

Memorandum



Date: November 22, 2023

Agenda Item No. 2(B)(12)
December 12, 2023

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

Subject: Report on Transit Advertising Contracts – Resolution No. R-666-23

Summary

This report, prepared by the Department of Transportation and Public Works (DTPW), is being provided to the Board of County Commissioners (Board) in response to Resolution No. R-666-23, which was adopted on July 6, 2023. The resolution was sponsored by Commissioner Juan Carlos Bermudez and directed the Administration to: (1) negotiate an amendment to existing Transit Advertising Contracts to prohibit advertisements displaying the image or likeness of any candidate as that term is defined in Section 97.021, Florida Statutes, (2) include language in future procurement solicitation documents for transit advertising contracts to prohibit advertisements displaying the image or likeness of any candidate as defined in Section 97.021, Florida Statutes, and (3) provide a written report to the Board regarding the actions taken pursuant to these directives.

Amendments to the existing Transit Advertising Contracts were prepared by SPD and reviewed by the County Attorney's Office for legal sufficiency and conformance with the resolution. All of the awarded vendors have executed supplemental agreements effectuating the directives. No new procurements for transit advertising contracts have been solicited since the effective date of the resolution, July 20, 2023. The required provisions under the resolution shall be included in any future solicitations.

Report

Pursuant to the resolution, staff from DTPW and the Strategic Procurement Department (SPD) identified the following transit advertising contracts:

- FB-01098, *Bus Passenger Bench Program*, awarded to Signal Outdoor Advertising, LLC
- RFP-01071, *Bus Passenger Shelter Program*, awarded to Outfront Media Group, LLC
- RFP-00039, *Advertising Services for Transit Vehicles and Metrorail Stations*, awarded to Outfront Media, Inc.

Contract amendments were prepared by SPD and reviewed by the County Attorney's Office for legal sufficiency and conformance with the resolution. All of the awarded vendors have executed supplemental agreements effectuating the directives.

No new procurements for transit advertising contracts have been solicited since the effective date of the resolution, July 20, 2023. The required provisions under the resolution shall be included in any future solicitations. However, note that, prior to the effective date of the resolution, one

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solicitation (EVN0000093, *Bus Passenger Bench Program*) was advertised without these new requirements; accordingly, the new contract provision will be included as part of the negotiations process. Furthermore, an audit was conducted by DTPW to determine if any advertising was presently in place which would have constituted a violation of the resolution. None was identified.

Pursuant to Ordinance No. 14-65, this report will be placed on the next available Board meeting agenda. Should you require additional information, please contact Eulois Cleckley, DTPW Director and CEO at (786) 469-5406.

c: Geri Bonzon-Keenan, County Attorney
Gerald Sanchez, First Assistant County Attorney
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