

LaFaive, Michael D.

From: LaFaive, Michael D.
Sent: Friday, November 06, 2020 9:31 AM
To: medcfoia@michigan.org
Cc: LaFaive, Michael D.
Subject: Freedom of Information Act Request - Travel Michigan/Pure Michigan

November 6, 2020

FOIA Coordinator
Michigan Economic Development Corporation
300 North Washington Square
Lansing, MI 48913

Dear FOIA Coordinator:

Pursuant to the Michigan Freedom of Information Act, MCL 15.231 et seq., and any other relevant statutes or provisions of your agency's regulations, I hereby request the following records:

- The most recent "Sole Source Justification" document involving Tourism Economics and/or its parent company, Oxford Economics, and the MEDC/MSF.
- The most recent "Sole Source Justification" document involving D.K. Shifflet & Associates and the MEDC/MSF.
- The most recent purchase orders approved by the MEDC/MSF for Tourism Economics/Oxford Economics and D.K. Shifflet & Associates and contracts related to those
- The most recent "Notice of Intent to Purchase" document involving Tourism Economics or its parent, Oxford Economics.
- Expenditure data for the 2019 and (if available) 2020 data provided by D.K. Shifflet for the MEDC.

I would prefer to receive this data in an electronic format.

- The most recent license agreement between D.K. Shifflet and the MEDC/MSF.
- Any Requests for Proposals issued by the MEDC/MSF for the purpose of locating and choosing a vendor to perform the Pure Michigan campaign insights research most recently performed by Strategic Marketing and Research Insights; whose agreement will be in effect after December 31, 2020. In the alternative, any e-mails indicating why a new RFP or contract for such services have not been let.
- Any single document that would identify a winning vendor for the RFP referenced immediately above. An example of such a document would be a "Request to Award Contract" memo, such as the one previously authored by Lauren Branneman and sent to the MSF on September 26, 2017.
- Any estimate of the "percentage of State taxes generated for every dollar spent" provided to Strategic Marketing and Research Insights by Travel Michigan/MEDC/MSF for its most recent (2020) report. Previously, this information could be found in a 2017 Michigan Office of the Auditor General letter to two lawmakers explaining that it is the MEDC that makes this information available to its contractor (then, Longwoods International).

- The responses received by Strategic Marketing and Research Insights in the course of its research for the MEDC/MSF for their most recent (2020) report "2019 Pure Michigan Advertising Effectiveness" study for questions Q4 and Q6-Q19.

If your contractor has not provided the survey results to you in a discrete format I ask that you request that of them and provide me with a copy.

- The input assumption worksheets used by Tourism Economics and any related "direct, indirect and induced impacts" output produced directly from its modeling effort for the MEDC/MSF Strategic Marketing and Research Insights report "2019 Michigan Ad Effectiveness Study," and/or its "Economic Impact of Advertising-Generated Tourism in Michigan – 2018" report.

To be clear, I am not requesting the Effectiveness Study or Economic Impact reports themselves. Just the input worksheets and related output. However, if Tourism Economics has not provided you with the above referenced worksheets/direct output, I would like to politely request that the MEDC ask Tourism Economics for these items for the state and Mackinac Center's behalf.

- Fiscal Year 2019 Travel Budget, including any updates.
- Fiscal Year 2019 PO Summary.
- A list of "MEDC Procurement Contracts" hired or paid by MEDC/MSF in 2019 and 2020.
- Any single document evidencing the location and dates of the 2021 Pure Michigan Governor's Conference on Tourism.
- The 2019 Pure Michigan "Partnership Contact List/Contribution."

I have requested very similar data in the past, and would be happy to clarify any portion of my request. I can do so telephonically at 989-430-8669 or by e-mail at lafaive@mackinac.org. I would be happy to provide examples of the documents I am requesting that have been provided by the Department in previous years, if you believe those examples would be helpful. I would also be happy to work with the Department to minimize the administrative burden associated with the request, so please do not hesitate to contact me if you believe I could clarify any questions you may have.

If the documents I have requested are not disclosable in their entirety, I request that you release all nonexempt portions of the documents that may be segregated and all parts of the documents that can be rendered disclosable by redaction. As to any portion of the documents that you withhold, ***please state with specificity the legal and factual basis for withholding such portion, as well as the nature of the information being withheld.***

If non-exempt material can be separated from exempt material, the Department is responsible for doing so. *Herald Co, Inc v Ann Arbor Public Schools*, 224 Mich App 266, 275 (1997). This includes identifying those records that are being withheld, or the nature of any information being withheld. *Id.* Specific citations to the precise portions of FOIA justifying an exemption are also required. MCL 15.235(5)(a)-(c); *Peterson v Charter Township of Shelby*, 2018 WL 2024578 (Mich Ct App). Further, if no responsive documents exist for a particular portion of this request, please clearly identify which portions of this request have been denied for that reason.

Pursuant to MCL 15.234(1)(c), I respectfully request this data be provided to me in an electronic format. I would prefer that the documents I have requested be sent to me via PDF or the electronic records in a useable format, such as Excel. However, if that is not possible than I ask that they be sent to my alternative work address at: 1370 Saffron Circle, Traverse City, MI 49696.

Sincerely,

Michael LaFaive
Senior Director of Fiscal Policy
Mackinac Center for Public Policy
Midland, MI