

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE WRITTEN RECOMMENDATION OF THE INTERIM CITY MANAGER (AS SET FORTH IN THE CITY COMMISSION MEMORANDUM ACCOMPANYING THIS RESOLUTION) AND WAIVING, BY A 5/7TH VOTE, THE FORMAL COMPETITIVE BIDDING REQUIREMENT, AS PERMITTED IN SECTION 2-367(E) OF THE CITY CODE, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY, AND APPROVING, IN SUBSTANTIAL FORM, A PROFESSIONAL SERVICES AGREEMENT WITH OUTFRONT MEDIA GROUP, LLC, FOR THE MANAGEMENT AND OPERATION OF ADVERTISEMENT SERVICES ON THE CITY TROLLEY VEHICLES; SAID AGREEMENT COMMENCING RETROACTIVELY, AS OF MAY 10, 2022, AND SUBJECT TO TERMINATION FOR CONVENIENCE BY THE CITY UPON PROVIDING OUTFRONT WITH NINETY (90) DAYS NOTICE, IN ORDER TO PERMIT THE CITY TO CONTINUE EARNING ADVERTISING REVENUES PENDING EXECUTION OF A NEW AGREEMENT FOR THE SAME SERVICES PURSUANT TO ITN NO. 2024-008-ND TO SECURE MUNICIPAL CIRCULATOR SERVICES, INCLUDING ADVERTISING SERVICES; AND FURTHER AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE THE PROFESSIONAL SERVICES AGREEMENT.

WHEREAS, on August 18, 2011, the City of Miami issued a Request for Proposal 272271 to secure a firm to execute trolley advertising services; and

WHEREAS, the City of Miami, via Resolution R-13-0501, executed a Professional Services Agreement for Trolley Advertisement Program Services for the City of Miami with Van Wagner Miami, LLC ("Van Wager"), with an effective contract date of March 20, 2014, with an initial term of two (2) years, with the ability to extend the contract for up to four (4) additional one (1) year periods; and

WHEREAS, in 2014, Van Wager sold its outdoor advertising division to CBS, now known as OUTFRONT Media Group, LLC ("OUTFRONT"); and

WHEREAS, at the July 13, 2018 Finance and Citywide Projects Committee budget briefing meeting, multiple options were presented to the Committee as alternative ways to generate revenue for the City of Miami Beach; and

WHEREAS, at the September 14, 2018 Finance and Citywide Projects Committee meeting, the City's Marketing and Communications Department presented options for advertising revenue generation throughout the City including (1) advertising on the City trolleys, (2) large-scale sponsorships, including naming opportunities for certain City-owned facilities, including the Miami Beach Convention Center, and (3) advertising on the rear exterior façade of the City's Fleet Management building on Terminal Island; and

WHEREAS, at the September 14, 2018 Finance and Citywide Projects Committee meeting, the Committee voted to direct the Administration to obtain trolley advertising services via a "piggyback" agreement with the City of Miami's existing agreement with OUTFRONT; and

WHEREAS, on September 26, 2018, the Mayor and City Commission adopted Resolution No. 2018-30518, approving an authorizing the City Administration to obtain advertising services for the City's trolleys from the City of Miami trolley advertising contract with OUTFRONT; and

WHEREAS, on December 14, 2021, the City of Miami executed a contract extension with OutFront Media, to extend the existing agreement through to May 9, 2022; and

WHEREAS, on August 3, 2023, the City of Miami Beach requested to continue their piggyback agreement between the City of Miami and OUTFRONT, but OUTFRONT was unable to agree to the terms of the piggyback agreement; and

WHEREAS, on February 23, 2024, the City of Miami Beach issued an ITN 2024-008-ND (the "ITN") to secure Municipal Circulator Services to include trolley advertising with a closing date of May 10, 2024; and

WHEREAS, in the interim, the City wishes to execute a bridge agreement with OUTFRONT retroactive to May 10, 2022, in order to formalize the month to month advertising services provided by OUTFRONT to the City since May 10, 2022, and moving forward, until such time as the City executes a new agreement pursuant to the ITN; and further acknowledging the business terms for trolley advertising, including the exclusion of alcohol as an advertising category; and

WHEREAS, based upon the foregoing, the Interim City Manager recommends that the Mayor and City Commission waive, by a 5/7th vote, the formal competitive bidding requirement, as permitted in Section 2-367(e) of the City Code, as being in the best interest of the City, and approve, in substantial form, the draft Professional Services Agreement with OUTFRONT, a copy of which is attached to the City Commission Memorandum accompanying this Resolution, so the City may continue to generate revenues from the City trolley advertising services provided by OUTFRONT, until such time as a new agreement for similar services may be executed pursuant to the ITN; and further authorize the Interim City Manager to finalize and execute the Professional Services Agreement with OUTFRONT.


NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby accept the written recommendation of the Interim City Manager (as set forth in the City commission memorandum accompanying this Resolution) and waive, by a 5/7th vote, the formal competitive bidding requirement, as permitted in section 2-367(e) of the City Code, finding such waiver to be in the best interest of the City, and approve, in substantial form, a Professional Services Agreement with OUTFRONT for the management and operation of advertisement services on City trolley vehicles; said Agreement commencing retroactively, as of May 10, 2022, and subject to termination for convenience by the City upon providing OUTFRONT with ninety (90) days notice, in order to permit the City to continue earning advertising revenues pending execution of a new agreement for the same services pursuant to ITN No. 2024-008-ND to Secure Municipal Circulator Services, including advertising services; and further authorize the Interim City Manager to execute the Professional Services Agreement.

PASSED AND ADOPTED this 15th day of May, 2024.

ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney *[Signature]* 5/17/2024
Date