

RESOLUTION 2021-015  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROVING AN EXCEPTION TO THE COMPETITIVE PURCHASING PROCESS  
FOR THE PURPOSE OF EXTENDING THE CONTRACT WITH THE  
FORT COLLINS CONVENTION AND VISITORS BUREAU, INC. FOR  
CONVENTION AND VISITOR SERVICES

WHEREAS, pursuant to Ordinance No. 20, 1984, the City established a 3% lodging tax on hotel/motel rooms within City limits with the purpose of using the proceeds to promote tourism, conventions, and other activities that use public accommodations within the City; and

WHEREAS, since 1986 the City has contracted with the Fort Collins Convention and Visitors Bureau, Inc., now doing business as Visit Fort Collins ("VFC") to coordinate convention and visitor promotion activities; and

WHEREAS, in 2016 the City conducted a competitive request for proposals ("RFP") process for convention and visitor services and VFC was the only entity to respond; and

WHEREAS, the City entered into a five-year agreement with VFC that will expire on March 31, 2021; and

WHEREAS, VFC is working on several projects for the City that were put on hold because of the COVID-19 pandemic or that assist in the economic recovery from the pandemic, and it would be disruptive to the City's financial interests and the delivery of services to the public to change vendors at this time; and

WHEREAS, in addition, City staff does not currently have the resources to adequately develop and complete an RFP process for these services due to other COVID-19 communication requirements and recovery efforts; and

WHEREAS, to ensure continuity of programs, the City is proposing to extend the 2016 contract with VFC for an additional one-year term and complete a new RFP process in late 2021 or early 2022; and

WHEREAS, City Code Section 8-161(d)(1)(b) authorizes the Purchasing Agent to contract for services without competition if, although there exists more than one (1) responsible source, a competitive process cannot reasonably be used or, if used, will result in a substantially higher cost to the City, will otherwise injure the City's financial interests or will substantially impede the City's administrative functions or the delivery of services to the public; and

WHEREAS, the Purchasing Agent has determined that the purchase of convention and visitor services from VFC falls within the scope of this exception because the use of a competitive process to contract for such services at this time would injure the City's financial interests, impede the City's administrative functions, and interfere with the delivery of convention and visitor services to the public; and

WHEREAS, the Purchasing Agent has submitted the requisite justification to the City Manager for approval; and

WHEREAS, the City Manager has reviewed and approved the justification for this acquisition; and

WHEREAS, City Code Section 8-161(d)(3) requires approval of this purchasing method by the City Council for items costing more than \$200,000 prior to acquisition; and

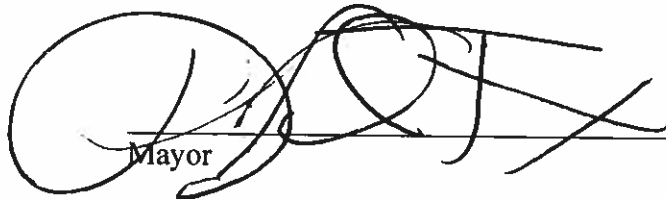
WHEREAS, VFC is paid in arrears an annual fee for its services equal to 70% of the total City lodging tax revenue for the previous calendar year, an amount that is expected to be well over \$200,000 in 2021.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the City Council hereby approves, as an exception to the City's competitive purchasing process, the purchase of convention and visitor services for a one-year term beginning April 1, 2021, from the Fort Collins Convention and Visitors Bureau, Inc. d/b/a Visit Fort Collins.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 2nd day of February, A.D. 2021.

  
Mayor

ATTEST:

  
City Clerk

