

RESOLUTION NO. 18-378

A RESOLUTION APPROVING A CONTRACT WITH CREATIVE OUTDOOR ADVERTISING, INC., (COA), PROVIDING COA THE RIGHT AND OBLIGATION TO INSTALL AND OPERATE BUS BENCHES AND BUS SHELTERS AT VARIOUS VOTRAN BUS STOPS WITHIN THE CITY, FOR A TERM OF 5 YEARS, WITH OPTIONS TO RENEW FOR 2 ADDITIONAL YEARS, SUBJECT TO CERTAIN CONDITIONS, INCLUDING REQUIREMENTS THAT COA INSTALL AND MAINTAIN A MINIMUM OF 40 BENCHES AND 5 SHELTERS, COA PAY FOR COSTS OF INSTALLING AND MAINTAINING THE BENCHES AND SHELTERS, AND COA PAY THE CITY MONTHLY FEES FOR EACH INSTALLED BENCH AND SHELTER; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT WITH COA; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CITY'S OPTIONS TO RENEW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City issued a Request for Proposals for installation and maintenance of bus benches and bus shelters at various locations within the City that serve as VOTRAN-designated bus stops; and

WHEREAS, the City Manager or his designee has reviewed proposals submitted for these services; and

WHEREAS, negotiations ensued between City staff and Creative Outdoor Advertising, Inc. (COA), resulting in a proposed written contract for review and approval by the City Commission; and

WHEREAS, the written contract would provide COA a license to install and maintain bus benches and bus shelters and sell advertising thereon within public right-of-way adjacent to VOTRAN bus benches for a 5 year-Term, with the City having the option to renew for 2 additional Terms of 1 year each; and

WHEREAS, the written contract requires COA to install and maintain a minimum of 40 bus benches and 5 bus shelters, requires COA to install and maintain the benches and shelters at COA's sole cost, provides for COA to pay the City monthly fees of \$18.00 per month for each installed bench and \$10.00 for each installed shelter, and contains additional conditions beneficial to the City, including required insurance and indemnification provisions; and

WHEREAS, the Deputy Public Works Director recommends approval of the contract, and the Chief Financial Officer has submitted a Sufficiency of Funds Certificate.


NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DAYTONA BEACH, FLORIDA:

SECTION 1. The Contract for Installation and Operation of Bus Benches and Related Amenities with Creative Outdoor Advertising, Inc. (COA), providing COA the right and obligation to install and maintain bus benches and bus shelters at various locations within the public right-of-way and adjacent to VOTRAN bus stops, for a 5-year Term, with 2 options to renew for a 1-year Term, as further described in the recitals, is hereby accepted.

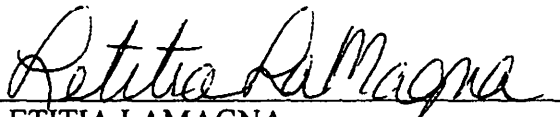
SECTION 2. The Mayor and City Clerk are hereby authorized to execute the above-referenced Contract with COA. A copy of the Contract in substantially final form is attached hereto and made a part hereof by reference.

SECTION 3. The City Manager is authorized to execute the City's options to renew the above-referenced Contract.

SECTION 4. This Resolution shall take effect immediately upon its adoption.


DERRICK L. HENRY
Mayor

ATTEST:


LETITIA LAMAGNA
City Clerk

Adopted: November 7, 2018