations requested by the HTA, beyond the five (5) already outlined in 8b above, shall be authorized by the HTA through the issuance of a purchase order and shall be funded independently.
- d) Retention of Documents. Retain the survey forms for a minimum of five (5) months. Before any forms are shredded, the CONTRACTOR shall create digital images of all survey forms and provide them to the HTA.
- e) The HTA shall be sole owner of all SURVEY results, and all survey materials including design, typeset, and TELEform and pdf files. Information may not be shared without HTA consent or approval. Clearance obtained from the cruise lines to conduct the SURVEY shall not be used for any other purpose.
- f) Maintain proper accounting procedures and practices acceptable to the HTA to include, but not be limited to, maintaining books, records, documents, and other evidence related to the project's performance. The books, records, and documents shall be subject to inspection, review, or audit by the HTA.

2.03

Time of Performance

1. The CONTRACTOR shall perform all services as necessary according to HTA specifications to ensure that survey materials and data collection procedures, scanner and all programming and data processing methodologies are ready in time for the survey period which starts on January 1, 2021 through December 31, 2023.
2. All services for 2021 shall be completed by June 30, 2022 unless extended per mutual written agreement. All services for calendar year 2022 shall be completed by June 30, 2023 unless extended per mutual written agreement. All services for calendar year 2023 shall be completed by June 30, 2024 unless extended per mutual written agreement.

2.04

Compensation and Payment Schedule

1. Award shall be made on a firm fixed price. (Any incentives must be included in the fixed price)

2. The overall budget proposed by the offeror shall consist of separate budgets for 2021, 2022 and 2023. In addition, the combined amount of these three budgets shall be shown as the total amount proposed for this project.

SECTION 3 – PROPOSAL OUTLINE AND INSTRUCTIONS

3.01

Submission Method

1. All submissions are to be sent via email to contracting@gohta.net.
2. Submission may be sent as a PDF attachment, or, alternatively, the email may provide a link where HTA may go to download the materials.
3. The time of receipt will be the time on the email. Deadlines will be strictly enforced. Please be aware that download times could delay email arrivals. Applicants who wait until the last minute to submit their proposals do so at their own risk.

3.02

Proposal Format

1. Slide shows and PPTs not accepted. The proposal should be compact and substantive. Proposals may include a web address that evaluators will have the option of reviewing. However, evaluators will not be required to review your website, so please do not omit important information in reliance of website content.
2. Format should be standard 8 1/2 by 11 inches. Orientation should be primarily portrait, though landscape is welcome for charts, tables, or data presentations as appropriate. No odd-sized pages please.

3.03

Submission Contents

All proposals shall include the following documents in the order listed to be considered for funding under this program. Proposals that fail to submit any one of these documents may be considered non-responsive. Descriptions appear below in subsequent sections.

The Proposal should consist of the following and in the following order:

- Cover Page
- Proposal
 - Table of Contents
 - Cover Letter
 - Past Performance and Capabilities (30%)
 - Work Proposal (30%)
 - Proposed Price / Budget (40%)
- Attachments
 - Applicant Information Form (downloadable form)
 - Certificate of Vendor Compliance
 - W9

3.04

Cover Page:

Cover page should include the following:

- RFP number and name as it appears on the cover page of this RFP,
- Name and address of applicant firm.

- Name, email, phone number of person submitting the application.

3.05

Cover Letter:

This is your opportunity to make a personal statement to the HTA and to the evaluation committee.

3.06

Past Performance and Capabilities (30 points)

1. Description of Organization: Provide a brief history of the establishment, development, and accomplishments of the organization.
2. Qualifications and Expertise: Describe the qualifications and expertise of the individuals responsible for implementing the project.
3. Experience with Related Projects: List experience with projects that required cooperation from third parties. List past projects that required data collection, data processing, scanning, and programming; with comparable scope of work and complexity to this RFP (list date and description of projects, i.e. number of forms scanned and how data were processed). Provide client references for the projects and among all projects at least three references with which the company has worked within the last three years.
4. Capability: Show that the company has adequate number of staff to prepare survey packets and operate high quality optical scanner; and staff with extensive working knowledge in TELEform scanner programming and SPSS data processing, with the ability to accurately generate all reports required under this solicitation in a timely basis.

3.07

Work Proposal (30 points)

1. Explain fully offeror's approach and/or process for achieving the HTA's goal and scope of work described in this solicitation. Respondents shall specify the make and model and speed of their scanning equipment.
2. Propose a work plan to address the following issues to include, but not limited to:
 - a. In data collection, propose ways to ensure timely preparation and delivery of survey materials to each cruise ships; a high rate of completion with fair representation across all ships; the timely return of the completed survey forms; and the minimum number of completed surveys.
 - b. In scanning and data processing, propose methods for quality control to correctly scan the forms, check data verification, flag, and appropriately address uncharacteristic data and outliers.
 - c. In data reporting, propose methods for quality control to generate accurate weekly progress reports, monthly highlights and banners, and annual data highlights and banners within established deadlines.
 - d. If desired, propose any project improvements that would affect costs and delivery time while maintaining data integrity and continuity.

3.08

Proposed Price / Budget (40 points)

1. OVERALL BUDGET: The overall budget proposed by the offeror shall consist of separate budgets for 2021, 2022 and 2023 as well as a combined total amount proposed for entire contract. This is a Firm Fixed-Price Contract. Any incentives must be included in the price proposed.

2. **COST BREAKDOWN:** Provide a breakdown showing what the budget is paying for. The cost breakdown should be clear enough that, if the HTA should decide to make adjustments to the number of deliverables, the HTA would be able to recalculate the costs based on the information provided.
3. **PAYMENT SCHEDULE:** Propose a payment schedule, including a timeline showing the corresponding deliverables. The payment schedule should match the Work Proposal described in the previous subsection.

3.09

Certificate of Vendor Compliance (CVC)

Contractors for the State of Hawai'i are required to have a compliant Hawai'i State Certificate of Vendor Compliance (CVC). (For this RFP, HTA is requiring only proof of application for a CVC, but compliance must be confirmed to sign a contract.) This certificate requires approval from four different agencies: the Department of Labor, the Department of Commerce and Consumer Affairs (DCCA), the Internal Revenue Service (IRS), and the Hawai'i Department of Taxation (DOTAX).

All approvals can be acquired through one convenient location at Hawai'i Compliance Express. <https://vendors.ehawaii.gov/hce/splash/welcome.html>. We recommend that applicants begin the process immediately to identify any possible challenges and avoid any delays. There is a \$12 annual fee for this service.

For those who are new to the system, ehawaii.gov has a YouTube channel with information on creating an eHawaii.gov account, vendor registration, and using Hawai'i Compliance Express. You can visit the YouTube channel at <https://www.youtube.com/user/eHawaiiGov1/videos>.

The name on the CVC is the name that will be used for contracting and payment purposes. There cannot be any variation in name or tax ID. Government agencies are exempt from the CVC requirement.

3.10

Rejection of Proposals

- **Requirements must be met.** HTA reserves the right to consider as acceptable, responsible and responsive only those proposals submitted in accordance with the requirements set forth in this RFP. This judgment may be made by HTA prior to scoring, or it may be made during the scoring process by the evaluators themselves.
- **Changing Terms.** Any proposal requiring any contract terms or conditions contradictory to those included in this RFP and any of its attachments may be rejected in its entirety without further notice. Applicants may suggest alternate terms or conditions with a specific explanation of how the change would result in improvements to price, schedule, or performance. The suggestion must specifically quantify the impact. Such suggestions are not accepted or implemented unless included in the final terms and conditions in the Agreement signed by both parties.
- **Reasons.** A Proposal may be automatically rejected for reasons:
 - Failure to cooperate or deal in good faith;
 - Late proposals;
 - Lack of a Certificate of Vendor Compliance (CVC)
 - Failure to submit in accordance with the RFP requirements, or failure to supply an adequate response to the RFP;
 - Lack of demonstrated experience or expertise;

- Inadequate accounting system or internal controls;
- Failure to meet the terms of agreement on any previous HTA contract.
- Failure to maintain standards of responsibility: Falsification of information. Suspension or debarment by STATE. Felony conviction related to procurement contracting with any unit of government. Failure to maintain necessary licensure or meet its tax or other obligations to a government agency.
- HTA reserves the right to waive any or all informalities, irregularities, or deficiencies when it considers a waiver to be in the best interests of the STATE.

3.11

Public Disclosure

Upon execution of the written contract, all documents submitted by the applicant and maintained by the HTA will be subject to public inspection and copying under the Hawai'i Uniform Information Practices Act provided in chapter 92F, Hawai'i Revised Statutes. Specific redactions may be executed as the law permits, but applicant should assume that any and all information will subject to disclosure.

SECTION 4 – SCORING / EVALUATION CRITERIA

4.01

Evaluation Committee

Proposals will be evaluated by a Committee whose members include at least three (3) HTA representatives, and may also include industry experts. All committee members may participate in decision-making on award recommendations provided they have no direct personal interest in the proposal in question. Evaluators sign an affidavit declaring that they will drop out of any evaluation that violates this requirement.

4.02

Procurement Officer

The HTA's primary point-of-contact serves as the Procurement Officer for this RFP. The Procurement Officer serves as the arbitrator and referee for this RFP. The Procurement Officer will serve as an evaluator only if the evaluation committee falls below the minimum number of three (3) evaluators and the HTA is unable to replace the evaluator without hindering the procurement process to the STATE's detriment. Otherwise, the Procurement Officer does not have a vote.

Your point-of-contact will change once the contract is executed. You will be assigned an HTA program manager upon award.

4.03

Contact Violations

Evaluation committee member identities are kept confidential during the RFP process. Applicants are forbidden from contacting any member of the Evaluation Committee regarding this RFP during the RFP process. Applicants will not be penalized for inadvertent communication with committee members. However, applicants will be disqualified if they seek the identities of the committee members, or knowingly seek out or contact committee members for advice or favor.

Applicants should only communicate with, and rely on information from, the point-of-contact identified in Section 1 of this RFP.

4.04

Evaluation / Award Process

Submittals shall not be distributed for evaluation purposes until the submittal deadline. Deadlines will be enforced even-handedly. The RFP evaluation process may consist of two rounds.

Round 1: Proposals will first be evaluated by the Procurement Officer to have met the threshold considerations outlined in Section 3. Members of the Evaluation Committee will then score the proposals using the scoring criteria described in the RFP. Applicants will be ranked based on scores. Evaluators will then decide if there should be a second round and, if there is, where the cutoff should be regarding invitees.

Round 2: In the event of a second round, a limited number of finalists will be selected by the evaluation committee based on the average score of the first-round proposals. In the second round, the evaluation committee may request "Additional Information," which may consist of any combination of the following: question and answer sessions, oral presentations, requests for clarification, best and final

offers (BAFO), or anything else that the evaluation committee may find useful in coming to a decision. The evaluation committee reserves the right, but is not required, to perform reference checks. At the end of the second round, evaluators will turn in fresh score sheets. The new scores will serve as the final scores and will reflect the applicants' overall performances in the first and second round.

The contract will be awarded based on what is deemed best for the HTA and the State of Hawai'i. The evaluation committee, based on the aforementioned process as well as on the outcome of any post-award negotiations, will make a recommendation to the President and CEO acting in his capacity as the Head of Purchasing Agency (HOPA) for his approval. Once that selection is made, a contract will be written and executed based on the process outlined in Section 6 of this RFP.

The evaluation committee reserves the right to dispense with a second round and to base its recommendation solely on the first-round proposals.

4.05

Submission Materials and Criteria

HTA may make an award decision based on initial proposal only. HTA also reserves the option to request and use any combination of the following: additional information or materials, revised or amended information or materials, oral interviews, reference checks, responses to requests for clarifications, responses to requests for best and final offer (BAFO).

By submitting a proposal, applicant agrees to accept and abide by the terms of this RFP. The HTA reserves the right to reject any or all proposals, to waive any informality or irregularity, and to accept any proposals which it may deem to be in the best interest of the State of Hawai'i.

SECTION 5 – CONTRACTING PROCESS AND REQUIREMENTS

5.01

Award Letter

Awardee will receive a letter informing them of their selection, outlining the next steps in the contract execution process, introducing them to the managers they will be working with once the contract is executed, and advising them of any documents that are due.

5.02

Contract Execution Process

The contract execution process consists of the following steps:

1. HTA receives contractor's current Certificate of Vendor Compliance. (Required by law.)
2. A PDF of the contract is emailed to the Contractor along with instructions. If contractor agrees with the terms, Contractor prints, signs, fills out, and notarizes the contract as instructed and mails the original back to HTA's Contract Specialist.
3. HTA signs the contract. Contract is sent to the attorney general's office.
4. Deputy attorney general approves the contract for form and signs. Contract is returned to HTA.
5. HTA makes copies of the contract and distributes as follows: HTA program manager, Contractor, Hawai'i Department of Accounting and General Services (DAGS).
6. DAGS approves the contract. Once it is approved by DAGS, the contractor can start submitting invoices and deliverables as outlined in the contract's Payment Schedule.

5.03

Contractor Name

The contract will be between the STATE and CONTRACTOR. The STATE requires exact concurrence in all official documentation regarding the identity of the CONTRACTOR. This means that the name on the W9, the articles of incorporation, the certificate of vendor compliance, and on any invoices for payment, must be identical. There can be no variation in punctuation, entity type, dbas, and, of course, tax ID numbers. (See Section 4 of this RFP for information on the certificate of vendor compliance.)

5.04

Payment

Contractor will be put on a payment schedule and each payment will have associated deliverables tied to it. Contractor will be required to submit an invoice along with any related deliverables in order to receive payment. Contract might also have a cost-reimbursable element to it, in which case Contractor will need to present receipts or similar proofs of purchase.

Official invoice date is the date that the invoice and all deliverables are received and accepted by the HTA. Invoice must include the name of the CONTRACTOR exactly as it appears on the contract. Please include contract number on invoice. All required deliverables must be received along with, or prior to, receipt of invoice. Invoices must be either unsigned or signed by Contractor in blue ink. Invoices submitted prior to receipt of the necessary deliverables will not be accepted and will have to be resubmitted. Fiscal year ends June 30 and entails the temporary shutdown of fiscal processes. Invoices received at the change of fiscal, between June 15 and July 31, may be subject to delays in processing. See your program manager for details.

5.05**Evaluation of Contract Performance**

Contractor will be evaluated on their success in meeting the performance standards described in Section 4 of this RFP; the success in meeting the goals and requirements set out in the RFP, in the Contractor's proposal, and the subsequent contract.

5.06**Ownership**

This is a work for hire. All materials created in pursuit of the goals of this contract will be the property of the State of Hawai'i.

SECTION 6 – MISCELLANEOUS PROVISIONS

An applicant shall read each section of the RFP thoroughly. While sections of the RFP may appear similar to other RFPs issued by the HTA, additional information may be added as applicable. It is your responsibility to understand the requirements of this RFP.

1. Authority

- (a) Law. This RFP is issued under the provisions of Chapter 201B, HRS. All prospective applicants are charged with presumptive knowledge of all requirements of the cited authorities. Submission of a valid executed proposal by any prospective applicant will constitute admission of such knowledge.
- (b) State Procurement Code. HTA procurement is not subject to the Hawai'i Public Procurement Code codified under Chapter 103D, HRS, and the administrative rules promulgated thereunder ("Hawai'i Procurement Code"). However, the HTA may consider the Hawai'i Procurement Code as guidance.

2. Government Contract

This is a contract with a government agency. As such, customary rules of commercial contracting generally do not apply. Applicants are encouraged to seek advice from experts familiar with government contracts.

3. Terms and Conditions of Contract

- (a) General Conditions. The Agreement (contract) to be executed by the selected applicant shall include the General Conditions. These conditions can be found on the web at <https://dhrd.hawaii.gov/wp-content/uploads/2017/08/103D-General-Conditions.pdf>. By submitting a proposal, applicant acknowledges and agrees to the provisions stated in those General Conditions. HTA reserves the right to modify or waive any clauses of the General Conditions, subject to approval by the office of the attorney general. See Section V of this RFP, Contracting Process, for any exceptions.
- (b) Termination. During the term of the contract, HTA will review the performance of the contractor and may terminate the contract for reasons such as non- performance of the contractor, including the failure to conduct the project or event, failure to exceed HTA targets, change in the funding for this program, or for the convenience of HTA.
- (c) Indemnification and Defense. Paragraph 7 of the General Conditions shall not be changed. This means that, among other things, the STATE will not change this clause to include mutual indemnification; will not qualify contractor liability to include only those acts that are done negligently, recklessly or intentionally; and will not otherwise water down this clause by adding reasonableness language.
- (d) Interpretation. The order of precedence for interpreting the contract will be:
 - (1) Hawai'i State law; then
 - (2) The Executed Agreement with any modifications, amendments, or other properly documented changes; then
 - (3) The RFP as amended; then
 - (4) HTA regulations, policies, and procedures; then
 - (5) Contractor's final proposal; then

- (6) Course of conduct; then
- (7) Course of dealing; then
- (8) General principles of government contracting; then
- (9) Industry practices.

4. Protests

- (a) Raising Concerns. Interested parties who have concerns regarding a solicitation, specifications, award, or other decision of the procurement officer should first discuss the concern with the HTA Procurement Officer within the protest time periods provided for in this RFP.
- (b) Protests. If the procurement officer does not resolve the concern to the satisfaction of the interested party, the interested party may formally protest to the HTA as describe in this section. There are two types of protest:
 - 1. Protest of the contents of the RFP. This could include, for example, protest to any of the RFP requirements or the evaluation or scoring criteria.
 - 2. Protest of non-award. A protest of non-award must be on legal and factual grounds. The protestor must show that the buyer, HTA, violated the rules set forth in the RFP or in statute, and that but for this violation the protestor might have been awarded the contract.
- (c) Timeliness. Interested parties must file any protest regarding the terms of the RFP, the service specifications, or documents referenced in the RFP in writing prior to the deadline for protests of the content of the RFP. Applicants must file any protest relative to rejection of proposals, non-inclusion in the competitive range, the contract award or other perceived wrongs in writing within five (5) calendar days after the aggrieved person knows or should have known of the facts giving rise thereto, or within five (5) calendar days of the postmark or the electronic transmission date of a notice from HTA. Any issue or claim that the applicant does not protest in a timely manner is waived. Discussing concerns with the procurement officer or other HTA officials or engaging in other forms of dispute resolution does not stay the timeliness clock for protests.
- (d) Notice of Protest. The Notice of Protest may be sent as an email attachment to the email listed below, sent via USPS, or hand delivered. In any event, the protest must be actually received by HTA within five (5) calendar days after the postmark or electronic transmission date, whichever is earlier, of the deadline for protests listed in the procurement timeline, the Notice of Award, or other notice sent to the protestor

HTA will consider delivery services other than USPS if received by the HTA on or before the due date.

Chief Administrative Officer: Keith Regan
Procurement Officer: Ronald D. Rodriguez
Mailing Address: Hawai'i Tourism Authority
Hawai'i Convention Center, Level One
1801 Kālakaua Avenue
Honolulu, HI 96815
Email: contracting@gohta.net

5. Availability of Funds

The award of a contract and any allowed change, renewal or extension thereof, is subject to allotments made by the Director of Finance, State of Hawai'i, pursuant to HRS Chapter 37, and subject to the availability of State and/or Federal funds.

6. Collusion

The applicant, by submitting a proposal, certifies that its proposal is made without previous understanding, agreement or connection either with any person, firm, or corporation submitting a proposal for the same services, or with the HTA. The applicant certifies that its proposal is fair, without control, collusion, fraud, or other illegal action. The applicant further certifies that it is in compliance with the conflict of interest and code of ethics laws. The HTA will investigate all situations where collusion may have occurred and the HTA reserves the right to reject any and all proposals where collusion may have occurred.