



# (DOT) Transit Bus Advertising Program

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BOC Amended: 4/9/2013

<b>Owner</b>	Board of Commissioners (BOC)
<b>Reviewer(s)</b>	DOT Transit Division Manager, DOT Director, County Attorney, County Manager
<b>Approver(s)</b>	DOT Director and BOC
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<b>Employee Acknowledgement</b>	N/A

## 1. PURPOSE

The purpose of the Transit Bus Advertising Program is to establish the guidelines and expectations for the sale and placement of interior/exterior advertising space on CobbLinc vehicles and properties.

## 2. SCOPE

This policy applies to all County agencies, elected offices, departments, full-time, part-time and non-employees (temporary employees, volunteers, service providers, vendors, contractors, and any other entities) seeking to sell or place interior/exterior advertisements on CobbLinc vehicles or properties. If you have questions regarding this policy, contact the Airport Division Manager.

## 3. GOVERNING LAWS, REGULATIONS & STANDARDS

<b>Guidance</b>	<b>Section</b>
Georgia Open Records Act	O.C.G.A. 50-18-70, et Seq.
Official Code of Cobb County	
Georgia Archives as adopted by County Code	<a href="https://www.georgiaarchives.org/records/retention_schedules">https://www.georgiaarchives.org/records/retention_schedules</a>
And all other applicable laws and regulations	

## 4. DEFINITIONS

N/A

## 5. POLICY

### Background

On August 23, 2011, The Board of Commissioners authorized the issuance of a Request for Proposals for professional services to manage the sale and placement of interior/exterior advertising space on CCT vehicles and properties.

The goal of this project is to award a revenue generating contract to the most qualified Contractor who will have the exclusive right and responsibility for soliciting contracts for transit advertising on CCT equipment and facilities and for placing and maintaining advertising materials, servicing all transit advertising contracts, collecting all accounts receivable, and performing all other services and activities required to maintain a reasonable and satisfactory



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amount of paid advertising on CCT equipment at all times.

## Advertising Policy

The County supports no political viewpoint and therefore no political speech may be placed on any vehicles. There is a constitutional mandate for the separation of church and state; therefore, no advertisements espousing any religious belief or viewpoint will be permitted. The Contractor shall not permit any advertising which denigrates public transportation or those who use public transportation. Pursuant to the Contractor's policy, no advertising shall be permitted which:

- (i) depicts physical violence against any person or animal,
- (ii) is obscene as defined by federal or state law,
- (iii) is untrue, misleading, deceptive, or distorted,
- (iv) explicitly or directly promotes or encourages the use of guns, birth control, feminine hygiene products, alcohol or any tobacco product.

The County is acting in a proprietary function and therefore retains discretion and authority to develop reasonable standards and choices for the advertisements on buses utilized by its citizens. The County requires advertising material to be submitted to it for review before such material is displayed on the vehicles. The County shall have the right to direct the removal of any advertising material displayed on the buses that the County reasonably determines to be inconsistent with the foregoing standards. Any direction to remove advertising material shall be given in a written notice to the Contractor providing reasonable notice to correct and/or remove said material. In such case, the Contractor shall promptly remove such material at the Contractor's cost. In the event that the Contractor fails to remove such material promptly, the County may remove it or cause it to be removed, and the Contractor will reimburse the County for all costs associated therewith. Notwithstanding the above, if approval for advertising was given by Cobb, it cannot require the Contractor to remove such advertising during the term, of the contract between the Contractor and the advertiser so long as the term does not exceed twelve (12) months. The Contractor's right to provide advertising under this Agreement is limited to buses and specifically excludes advertisements located on bus route shelters. Since the County relies in part on state and federal funding, the County does not promise or guarantee a minimum number of buses to be in operation during the terms of this Agreement.

## Production and Installation of Advertising

- All installation, removal and maintenance of advertising materials on CCT vehicles shall be performed by the Contractor at CCT's bus maintenance facility.
- Buses cannot be driven off-site for the installation and removal of advertising signs.
- The installation, maintenance, removal of advertisements shall be performed at the convenience of CCT, and shall be when the buses are not in use or being serviced.
- Any portion of the advertising material that is placed improperly or that becomes cracked, peeled or damaged, regardless of the cause thereof, must be removed by the Contractor at no cost to CCT within five (5) working days after notification by CCT.
- Advertising on paratransit buses shall be limited to the front, driver's side and rear of the van. No advertising is permitted on the curb side of the paratransit buses.
- Full exterior advertising over side windows is allowed; however, wrap may not cover the driver's side window, front window/windshield, or front entrance door windows.
- Advertising on bus fronts and rears shall not block grill work or windows.
- Advertising on the rear of buses shall not visibly detract from any safety signage or lights.
- Advertising shall not cover CCT logo, bus number or wheelchair symbol decal.



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## Damage to CCT Vehicles or Property

- Prior to placement of advertising under this contract, CCT and Contractor will conduct a joint inspection and document any existing damage on CCT vehicles and property. Contractor will be responsible for any damage resulting from application or removal of advertising materials.
- All advertising materials applied to the exterior of CCT buses shall be pressure sensitive, removable, self-adhesive vinyl signage that is guaranteed or certified not to damage paint during its installation or removal. Contractor shall be responsible for installation and removal of signage as well as repair of any surface damages caused by the installation or removal of signage.
- The successful proposer, at the time a contract is issued, will be required to provide CCT with a minimum \$50,000 performance bond to cover work on CCT vehicles and property.

## CCT Use of Available Spaces

CCT reserves the right to arrange up to \$10,000 per contract year in trading media time/space for bus advertising. CCT shall have the right to use any unsold space for its own purposes or for use by other governmental entities or nonprofit organizations for the placement of public service messages. Any available, unrented space will also be available for CCT's use, at no charge until such space is rented.

## Advertising Rates

See attached Contractor Advertising Rates by Product.

## Compensation Plan

Year 1: 55% of net revenue or minimum guaranteed yearly amount of \$60,000.  
Year 2: 55% of net revenue or minimum guaranteed yearly amount of \$70,000.  
Year 3: 55% of net revenue or minimum guaranteed yearly amount of \$80,000.

## Payment of Revenue Share to CCT

- The Contractor shall pay CCT the Monthly Net Revenue Share of total billings or the Monthly Revenue Guarantee according to a monthly report.
- The monthly report shall include the total gross monthly billings submitted by the Contractor.
- The Contractor shall submit these reports to CCT no later than the 15<sup>th</sup> of each month following the month of service.
- Payments shall be made to CCT no later than 20 days following the end of the month for which payments are due.
- In the event that CCT increases or decreases the number of buses in revenue service by 20% or more, at any time during the contract period, the Contractor and CCT agree to renegotiate the Revenue Guarantee that reflects the increase or decrease in available advertising space.

## **6. EXCEPTIONS**

Exceptions to this policy must be justified and approved in advance. The County may deviate from the policy when written justification is provided to the BOC by the DOT Director.



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## REVISION HISTORY

Version ID	Revision Date	Author	Reason for Revision
	4-9-2013	Transit Division Manager	Revisions regarding specifications regarding for exterior bus advertising
v.1.0-2020	12-2020	Cobb DOT	Reformat