

2022 Tourism Matching Funds

NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT



**Tourism Matching Funds
Guidelines**

**2022 PROGRAM YEAR
(January 1 – December 31, 2022)**

2022 Tourism Matching Funds

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I. GENERAL PROGRAM INFORMATION

A. MATCHING FUNDS PROGRAM INTRODUCTION

The New York State Department of Economic Development (“the Department”) has an estimated \$3,450,000 to award to Tourism Promotion Agencies (“TPA”) for the 2022 Tourism Matching Funds Program Year. In the event this level of funding changes, TPAs will be notified immediately and the Department will take necessary action to adjust the amount of your grant in accordance with the new level of funding and pursuant to Economic Development Law, Article 5-A.

PURPOSE

The purpose of the Tourism Matching Funds Program (“Program”) is to provide matching funds to TPAs for the planning and promotion of marketing programs designed to stimulate and increase the economic impact of tourism for New York State. The Program’s priorities are to reach new market areas and expand current programs that are likely to result in new or sustainable overnight visitation.

TPAs are encouraged to consider the most effective and efficient marketing program, including media mix that will stimulate tourism in the local and regional economy and align with I LOVE NY’s marketing strategies.

The Program strongly encourages TPAs to participate in regional, multi-county and thematic-based programs that are in alignment with those of the state. This can be accomplished also through coordinated efforts with 2 or more counties through the officially designated regional TPA, as well as thematic marketing programs that can work across regions. We encourage TPAs to base their plans on consumer research that identifies market opportunities for sustainability and growth.

The program also strongly encourages TPAs to align their marketing programs with Regional Economic Development Council (REDC) strategic plans for the corresponding region, and to work with their REDC on their individual programs. This ensures that the TPA’s are working in synchronicity with the REDC, but also may open up additional funding opportunities through the variety of REDC/CFA grant programs. ESD’s Commissioner shall take into consideration such alignment and consultation with the council when making awards under this Program.

MATCHING FUNDS ADMINISTRATION

New York State’s Department of Economic Development administers the Program and is directed by statute to perform the following duties:

- Plan, facilitate and implement marketing programs to increase tourism across the state;
- Establish and publish annual Guidelines for the use of Matching Funds;
- Accept or reject applications for Matching Funds on the basis of the Guidelines;
- Authorize payment of funds within state finance guidelines out of the Matching Funds budget appropriation;
- Review and approve all marketing efforts developed with Matching Funds and carrying the state’s I LOVE NY brand;

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- Report annually on the spending, program activities and overall effectiveness of the Program; and
- Do all things necessary, desirable and convenient to carry out its powers, functions and duties.

PROGRAM DEFINITIONS

- **Tourism Matching Funds Program Year: January 1—December 31, 2022**
- **Tourism Promotion Agency (TPA):** Any not-for-profit corporation or other nonprofit organization, association or agency designated by resolution of the county legislature or other governing body of any county, or upon designation of the mayor of the city of New York, as the agency authorized to apply for and receive Tourism Matching Funds.
- **Regional Program:** The Regional marketing program promotes each of the 11 official vacation regions.
- **Supplemental Regional Programs (may include):**
 - ❖ more than one county within a single tourism region for the purposes of promotion shared assets or themes, or;
 - ❖ one or more counties and their contiguous states and/or Canadian provinces, or;
 - ❖ one or more counties in each of at least two tourism regions for the purpose of promoting shared product assets or themes.
- **Regional Tourism Promotion Administrator (“Regional TPA”)** The Regional TPA is the person designated by the counties within each tourism region to administer regional programs, and financial transactions and reporting on behalf of those counties.
- **Recognized Advertising** Recognized advertising is media advertising and promotional materials to be distributed in accordance with a marketing plan approved by the Department.
- **Marketing Message “Template”** Marketing Message “Template” is a term used to denote a consistent message/ theme created for the use in all co-op marketing advertisements. The “template” refers to the message or theme that encompasses the overarching theme/message of the ad with additional highlighted information included to call attention to a secondary call to action.
- **Regional Economic Development Council (REDC) Strategic Plans-** Though the REDC regions differ from the Tourism Regions, we encourage that all TPAs and Regional Tourism programs look to work directly and communicate with their corresponding REDC council. We encourage TPAs to work together with the REDC and any REDC tourism subcommittees in order to find opportunities to leverage REDC programs/funding and vice versa. REDC information and updated strategies can be found at <http://www.regionalcouncils.ny.gov/>

B. PROGRAM APPLICATION ASSESSMENT

Program applications are assessed against the following criteria:

- COVID Impacted Tourism Projects, Events and Businesses
 - ❖ Supporting tourism industry businesses, attractions and organizations that have been directly impacted by event cancellations, venue closures or other economic hardships due to the coronavirus;
- Marketing initiatives that target consumer and business travelers from 50+ miles and/or overnight visitation;
- Research based programs based on identifiable marketing needs;

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- Alignment with New York State marketing strategy and I LOVE NY branding and programs:
 - ❖ Specifically, programs/projects that market/promote/showcase, New York State's:
 - ❖ Unique, world-class destinations;
 - ❖ Broad array of available activities; and/or
 - ❖ Strength in creating family memories through activities including, but not limited to, outdoor recreation, historic sites and museums, food and drink, festivals and performing arts.
- Participation in established regional programs and cross-county promotions;
- Established metrics to measure return on investment;
- Emphasis on digital media and online initiatives, where appropriate; and
- Alignment with the goals of respective REDC strategic plans.

C. TOURISM PROMOTION AGENCY (TPA)

Only an officially designated TPA may apply for and receive Matching Funds. Once designated, the TPA is the official tourism agency for the county and is the primary contact with the state for all matters relating to tourism promotion and marketing. The TPA is accountable to and serves at the pleasure of county government or the Mayor of the City of New York and the Department, in all matters relating to Matching Funds.

The Department or county government may replace the officially designated TPA at any time, if it is in the best interest of the Program. Reasons for this could include specific request by county government due to a re-organization, formation of a new organization specifically for tourism marketing purposes or failure to perform in accordance with established Guidelines. County government must secure Department approval in writing to change a TPA designation, unless it is done at time of application.

If an agency or organization has not demonstrated knowledge of tourism promotion, it can still qualify as a designated TPA if it will only serve as an organization to apply for and receive matching funds and have no direct involvement in the development, planning or administration of the matching funds program AND a qualified tourism professional, acceptable to the Department, is employed as the Project Director solely responsible for the Program. If necessary, a tourism advisory board may be established to assist and give nonbinding advice to the Project Director about the program.

D. PROJECT DIRECTOR

REQUIREMENT

The Department requires each TPA to designate a Project Director, who will be responsible for management of the Program and serve as the official contact. The Project Director must have a demonstrated knowledge of tourism promotion acceptable to the Department. All communication to and from the Department must be made through the established Project Director in order to ensure accountability. Any exceptions to this must be approved by the Department.

CHANGE IN STATUS

If the Project Director changes at any time during the life of the Program the TPA must immediately notify the Department. Once a new Project Director is designated, the TPA must inform the Department and receive approval in writing.

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PROCEDURE FOR PROJECT DIRECTOR CHANGE

- Immediate notification to the Department including explanation of circumstances and person(s) who authorized (if change was result of a Board action, a dated and notarized copy of documentation is requested), and;
- A statement verifying the county government was consulted and approved the action, and;
- Written request for approval of new Project Director, and;
- Any other requested information the Department determines necessary or pertinent.

If the Project Director is changed without notification to the Department and county government, the Department will request immediate clarification and assess the status of the Program.

If the TPA does not replace the Project Director, it must immediately terminate the Program and return any monies advanced by the state, or as instructed by the Department.

DEPARTMENT REQUEST FOR CHANGE

If the Department determines the Project Director does not have an acceptable demonstrated knowledge of tourism promotion, Tourism Matching Funds guidelines compliance and reporting even after training, the Department will request a Project Director change. If so requested, the Department can assist the TPA in the selection process of a new Project Director.

Failure to follow Project Director policies including response to a request for change can lead to a determination of non-compliance with the Program.

E. REGIONAL TPA

Regional tourism efforts are encouraged to pool resources for greater impact, build regional brand equity and promote thematic cross-county marketing. 100% of the dedicated amount of each county's Regional Funds are required to be paid to the Official Region no later than July 1, 2022.

Applicants must participate in their official vacation region before other supplemental regional promotions can be considered. Participation in supplemental regional programs is contingent upon a majority vote of all counties within the official vacation region. Applicants are required to send their marketing plans detailing their proposed regional activity to their Regional Administrator to obtain majority approval.

All Regional Funds are required to be sent to the Official Region and approved Supplemental Funds will then be paid through the Official Region. The regional administrator for the official vacation region will also coordinate, fund and report on the activities of the supplemental regional programs. Once a supplemental regional program is approved, a county TPA from within that region may be assigned to manage approvals on behalf of all participants.

The Department requires that TPAs engaging in regional programs designate a Regional TPA, who will be responsible for the programs and serve as the official contact. The designated Regional TPA will be responsible for the administration and fiscal management of the regional programs, including submission of vouchers and required reports. The name of the Regional TPA must be provided to The Department via email within 2 weeks of designation. The designation should be indicated as having been approved by all counties in the region through the currently agreed to process. If there is a change to the Regional TPA in the middle of the program year, the Department must be notified in writing within 30 days of the change.

Pursuant to Economic Development Law, Article 5-A, Section 164(d), a regional advertising program as described in statute may include those personnel service administrative expenses attributable to such program, provided such expenses not exceed 20% of the total budget of the regional advertising program and such expenses have been approved by no less than one-half of the counties within the region.

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All funds received and expended during the Matching Funds program year must be reported and demonstrated with cashed checks, bank statements or journal vouchers. Any unused regional funds at the end of the year must be returned to the Department. Also, county funds sent to the region cannot be used for the next calendar year (i.e. prepayment is not allowed).

F. APPLICATION PROCESS TIMELINE

Please see separate attachment for timeline.

NOTE: If a county has not applied, or applied but hasn't vouchered, in 3 years or more, the county will be required to provide demonstration of the county commitment during Part I of the application process. If this information is not provided, that county may be deemed ineligible for funding for that year.

III. PROGRAM PROCEDURES AND REQUIREMENTS

Any questions regarding procedures and requirements should be addressed directly with the Department for clarification before taking any action.

A. GENERAL PROGRAM POLICIES

I LOVE NY LOGO

The I LOVE NY logo and all of its variations and treatments are trademarks and the sole property of the Department. Use of the I LOVE NY logo in any form, anywhere must be approved by the Department, whether used with a Matching Funds project or otherwise. There are no blanket policies for logo use. In addition, TPAs are not authorized to assign or transfer the logo to any party whatsoever. All inquiries and requests for the I LOVE NEW YORK logo must be directed to the Department.

Every time the I LOVE NY logo is used the appropriate legal language is required to be included. Exceptions may be made by the Department only. Please reference the Logo Usage Summary (page 15) for the appropriate language for the differing logos.

POLICY ON RELEASES

Any releases, written consents or permissions required by law are the responsibility of the TPA and not the Department. All press releases should include the language below and is required to be sent to The Division of Tourism for approval before being released.

NEW YORK STATE CONTENT ONLY

With the exception of approved cross-border promotions, Matching Funds can only be used to promote tourism activities within the borders of New York State. Tourism collateral cannot include advertising for tourism activities or businesses outside of the State unless it is part of an approved cross-border marketing program. Advertising is limited to tourism businesses as determined by The Department.

EXCLUSION OF OFFICIALS AND/OR POLITICAL SUB-DIVISIONS

Materials funded through this program cannot include any reference whatsoever, whether real or intended, to the name of any public official or political subdivision.

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TRAVEL REIMBURSEMENT

Travel by the Project Director to attend official statewide TPA meetings or statewide tourism meetings hosted by the Department are eligible for travel reimbursement. Project Directors will be reimbursed for travel expenses incurred to attend meetings hosted by their regional administrator. See Claiming Travel Expenses for procedure.

PERSONNEL AND/OR EQUIPMENT EXPENSES

Personnel costs (except Regional TPA) and costs for the purchase of equipment are not eligible for Matching Funds.

FEES, SALES, LEASE OF ITEMS

No fee may be charged for the sale, lease or loan of any advertising themes or materials including but not limited to: official festival posters, brochures, CD/DVD projects, or any other materials purchased, developed or produced through Matching Funds.

COMPLIANCE WITH HEALTH AND SAFETY REQUIREMENTS

Matching Funds may not be used toward activities or events that would be impermissible or ineffective under state or local health and safety laws and guidelines, including those related to COVID-19, e.g. events with impermissibly large gatherings of people, promoting tourism in countries before it is known when their residents will be allowed to travel to the U.S.

FAIR and COMPETITIVE VENDOR SELECTION PROCESS

It is the express responsibility of the TPA to establish a competitive process for selecting vendors, firms and contractors applying to all project elements funded through the matching funds grant program. The Department reserves the right to reject any vendor, firm and/or contractor for reasons of conflict of interest.

NON-DISCRIMINATION and CONTRACTOR & SUPPLIER DIVERSITY

Pursuant to New York State Executive Law Article 15-A and Parts 140-145 of Title 5 of the New York Codes, Rules and Regulations DED/ESD is required to promote opportunities for the maximum feasible participation of New York State-certified Minority and Women-owned Business Enterprises ("MWBES") and the employment of minority group members and women in the performance of DED/ESD's contracts.

In addition, Article 17-B of the New York State Executive Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses ("SDVOB"), thereby further integrating such businesses into New York State's economy. DED/ESD recognizes the need to promote the employment of service-disabled veterans and to ensure that certified service-disabled veteran-owned businesses have opportunities for maximum feasible participation in the performance of DED/ESD contracts.

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EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS

TPAs will be required to comply with Article 15 of the Executive Law (the “Human Rights Law”) and all other State and Federal statutory and constitutional non-discrimination provisions.

TPAs and sub-contractors will not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

TPAs are encouraged to use MWBE’s in the fulfillment of the requirements of this grant. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles. The directory of New York State Certified MBWEs can be found at the following internet address: <https://ny.newnycontracts.com/>.

In recognition of the service and sacrifices made by service-disabled veterans and in recognition of their economic activity in doing business in New York State, TPAs are encouraged to consider SDVOBs in the fulfillment of the requirements of this grant. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles.

B. PROJECT APPROVALS

All projects must be submitted to the Department for approval **at least three to five business days** before production or publication. Projects that have not received approval are not eligible for Matching Funds. Approvals from past years do not constitute approval in the current year. If more than one TPA is working on a collaborative project, all the TPAs involved must receive approvals for project elements.

C. FISCAL REQUIREMENTS

BANKING PROCEDURES

- A bank account, with “Matching Funds” included specifically in the name of the account and dedicated solely to the Matching Funds Program is required (Please refer to section D “Handling of Funds” for additional information).
- In the case where county law prohibits the establishment of a separate bank account, a notice of encumbrance issued by the county treasurer or a county/board resolution for the local share is acceptable.
- Journal vouchers will be required to demonstrate expenditures reported.
- For regional programs, a separate bank account must be maintained that is dedicated solely to the regional program and it must also contain “Matching Funds” in the name of the account.
- TPAs participating in regional programs must transfer funds for the regional programs to the regional account for administration and handling, proof of such transfer will be required.
- Any regional funds that are not transferred to the region will be required to be repaid to the Department.
- Prepayment of regional funds for upcoming years is not authorized.

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D. HANDLING OF FUNDS

DEPOSITS

Funds designated for the purposes of this program must be held in a dedicated checking account that is used expressly for payments for approved projects and contains "Matching Funds" in the account name. Once funds are deposited into the dedicated account and a Claim for Payment form is submitted, funds cannot be transferred to another account, except for transfers to designated regional accounts (or extenuating circumstances approved by the Department).

Once grants are received and deposited into the matching funds account, they may not be withdrawn or borrowed for such items as certificates of deposit, temporary funding of other projects or paying other bills not associated with this program. Funds can only be used to pay expenses directly to vendors for the Program.

All grant monies received for the purposes of regional promotions must be sent, upon receipt of invoice, to their regional administrator. TPAs will not be allowed to withhold regional funds for any reason.

UNUSED FUNDS

If the total amount of a grant is not spent by December 31, 2022, unless an extension has been granted by the Department, unused funds must be returned and next steps will be determined by the Department (See further information in section E below).

BORROWING

Taking out a loan to cover the costs of any promotions covered under this program is not recommended. In the case of a regional program, at no time should a Regional TPA borrow funds from county or regional programs to cover funds that are not sufficient to support a program. TPAs should not incur debt for partners.

INTEREST/FEES/MEMBERSHIP FEES

Interest charges paid on money borrowed in relation to the Program are not an eligible expense. (Interest accrued on Matching Funds accounts may be used as part of the local match.) Bank fees and fees of any nature are not an eligible expense. Additionally, membership fees are not allowable.

TRANSFER

The transfer of funds from one TPA to another, except for regional grant and/or extenuating circumstances approved by the Department, is strictly prohibited. Failure to comply with any policies regarding the Handling of Funds can lead to a determination of non-compliance with the program.

EXTENSIONS

All grant money for the Matching Funds Program Year must be spent by December 31, 2022. Extensions for spending past December 31, 2022 will likely not be authorized moving forward, unless there are justified extenuating circumstances, as it causes overall delays for the entire Matching Funds program and for reporting of the Program as mandated by law. If authorized, extensions are only eligible for those counties that request lump sum total payments up front. Extensions for multi payments will not be permitted under any circumstance.

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E. PAYMENT PROCESS

Payment is pursuant to submission of a completed and signed Claim for Payment form with backup documentation, as outlined below. Other state funding/grants do not qualify as a match for the local share.

CLAIM FOR PAYMENT

Lump Sum Claim for Payment

If you are applying for your total grant in one lump sum, a bank statement or letter from the bank is required showing a balance (less than 30 days old) for the full amount of the local share or more. A notice of encumbrance for the local share from the county treasurer or a board is also acceptable.

If the balance displayed on the bank statement doesn't meet or exceed the required local share, and there is a need to account for additional funds, a copy of the validated deposit slip(s) showing dates and amounts of deposit and a copy of the check(s) received from participating contributors is necessary. Additionally, if any payments against the balance have been made, you must submit proof of payment in the form of cancelled checks and copies of invoices unless the TPA utilizes County Government vouchers as proof of payment.

This information may be sent in a digital format with all materials scanned into one document. Vouchers received that do not contain the required documentation and copies will be returned

Lump Sum Claim for Payment requests will require a Claim for Payment form, a Voucher Worksheet, and documentation as described above.

CLAIMING TRAVEL EXPENSES

Travel expenses allowed under this program are subject to the following rules and regulations:

- If expenses are reimbursed from any other source or agency, they may not be claimed;
- Payment must be made directly to the traveler, vendor or credit card company;
- Reimbursement for consumer and trade shows is limited to two (2) official representatives per 10 feet of exhibit space or per registration; and
- Payments may not exceed the established government per diems for the travel destination

Expense forms for each traveler must be submitted with Quarterly Reports and vouchers if applicable.

Required support documentation includes:

- Copies of hotel/motel bills, with proof of payment for overnight travel
- Copies of all transportation receipts
- Copies of receipts for transfers at the beginning/end of each trip
- Copies of toll receipts, parking receipts, etc.
- Completed Statement of automobile traveled form found at https://www.osc.state.ny.us/agencies/forms/ac160s_fe.pdf

NOTE: Mileage claims must be legitimate travel to business meetings to qualify. Justification of expense must be submitted with forms.

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Expenses will be reimbursed at the current State rates and subject to State requirements and definitions. All rates are available on the General Service Administration (GSA), Travel and Transportation Management Policy Division's website:

www.gsa.gov/portal/category/100120

OFFICIAL STATION

An official station is used to determine travel expenses. Travel status is defined as being on official business at a distance of more than 35 miles from either an official station or place of residence. When in official travel status for less than three hours, meals and/or lodging are not allowed.

TIME LIMIT FOR MEAL ALLOWANCES

Breakfast will be allowed when the time of departure at the beginning of trip occurs one hour before traveler's normal work day. Dinner will be allowed when the time of return at the end of a trip occurs two hours after a traveler's normal work day. Receipts are now required for meal allowances.

When you are in travel status for less than a full day and lodging charges are not incurred, reimbursement is as follows: Breakfast \$5.00 and Dinner \$12.00.

TRANSPORTATION

Rental fees for transportation or use of personal vehicles are eligible for mileage reimbursement at current state mileage rate. All taxis and other forms of transportation must be receipted.

MAXIMUM REIMBURSEMENTS

The maximum reimbursement for lodging and meal expenses can't exceed the lodging and meal allowances for the area of assignment. If the cost of lodging exceeds the maximum allowance, the meal allowance must be used to offset the higher lodging expense.

Under no circumstances will approval be granted to exceed the total per diem allowance.

All rates are available on the General Service Administration (GSA), Travel and Transportation Management Policy Division's website:

www.gsa.gov/portal/category/100120

G. REPORTING PROCEDURES

Each County and Regional TPA receiving Matching Funds is required to submit Quarterly Reports and a Final/Financial Summary Report.

Please see attached timeline for reporting deadlines.

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QUARTERLY REPORTS

Quarterly Reports are required progress reports, to be submitted via the Tourism Matching Funds database/portal, that detail your financial and program activity for each Matching Funds Fiscal year quarter. In addition to a list of payments made and cancelled checks for the quarter, supporting documentation that will be collected in the Matching Funds portal includes, but is not limited to:

- Quarterly Report Form;
- Quarterly Report Expenditure Listing Form;
- Invoices for media buys and advertising production with itemization of services (attach scripts, copies of ads as required);
- Copies of invoices indicating transfer of funds to the Regional TPA/Administrator;
- Printing and production costs for collateral, CD/DVD and other media (Note: it is strongly advised the TPAs use best business practices and request competitive bids in order to ensure the best prices. This responsibility is solely on the authorized TPA);
- Copies of travel show contracts and related travel expenses;
- Tear Sheets from print media (or copies of ads if tear sheets are not yet available);
- Affidavits of performance from radio and TV stations and copies of scripts;
- Copies of **cancelled checks** or vouchers authorized paid directly from authorized Matching Funds account. If a check has not cleared please report it in the next quarter;
- Additional documentation requested by the Department to satisfy proof of payment.

NOTE: Quarterly Reports must be submitted even if no payments were made within the quarter. Please submit a report with blank/zeros if this is the case.

For instructions on how to sign up for an account for the Matching Funds reporting database/portal and how to use the database, please contact the Matching Funds director.

FINAL REPORT/FINANCIAL SUMMARY

The Financial Summaries will serve as the Final Report and are **due March 15, 2022** for the 2022 Matching Funds Program Year.

The required format for the 2022 Financial Summary is available in the Matching Funds database portal.

The Financial Summary numbers should reflect the expenditures reported in the quarterly reports. If there is a difference, you must explain and document the reason why the numbers differ. Final expenditures must be exactly the voucher amount x2 (NYS funds + County Match) or slightly more. Final expenditures that are less will be required to pay back the amount of funds under spent.

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No funds are authorized to be kept in any amount for any reason. Please do not report additional spending as anything beyond this amount in the Supplemental Spending column.

ADDITIONAL REPORTING

An additional report may be required from a TPA that has received a program extension. This report will cover any unreported expenses through the extension period. Payments made after the extension period may not be claimed.

REGIONAL REPORTING

Regional TPAs are responsible for invoicing all participants (including themselves), paying all vendor invoices and maintaining a separate bank account for regional programs.

NOTE: TPAs delinquent with Quarterly or Final Reports will not have vouchers processed until reports are up to date. Failure to submit required reports can lead to a determination of non-compliance with the Program. Additionally, if ALL reporting is not completed by the following Matching Funds year, the TPA will not be eligible to apply for funding until such reporting is completed and submitted.

H. NON-COMPLIANCE

TPAs found to be in non-compliance with the Guidelines are subject to disciplinary action by the Department that can include but is not limited to suspension or termination of current or future programs or Matching Funds award(s).

Examples of non-compliance include but are not limited to:

- Failure to follow policy for Project Director change;
- Failure to comply with policies of Cooperative Marketing;
- Failure to submit Quarterly or Final Reports; or
- Failure to follow fiscal requirements or any misuse of funds.

NOTE: State policies and procedures concerning Matching Funds take precedent over any local contract or agreement between county government, private co-op partners and the TPA.

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IV. PROGRAM MARKETING

I LOVE NY works to increase tourism by promoting New York State as a unique, world-class vacation destination. We encourage matching funds grantees to use their funding to increase visitation to their county and region by promoting themes and areas, rather than primarily to highlight a particular county as a brand unto itself.

A. BRANDING

I LOVE NY branding is required on all Matching Funds marketing and advertising projects. Some general branding guidelines include:

- Logo artwork should always appear upright;
- The logo must always be surrounded with a minimum amount of clear space to isolate the logo from competing elements such as photography, text or background patterns, including those that may cut through the back of the logo itself. The clear space minimum is equivalent to the vertical height of the heart icon, on all four sides of the logo;
- The logo should appear against a solid background whenever possible to ensure proper contrast (background colors of green, orange, red or pink will need to use an all-black or all white logo). Do not put a white box around/ behind the logo at any time.

No elements of the logo may be recreated, deleted, cropped, highlighted or reconfigured in ANY way. Do not change the colors of the logo.

ESSENTIALLY: DO NOT EVER CHANGE THE LOGO!

- Logo files that have been supplied are the only files approved by the Department for use. Logos are supplied in EPS vector files that are infinitely scalable, and therefore ensure proper resolution for reproduction in any size. Logo artwork should never be reproduced (cut & paste) from previously printed materials; and
- Minimum Sizing of Logos:
 - All full page, 1/2 page and 1/4-page ads must use the logo no smaller than 1" wide.
 - The standard web banner sizes are: 300 x 250 pixels, 160 x 600 pixels and 728 x 90 pixels. All three sizes should use a logo that is no smaller than 60 pixels wide.

LEGAL LANGUAGE

In order to protect the trademark legally, it is required that the ownership of the logo is displayed with all marketing materials. Please reference the Logo Usage Summary (page 15) for the specific language required for each logo or logo treatment.

TAGLINE

Use "I LOVE NEW YORK" as the current tagline at the end of scripts.

Logos are for TPA use ONLY; attractions, business may never use the official logo without permission from DED.

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LOGO USAGE SUMMARY

MARKETING TOOLS	ILNY LOGO TO USE	SPECIFIC RULES
Calendar of Events	Logo with iloveny.com	Complete list of events in county/region; Contact info for county/region required
Collateral	Logo with iloveny.com	Call to action to county/region required;
Newsletters	Logo with iloveny.com	Call to action to county/region required;
Online Banners/Buttons	Logo with iloveny.com	Call to action to county/region required; On case by case basis standard logo may be used for digital ads that are too small to read the url;
Print Ads	Logo with iloveny.com	Call to action to county/region required; Template required of co-op ads
Print Ads: Event(s)	Logo with iloveny.com	Call to action to county/region required; Doughnut/template required with overall county/region theme.
Promotional Items	Logo with iloveny.com	
Radio	Tagline	Call to action to county/region required; county/region name or event proceed tagline and conclude with "I Love New York." and/or the county/region website following the tagline above.
Specialty/Group Tour Guide	Logo with iloveny.com	
Show Handouts	Logo with iloveny.com	
Television	Logo with iloveny.com	Call to action to county/region required; logo at end; Doughnut required of co-op ads
Trade Show Exhibits & Displays	Logo with iloveny.com	Must appear in top half of all exhibits and displays
Travel Guide	Logo with iloveny.com	Logo placement top right corner w/ county name to left; official county/regional Travel Guides must include half page ad for I Love New York
Web site	Logo with iloveny.com & link to iloveny.com	Hyperlink required; location in top right corner

LEGAL LANGUAGE		
Required ANY Time Logo Used	Logo with iloveny.com	
Less Than Full Page =	® NYSDDED	™ NYSDDED
Full Page =	® I LOVE NEW YORK is a registered trademark and service mark of the New York State Department of Economic Development; used with permission.	™ I LOVE NEW YORK is a registered trademark and service mark of the New York State Department of Economic Development; used with permission.

PROPER USE OF THE I LOVE NEW YORK LOGO
Logos may not be changed or altered in any manner. EPS files are required to be used in all marketing.
Ensure clear space all 4 sides in accordance with the Branding Guidelines
Department approval on projects for single projects & current program year ONLY unless otherwise specified. Marketing tools used prior to approval may not be eligible for matching funds.

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B. MARKETING OF SINGLE ATTRACTIONS

Marketing of a single attraction, business or event with the use of matching funds, including but not limited to print, digital, radio, etc., is prohibited. Exceptions may be made upon approval from the Department only be if the individual attraction, business or event is the primary tourism asset or the only one of its kind for the county or region (e.g. a ski resort, amusement park, iconic landmark, etc.) and draws substantial visitation from over 50 miles away. Even for approved exceptions: the marketing must include the county or regional marketing theme and a clear call-to-action to obtain more information about the county or region as a whole; and the single attraction, business or event should be coupled with other tourism opportunities in the area (e.g. accommodations, restaurants, shopping) to drive incremental business and encourage longer stays.

C. COOPERATIVE MARKETING

Cooperative tourism marketing involves a collaborative effort between the county or region and a minimum of at least two outside tourism entities (eg. tourism businesses, associations, organizations) for the mutual benefit and economic improvement of the area. Co-ops must be considered an adjunct to your primary countywide program. Under no circumstances should an advertising program be based solely upon private partnerships. Cooperative projects cannot be used to fund or promote individual entities nor can individual entities influence projects for their own benefit. A cap may be placed on how much an individual business/entity can participate in a county's co-op program.

Cooperative marketing is encouraged by the Department to the extent it leverages the efforts of county/region marketing programs. All county or regional tourism related businesses or events are eligible to participate in applicable cooperative projects and must be notified of opportunities.

A standard marketing advertising “template” should be used to create continuity and an identity for your county/region.

POLICIES FOR COOPERATIVE PROJECTS

Projects must represent a comprehensive or thematic county/region marketing campaign. They cannot be limited to promoting a single attraction or business. Exceptions may be made for certain destinations or attractions if they are unique in the county/region or the primary tourism asset for the county/region, such as a downhill ski area or amusement park. Even in those cases, the attraction or destination must be presented in context as an asset among the others in the county/ region. These guidelines apply whether the partner entity partially or fully funds the local match for the particular project.

Promotion of single events may be considered if they meet the following criteria:

- Is the event in close proximity to out-of-state tourist markets? Does the event result in statewide and out-of-state press? Does the event result in significant job creation for your county/region? Does the event generate overnight stays and visits to other tourism assets and services in your county/region?

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If the advertisement of a single event is questioned by DED during the approval process, the TPA should be able to support the marketing of the event by supplying the following information:

1. The number of out of state visitors expected to attend the event this year, At least one metric must be provided to support the assertion (e.g. hotel rooms booked or revenue from last year's event, number of out-of-state registered attendees, number or percentage of out-of-state license plates);
2. The total estimated number of jobs created or sustained by the event and whether those are permanent or temporary; and
3. The value the event creates for your area and for NYS tourism as a whole.

The Department strongly encourages marketing partnerships and thematic packaging, including actual getaway packages. The statewide tourism program includes seasonal retail programs that can include getaway packages or other opportunities for alignment with cooperative marketing efforts.

For cooperative advertising placements, a minimum of 1/3 of the ad must be dedicated to the county/region marketing theme with a clear call-to-action to obtain more information about the area (i.e. county or region logo or name and URL or toll-free number). A standard marketing advertising "template" should be used to create continuity and an identity for your county/region.

You are required to submit a rendering of your proposed template and a list of potential co-op partners in advance and before placing any advertising. It is the responsibility of the TPA to coordinate cooperative programs with tourism partners. Under no circumstances can a media entity or private business act as a broker on behalf of the Program.

Failure to follow the Cooperative Marketing procedures can lead to a determination of non-compliance with the Program.

Brand USA

The Department is specifically tracking all co-op marketing/spending with Brand USA. In your reporting, spending with Brand USA will be indicated separately from all other co-op spending.

D. ADVERTISING

DIGITAL MARKETING

Matching Funds can be used for digital marketing including but not limited to online advertising, search optimization and e-marketing. The use of digital marketing is strongly encouraged to reach consumers where they plan travel. It is efficient, cost effective and measurable.

All digital ads with click-thru links are required to link to the county or region's official website. For websites that contain county or regional information other than tourism, the call-to-action for digital marketing must lead directly to tourism related content.

The supplied I LOVE NY logo with specific size and location requirements must appear on all digital marketing. Specific logo to be used for digital marketing projects will depend on the nature of the project. Please reference Section III A. for logo usage.

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Please Note: The I LOVE NY logo is not required to be used on image-based advertisements on Facebook, Twitter, Instagram or other social media platforms. Videos appearing in social media ads must still adhere to logo guidelines.

Advertising that directs consumers to pages or sites that are not tourism related as well as contests and coupons are not authorized as eligible costs under Matching Funds.

- Costs related to Digital Marketing must be reported under the Digital Marketing category in Quarterly Reports.
- Digital Marketing that doesn't use the I LOVE NY logo (ex.- social media and blogs) cannot exceed 10% of the total project cost.

PRINT

Matching Funds can be used for production and placement of print media. Print advertising must be placed outside of the county/region with the exception of a county placing an ad in the Regional Travel Guide. A region may pay for an ad in a county Travel Guide through Matching Funds. Advertising projects must be part of an overall approved county/region marketing campaign.

The supplied I LOVE NY logo, with specified size and location requirements, must appear on all print ads. Specific logo treatments may vary depending on what is most appropriate for the particular ad. Please reference page 15 for logo usage.

Final print advertising must be approved by the Department before release. **RADIO**

Matching Funds can be used for production and placement of radio advertising and must be part of an overall approved county/region marketing campaign.

Radio copy must include your county/area/region name, or a unique quality/event followed by "I LOVE NEW YORK!"

Final radio copy must be supplied to the Department for approval before airing.

TELEVISION

Matching Funds can be used for production and placement of television and movie theater advertising and must be part of an overall approved county/region marketing campaign.

The supplied I LOVE NY logo must be a minimum size of 230 x 100 pixels, it must appear at least in the last frame/ few seconds of all television spots and may not appear outside the television safe area.

Television ad copy and finished spot must be approved by the Department before airing.

OUT OF HOME

Billboards and other out-of-home advertising are also an approved usage for Matching Funds. The advertising must include a county/regional focused message and include a county/regional website for more information. Additionally, the I LOVE NY logo will be required per the existing guidelines.

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E. WEBSITE DEVELOPMENT AND MAINTENANCE

Matching Funds can be used for design, construction, hosting and updating consumer travel websites and tourism databases. The main county/regional tourism website should contain comprehensive information about the county/region so as to serve as the primary source of tourism information for the area.

Each county tourism website must be kept up to date with the most recent and current consumer tourism information. The updated data **MUST** be shared with the Department on a regular and timely basis to update the state tourism database and website.

Costs for vendor contracts (on a fee-for-service basis) to update and cleanse the New York State Division of Tourism's database are eligible for Matching Funds.

Please Note: Failure to supply updated data to the Department quarterly for the State tourism database and website can lead to a determination of non-compliance with the Program.

Regional sites may direct consumers to corresponding county sites provided there is a sufficient amount of regional content included and all county partners agree to the format.

For websites that contain county or regional information other than tourism, the information must be kept on separate pages and tourism content must be clearly visible and contained in its own section.

Membership associations and/or organizations shall not exclude non-members from listings or participation on the tourism websites.

Matching Funds cannot be used for equipment rental or purchase. For mixed-use websites, non-tourism pages are not eligible.

Costs related to website development and maintenance must be reported in Quarterly Reports. For mixed-use websites, only tourism related information should be included. Vendor invoices must itemize costs which are specifically for tourism content, including website and database hosting, as well as design, construction and updating.

F. COLLATERAL PROGRAM

Matching Funds can be used to produce county or regional travel guides, meeting planner guides, events calendars, package brochures, multi-purpose shells, special interest theme brochures (that support specific marketing programs) and limited direct-mail materials. Production costs for CD/ DVD supporting projects are also eligible. Matching Funds may not be used to design and print posters, signage and/or single event brochures.

The supplied I LOVE NY logo with specified size and location requirements must appear on all collateral materials. Specific logo treatments may vary depending on what is most appropriate for the particular project. For general brand guidelines, please refer to page 16.

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TRAVEL GUIDES

Matching Funds can be used to produce one annual or two seasonal comprehensive Travel Guides (including foreign language versions). Eligible costs include design, production and printing. There are no specific size requirements. As mentioned previously competitive bids are strongly suggested, but are ultimately the responsibility of the TPA.

The Department encourages the use of environmentally friendly printing methods. If printed in the US (preferred), "Printed in USA" should appear somewhere in the publication in small type. The front cover of all Travel Guides must include the supplied I LOVE NY logo in the upper right corner with your logo or name placed to the left. The county/region logo or name can be placed immediately to the left of the logo or in the upper left corner of the cover. Logo must be .09" x 1" stacked logo or 1" x .5" horizontal logo. No graphic elements can appear above, beside or between the county/ region logo or name and the I LOVE NY logo.

County or Regional Travel Guides must represent the entire county/region and include prominently placed contact information for county/region such as the county or region website. Guides cannot include credit lines (unless required by law) or any references to non-NYS tourism information, unless part of an approved cross-border promotion.

Selling advertising in Travel Guides is acceptable to offset costs. However, only tourism-related advertising is allowed.

The entire publication (not just the cover) MUST be approved by the Department before printing.

BROCHURE INSERTS

Matching Funds can be used to produce brochure inserts that supplement an existing brochure and support the overall approved county/region marketing campaign. Please see page 15 for logo usage.

CALENDARS OF EVENTS

Matching Funds can be used to produce Events Calendars provided a complete list of major events is included. Matching Funds cannot be used for materials that promote single events. Contact information for the county/region must be included. Please see page 15 for logo usage.

REGIONAL TOUR PLANNING DIRECTORY

Matching funds can be used to produce Regional Tour Planning Directories including listings and contact information for both single and group travel. Please reference page 15 for logo usage.

Services listed should include:

- Information services including local publications that are available
- Attractions, events, arts and theater
- Special interest tours, tour modules, established itineraries
- Transportation services (e.g. air, rail, motor coach, auto rental, limo, taxi)
- Hotels/Motels
- Restaurants
- Local tour operators
- Motor coach tour operators

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SPECIAL-INTEREST THEMED BROCHURES

Matching Funds can be used to produce Special-Interest Themed Brochures provided they are in support of an overall approved county/region marketing campaign. Matching Funds cannot be used to produce brochures in support of a single event, community or attraction.

The brochure cover should include the title/theme used in the marketing campaign and must include the county/region logo or name, and a clear call-to-action to obtain more information about the county/region. The brochure should be submitted for approvals with the submission of the overall campaign that it is developed to fulfill. Please reference page 15 for logo usage.

DIRECT MAIL PROJECTS

Matching Funds can be used for Direct Mail Projects that support overall approved county/region marketing campaigns. Direct Mail Projects cannot support a single tourism business or event.

SHELLS/FOLDERS

Matching Funds can be used for production of trade and public relations shells or folders. There are no specific size requirements but the cover must contain the county/region name and/or logo. Please see page 15 for logo usage.

ACCOMMODATIONS, CAMPING AND/OR RESTAURANT GUIDES

Matching Funds can be used to produce county/region Accommodations, Camping and/or Restaurant Guides.

There are no specific size requirements but the guides must contain the official names of the county/region name and/or logo and support overall approved county/region marketing campaign.

MEETING PLANNERS GUIDES

Matching Funds can be used to produce Meeting Planners Guides. Information should include details and contacts for:

- Exhibit, convention and meeting facilities
- Hotels and motels
- Entertainment, sports and recreational opportunities
- Local support services
- Services specific to the group provided by local organizations

G. PHOTOGRAPHY & AUDIO/VISUAL PROGRAM

Matching Funds can be used for Photography and Audio/Visual projects provided they support the overall approved county/region marketing campaign. The purchase of New York State footage or photography is also acceptable.

Projects submitted for this program must include:

- A description of the objectives including use and intended target;
- Scope of work;
- Story boards and scripts; and
- Distribution services plan including contracts, if applicable.

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The supplied I LOVE NY logo with specific size and location requirements must appear in all video projects. For audio-only projects, copy must include "I LOVE NEW YORK!". Video must include the logo at the end of the production or segments and follow the general rules. The logo must be a minimum size of 480 x 295 pixels. Please reference page 15 for logo usage.

Equipment costs, travel, food, lodging and entertainment are ineligible expenses.

H. RESEARCH

Matching Funds can be used to commission tourism-related research projects including the cost of contracts (on a fee-for-service basis) with firms or universities, to design, conduct and analyze a research study. Tourism studies can include but are not limited to researching target markets, visitor demographics and behavior, economic impact, advertising effectiveness, program return on investment and conversion.

A copy of any research findings must be provided to the Department.

It is expected that TPAs use all information and research available to them to inform their marketing plans. The Department provides economic impact findings and consumer research and strongly recommends TPAs to engage local and regional research and to form cooperative research partnerships with local universities.

Projects submitted must include:

- A detailed description of the objectives and goals;
- Scope of work and anticipated costs with itemized budget;
- A detailed list of research studies or information currently used to inform marketing strategy (e.g. target markets, visitor demographics and behavior, economic impact, advertising effectiveness, lodging tax receipts, specific program ROI, conversion studies); and
- Information about proposed firm or partnership contracted for the project.

I. PUBLIC RELATIONS

Matching Funds can be used for expenses related to Public Relations efforts including the cost of contracts with individuals or firms (on a fee-for-service basis) to design, conduct and analyze a PR program. Fee-for-service contracts can include but are not limited to: production and distribution of press releases, press kits and mailings; purchase of B-roll; preparation of press materials; and press visits.

Projects submitted must include:

- A detailed description of the objectives and goals;
- Scope of work and anticipated costs with itemized budget; and
- Information about proposed firm contracted for the project.

The supplied I LOVE NY logo with specific size and location requirements must appear on all public relations packaging and materials (e.g. press releases, shells, folders, CD/DVD covers). Please reference page 16 for logo usage.

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Ineligible Expenses include equipment or display purchases; travel, food, lodging and entertainment; retainer fees; local press conferences; interview expenses; resident FAM tours; local campaigns; and internal relations programs.

J. TRADE & CONSUMER OUTREACH

TRAVEL SHOWS

Matching Funds can be used for Travel Show expenses, including but not limited to: signage, space rentals, audio/visual equipment rentals, service contracts for on-site rentals and exhibit shipping/drayage/ storage. Limited travel expenses are also eligible, please see Travel Reimbursement section for details.

Expenses related to the purchase of new exhibits, displays and signage for approved shows are eligible provided they are in alignment with the branding efforts of I LOVE NY. The logo including the URL lock up must appear within the top half of the display. Further, if you create a multiple panel display that allows for use of its individual components, you must display the panel that contains the I LOVE NY logo. Each project is unique and will require working with the Department for creative/ branding guidance.

Show programs submitted must include:

- A detailed description of the objectives and goals;
- List of proposed shows; and
- Anticipated budget, itemized by show.

Cooperative booth space, including two or more counties participating together, can be part of a regional program if approved by participating counties and managed by the regional TPA. Cooperative marketing efforts with private partners is acceptable if booth is clearly identified as the respective county or region not an individual business or attraction and information about the entire county/region must be available.

Ineligible Expenses include: long-term rentals; on-site construction costs; purchase of electronic or other display equipment costs; and entertainment, food and beverages.

SALES OUTREACH

Matching Funds can be used for Sales Outreach such as sales meetings, FAMs and marketplaces.

Eligible costs include but are not limited to: fee to hire a motor coach, van or auto; and contract for providing services such as arranging appointments, creating itineraries and providing pre/ post leads. If a separate meeting is held, expenses can also be claimed for equipment and space rentals. TPA travel reimbursement is allowed. Limited costs related to hosting FAM tours are also eligible such as local transportation, lodging and associated attraction admission expenses.

Outreach programs submitted must include:

- A detailed description of the objectives and goals;
- Detailed schedule; and
- Anticipated budget with itemized expenses

Ineligible Expenses include: Entertainment, food and beverages.

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PROMOTIONAL ITEMS

Matching funds can be used on a limited basis to produce promotional items such as buttons and stickers for travel shows and sales outreach provided, they include a call-to-action (e.g. URL or toll-free number). The I LOVE NY logo should be included when size and design specifications allow for appropriate branding. Projects must be reviewed by the Matching Funds Director on a case-by- case basis.

Promotional item costs cannot exceed 5% of the total project cost.

K. INFORMATION CENTER & OTHER CONSUMER SERVICES

Matching Funds can be used for expenses related to Information Center Services including contracts with operators of travel information centers, customer services lines, online agents, collateral distribution (on a fee-for-service basis), signage & display materials and shuttle services.

Projects submitted must include:

- A detailed description of the objectives and goals;
- Site selection and/or distribution list and justification for selections; and
- Anticipated budget with itemized expenses.

Ineligible Expenses include exhibit construction and equipment purchase; and travel, food, lodging and entertainment.

L. MAILING/DISTRIBUTION PROGRAM

Matching Funds can be used for expenses related to mailings of approved collateral or marketing materials, vendor contracts for distribution services (on a fee-for-service basis) or expenses for fulfillment services. You may not use this provision to mail materials that were not approved and paid for with tourism matching funds.

Program costs cannot exceed twenty-five percent (25%) of the total program amount (local plus state share).

Equipment purchases are an ineligible expense.

M. TELEPHONE SERVICES

Matching Funds can be used for Telephone Services provided the service is directly related to the Program and/or providing consumers with tourism information. Detailed back-up documentation and reporting is required for Telephone Services reimbursement.

TOLL-FREE NUMBERS

Matching Funds can be used for costs for incoming toll-free number telephone calls and monthly service charges. Toll-free number expenses must have a direct relationship to an overall approved county/region marketing plan.

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IV. CONTACT INFORMATION

For more information on the Matching Funds Program or Guidelines contact:

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