

RESOLUTION 2017-073

RESOLUTION SELECTING OBMSMG, LLC DBA IKE SMART CITY AS THE SUCCESSFUL PROPOSER OF THE REQUEST FOR PROPOSALS FOR THE SMALL FORMAT ADVERTISING PROJECT (SAN DIEGO BAYFRONT EMBARCADERO AREA) (RFP 16-37RH) (RFP) AND CONCLUDING THE RFP, RESERVING CERTAIN RIGHTS THEREUNDER

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the legislature in 1962 pursuant to Harbors and Navigation Code Appendix 1 (Port Act); and

WHEREAS, on August 9, 2016, the Board of Port Commissioners (BPC) directed staff to issue a Request for Proposals for a Small Format Advertising Project for the San Diego Bayfront Embarcadero Area; and

WHEREAS, at the August 9, 2016 BPC meeting, staff indicated that a customized small format kiosk would be developed; and

WHEREAS, on November 17, 2016, staff issued a Request for Proposals for a Small Format Advertising Project (San Diego Bayfront Embarcadero Area) (RFP 16-37RH) (RFP), for the fabrication, installation, operation, and maintenance of a coordinated small format advertising project, and the sale of advertising space; and

WHEREAS, the RFP gives the District broad discretion in how a proposal/proposer is selected, as well as reserves certain District rights including, without limitation, the District's ability to reject or move forward any or all proposals or parts thereof, issue subsequent requests for proposals, postpone opening for its own convenience, remedy technical errors in the RFP process, approve or disapprove the use of a particular proposer's sub-contractors, negotiate with any, all, or none of the proposers, solicit best and final offers from all or some of the proposers, award an agreement to one or more proposers, for all or part of the scope of work described in the RFP, and waive informalities and irregularities in the proposals (collectively, Reservation of Rights); and

WHEREAS, on December 1, 2016, staff hosted an Information Exchange, in which nine interested parties attended and 42 parties downloaded the RFP; and

WHEREAS, on January 25, 2017, staff received electronic proposals from

four proposers, of which, three moved forward for consideration; and

WHEREAS, the three proposers under consideration were Clear Channel Outdoor, Inc. (CCO), Capitol Outdoor (Capitol), and OBMSMG, LLC dba IKE Smart City (IKE Smart City); and

WHEREAS, a cross-functional team comprised of representatives from Attractions and Advertising, Enterprise Strategy and Innovation, Real Estate, General Services, Marketing, IT and Engineering was empaneled to review the proposals and on February 16 and 23, 2017, interviewed the three proposers; and

WHEREAS, following the oral interviews and completion of the decision analysis, the selection panel recommended that staff move forward with IKE Smart City as IKE Smart City was consistently ranked as the highest respondent in each of the evaluation criteria categories in the RFP; and

WHEREAS, following the selection panel's recommendation, staff confirmed the panel's findings by doing a site visit with Downtown Denver Partnership and calling references for IKE Smart City; and

WHEREAS, the additional due diligence reaffirmed the selection panel's recommendation and staff is confident that IKE Smart City has the operational and financial wherewithal to fabricate, install, maintain and operate a comprehensive interactive kiosk program that will be visitor serving, provide multiple benefits to the public and the District, resulting in economic vitality and maximizing revenues; and

WHEREAS, based on staff's decision analysis, as confirmed by staff's additional due diligence, staff recommends that the BPC select IKE Smart City as the successful proposer, conclude the RFP process and direct staff to commence exclusive negotiations with IKE Smart City for one or more agreements; and

WHEREAS, it is recommended that in BPC making such a selection, the District retain all its rights under the RFP, including without limitation the Reservation of Rights, and as permitted under the law; and


WHEREAS, the BPC's action does not constitute an "approval" or a "project" under the California Environmental Quality Act (CEQA) and the BPC may, in its sole and absolute discretion, adopt (1) any and all feasible mitigation measures, (2) alternatives to a project that may arise from the proposal, including a no project alternative, (3) a statement of overriding consideration, if applicable; and/or (4) approve or disapprove the projects and any permits or entitlements necessary for the same; and

WHEREAS, the BPC has considered the entire record, including all proposals/proposers, the criteria in the RFP and how the proposals/proposers meet said criteria, and information provided to the BPC.

NOW, THEREFORE, BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District as follows:

OBMSMG, LLC dba IKE Smart City is selected as the successful proposer of the Request for Proposals for the Small Format Advertising Project (San Diego Bayfront Embarcadero Area) (RFP 16-37RH) (RFP) for the fabrication, installation, operation, and maintenance of a coordinated small format advertising project, and the sale of advertising space, the RFP is concluded, and the other two (2) proposers are eliminated; provided, however, said selection is conditioned on the District's reservation of all its rights under the RFP and under applicable law.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL


By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 16th day of May, 2017, by the following vote:

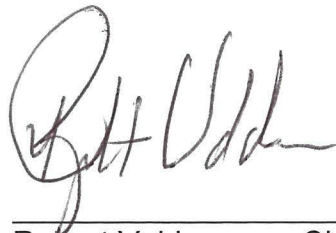
AYES: Bonelli, Castellanos, Malcolm, Merrifield, Moore, and Nelson

NAYS: None.

EXCUSED: Valderrama

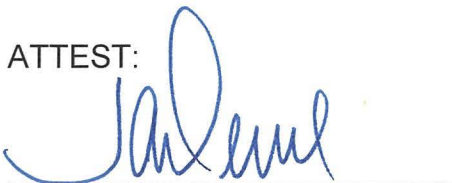
ABSENT: None.

ABSTAIN: None.



Robert Valderrama, Chair
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)