

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, ACCEPTING THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE (FERC) RECOMMENDATION WITH RESPECT TO THE PROPOSAL RECEIVED FROM ALCHEMY MEDIA PURSUANT TO RFP 2022-047-WG FOR GARAGE ADVERTISING SERVICES, AND APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH ALCHEMY MEDIA, CONSISTENT WITH THE FERC'S RECOMMENDED TERMS.**

**WHEREAS**, on April 6, 2022, the City Manager recommended the rejection of the sole bid received from Alchemy Miami Beach LLC ("Alchemy") in response to Request for Proposal 2022-047-WG (the "RFP"); and

**WHEREAS**, at its April 6, 2022 meeting, the City Commission deferred action on the City Manager's recommendation and directed the Administration to attempt to negotiate mutually acceptable financial terms with Alchemy; and

**WHEREAS**, as directed by the City Commission, the Administration held several meetings with Alchemy representatives in an attempt to negotiate mutually acceptable financial terms for the services; and

**WHEREAS**, on August 16, 2022, Alchemy submitted a revised final proposal with two options (the main difference between the two being the inclusion of digital boards in Option I) and, after considering the revised proposal, on November 16, 2022, the City Manager resubmitted a recommendation to the City Commission to reject the sole bid received.

**WHEREAS**, at the November 16, 2022 Commission meeting, instead of rejecting Alchemy's bid as recommended by the City Manager, the City Commission referred the item to the Finance and Economic Resiliency Committee (the "FERC") for further discussion; and

**WHEREAS**, at its January 27, 2023, the FERC discussed the potential benefits of Alchemy's proposal, including the monetary benefits offered for Miami Beach public schools and for general maintenance and beautification of public areas surrounding garages where the proposed signage would be located and, following its discussion, the FERC referred this item back to the City Commission with a recommendation that Alchemy be awarded the contract contemplated by the RFP, provided that a termination for convenience clause exercisable after sixteen (16) months be included, with an amortization based on the three (3) year term; and

**WHEREAS**, the Committee also requested that, prior to the March 27, 2023 Commission meeting, the City Attorney's Office (1) determine whether the existing naming rights agreement with OVG360 precluded the City from entering into an agreement with Alchemy and (2) review whether any of the proposed signage falls outside of the scope of the RFP and would thus require a bid waiver; and

**WHEREAS**, the Naming Rights and Sponsorship Agreement dated August 14, 2020 between the City and OVG360 (the fictitious name for Global Spectrum LP) (the "NRS Agreement") does not confer exclusivity with regard to the procurement of advertising within City garages unless the City issues a Notice to Proceed with regard to City garages to OVG 360 and

the City has not issued such a Notice to Proceed, the NRS Agreement does not preclude the City from entering into an agreement for garage advertising services with Alchemy; and

**WHEREAS**, the NRS Agreement confers upon OVG360 the right to act as the City's sole and exclusive representative for the marketing of naming rights of certain City-owned properties including City garages so the proposed contract with Alchemy would need to include a provision requiring Alchemy to remove conflicting advertising within a reasonable period following notice from the City to enable the City Commission to entertain naming rights opportunities that OVG360 may present; and

**WHEREAS**, one of the Administration's concerns relating to the Alchemy proposal is that it contemplates placement of advertising signs that are not at garage entrances or exits; and

**WHEREAS**, Section 82-71 of the City Code governs the placement of signage on City garages and includes the following restrictions:

"[Advertising signs within City garages] shall only be placed within the property line of the municipal parking garage facilities, and may be visible from the public right-of-way. Notwithstanding the preceding, however:

- (a) No advertising sign shall be placed on a municipal parking garage facility facade, except at a garage entrance or exit, and
- (b) No advertising sign above the first floor shall be placed in any location where such sign may be visible from the right-of-way;" and

**WHEREAS**, Section 82-71 does not define "garage entrance or exit;" therefore, the question as to whether the contemplated locations of advertising signs by Alchemy are consistent with the restrictions in Section 82-71 is for the City Commission, as the owner of the City's public parking garage facilities, to determine in its sole discretion; and

**WHEREAS**, in response to the Administration's concerns, Alchemy has submitted that each of the proposed signs is in proximity to either a vehicular or pedestrian entrance or exit to a garage (a copy of Alchemy's proposal is attached as Exhibit A); and

**WHEREAS**, one proposed location for signage along the Meridian Avenue façade of the 1755 Meridian Ave building is not near the vehicular entrance to the garage, but rather, is in proximity to stairway and/or other pedestrian entrances to the garage; and

**WHEREAS**, Section 82-71 does not prescribe any specific distance requirement, or otherwise provide any indication that the references to "garage entrance or exit" are only related to vehicular entrances/exits; and

**WHEREAS**, the City Commission finds that signage located at or in the proximity of vehicular and pedestrian entrances and exits, as contemplated by Alchemy's proposal, is consistent with the requirements set forth in Section 82-71 of the City Code; and

**WHEREAS**, Alchemy's proposal also includes signage that is near the entrance/exit of the garage located at 1661 Pennsylvania Avenue, along the façade of a portion of the building that is currently leased to Moonlighter, Inc. ("Moonlighter"); and

**WHEREAS**, the Moonlighter's lease includes the exterior windows as part of the leased property, placement of any signage at this location would require Alchemy to reach a separate agreement with Moonlighter, if the City Commission approves signage at this location, the agreement with Alchemy shall make clear that the signage could only be installed, if approved by Moonlighter, as the lessee of the property.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission of the City of Miami Beach, Florida approve the award of the garage advertising services agreement to Alchemy, LLC, provided, such agreement shall include (1) a right for termination for convenience as recommended by the Finance and Economic Resiliency Committee, (2) provisions to address any restrictions or concerns arising out to the City's existing agreements with OVG360 and Moonlighter, Inc. and (3) such other terms as are otherwise consistent with the requirements of the RFP and with the City's agreements for services of this nature; and further, authorizing the City Manager and City Clerk to execute the garage advertising services agreement.


**PASSED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2023.

**ATTEST:**

\_\_\_\_\_  
Dan Gelber, Mayor

\_\_\_\_\_  
Rafael E. Granado, City Clerk

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney RD

3-20-23  
\_\_\_\_\_  
Date

**EXHIBIT A**  
**EXCERPTS FROM ALCHEMY PROPOSAL REFLECTING PROPOSED SIGN LOCATIONS**

# ALGEM



**X MIAMI BEACH RFP 2022-047-WG PARKING GARAGE  
ADVERTISING SERVICES - WORKSHEET**

**MEDIA PLAN WITH WINDOW SIGNS AND  
WITHOUT DIGITAL UNITS**

**PLAN III**



# Type of Static Signs To Be Installed



Sign **A**: 6' x 12'



Sign **B**: 6' x 8'



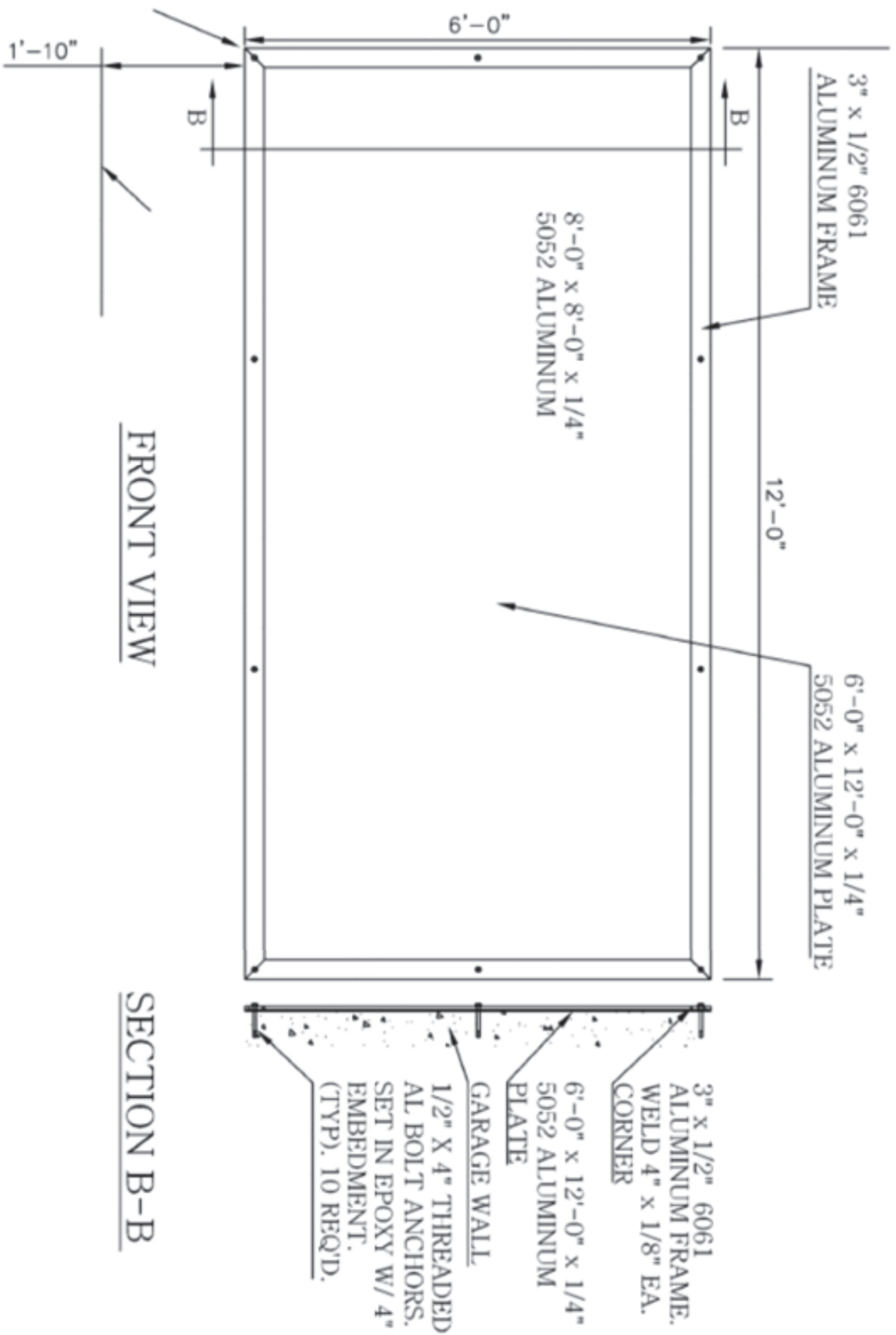
Sign **B-2**: 6' x 6'

# SIGNA

GarageVision Signs

Wall Mount:

6' x 12'

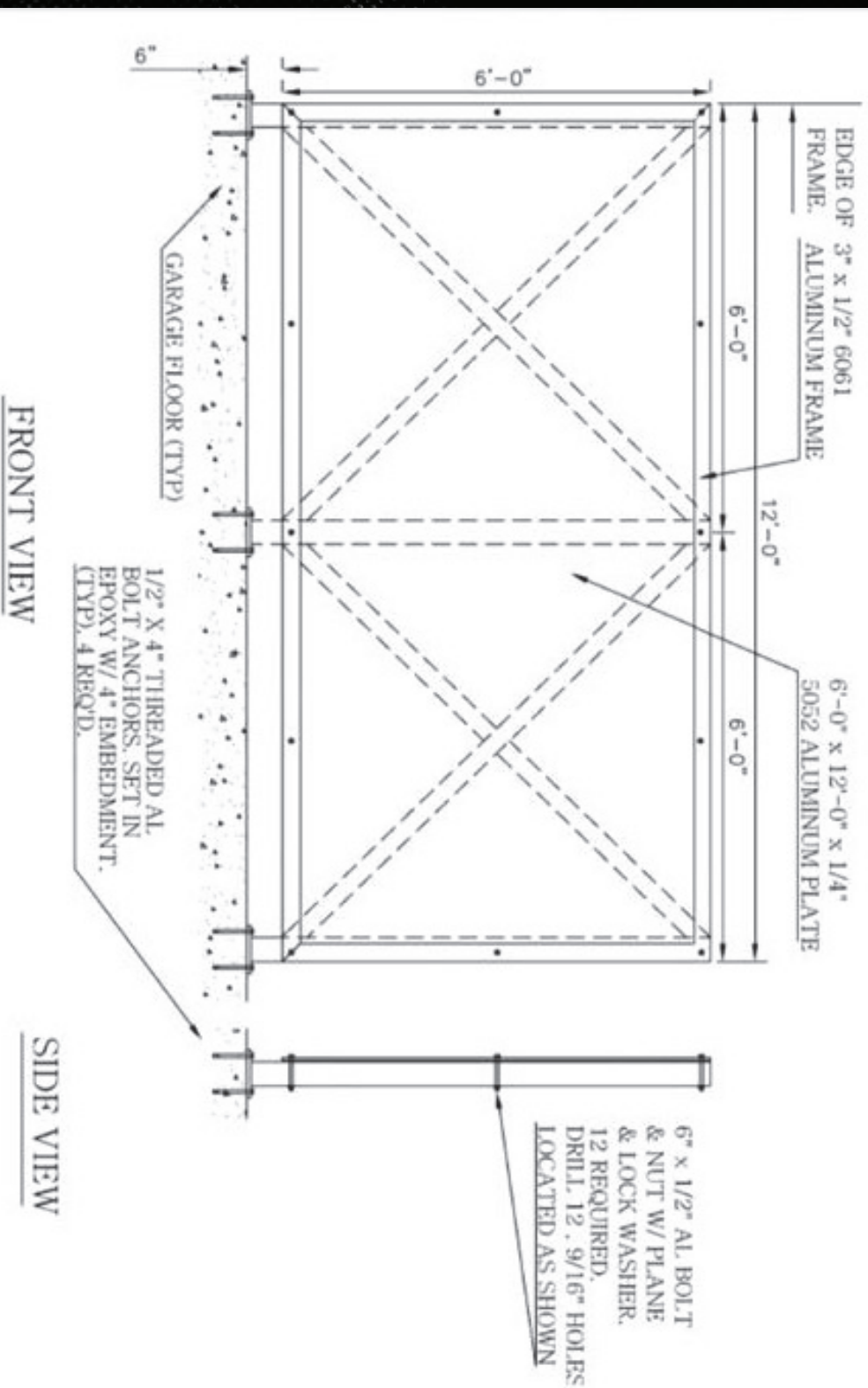


# SIGNA

GarageVision Signs

Floor Mount:

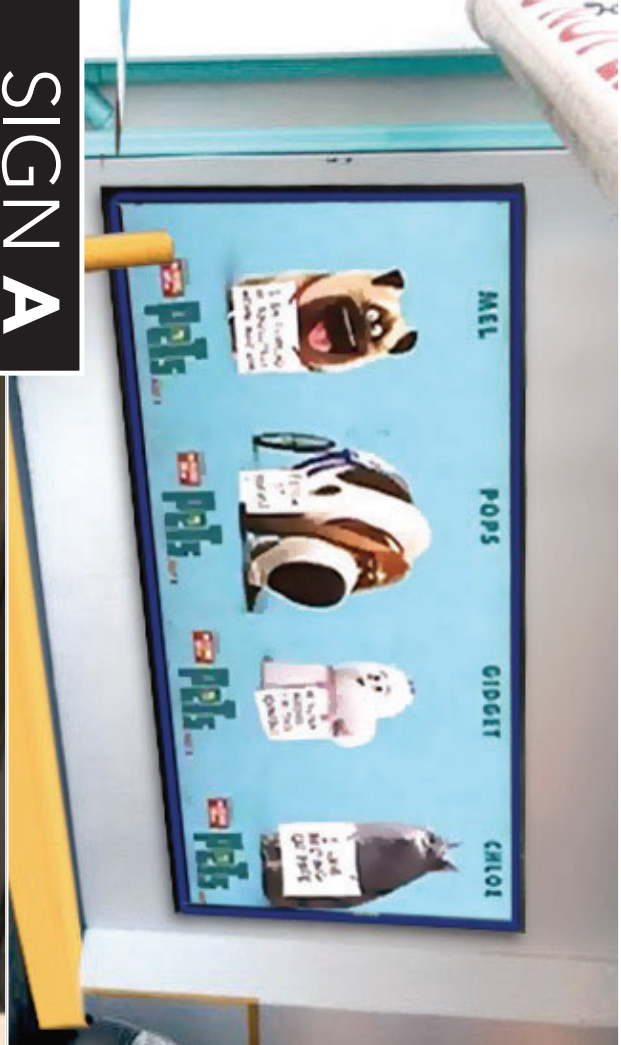
6' x 12'





# SIGN A

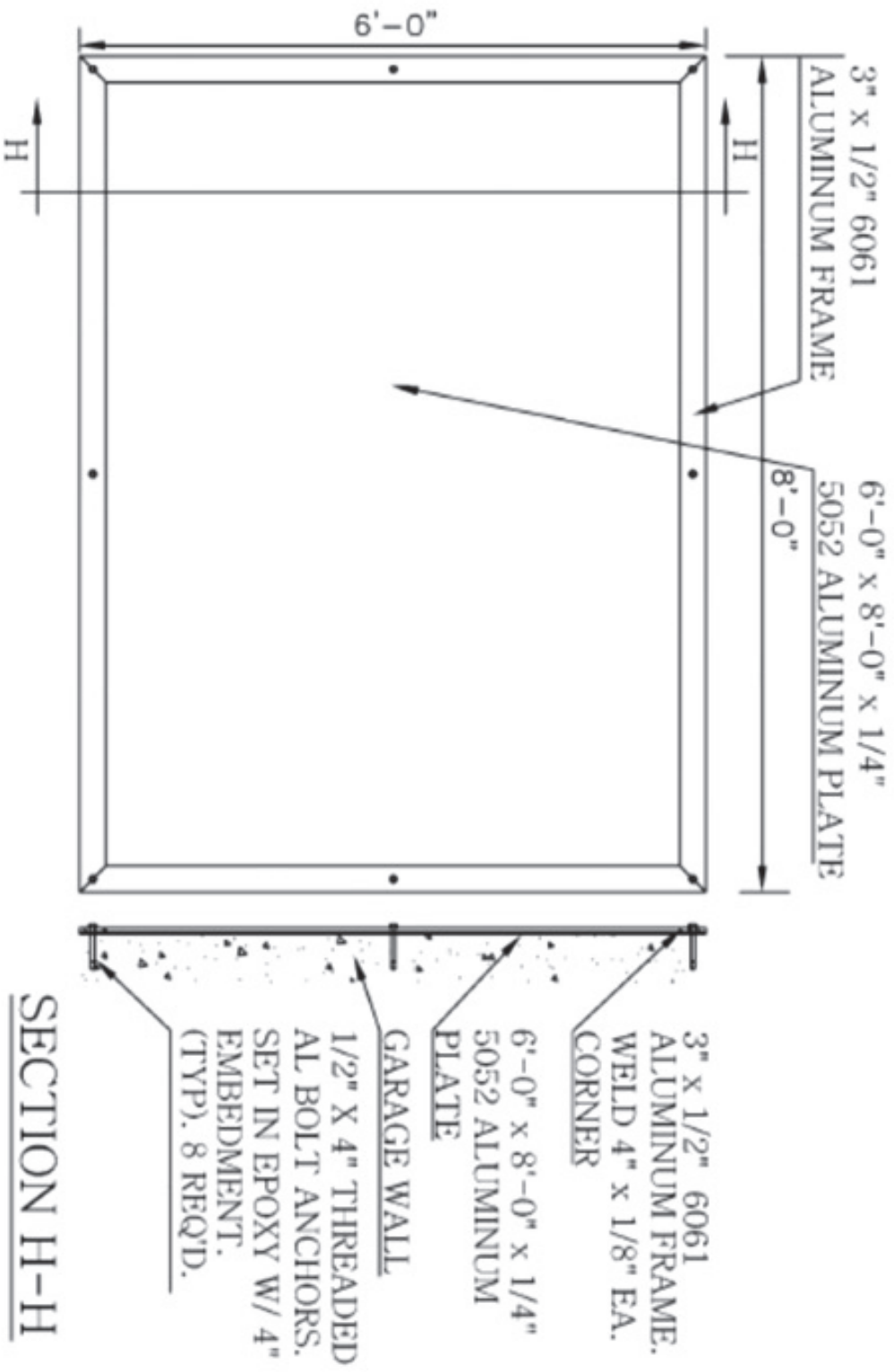
GarageVision Signs



# SIGN B

GarageVision Signs

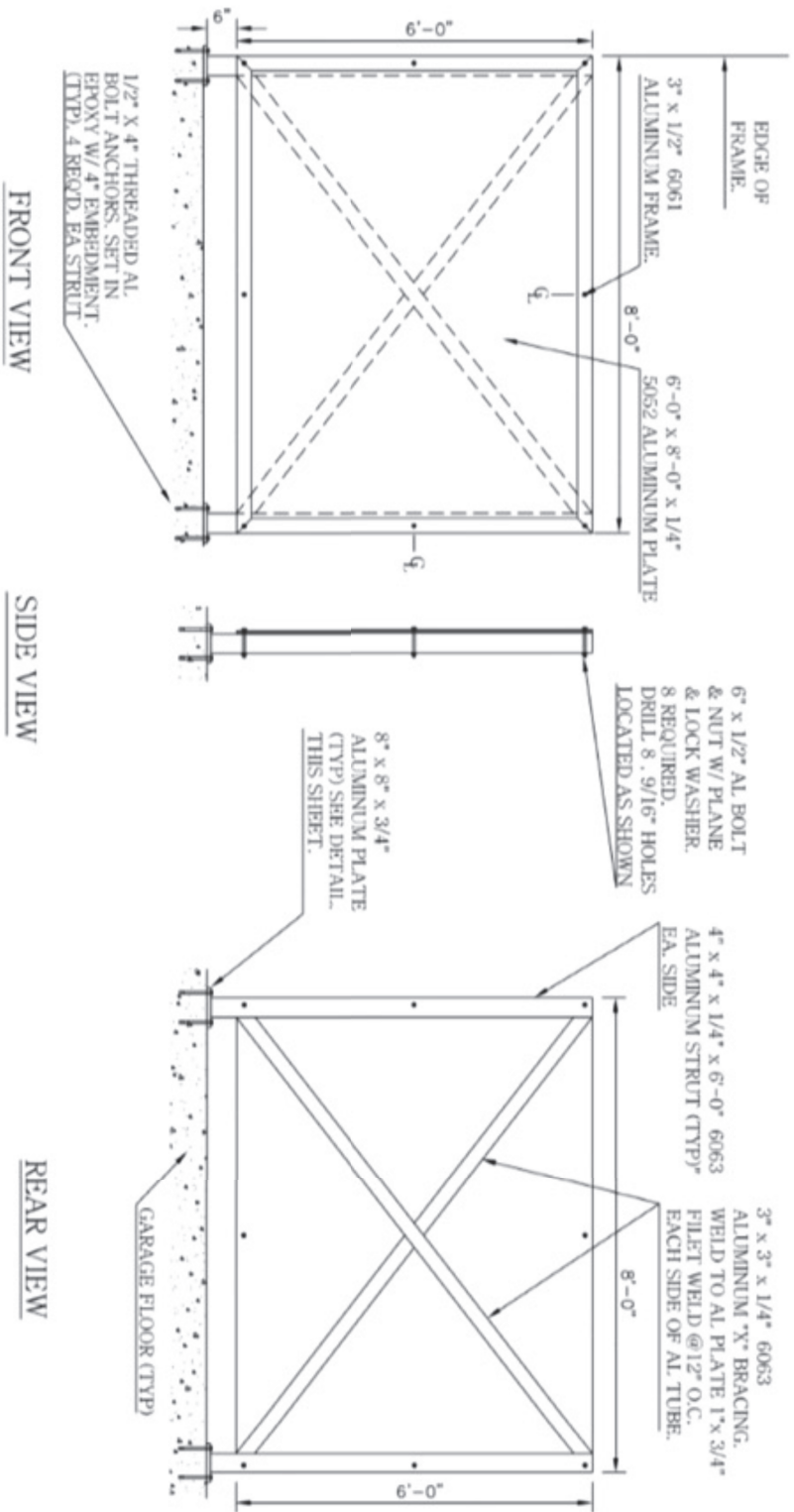
Wall Mount:  
6' x 8'

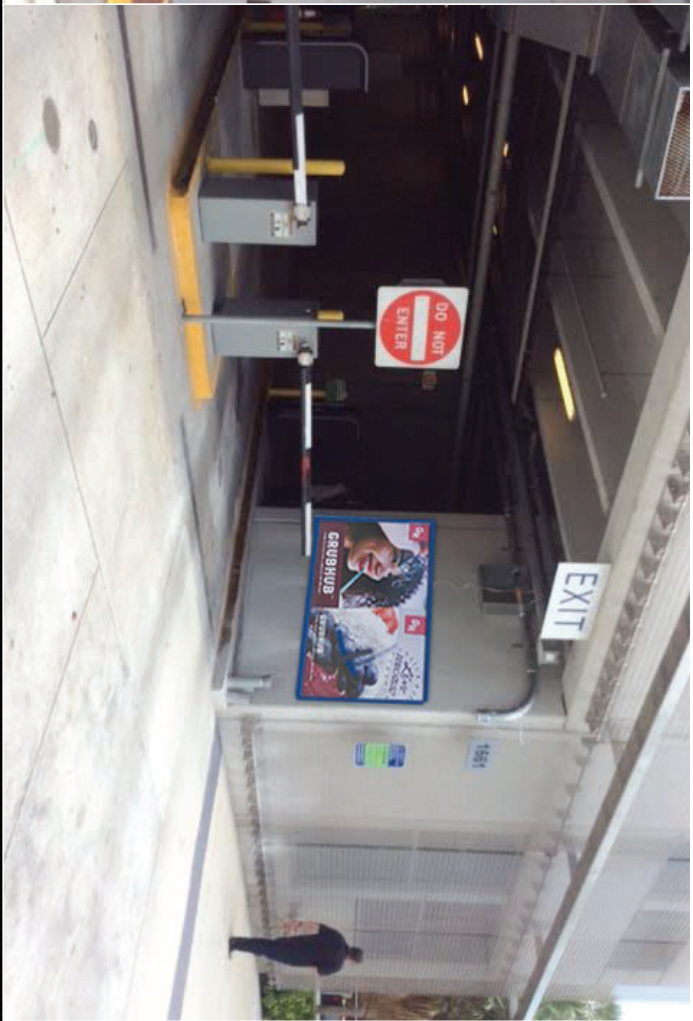
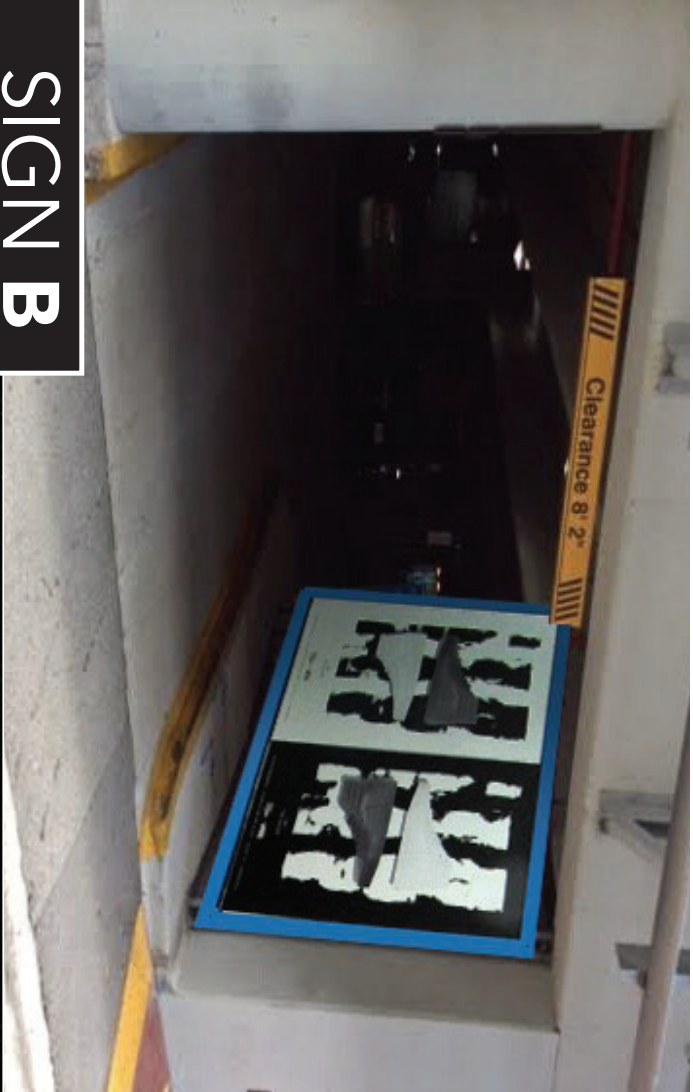


# SIGN B

GarageVision Signs

Floor Mount:  
6' x 8'





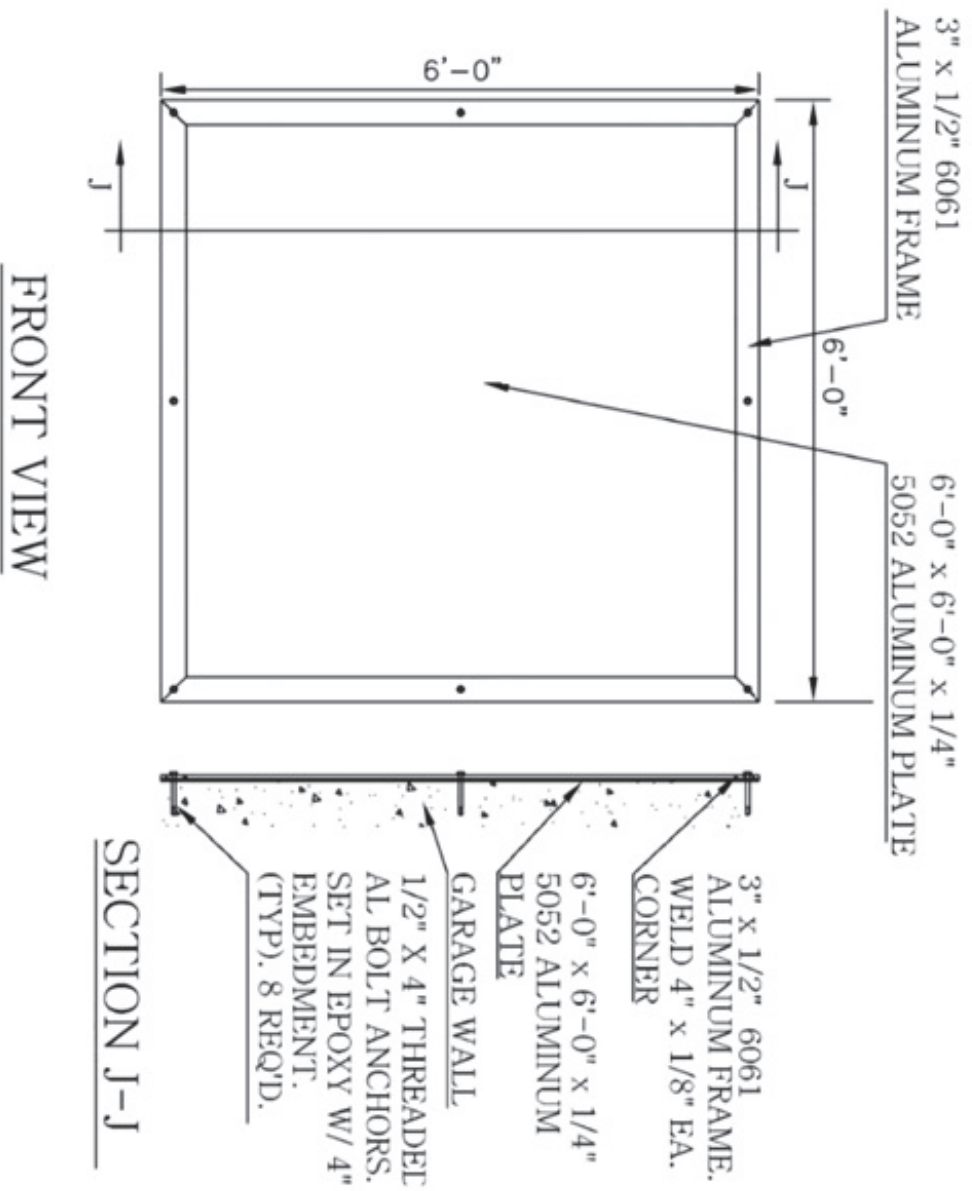
# SIGN B

GarageVision Signs

# SIGN B-2

GarageVision Signs

Wall Mount:  
6' x 6'



# SIGN C

City Media Interior Signs

Wall Mount:  
8' x 16'

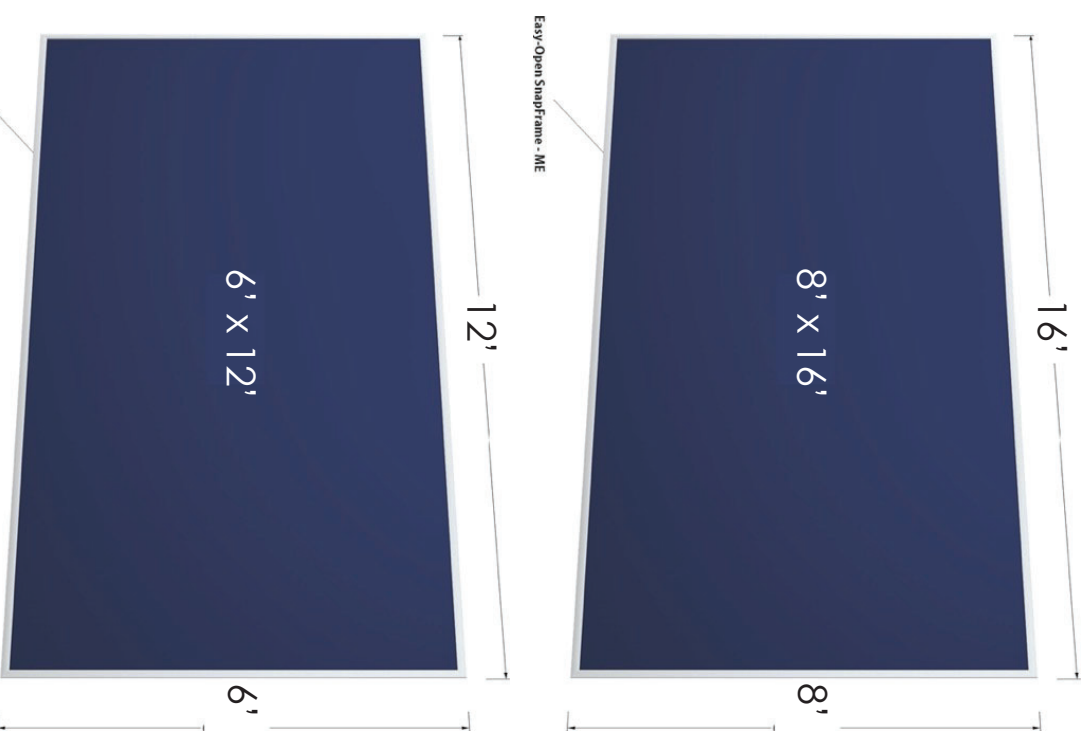
Aluminum snap frame bolted to the wall  
with advertising banner printed.  
Size is 8' x 16'.

# SIGN D

City Media Interior Signs

Wall Mount:  
6' x 12'

Aluminum snap frame bolted to the wall  
with advertising banner printed.  
Size is 6' x 12'.



# SIGNE

City Media Interior Signs

Wall Mount:  
6' x 4'

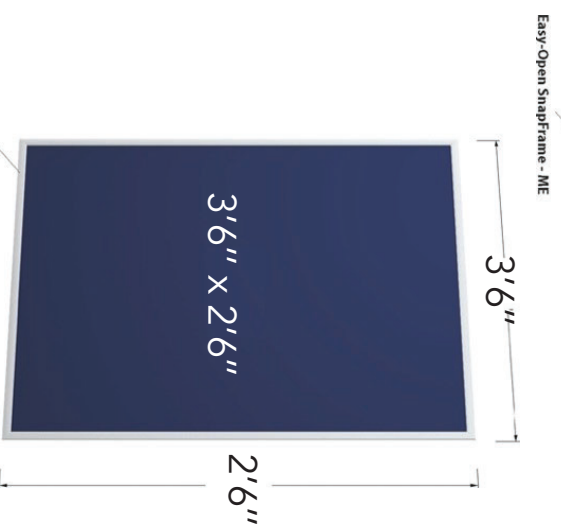
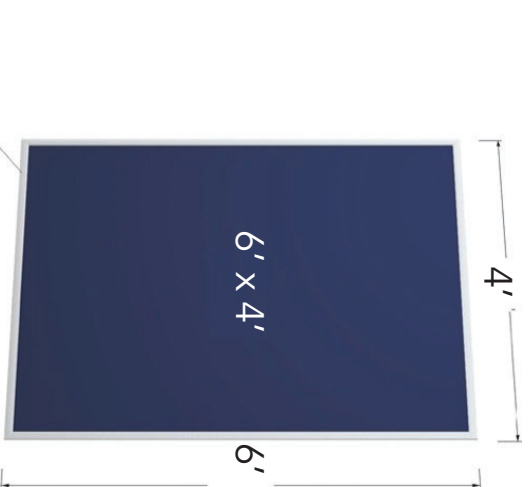
Aluminum snap frame bolted to the wall with advertising banner printed. Size is 6' x 4'.

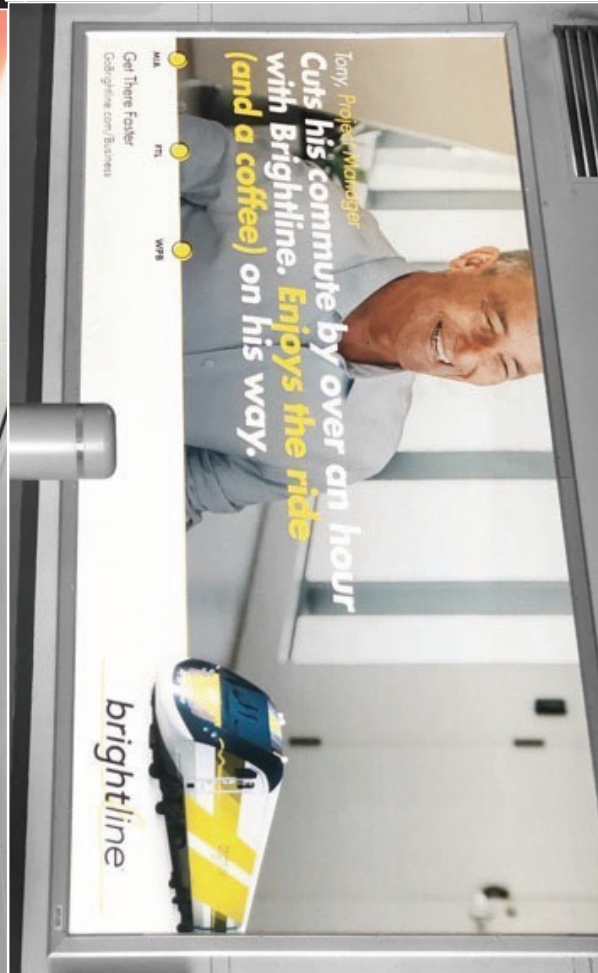
# SIGN F

City Media Interior Signs

Wall Mount:  
3'6" x 2'6"

Aluminum snap frame bolted to the wall with advertising banner printed. Size is 3'6" x 2'6".





SIGN C  
SIGN D  
SIGN E  
SIGN F  
City Media Signs



ALCHEMY

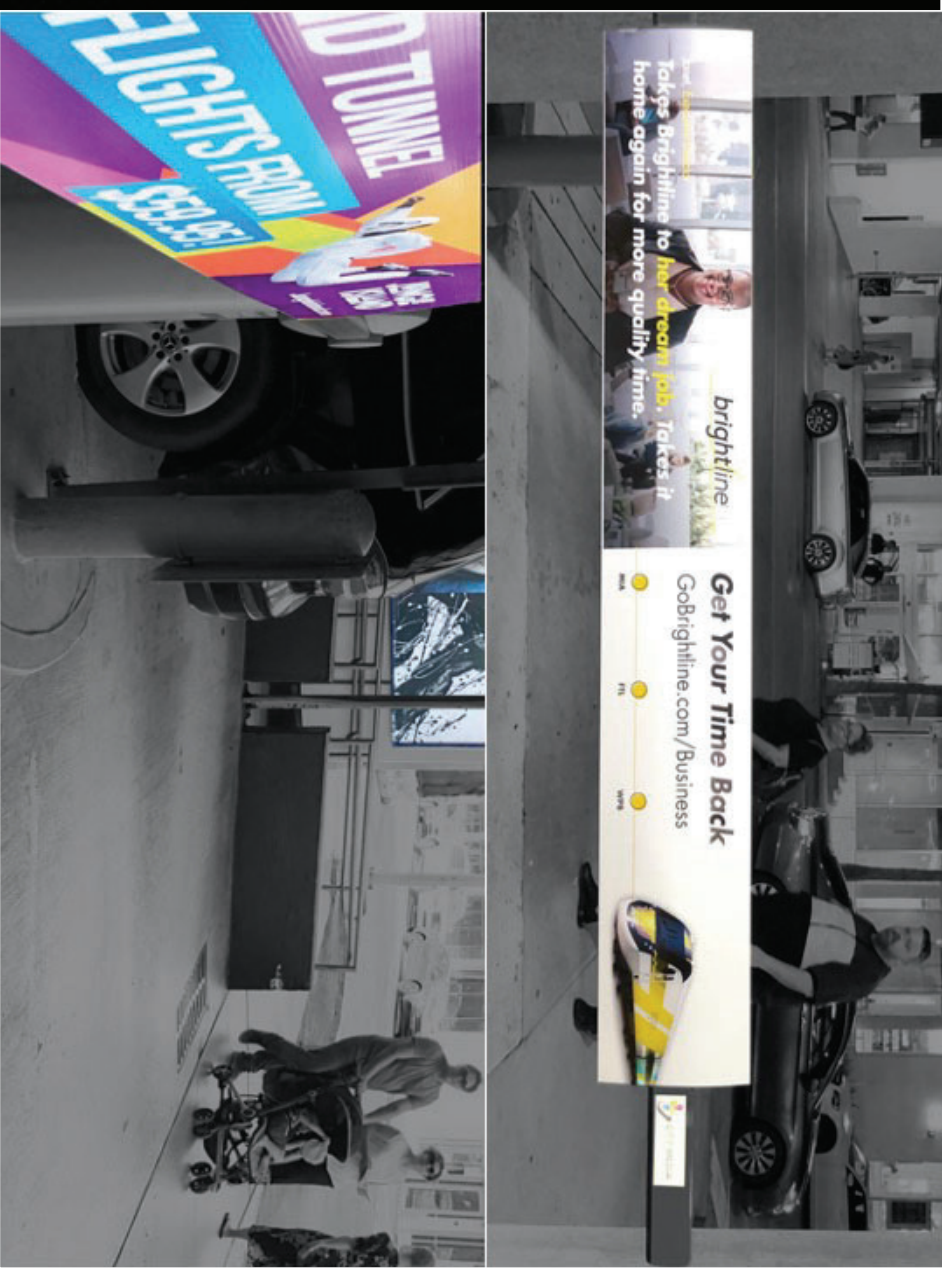


# SIGN H

City Media Interior Signs

The gate arms sign is a double plastic boards, printed on both side. Ultra light to avoid excess weight on the gate arm. This material is rip-stop, waterproof, mold/mildew proof, durable and fade resistant.

Size is 1'x 6' per side.



TV Mount ceiling for Size 40", 48" and 55".

# SIGN V

Alchemy Media Signs

## MESH BANNER

This material is used when advertising in windy locations. With their porous vinyl material, they can withstand high winds, and there are used with hems and grommets for easy and secure installation.

The mesh banner will be professionally installed by a licensed outdoor advertising installation partner. The signs will be printed on outdoor mesh designed to allow wind to pass through and still look clean and professional.



9 oz. Vinyl Mesh Banner with Hem and Grommets

The mesh will have grommets approximately 18" apart with ties affixing to the screen wall.

# SIGN W

Alchemy Media Signs

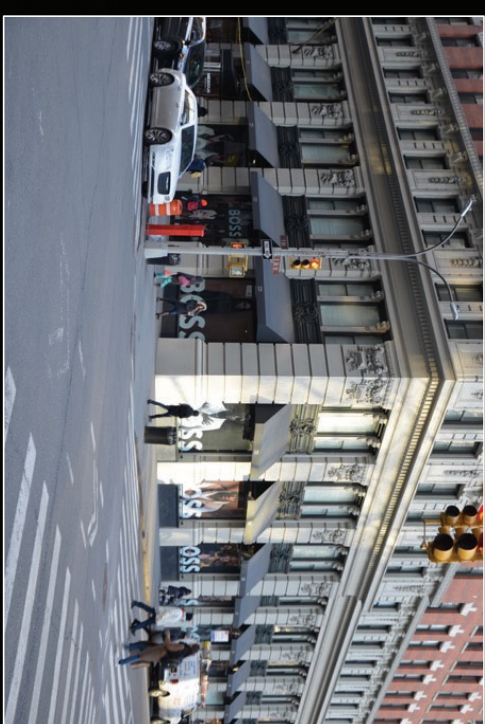
SELF-ADHESIVE VINYL FOR WINDOWS



# SIGN W

Alchemy Media Signs

SELF-ADHESIVE VINYL FOR WINDOWS



# Type of interior Digital Signs To Be Installed

Sign **G** : 40" or 48"

# SIGN G

City Media Interior Signs

Digital signage, semi-outdoor display.  
Size is 40", 48" and 55".



TV Mount ceiling for Size 40", 48" and 55".

**ALGEMMY**

# ORDINANCE CRITERIA FOR EXTERIOR SIGNS APPROVAL

"Pursuant to **Section 82-71 of the City Code**, the City may install, or contract to install, **advertising signage** within the city's municipal parking garage facilities. Such advertising signage shall only be placed within the property line of the municipal parking garage facilities and may only be visible from the public right-of-way under certain conditions as follows:

- (a) No **advertising signage** shall be placed on a municipal parking garage facility **facade, except at a garage entrance or exit**, and
- (b) No **advertising signage** above the first floor shall be placed in any location where such sign may be visible from the right-of-way."

The **following signs** included in this **MEDIA PLAN I** are in compliance with the Code section mentioned above, and more specifically are:



placed **within the property line** of the municipal parking garage facilities located **at garage entrance or exit**.

# Parking Garage 1



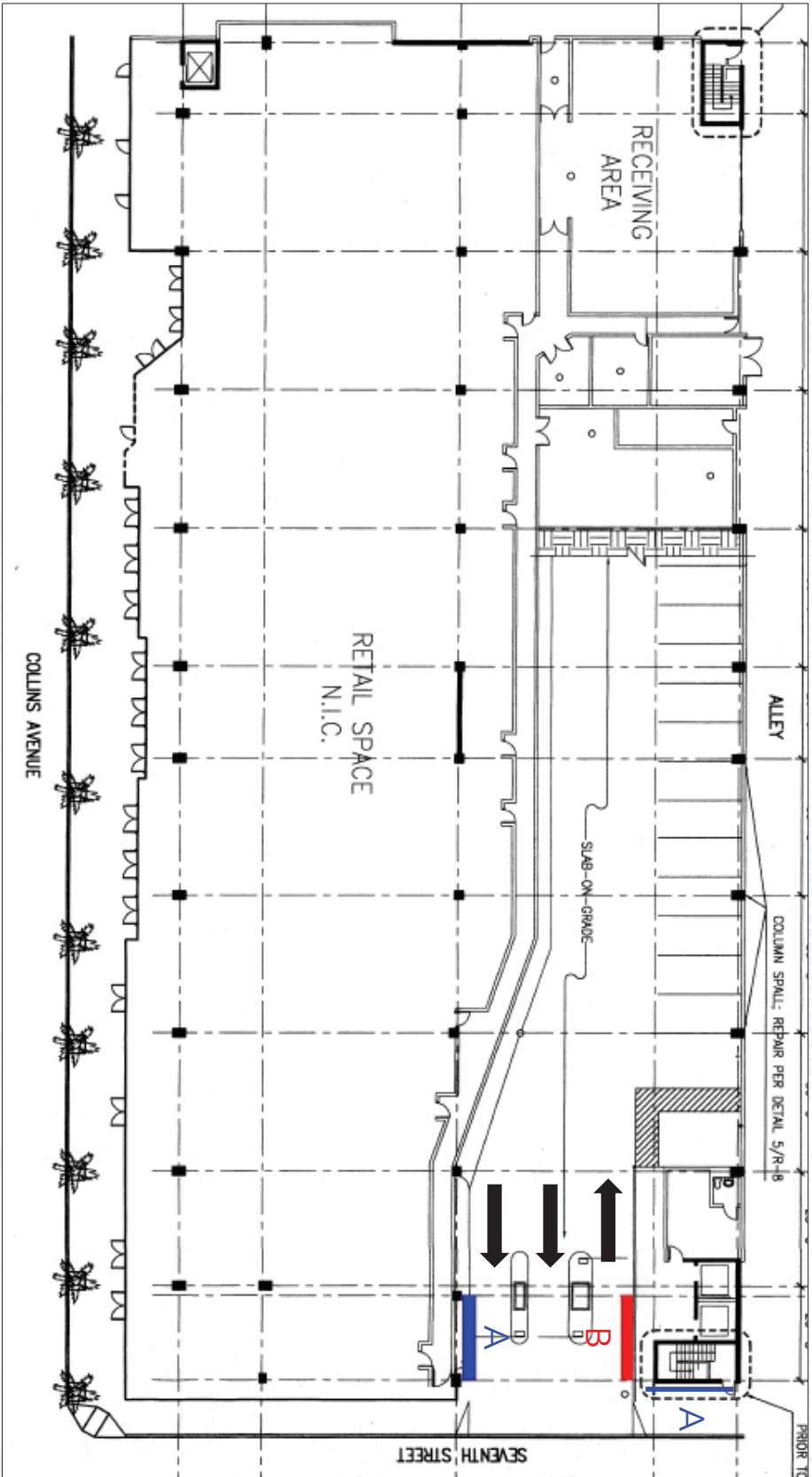


# GROUND FLOOR

## GarageVision Signs

Sign A: 6' x 12'

Sign B: 6' x 8'



# GROUND FLOOR

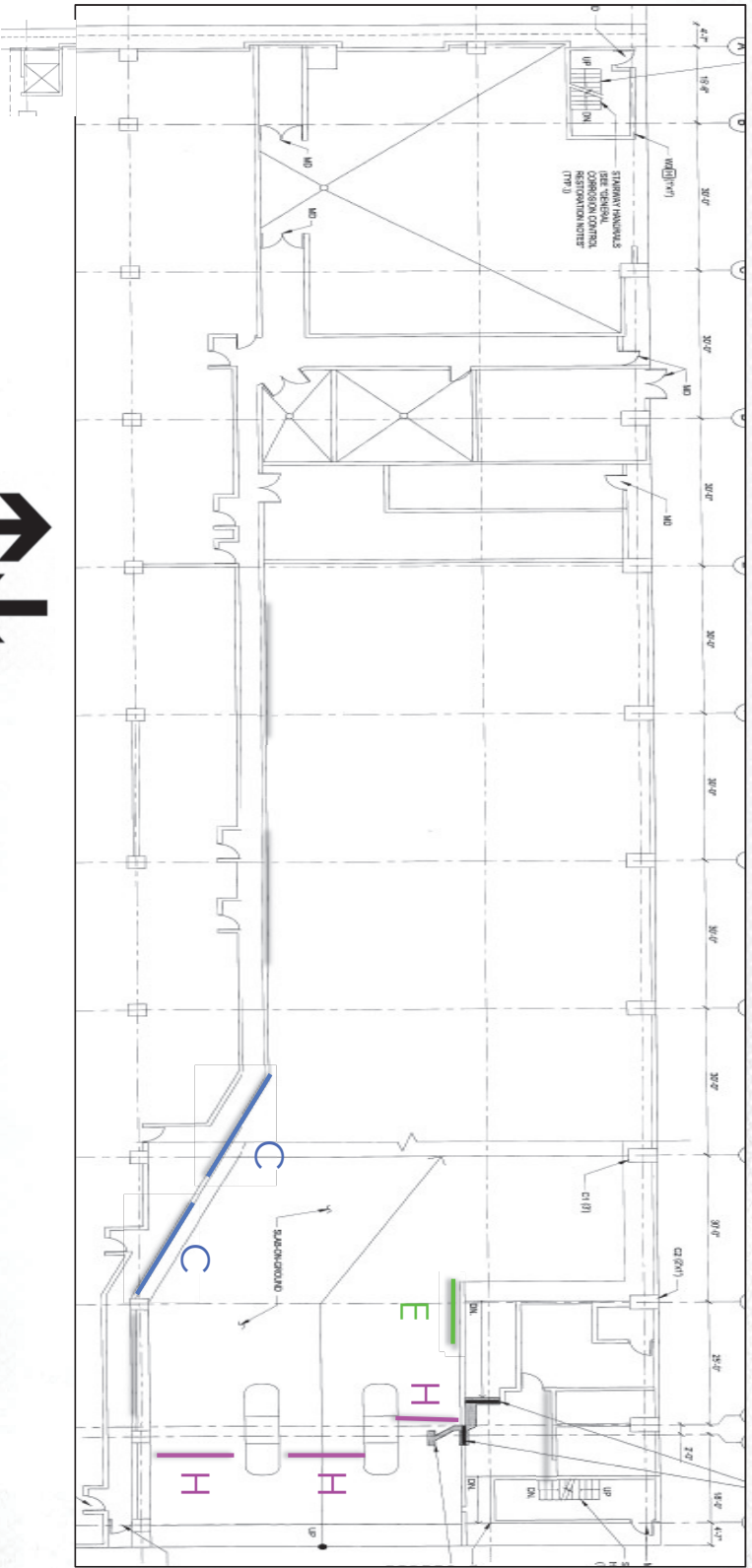
City Media Advertising Signs

Sign **C**: Frame sign 8' x 16'

Sign **E**: Frame sign 4' x 6'

Sign **F**: Frame sign 2.5'x 3.5'

Sign **H**: Gate sign 1'x 6' (double sided)



7TH STREET



2 signs **F** per elevator car (6 signs total)

# SIGN A



# SIGN B



# SIGN A



# Parking Garage 2





# GROUND FLOOR

City Media

Advertising Signs

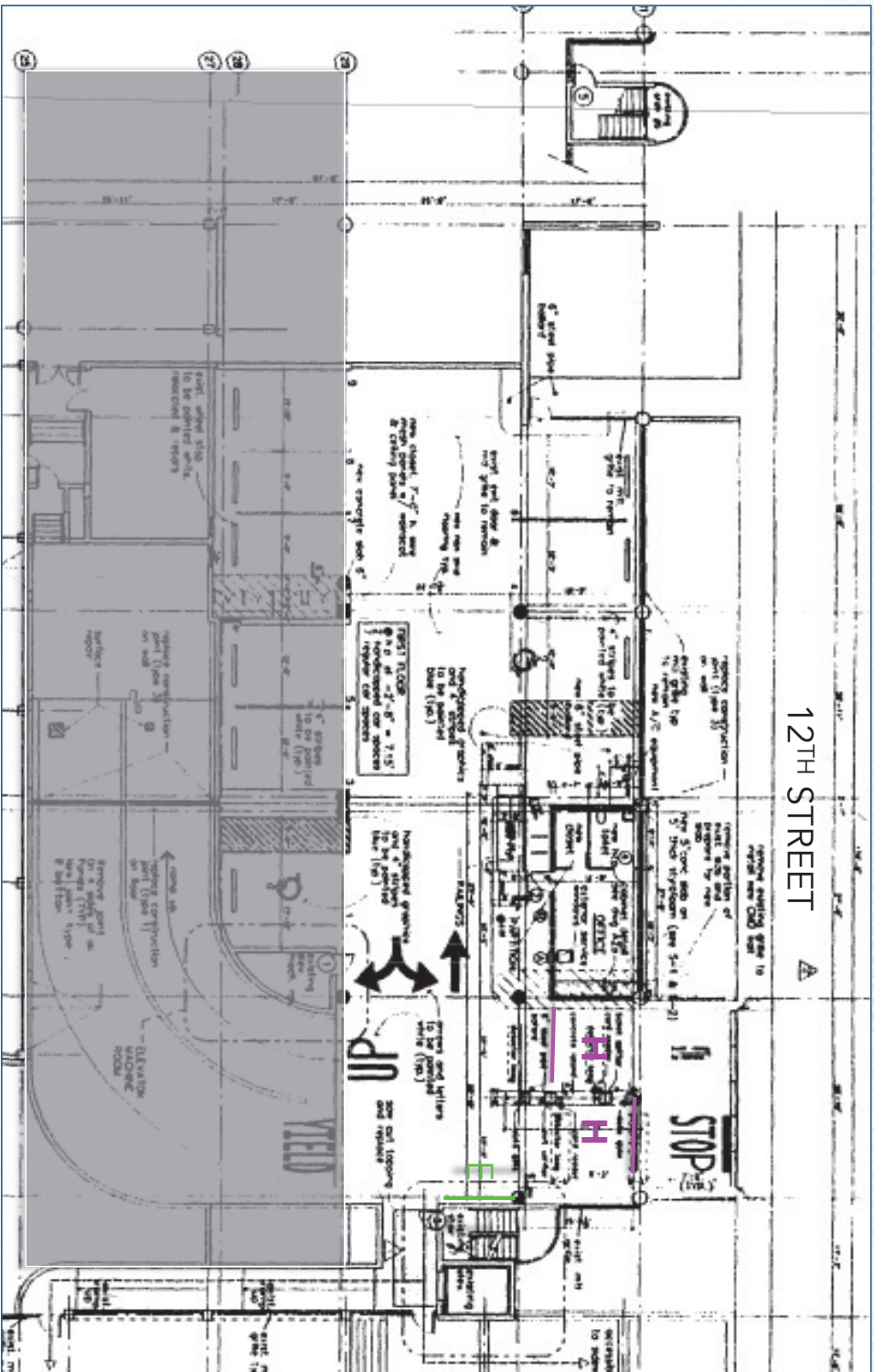
Sign **E**: Frame sign 4' x 6'

Sign **F**: Frame sign 2.5'x 3.5'

Sign **H**: Gate sign 1'x 6'  
(double sided)



2 signs **F**  
per  
elevator car  
(2 signs  
total)



# SIGN A

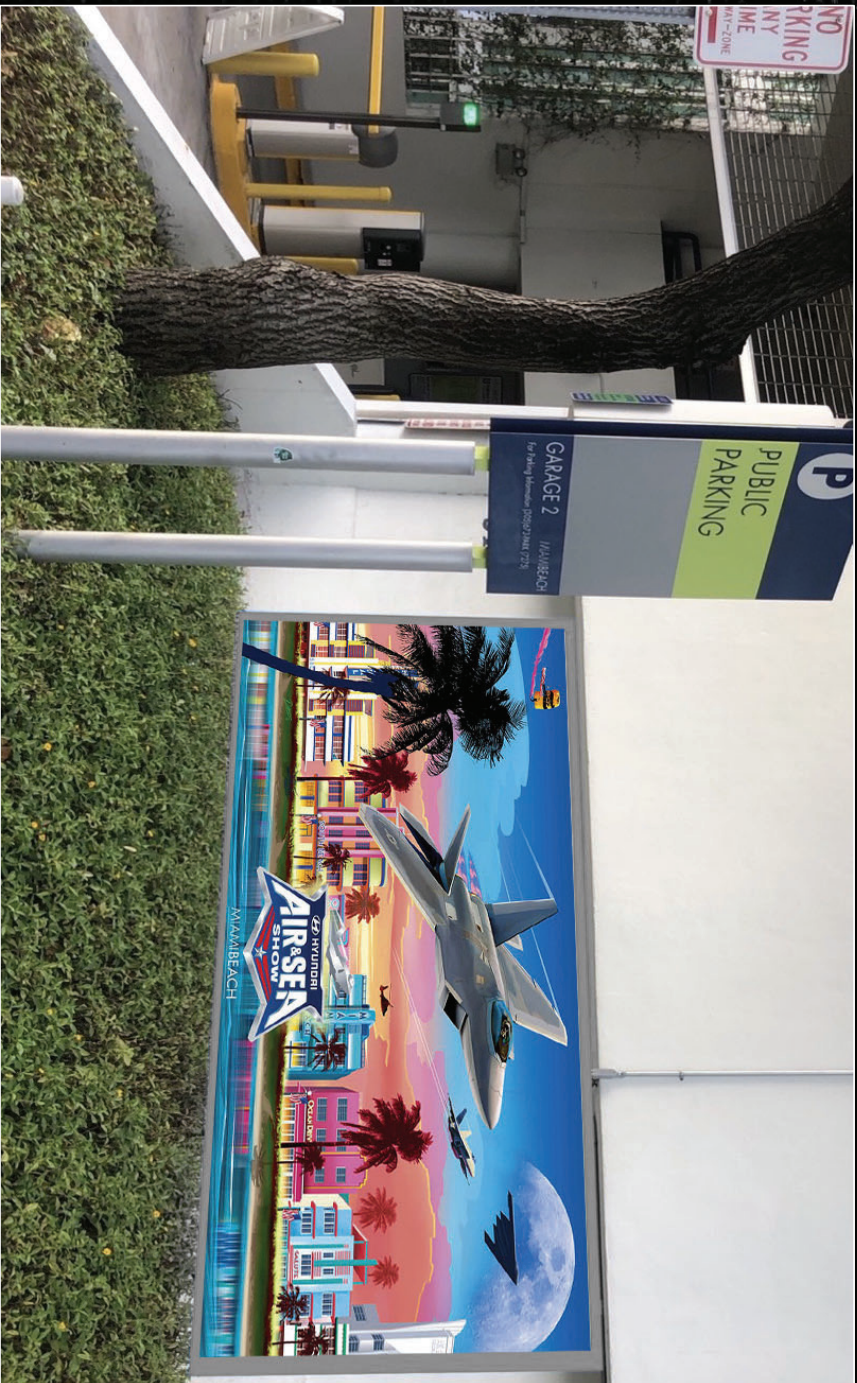


# SIGN A





# SIGN A



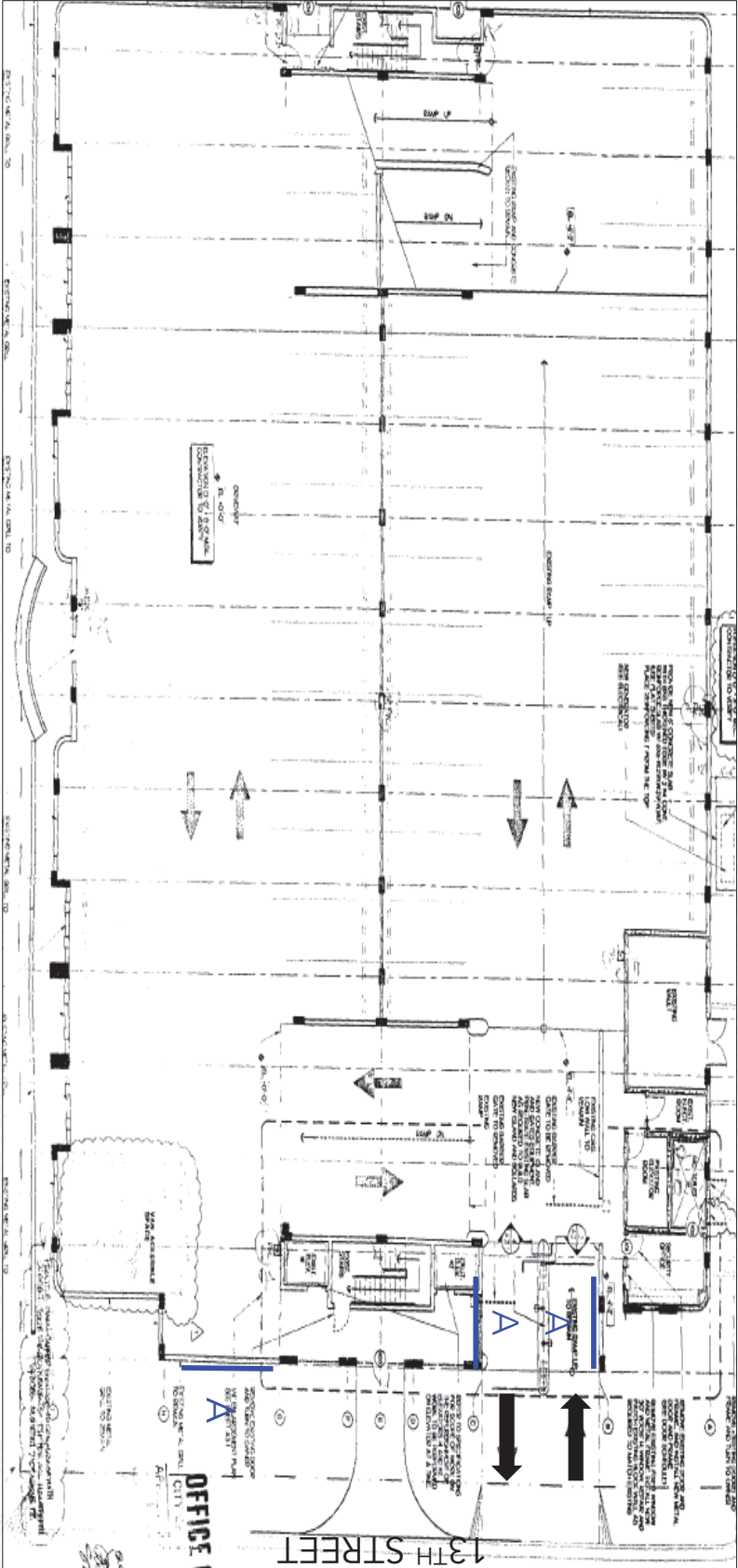
# Parking Garage 3



# GROUND FLOOR

## GarageVision Signs

Sign A: 6' x 12'



# GROUND FLOOR

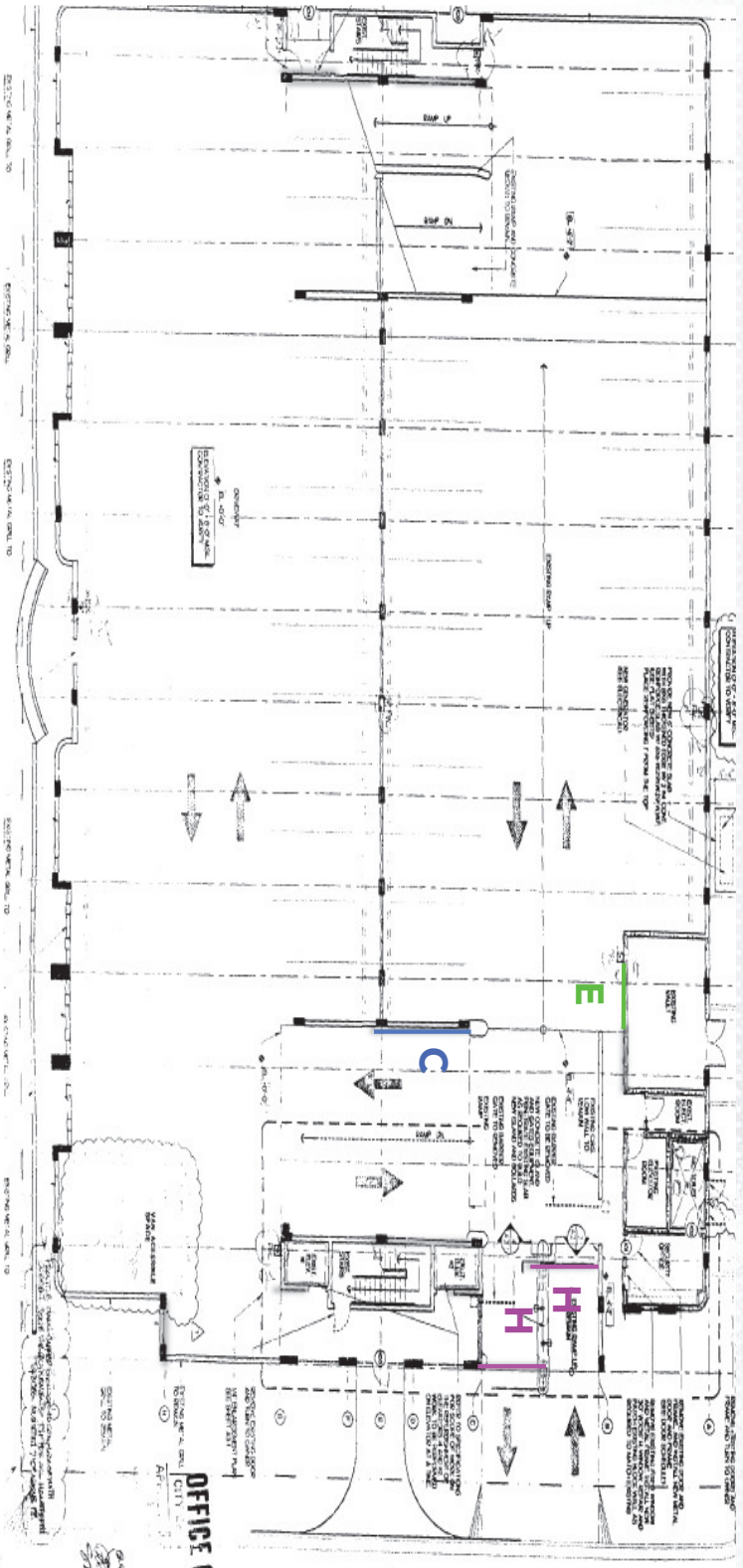
City Media Advertising Signs

Sign **C**: Frame sign 8' x 16'

Sign **E**: Frame sign 4' x 6'

Sign **F**: Frame sign 2.5' x 3.5'

Sign **H**: Gate sign 1' x 6' (double sided)



2 signs **F** per elevator car (4 signs total)

# SIGN A



# SIGN A



# SIGN A



# Parking Garage 4



# GROUND FLOOR

16TH STREET

## GarageVision Signs

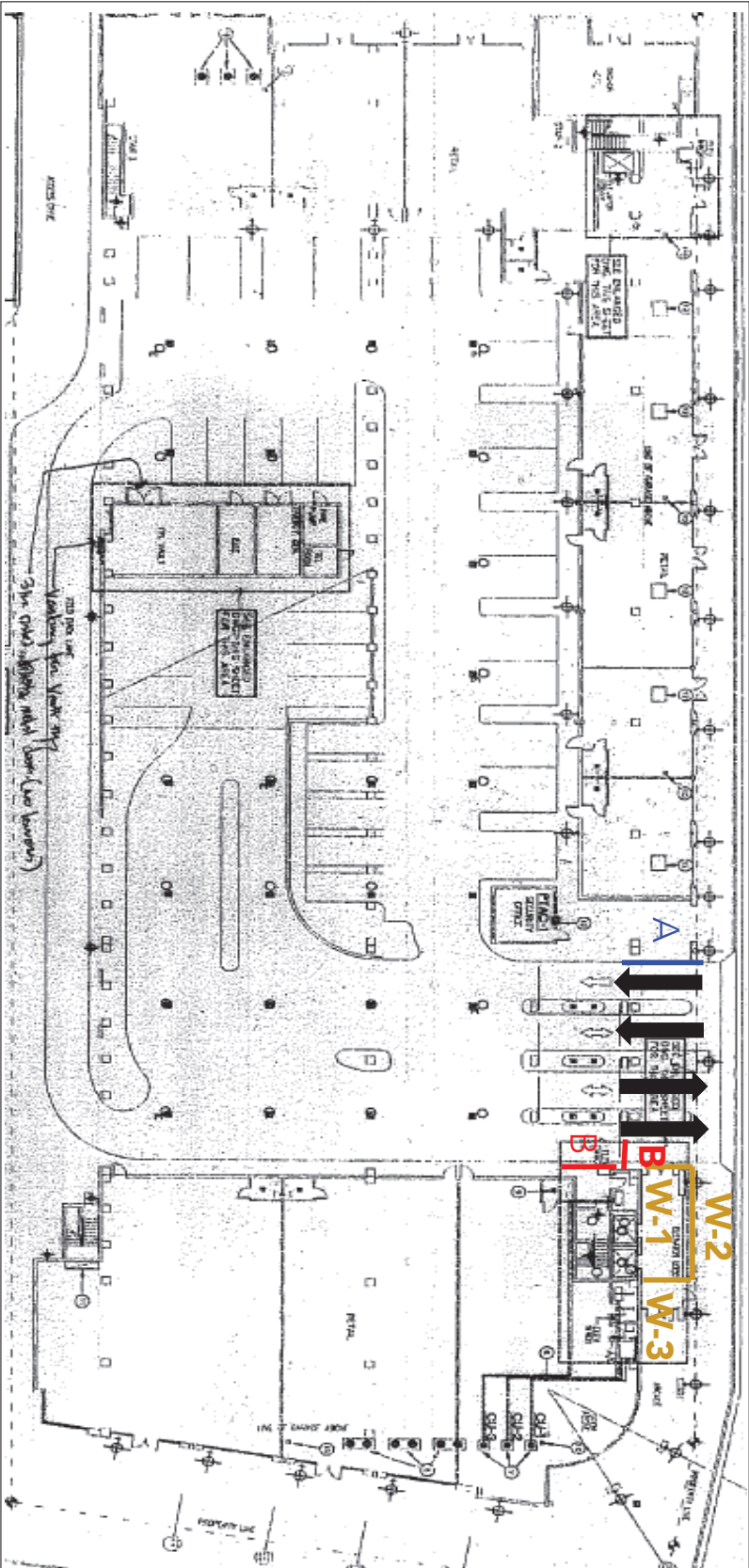
Sign **A**: 6' x 12'

Sign **B**: 6' x 8'

Sign **W-1**: 13' x 8'

Sign **W-2**: 13' x 17'

Sign **W-3**: 8' x 6'





# GROUND FLOOR

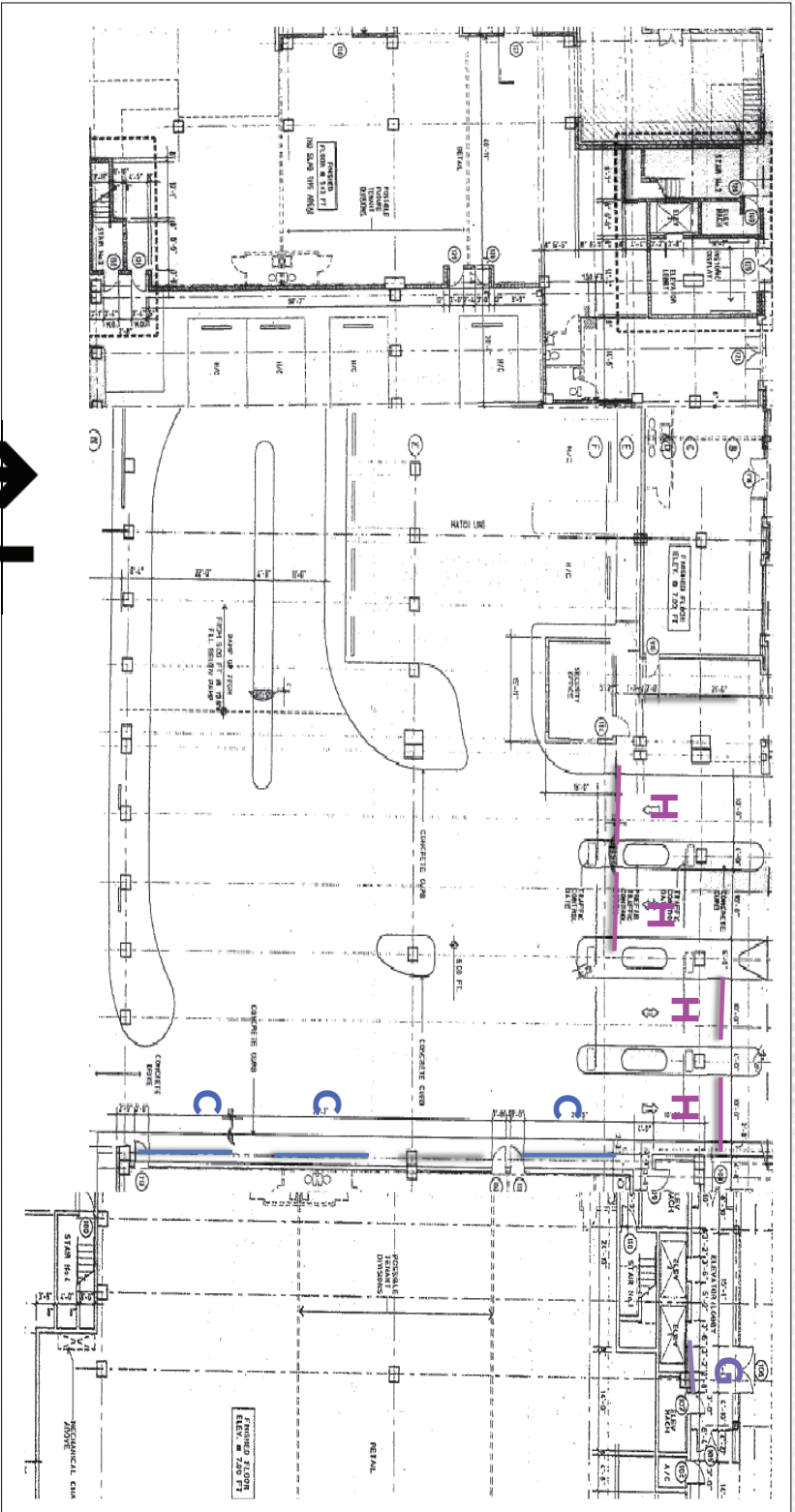
City Media Advertising Signs

Sign **C**: Frame sign 8' x 16'

Sign **F**: Frame sign 2.5' x 3.5'

Sign **G**: Digital sign 40"/48"

Sign **H**: Gate sign 1' x 6' (double sided)



2 signs **F** per elevator car (6 signs total)

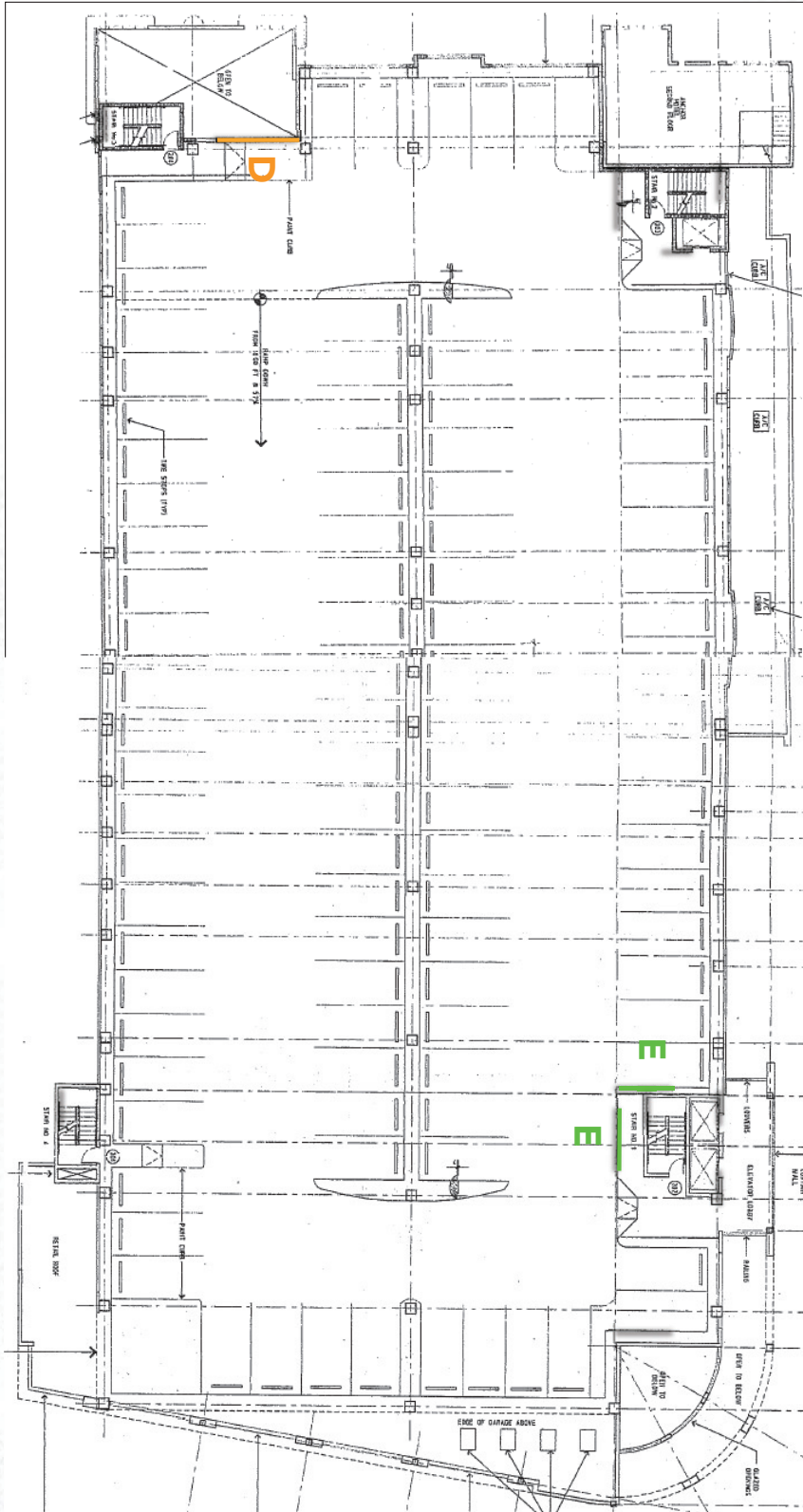


# SECOND FLOOR

City Media Advertising Signs

Sign **D**: Frame sign 6' x 12'

Sign **E**: Frame sign 4' x 6'

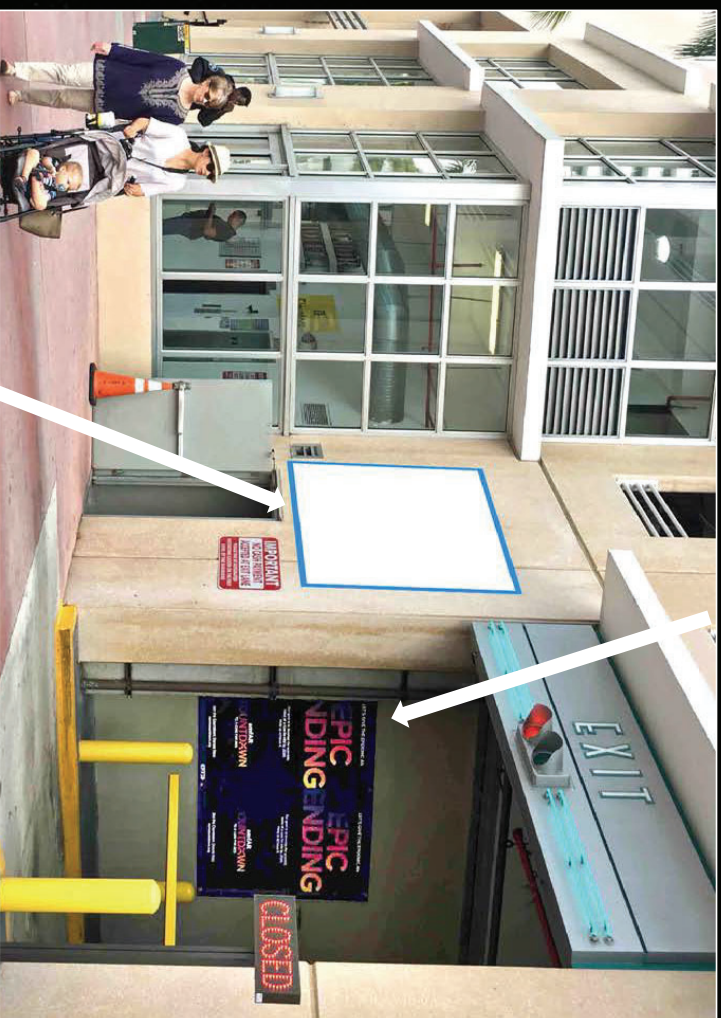




SIGN A



SIGN B



SIGN B

ALCHEMY

# SIGN W-1



# SIGN W-3



# SIGN W-2



# Parking Garage 5

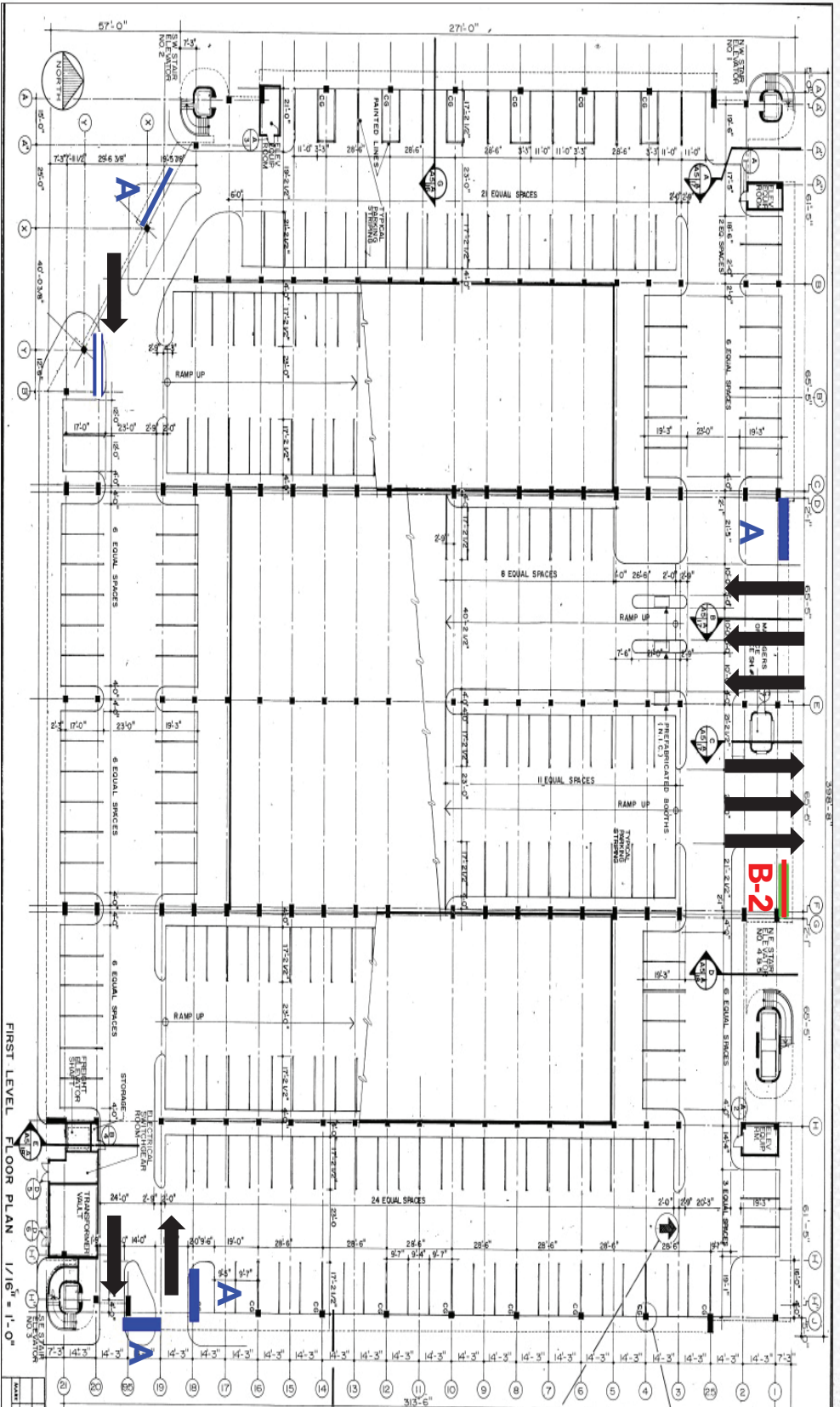


# GROUND FLOOR

## GarageVision Signs

- Sign A: 6' x 12'
- Sign B-2: 6' x 6'

17TH STREET



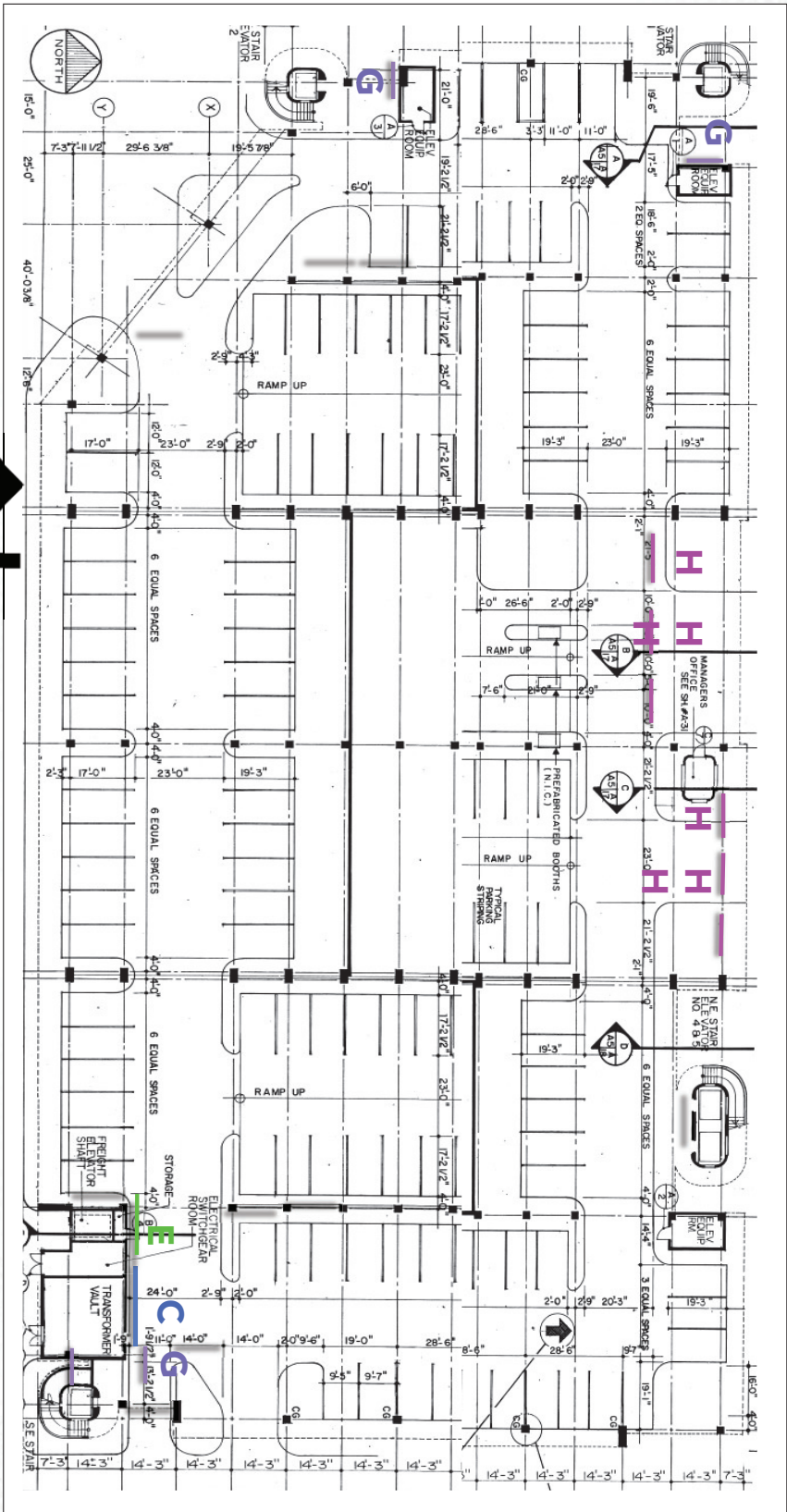
FIRST LEVEL FLOOR PLAN 1/16" = 1'-0"



# GROUND FLOOR

## GarageVision Signs

- Sign **C**: Frame sign 8' x 16'
- Sign **E**: Frame sign 4' x 6'
- Sign **F**: Frame sign 2.5'x 3.5'
- Sign **G**: Digital sign 40"/148"
- Sign **H**: Gate sign 1'x 6' (double sided)

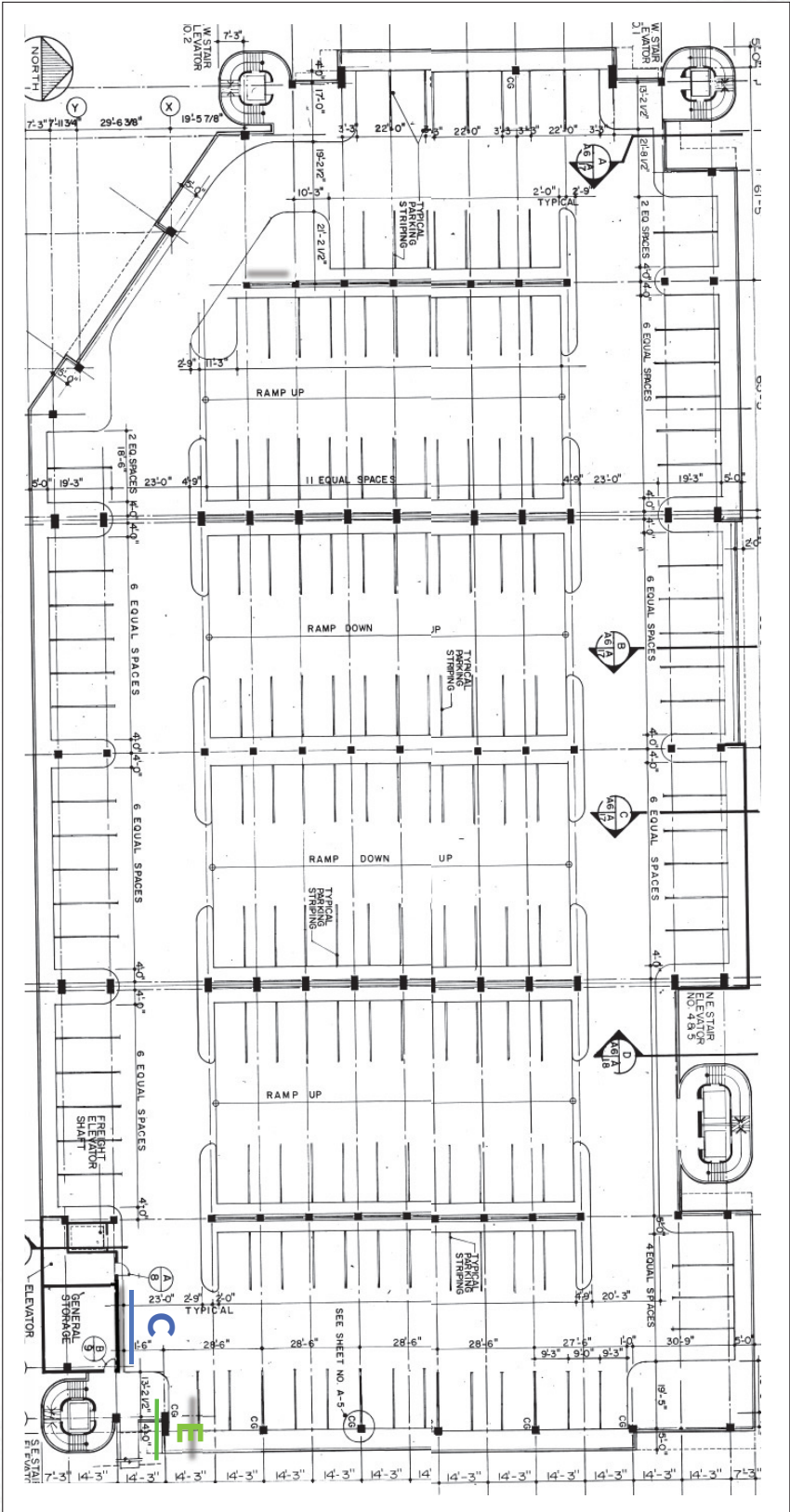


2 signs F per elevator car (10 signs total)

# SECOND FLOOR

## GarageVision Signs

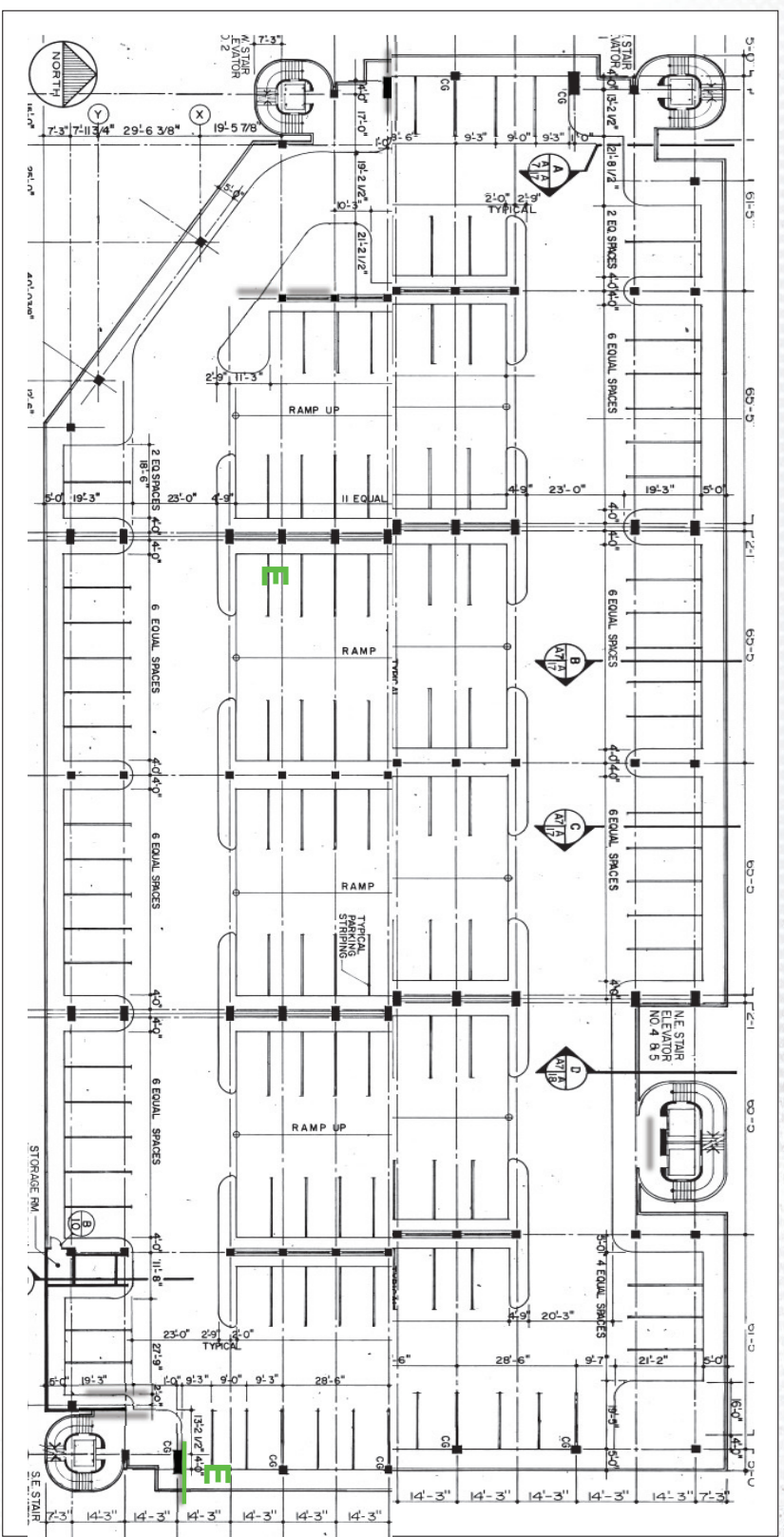
- Sign C: Wrap sign 8' x 16'
- Sign E: Frame sign 4' x 6'



# THIRD FLOOR

## GarageVision Signs

Sign E: Frame sign 4' x 6'



# SIGN A



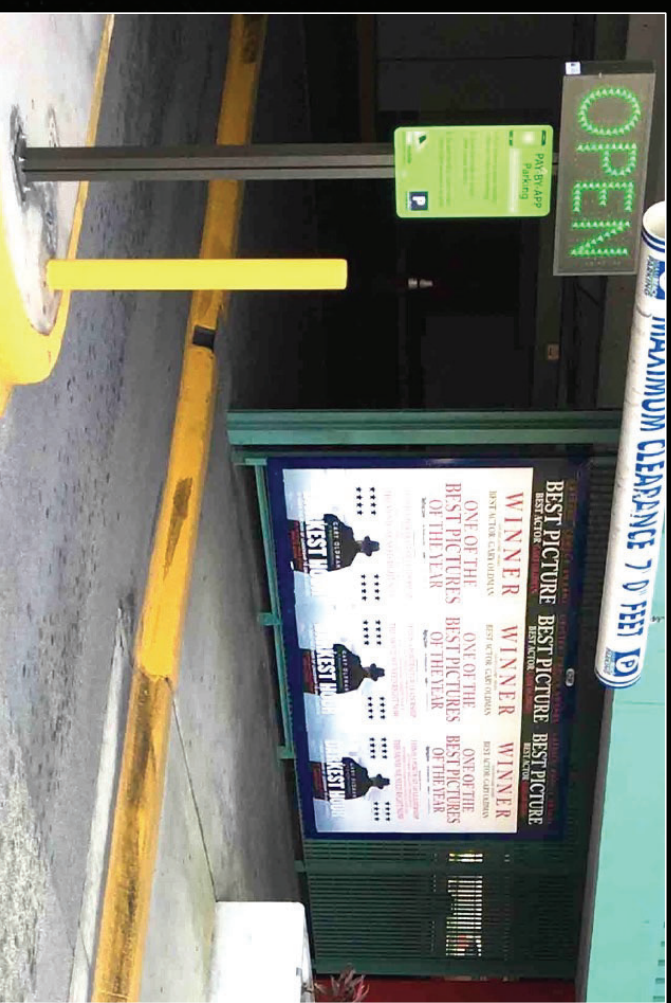
# SIGN A



# SIGN B-2



# SIGN A



# SIGN A



# Parking Garage 6



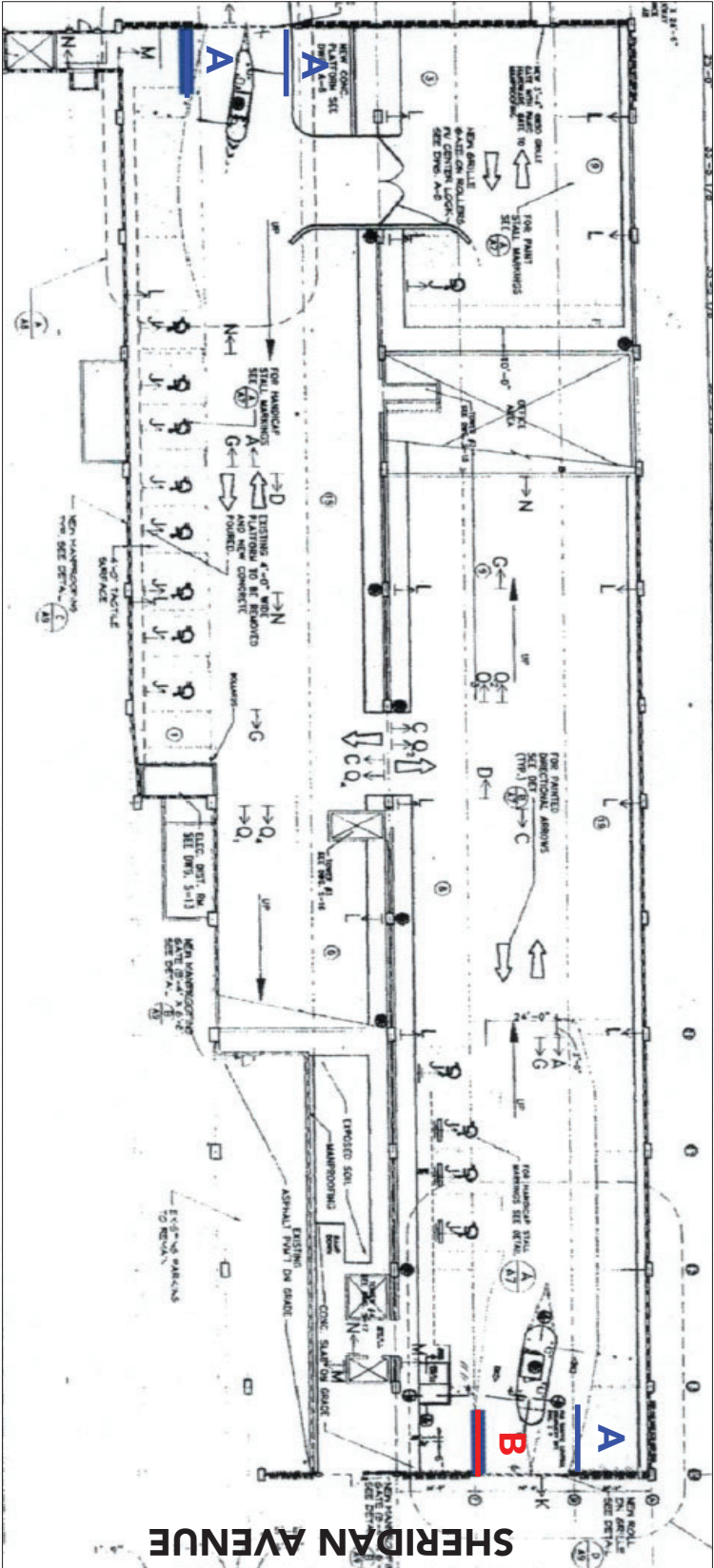
# GROUND FLOOR

GarageVision Signs

Sign A: 6' x 12'

Sign B: 6' x 8'

ROYAL PALM AVENUE





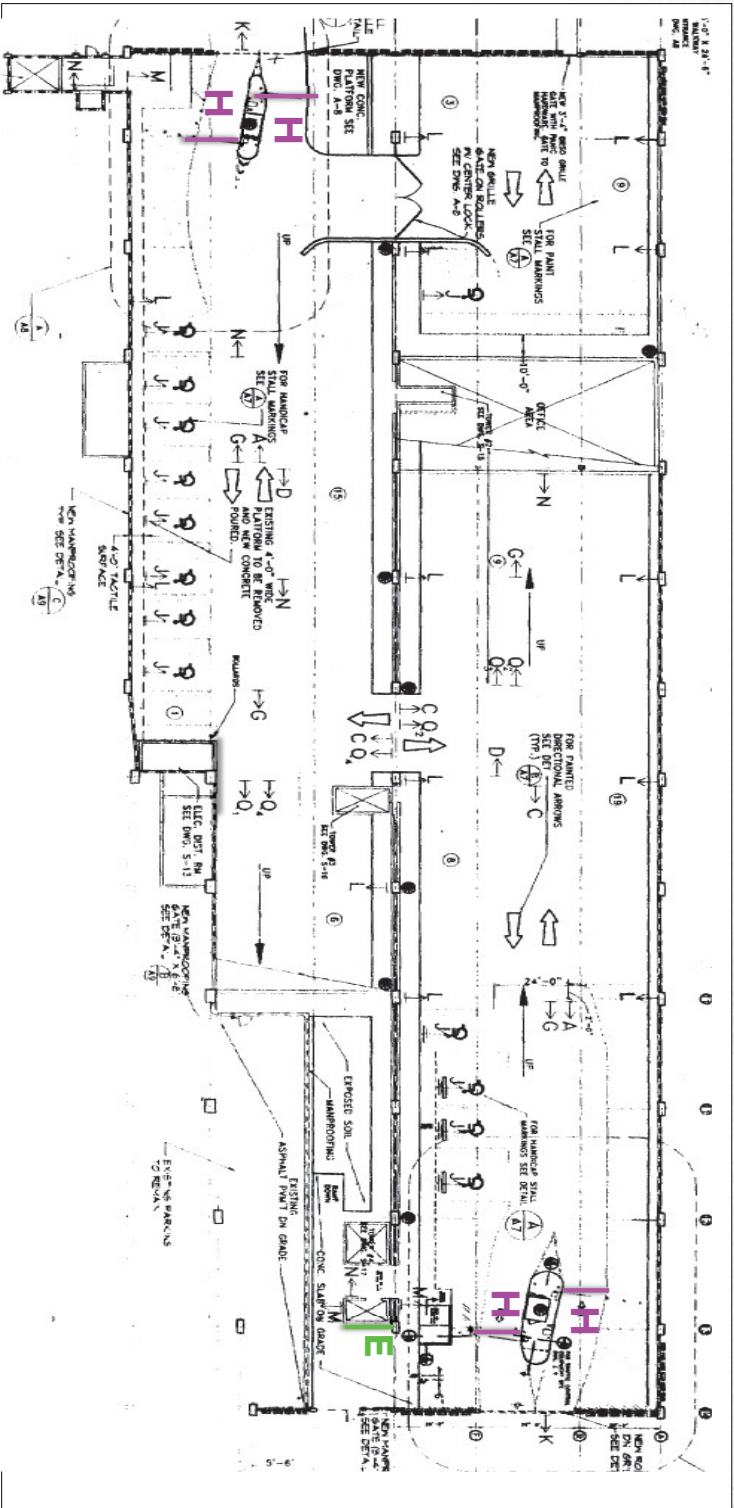
# GROUND FLOOR

## GarageVision Signs

Sign **E**: Frame sign 4' x 6'

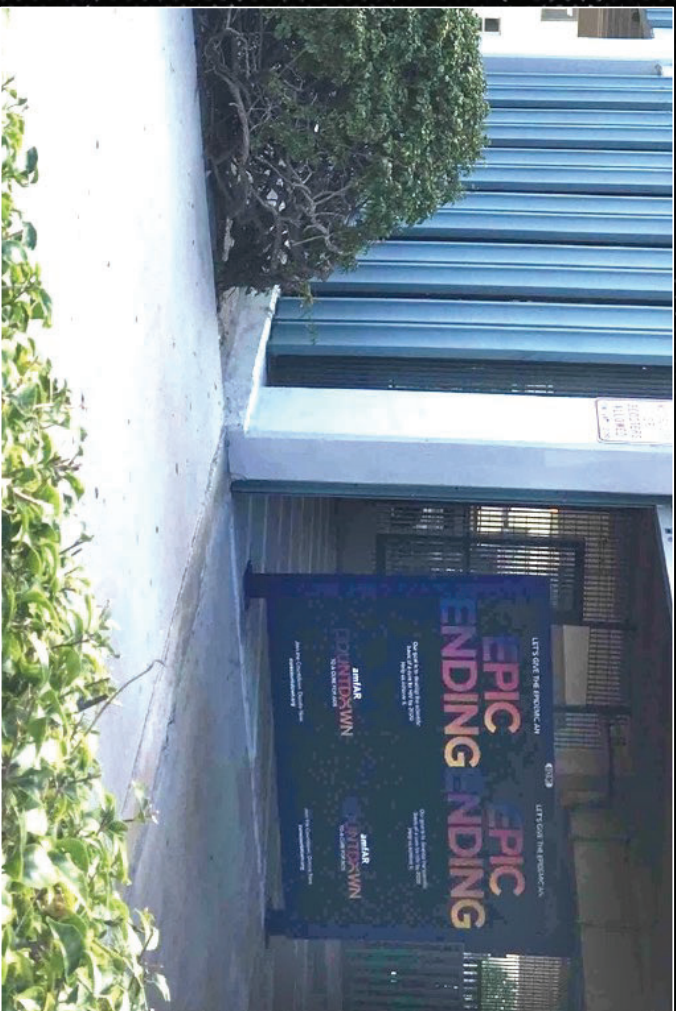
Sign **F**: Frame sign 2.5'x 3.5'

Sign **H**: Gate sign 1'x 6'  
(double sided)

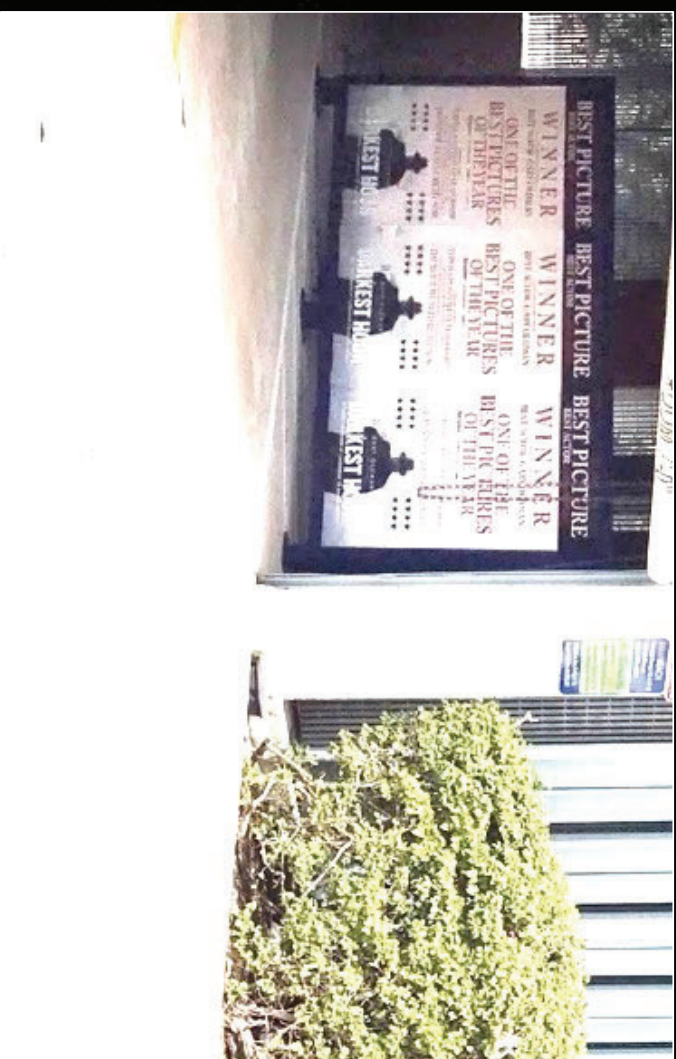


2 signs **F** per elevator car (4 signs total)

# SIGN B



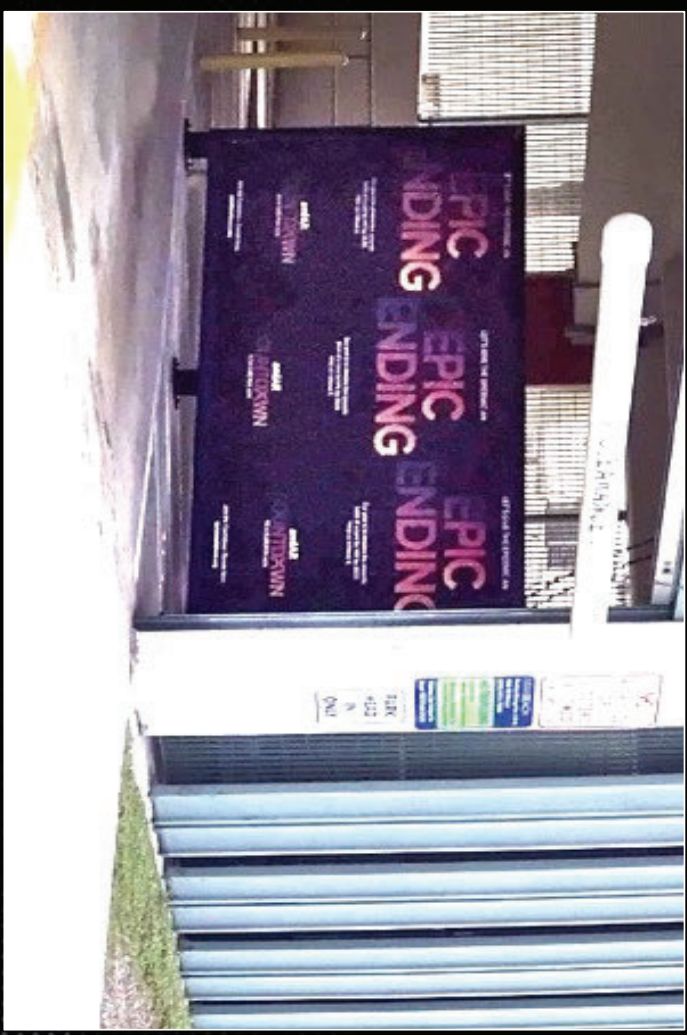
# SIGN A



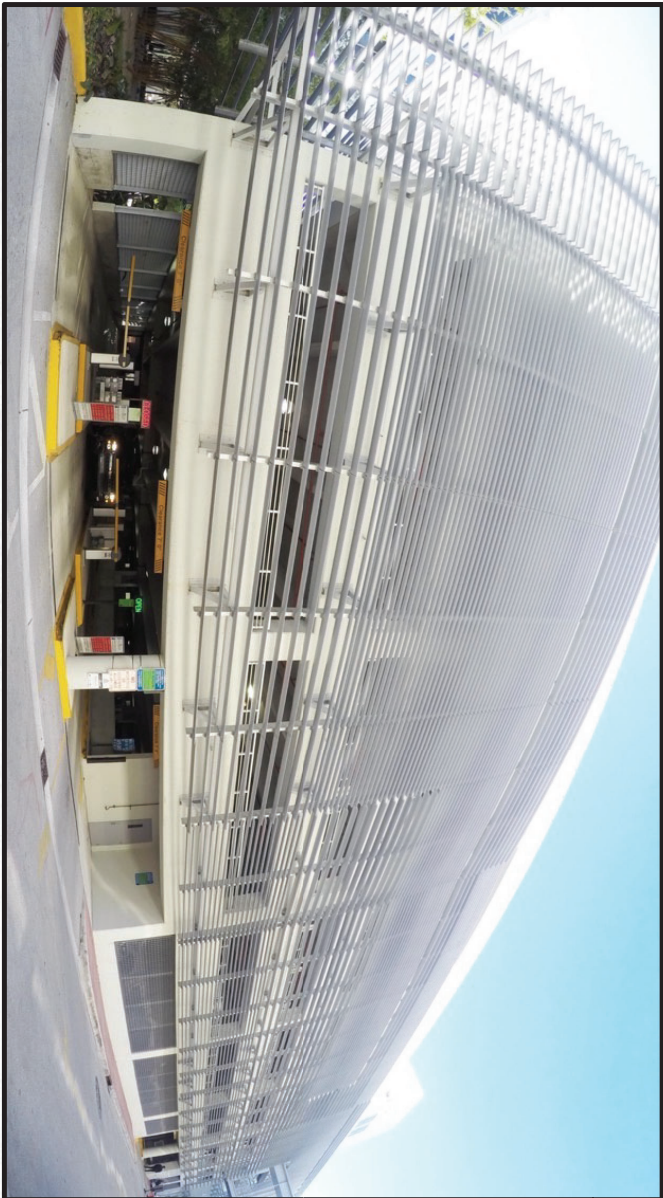
# SIGN A



# SIGN A



# Parking Garage 7



# GROUND FLOOR

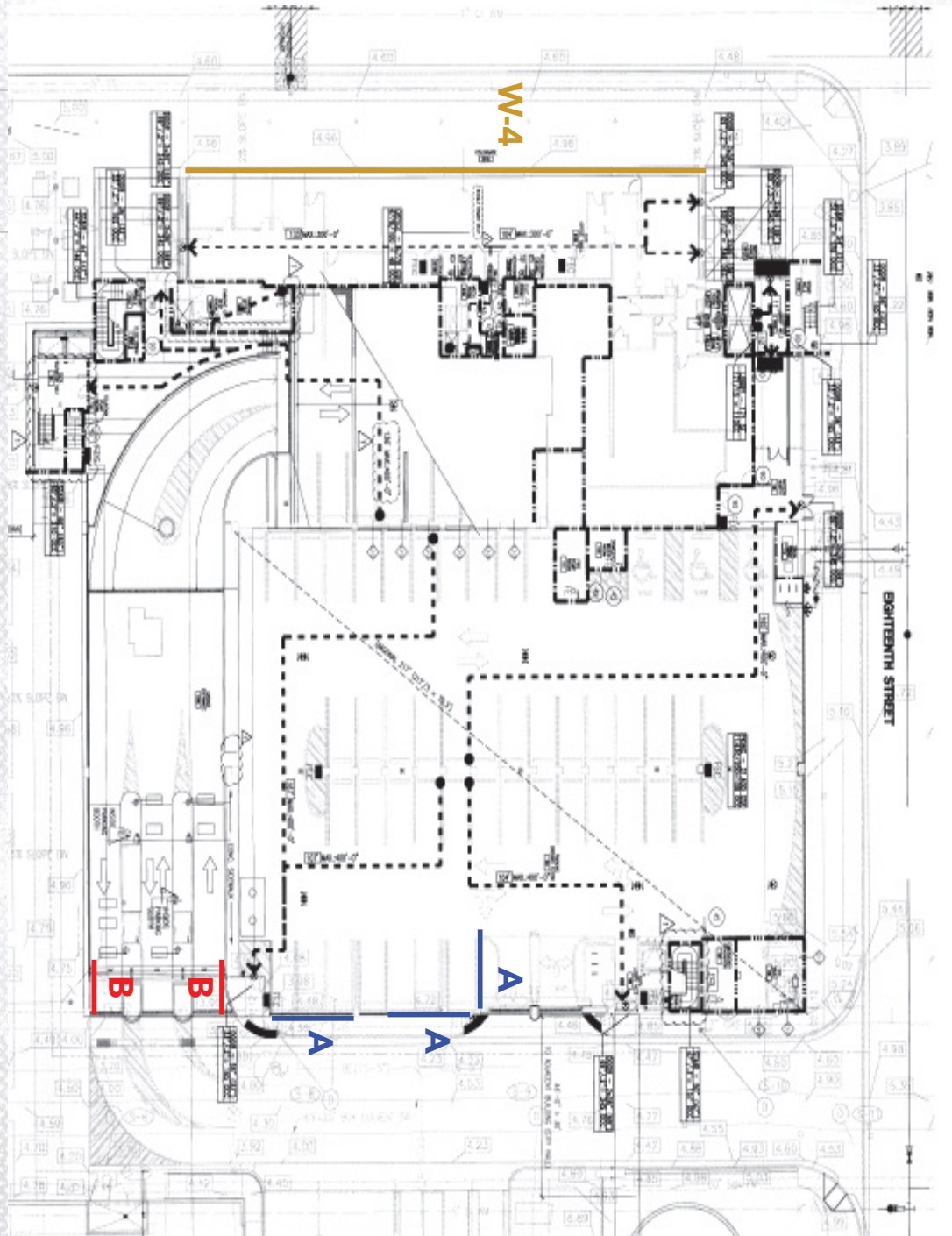
## GarageVision Signs

Sign **A**: 6' x 12'

Sign **B**: 6' x 8'

Sign **W-4**: 11' x 86'

MERIDIAN AVENUE



# GROUND FLOOR

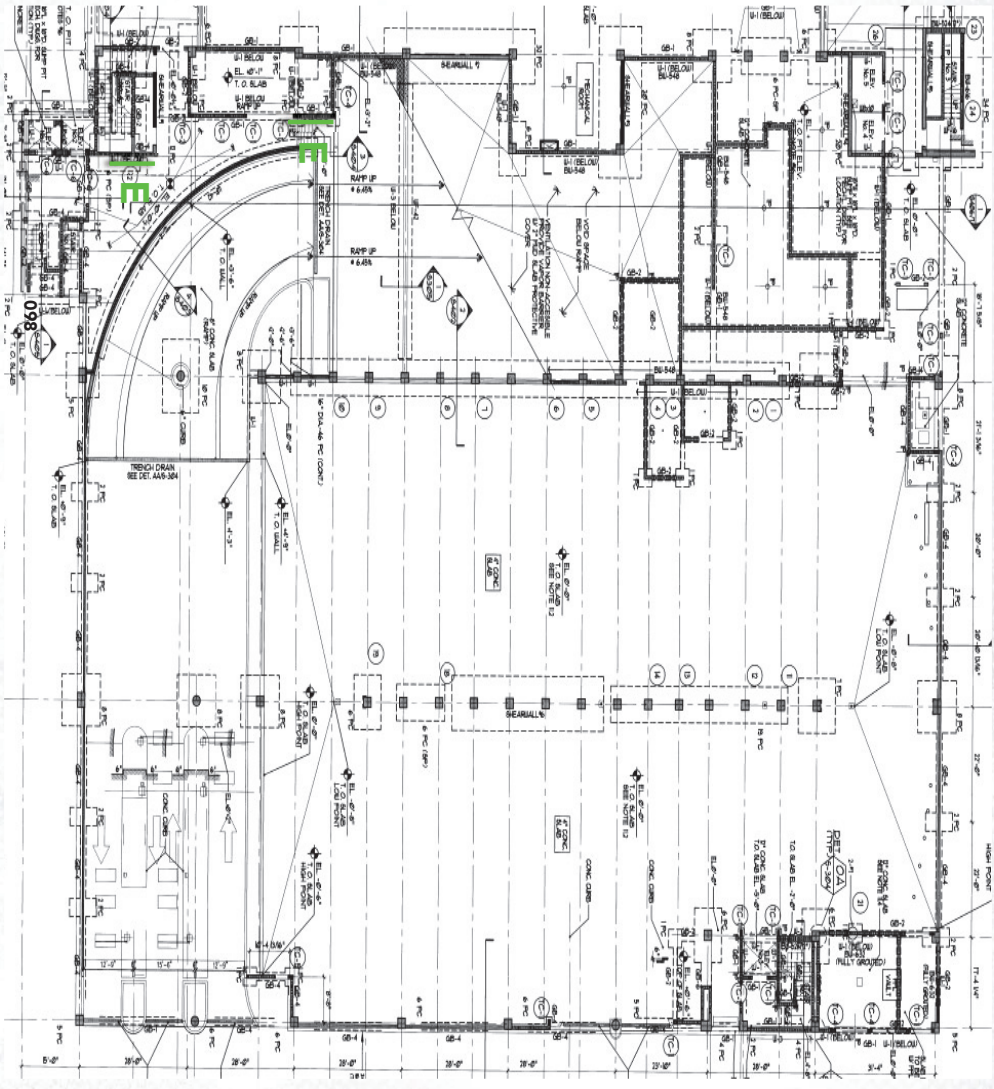
## GarageVision Signs

Sign **F**: Frame sign 2.5' x 3.5'

Sign **E**: Frame sign 4' x 6'



2 signs **F** per elevator car (10 signs total)



# SECOND FLOOR

GarageVision Signs

Sign D: Frame sign 6' x 12'



# SIGN A



# SIGN B





# SIGN A



# SIGN A



# SIGN W-4



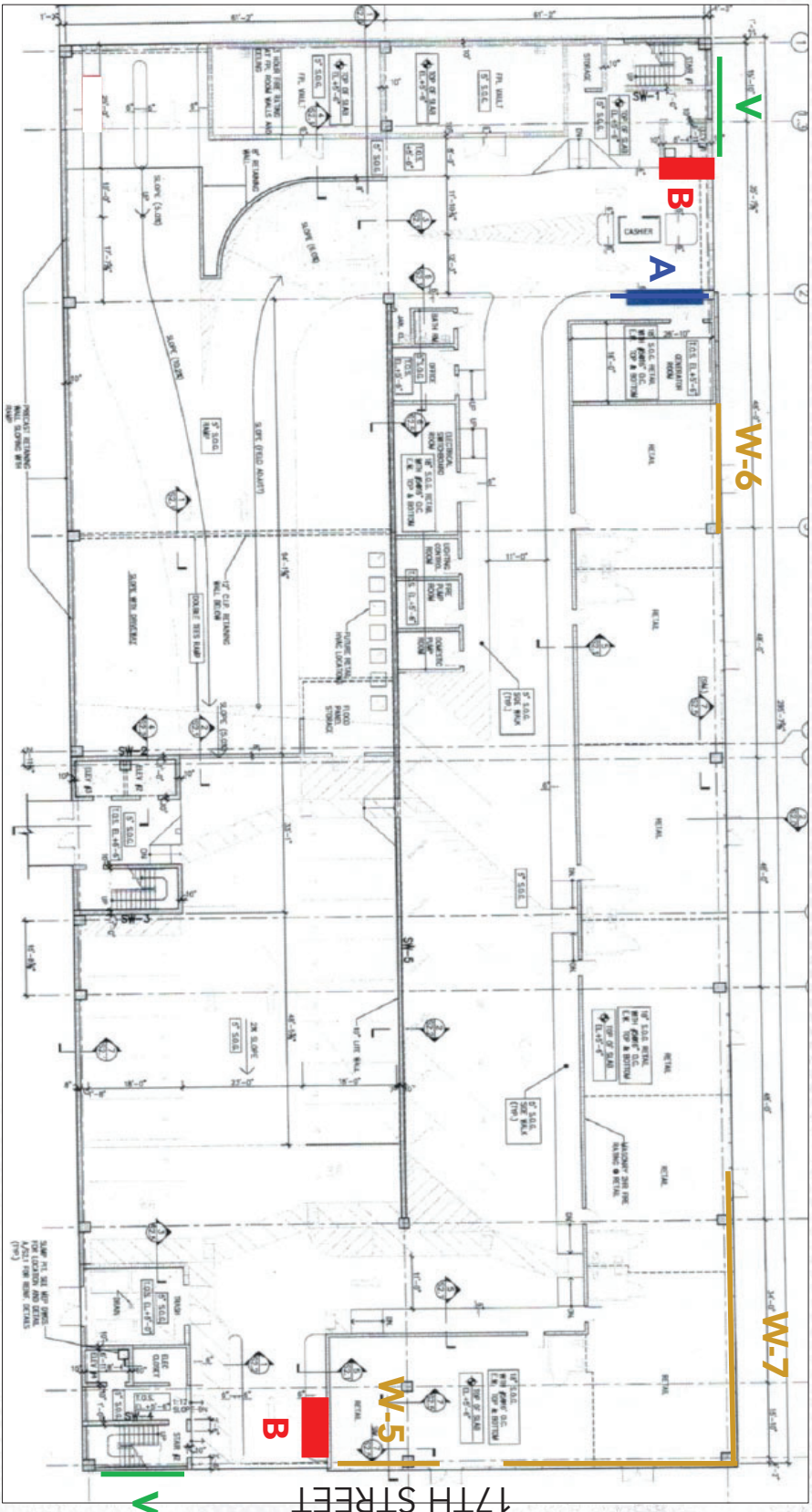
# Parking Garage 9



# GROUND FLOOR

## GarageVision Signs

- Sign **A**: 6' x 12'
- Sign **B**: 6' x 8'
- Sign **V**: 11' x 20'
- Sign **W-5**: 11' x 18'
- Sign **W-6**: 33' x 8'
- Sign **W-7**: 12' x 57'



PENNSYLVANIA AVENUE

17TH STREET



# GROUND FLOOR

## GarageVision Signs

Sign **D**: Frame sign 6' x 12'

Sign **E**: Frame sign 4' x 6'

Sign **F**: Frame sign 2.5'x 3.5'

Sign **H**: Gate sign 1'x 6' (double sided)



2 signs **F** per elevator car (8 signs total)

# SIGN B



# SIGN A



# SIGN B



# SIGN W-7



# SIGN W-5



# SIGN W-6





# SIGN V



# SIGN V



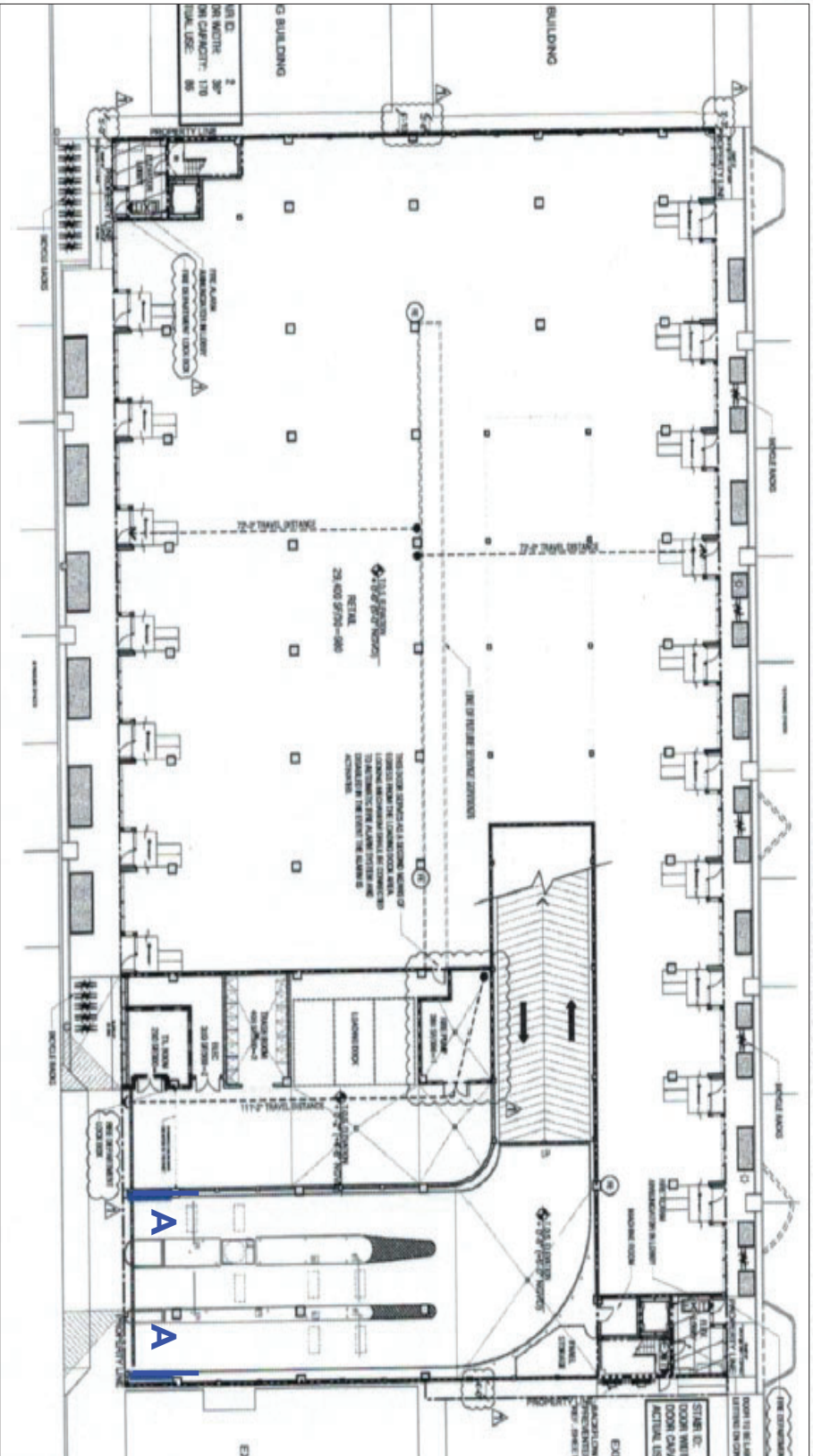
# Parking Garage 10



# GROUND FLOOR

## GarageVision Signs

Sign A: 6' x 12'



BAY ROAD

ALPHENY

# GROUND FLOOR

## GarageVision Signs

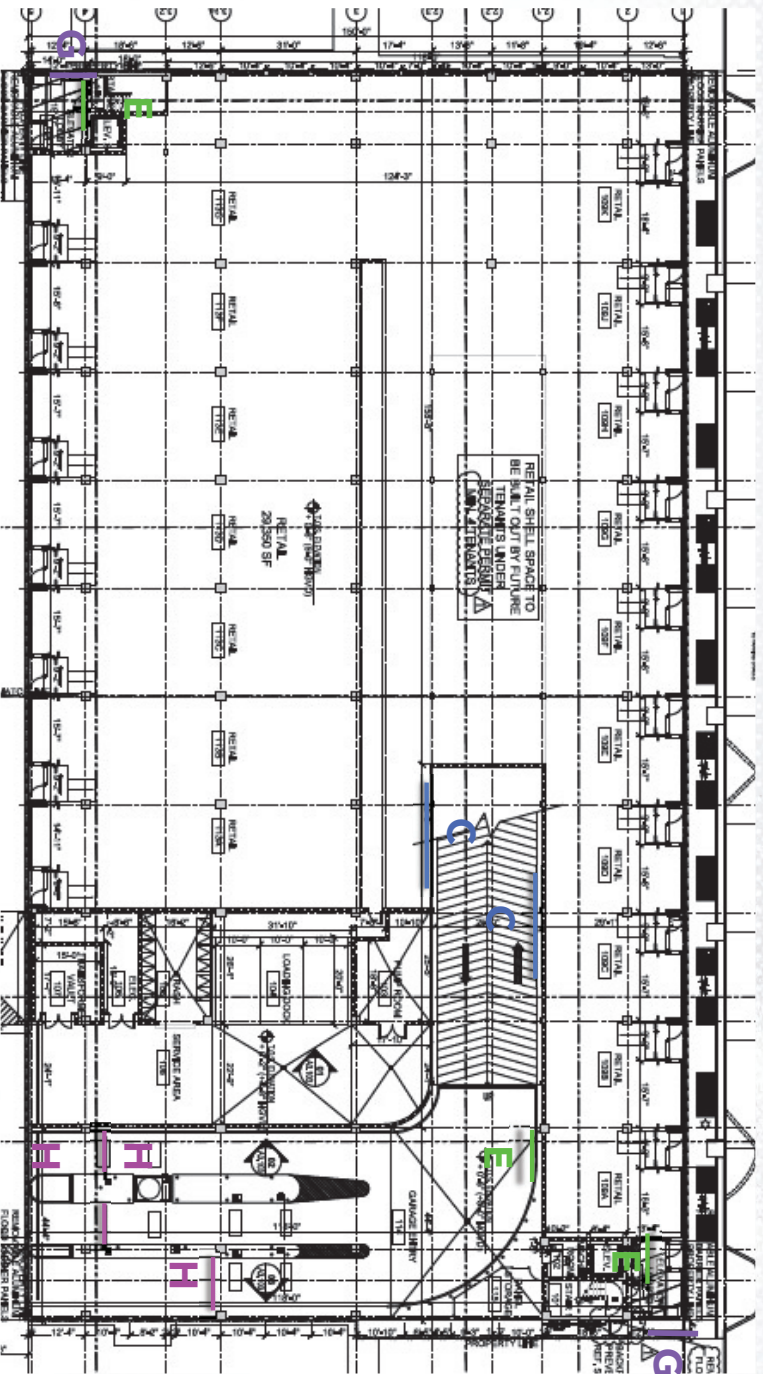
Sign **C**: Frame sign 8' x 16'

Sign **E**: Frame sign 4' x 6'

Sign **F**: Frame sign 2.5'x 3.5'

Sign **G**: Digital sign 40"/48"

Sign **H**: Gate sign 1'x 6'  
(double sided)

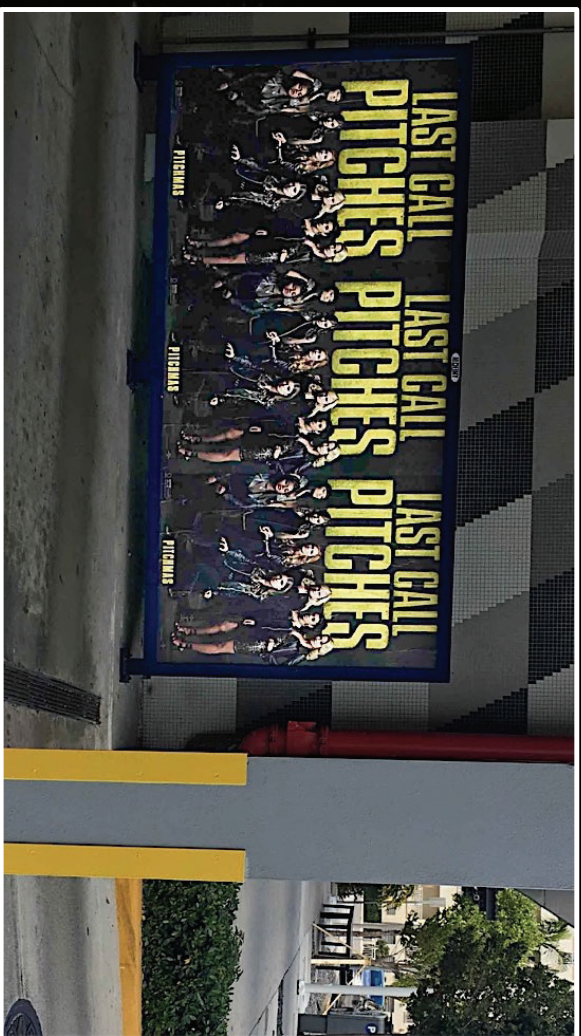


2 signs **F** per elevator car (4 signs total)

# SIGN A



# SIGN A



# WILD IN THE STREETS SINCE 69



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