



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Unfinished Business

1.2.

9/15/2020

Subject:

Advertising on Traffic Control Cabinets within Brevard County

Fiscal Impact:

Guaranteed annual minimum of \$50,000.00 to be paid to the County. Should 20% of revenue generated from advertising sales by On Street Media exceed \$50,000.00 the County will receive that amount.

Dept/Office:

Central Services/Purchasing Services

Requested Action:

It is requested that the Board:

- Accept the recommendation from the Negotiation Committee to enter into a contract with On Street Media, Inc., for 20% of advertising revenue with an annual guaranteed minimum of \$50,000.00;
- Authorize the County Manager, or Designee to execute all resulting contracts and contract related documents upon review and approval by the County Attorney's Office, Risk Management, and Purchasing Services.

Summary Explanation and Background:

The Board during regular session on August 25, 2020 directed staff to enter into negotiations with On Street Media, Inc., for the advertising on Traffic Control Cabinets located within Brevard County.

On Friday September 4, 2020 County Staff and representatives from On Street Media negotiated terms of the contract based on Board Direction. As a result of those negotiations, the Negotiation Committee unanimously passed a motion to recommend the following to the Board for approval.

- On Street Media to pay the County an annual fee of 20% of advertising sales, or \$50,000.00; whichever is greater;
 - o There is language now included in the contract that allows the County to request and negotiate a yearly increase to the guaranteed minimum of \$50,000.00 for the lesser of 3% or the annual Consumer Price Index (CPI).
- Contractor has agreed to pay for electrical service to power their signs.
 - o A formula to calculate the monthly costs of electrical service will be developed and agreed to by all parties prior to incorporating into the contract.
 - o The costs of electrical service will be paid with the revenue payments to the County on the same payment schedule as the revenue payments (either quarterly or biannually, whichever is agreed to in the Contract).

- The Contract for Advertising does not include any traffic control cabinets located within County Commission District 2 of Brevard County.
 - o District 2 Commissioner may allow for advertising upon traffic control cabinets within District 2 at any time during the term of the contract.
- Contract is contingent upon On Street Media, Inc securing the rights to advertise on Traffic Control Cabinets owned by the Florida Department of Transportation, this will be done through an Amendment of the County's Traffic Control Agreement with FDOT.

Staff is seeking direction from the Board on the actual term of the contract based on the following:

- The Request for Proposal as written stipulated a contract term of:
 - o Three (3) year initial contract term
 - o Two (2) single year renewal options
- On Street Media proposed a contract term of:
 - o Seven (7) year initial contract term
 - o One (1) renewal option of a three (3) year term

Lastly, Staff and On Street Media agreed that there are other minor items relative to the language included in the Contract that would be discussed and agreed to prior to execution.

In accordance with Policy and upon completion of all contract language, the contract will be submitted to the County Attorney's Office, Risk Management and Purchasing Services for review and approval prior to being presented to the County Manager for execution.

Clerk to the Board Instructions:

None



September 16, 2020

M E M O R A N D U M

TO: Steven Darling, Central Services Director

RE: Item I.2., Advertising on Traffic Control Cabinets within Brevard County

The Board of County Commissioners, in regular session on September 15, 2020, granted approval for staff to enter into a five-year contract, with a two-year renewal upon consent by both parties, with On Street Media, Inc. for a minimum of \$44,000 or 20 percent, whichever is greater, of advertising sales, excluding the 15 boxes in District 2; and authorized the County Manager, or his designee, to execute all resulting contracts and contract related documents upon review and approval by the County Attorney's Office, Risk Management, and Purchasing Services.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Kimberly Powell, Clerk to the Board

cc: County Manager
Finance
Budget