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REQUEST FOR PROPOSALS (RFP)  
**“ADVERTISING AND SPONSORSHIP SERVICES”**

**RFP# 21-22-47**

**Proposal Due Date:**

**Friday, June 17, 2022 @ 4:00 p.m.**

**Location:**

City of Greenville  
Public Works Department  
Attention: Kevin Mulligan  
1500 Beatty Street  
Greenville, North Carolina 27834

**Questions regarding the Specifications:**

**Contact Person:**

**Kevin Mulligan**

**Public Works Director**

**Telephone: 252-329-4522**

**Email: [kmulligan@greenvillenc.gov](mailto:kmulligan@greenvillenc.gov)**

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## NOTICE TO PROPOSERS

Notice is hereby given that the City of Greenville is seeking a qualified contractor to provide and manage a newly formed City of Greenville advertising and sponsorship services program.

Notice is hereby given that the Public Works Department, on behalf of the Greenville Area Transit (GREAT), a division of the City of Greenville Public Works Department, will receive proposals in the Public Works Department, **until 4:00 p.m., Local Time, Friday, June 17, 2022** for the following services:

### CITY OF GREENVILLE ADVERTISING AND SPONSORSHIP SERVICES

Proposals shall be made in accordance with Notice to Proposers, Instructions and Requirements for Proposer, Scope of Work, Federal Transit Administration (FTA) Assurances and Contractual Conditions which are made part of this notice as though fully set forth herein. A copy of this Request for Proposals and proposal forms may be obtained free of charge from the City of Greenville purchasing website at <http://www.greenvillenc.gov/government/financial-services/current-bid-opportunities>.

The City of Greenville reserves the right to award or reject any or all proposals and waive non-material informality or irregularity in any proposal received. The successful Proposer(s) will be required to comply with all applicable Equal Employment Opportunity laws and regulations. All proposals shall remain valid for 90 days from date of proposal opening.

Submission Date is **Friday, June 17, 2022, at 4:00 p.m.** Local Time Prevailing, in the Public Works Department located at 1500 Beatty St, Greenville, NC 27834.

The City of Greenville will affirmatively ensure that Disadvantaged Business Enterprises (DBE) will be afforded full opportunity to submit a proposal in response to this notice.

## **1.0 OBJECTIVE**

The objective of this project is to obtain a qualified contractor to provide and manage advertising sponsorship services for the City of Greenville, including but not limited to the following advertising opportunities:

- Transit System including Transit Buses and Shelters
- Adopt-a-Street, Adopt-a-stream, Adopt-a-Bed (landscape) Locations,
- along with other locations or programs as designated by the Director of Public Works or designee

It is the intent of the City of Greenville to select an advertising contractor to provide professional advertising sales and service on buses currently operated by the City of Greenville, as well as bus shelters that the City of Greenville utilizes and offer designated locations. The purpose of the City of Greenville advertising program is to provide: 1) City transit users with information about City events, announcements, and promotions; 2) commercial advertisers a convenient means of advertising; and 3) a source of revenue to support the Transit Division's operations and projects. 4) Sponsorship of other designated programs, such as Adopt-a-Street and Adopt-a-bed, etc.

Proposals will be evaluated based on the evaluation criteria set forth in Section 8.1 below and the professional ability of the contractor and the amount of revenue proposed to be provided from the bus-advertising contract.

## **2.0 BACKGROUND**

Greenville Area Transit (GREAT) was formed in 1976 as a department of the City of Greenville, NC. GREAT operates a network of 6 fixed routes. Service is currently provided weekdays from 8:00 a.m. to 5:30 p.m. There is currently no fixed route service provided on Saturday and Sundays. The grantee's complementary paratransit service, known as PATS, operates during the same days and hours of service as the fixed routes.

The City of Greenville is the recipient of federal and state grants which provide primarily capital project and equipment funding. Funding for GREAT operations is comprised of passenger fares, federal and state funding for maintenance, vehicle tag revenues and City general fund revenues. The City of Greenville is interested in providing additional operating revenues from interior and exterior bus advertising.

Additional advertising opportunities, with the City of Greenville may include Adopt-a-Street, Bus Shelters, Adopt-a-Bed Locations, Designated Parks and Recreation Facility Locations and- Public Benches, along with other locations as designated by the Director of Public Works or designee

Revenues directly related to advertising on Transit equipment or facilities would be used to support added operations and/or facilities.

**3.0 SCHEDULE OF EVENTS**

The anticipated schedule for selection of a consultant and initiation of service is as follows:

Request for Proposal Released	Monday, May 23, 2022
Proposal Submittals due	Friday, June 17, 2022
Proposals Reviewed and Completed	Week of July 1, 2022
Negotiations Completed/ Best and Final Offers	on or before July 22, 2022

NOTE: Dates subject to change. Any changes to the Proposal Due date shall be issued by Addendum, also any questions or clarification will be responded to by an Addendum.

Issuing Office and Contact

This RFP is being issued by the Public Works Department. The Public Works Department is the office authorized to change, modify, and clarify, etc., the provisions of this RFP and to award any contract(s) resulting from the RFP.

**Proposals are to be addressed and delivered as follows:**

**One (1) original and four (4) additional hardcopies and one (1) CD (Word or PDF format):**

**Public Works Director  
City of Greenville  
1500 Beatty St  
Greenville, NC 27834**

**Proposals shall be marked:**

**Name of Proposer, RFP Number, Date and Time Proposal Due**

*No telephone, email, or facsimile proposals will be considered. Proposals received after the time for closing will be unopened and placed into the contract file and the Proposer will receive a letter advising the offer was not accepted.*

**4.0 INSTRUCTIONS FOR PROPOSERS**

These Instructions/Requirements and any special instructions contained in this Request for Proposals are part of the terms and conditions of the proposal. Exceptions to these Instructions/Requirements or proposal must be specified and submitted with the Proposer's proposal. Failure to indicate any exceptions will be regarded as full acceptance of these Requirements and Instructions.

**4.1. EXAMINATION BY PROPOSER**

All proposers must examine the request for proposals, schedules, special instructions, and these general requirements prior to submitting any proposal. Failure to examine is at the proposer's own risk.

**4.2 SUBMISSION OF FORMS**

All proposals must be submitted and completed in ink or typewritten, on the forms provided. The individual signing the proposal must initial any erasures and/or changes. An officer authorized by the proposer or an authorized representative must execute the required forms for this proposal and the contract.

**4.3 ORIGINAL PROPOSAL FILED WITH THE CITY OF GREENVILLE'S PUBLIC WORKS DEPARTMENT**

Hard Copy Proposals: An original and four (4) copies of the Proposal must be filed with the Public Works Department and clearly identify: [1] the proposal number, [2] description, [3] proposal opening date, and [4] the proposer's name and address. One (1) CD (Word or PDF format. Proposals received after the date and time stated herein will be rejected, the proposer will be notified of the reason for the rejection and the proposal will remain unopened (date and time stamped) in the contract file, there are no exceptions to this statement.

**4.4. DESCRIPTIVE TERMS.**

Unless the term "no substitute" is used, the use of brand name, manufacturer, make, or catalogue designation in describing an item does not restrict Proposers to that particular brand name, etc. The term is simply to indicate the type, character, quality and/or performance equivalence of the item desired. However, the proposed substitution item must be of such character, quality and/or performance equivalence as that indicated in the request for proposals. A proposed substituted item must include complete data as to the manufacturer's name, type, model number, any descriptive bulletins and specifications.

**4.5. EXEMPTIONS FROM CERTAIN TAXES**

The purchase of certain items of equipment and/or materials by the City of Greenville is exempt from the payment of excise, transportation and sales tax imposed by the federal, state and/or city governments. Such taxes must not be included in the proposal prices. Upon request, applicable federal excise exemption certificates will be furnished.

**4.6. RIGHT TO AUDIT.** The City of Greenville shall at all times have the right to examine books, papers and records of the successful proposer relative to all aspects of the contracts awarded as a result of this request for proposal to confirm contract compliance. Failure to provide the requested information may result in termination of the contract. This right to audit only affects contract compliance as a result of this request for proposal, and does not apply to proposer records beyond the scope of this contract.

4.7. Addendums must be shown received, initialed on the cost section within this proposal as follows:

**Example: (*Section of the Cost proposal*)**

I acknowledge receipt of addenda number(s)

Addendum # 1 Date Initialed

Addendum # 2 Date Initialed

Addendum # 3 Date Initialed

Addendum # 4 Date Initialed

4.8 If you do not wish to return a proposal, please return the Not Presenting a Proposal Form, which is included herein.

5.0 **DEFINITIONS:**

"**GREAT.**" means Greenville Area Transit and division of the City of Greenville Public Works Department (PWD).

**Acceptance:** It is understood that once the City of Greenville accepts a Proposal, that document will constitute the contract contemplated by these instructions. Proposals are to be submitted on a firm fixed price basis.

**Amendments:** the City of Greenville must approve changes to the contract and the change will be made by an amendment agreed to by all parties involved.

**Award:** Award of contract(s) is subject to financial assistance. The successful Proposers shall comply with the conditions and terms applicable thereunder. The successful Proposer shall be requested to comply with all applicable Equal Opportunity Regulations.

**Clarification, corrections, or changes to specifications:** All clarifications, corrections, or changes, to the solicitation documents will be made by Addendum only. Proposers shall not rely upon interpretations, corrections, or changes made in any other manner, whether by telephone, in person, or at a pre-proposal conference. Interpretations, corrections, and changes shall not be binding unless made by Addendum. All Addenda issued shall become part of the Agreement documents. Addenda will be sent to all known solicitations holders by facsimile or US mail. It is the Proposers sole responsibility to ascertain that it has received all Addenda issued for this solicitation. All Addenda must be acknowledged on the Proposing documents.

**Commitment:** This Request for Proposal does not commit the City of Greenville to award a contract, pay any costs incurred in preparation of Proposals in response to this Offer or to procure or contract for goods and or services. Proposers shall be responsible for all costs incurred as part of their participation in the pre-award process.

**DBE Utilization:** For the purpose of this contract, the utilization of Disadvantaged Business Enterprises shall follow the Federal guidelines.

**Proposal Forms:** Forms must be submitted on preprinted of copies of the Proposal Forms supplied within this document.

**Informed Proposers:** Before submitting Proposals, Proposers must fully inform themselves of the conditions, requirements and specifications of the work or material to be furnished. Failure to do so will be at the Proposers' own risk and they cannot secure relief on the plea of error.

**Intent:** Please note that the City of Greenville's intent for this request is to obtain a contract(s). Please note time is of essence and the award will be based on the terms and conditions of this offer however the contract(s) will not be awarded until the City Council has given their approval.

**Late Proposals:** Proposals not received by the Submittal Deadline are late. Late Proposals will be retained in the contract file unopened. The Proposers will receive a letter stating the reason their Proposals were not accepted. All Proposals shall be deemed received at the above address. Proposers are solely responsible for ensuring that his/her Proposal is timely delivered. Proposers who rely on overnight delivery services, the United States mail, private mail services, local couriers or delivery services, remain solely responsible for timely delivery of the Proposal and assume all risk of late delivery, miss-delivery and non-delivery. There will be no exceptions to this policy.

**Objectionable Employee:** the City of Greenville reserves the right to request and expect the Contractor to dismiss from the work in process at GREAT, any employee whom the City of Greenville may deem incompetent, careless, insubordinate, or otherwise objectionable.

**Questions, Interpretations, or correction of Quote Documents:** Any Proposer desiring a question, interpretation, change in, deletion of, exception to, or clarification of any provision in this request must submit a written request to Denisha Harris at the City of Greenville on or before the date set within this request. Any questions received after the deadline will not be addressed. VERBAL QUESTIONS WILL NOT BE ANSWERED, THUS PREVENTING AN UNFAIR ADVANTAGE TO ANY OFFER.

Submission Date, Time and location are noted above in this document. (Late Proposals will not be accepted and there are no exceptions to this policy.)

Successful Proposer shall be requested to comply with all applicable Equal Opportunity Regulations.

**Term-of Contract:** The term for this contract will be for two (2) years with two (2) one year renewal options.

**Terms of the Offer:** The City of Greenville's acceptance of a Proposer offer shall be limited to the terms herein unless expressly agreed in writing by the City of Greenville's Offer presenting terms other than those shown herein will be declared non-responsive and will not be considered.

**Withdrawal:** Proposers' authorized representatives may withdraw proposals only by written request received by the Public Works Director before the Proposal Submittal Deadline. After that time, Proposers may not withdraw their Proposals for a period of ninety (90) calendar days from the Offer Submittal Deadline. At no time may the successful Proposer withdraw their Offer.



## **6.0 PROPOSAL REQUIREMENTS AND FORMAT**

The proposals should indicate the ability of the firm to fulfill all of the requirements described in the Advertising Specifications section. It is requested that the proposals conform to the following general format:

### **6.1 Company Background**

This section should describe the qualifications of the firm. As a minimum this section should contain:

1. Name of company, complete address and telephone number.
2. Location of home office.
3. Location of branch offices.
4. Location of office to service this account.
5. Length of time in business.
6. Listing of key agency principals/officers.
7. Total number of personnel, including indication of number of employees expected to work on this and transit advertising sales force.
8. A listing of clients for whom the company provides similar service,
9. A statement of financial condition of the company including at least one bank reference and two supplier references, accounts and their locations.
10. A statement regarding why the company would be most qualified to handle this account, including past experience in serving transit companies, and other public agencies.

### **6.2 Experience**

This section should describe the experience of the firm and key personnel. As a minimum this section should contain:

1. Track record in an advertising media market comparable to the Greenville, NC area.
2. Experience with outdoor advertising
3. Experience with transit bus advertising
4. Experience with full bus wraps

### **6.3 Business Plan**

This section should include a description of how the company will accomplish the sale of advertising and servicing of the account. As a minimum it should include the following:

1. Company official to be assigned to this account and direct experience in bus advertising sales in a major market. Individual resumes of key personnel proposed.
2. Supplier(s) that will produce advertising signs. Please provide any plan to include disadvantaged business enterprises as suppliers.
3. Proposed working relationship with the City of Greenville personnel.
4. Estimated amount of time to be spent selling advertising in the Greenville region
5. Anticipated frequency of service to racks and signs.
6. Proposed rate card.
7. Sample sales contract.
8. Proposed use of area or national advertising agencies.

#### **6.4 References**

This section should include business references of at least three (3) clients. Please include:

1. Company name
2. Contact person name, title and daytime telephone number and general description of your business relationship and type of service provided.

#### **6.5 Payment (Revenue) Proposal**

Each proposer should clearly state a payment proposal and estimated annual revenue to the City of Greenville and a minimum guarantee of revenue for each year of the proposed contract (i.e., five years plus option years). In addition, the proposer should state the percentage rate on sales above the guarantee that it will pay the City of Greenville. Please specify the basis on which the percentage rate will be applied (gross or net revenue and what expenses are deducted to determine net revenue). Each proposer should also discuss the method of payment to be used (i.e., monthly, quarterly, semiannually or annually). Alternate methods will be considered and evaluated (i.e. a tiered percentage based on the sale of full wraps down to interior bus cards).

- 6.6 All proposers must be properly licensed by the State and all other authorities having jurisdiction. (Copies of all such licenses and or permits are to be submitted with your response to this proposal. Failure to submit copies of such may cause your proposal to be rejected.
- 6.7 Proposals must concisely set forth full, accurate, and complete information required by this Request for Proposals. The Proposer shall provide all the work described in the Scope of Work. The price to be quoted shall include all labor, materials, tools, equipment, and other costs necessary to fully complete the work. Anything omitted from the Scope of Work, which is clearly necessary for the completion of the work, should be considered a portion of such proposal.
- 6.8 No consideration will be given by the City of Greenville to claim of error in a proposal unless written notice of such claim and supporting evidence for such claim, including cost breakdown sheets, are delivered to the City of Greenville within forty-eight (48) hours after the opening of proposals.
- 6.9 Proposals shall be typewritten or written in black ink.
- 6.10 You must have an authorized officer sign all proposals.
- 6.11 Proposer may be required to furnish evidence of financial stability and solvency satisfactory to the City of Greenville.
- 6.12 Proposers are required to answer all questions contained within these specifications. Deviation, omissions, or substitutions may invalidate the proposal.
- 6.13 Proposers are cautioned to verify their proposals before submission as requests for amendments to or withdrawals of proposals submitted, if received by the City of Greenville after such time specified for submission, will not be considered.

- 6.14 The successful Proposer shall maintain all books, documents, accounting records and other evidence pertaining to the goods and services provided under this contract and make such materials available at its offices at all responsible times during the contract period and for five years (and as required by Federal law and/or regulations) from the date of the final payment under this agreement. This shall be for inspection by the City of Greenville or by any other governmental entity or agency participating in the funding of this agreement, or any authorized agents thereof. The proposer if requested shall furnish copies of said records. Such records shall include those books, documents and accounting records that represent the proposer's costs of manufacturing, acquiring or delivering the products and or services governed by this agreement.
- 6.15 *PROPOSERS ARE STRONGLY ADVISED TO READ AND ADHERE TO ALL SIGNATURE AND CONTRACTUAL REQUIREMENTS. REQUIREMENTS ARE SPECIFICALLY OUTLINED WITHIN THIS REQUEST FOR PROPOSALS. FAILURE TO COMPLY WITH ALL REQUIREMENTS MAY RESULT IN THE PROPOSAL BEING REJECTED AS NON-RESPONSIVE.*
- 6.16 One (1) original hardcopy and one (1) CD (PDF format) and four (4) additional hard copies.

## **7.0 PROPOSAL PROCEDURES**

- 7.1 Written Proposals or submittals will be evaluated by an Evaluation Committee based on the evaluation criteria set forth in Section 8.1. Proposals within a competitive range (reasonably comparable in price and technical merit) will be identified and oral interviews may be conducted with those Proposers. The Evaluation Committee will review information from the oral interviews and issue a call for negotiations culminating in a request for a "best and final offer" from those Proposers within the competitive range. The contract will be awarded to the responsible and responsive Proposer(s) whose proposal(s) is/are most advantageous to the City of Greenville.
- 7.2 Information contained in the proposals will not be released by the City of Greenville prior to contract award in order to protect the integrity of the procurement process unless required by applicable law. Proposers are further advised that the City of Greenville may be required to release proposal information after contract award. If a Proposer feels that any information is confidential or proprietary in nature, the Proposer must submit all such information in a separately sealed envelope prominently marked with the Proposer's name and "PROPRIETARY INFORMATION". The City of Greenville shall not release or divulge such information to third parties without the consent of the Proposer unless required to do so by applicable law or order of a court of competent jurisdiction.
- 7.3 In the event a single proposal is received, the City of Greenville will conduct a price and/or cost analysis of the proposal. A price analysis is the process of examining the proposal and evaluating a prospective price without evaluating the separate cost elements. It should be recognized that a price analysis through comparison to other similar services must be based on an established or competitive price of the services used in the comparison. The comparison must be made to a purchase of similar services and involving similar specifications. Where a difference exists, a detailed analysis must be made of this difference and costs attached thereto. Where it is impossible to obtain a valid price analysis, it may be necessary for the City of Greenville to conduct a cost analysis of the proposal price

## **8.0 PROPOSAL EVALUATION**

The City of Greenville is searching for the best possible candidate for this project and will base its selection on an agency's experience, creative and artistic skills, abilities, references and ability to maximize revenues.

### **8.1 Evaluation Criteria**

The committee will use the following criteria to select a vendor. They are:

- A proven record of the firm's capability to meet the scope of work defined in this proposal.
  - Firm's experience on projects of this magnitude and complexity (15)
  - Experience and qualifications of key personnel assigned to this program (15)
  - Firm's references and responses (10)
- Proposed revenue
  - Revenue guarantee (20)
  - Revenue projection based on business plan (20)
- Firm's Business Plan
  - Firm's identification and understanding of the City of Greenville's requirements for this program (10)
  - Firm's experience with specific issues related to this program(10)

The Evaluation Committee will be composed of Director of Public Works, Transit Manager and Supervisors, Assistant Director of Public Works and/or others. This Committee will evaluate the proposals.

Preliminary review will include consideration of responsiveness to the Request for Proposal and shall be based solely on the written responses. Responsive Proposer considered to be within the competitive range by the Evaluation Committee, will be notified of a time and place to make oral presentations if the Evaluation Committee deems it necessary. Any presentation or interview by the Proposer shall be at the sole expense of the Proposer. Negotiations will take place and the Proposer will be given the opportunity to revise the initial proposal and present a best and final offer at the conclusion of negotiations.

The City of Greenville reserves the right to provide the proposed services by direct operation (in-house personnel) subject to an evaluation of fully allocated costs of such operation compared to those of prospective contract operators.

### **8.2 Oral Presentations**

Oral presentations, in-depth technical question and answer sessions, and site visits may be used in the final selection process.

### **8.3 Negotiations**

Negotiations will be in conformance with applicable federal, state and local laws, regulations and procedures. The objective of the negotiations will be to reach agreement on all provisions of the proposed contract, including contract price. The City of Greenville also reserves the right to request documentation supporting the proposed contract price, including overhead rates for the firm and subcontractors.

### **8.4 Final Selection**

Final selection of a proposer or proposers will be made by committee based on the responses to the Request for Proposal, supplementary information provided in response to Evaluation Committee requests, presentations before the committee, and "best and final offers" upon completion of negotiations.

### **8.5 Written Contract**

Any contract resulting from this Request for Proposal shall be evidenced by a written document, fully executed with funding committed, prior to any work commencing. The contract shall contain, at a minimum, the following items:

1. Standard clauses and Federal Transit Administration (FTA) Assurances
2. Scope of work and nature of services to be provided.
3. Responsibilities of both parties.
4. The method and amount of payment to be paid to the City of Greenville
5. A clause for inclusion by reference of proposal into contract.

This Request for Proposal does not commit the City of Greenville, to any costs incurred in the preparation of a proposal or the negotiations for the contract with any Proposer. Further the City of Greenville does not commit to contract with any Proposer and the City of Greenville may cancel this solicitation at any time.

### **8.6 Proposal Required Forms and Certifications**

Statement of Proposer's Qualifications  
Anti-Collusion Affidavit  
Authorization for Information Affidavit  
Program Fraud and False or Fraudulent Statement  
Proposal Form  
Proposer Declaration  
Debarment  
Iran Divestment Act

### **9.0 SCOPE OF WORK**

GREAT is responsible for providing public transportation and paratransit services within the City of Greenville. The fleet includes 13 fixed route buses with advertising potential. These buses currently operate Monday – Saturday. Six (6) routes operate between 6:30am and 7:30 p.m.

The proposer will be responsible for duties that include, but are not limited to the following;

1. Solicit and procure advertisers or sponsors for available space on the following:
  1. Exterior and Interior of buses
  2. Adopt-a-Street
  3. Bus Shelters
  4. Adopt-a-Bed Locations
  5. Designated Parks and Recreation Facility Locations
  6. Designated Public Benches
  7. Other locations as designated by the Director of Public Works or designee
2. Produce all sales pieces (rate cards, etc.), and be responsible for all sales and marketing for advertising or sponsorship sales.
3. Production and supply of advertisements. All advertising materials displayed on buses or other locations shall be of a quality so as to maintain an attractive appearance and to withstand the elements or maintenance activities.
4. Advertisements shall comply with the City of Greenville guidelines and content policy
5. The City of Greenville reserves the right to review, approve and/or reject any advertisers, sponsors, advertising copy, materials or graphics, which the City of Greenville in its discretion deems objectionable. Contractor shall immediately remove any advertisements determined by the City of Greenville to be objectionable.
6. Installation of signs.
7. Proof of performance photos.
8. Billings and collection.
9. The City of Greenville must approve all trade agreements.
10. Provide the City of Greenville with monthly revenue and progress report, as well as copies of all contracts with advertisers.
11. Responsible for the artwork, production, painting and restoration of the painted buses or locations at the end of the contract.
12. Maintain inventory of available space and track dates for advertising to go up and come down.
13. The City of Greenville reserves the right to place advertisements on a space available basis, designed to promote the City of Greenville and/or services, public transportation or not for profit agency services without further compensation to the contractor. The City of Greenville shall pay for the production of such advertisements

14. The City of Greenville reserves the right to assign, alter bus routes, or discontinue or bus routes that are in the best interests of its public transportation operation and the City.

15. The City of Greenville reserves the right to inspect contractor records of agreements, billings and collections.

16. Contractor shall not incur any debt, liability or obligations in the name of the City of Greenville

17. Contractor shall not accept the service of process or summons in the name of, or on behalf of, the City of Greenville

18. **Contract term:** the parties shall write the contract for a three-year term period with two options of renewals for one year each upon agreement.

#### **10.0 IMPLEMENTATION**

Proposers will submit their time line from the time receiving the Notice to Proceed to the time the project can be in full operations, this will be discussed during the pre-startup meeting and that date will be presented after the Notice to Proceed.

Proposer shall cooperate with the City of Greenville officials in performing work for compliance.

#### **11.0 WARRANTY**

The Proposer warrants that at the time of final acceptance, all services furnished under any resulting contract will be free from defects and will conform to the specifications and all other requirements of this contract. All Proposers will furnish with their proposal one copy of their warranty and guarantee applicable to the services furnished.

Provider warrants that all Services will be performed in a professional manner.

Provider warrants that the Services will comply with all applicable laws, including without limitation federal, state, and local.

#### **12.0 DEBRIEFING PROCEDURES**

Post-award debriefing is available to unsuccessful Proposers upon written request five calendar days after receipt of letter to unsuccessful Proposer. The City of Greenville shall disclose the following information, if applicable:

The City of Greenville's evaluation of unsuccessful Proposer's weak or deficient factors in their Proposal, which include cost or price and technical rating, past performance information, overall ranking, if available, a summary of rationale for award, and reasonable responses to relevant questions.

#### **13.0 PROTEST PROCEDURES**

1. A written notice of protest against the adequacy of proposals or requests for proposals, including without limitation the pre-award procedure, the instructions, general conditions, specifications and scope of work shall be delivered to the City of Greenville's Financial Services Manager no later than seven (7) calendar days prior to the time set for receipt of proposals. After such time all issues are deemed waived by all interested parties.
2. A written notice of protest against the decision of the City's selection of a contractor or vendor with respect to any Invitation to Bid, Request for Quote, Request for Proposal or Request for Qualifications shall be delivered to the City of Greenville's Financial Services Manager no later than five (5) working days immediately following the City's decision.
3. The City of Greenville Financial Services Manager shall inform the City Attorney, or his/her appointed designee, and/or the Finance Director that a formal protest has been received in the form of a written memo along with a copy of the protest letter. In addition, the Financial Services Manager shall in all instances disclose information regarding protests to FTA.
4. During the period of investigation of the protest, award of a contract or purchase order shall be suspended by the City until such time that the protest has been resolved. The City reserves the right, however, to award such contract if it is deemed essential for the operation of the transit system.
5. The City of Greenville Financial Services Manager, City Attorney (or designee) and/or the Finance Director may receive evidence and legal arguments from any interested party, but shall not be bound by the rules of evidence nor formal procedure.
6. Unless otherwise directed by counsel, a determination concerning the protest shall be made based on a thorough review of written evidence and written arguments. The protestor shall be promptly notified in writing of the decision regarding the protest.
7. Within five (5) working days from its receipt of the decision from the City of Greenville Financial Services Manager, a protestor may request reconsideration of the decision, using the same procedures as described in the preceding paragraphs. The written request shall be delivered to the Purchasing Manager and shall set forth all the grounds upon which the request is made. A written decision on the request for reconsideration shall be issued within ten (10) working days of receipt thereof and shall state in the decision the reasons for granting or denial of this request. This decision is final; however, the protestor may have other remedies such as an appeal to the FTA pursuant to the guidelines outlined below.
8. In accordance with FTA Circular FTA C 4220.1F, a protestor may pursue a protest with FTA only after such time that all administrative remedies with the City have been exhausted.



9. In accordance with FTA Circular FTA C 4220.1F, reviews of protests by FTA will be limited to: (1) a grantee's failure to have or follow its protest procedures, or its failure to review a complaint or protest; or (2) violations of Federal law or regulation.
10. An appeal to FTA must be received by the cognizant FTA regional or headquarters Office within five (5) working days of the date the protestor learned or should have learned of an adverse decision by the grantee or other basis of appeal to FTA.

#### **14.0 SIGNATURE REQUIREMENTS FOR PROPOSAL DOCUMENTS**

All documents submitted as part of a proposal package must be signed by the person having the legal authority to bind the corporation or firm and that signature attested/notarized in accordance with the rules listed below. Failure to comply with the signature requirements below may result in the proposal being rejected as non-responsive.

(a) Name of Corporation or Firm: Type or print the name of the corporation or firm submitting the Proposal on the line entitled "Name of Corporation or Firm".

(b) Proposals Submitted by a Corporation: All documents requiring signature must have the original ink signature of the President or Vice President of the Corporation. The signature should be made on the line below the name of the corporation or firm. The Corporate Secretary must witness the President's signature or Assistant Corporate Secretary, who signs on the line to the left of the President, and the firm's corporate seal, must be affixed. For each signature, the name and title of the person who signed must be typed or printed on the line below the signature line.

(c) Proposals submitted by a Company: All documents requiring signatures must have the original ink signature of the Owner. The signatures should be made on the line below the name of the corporation or firm. No seal and witness signature are required in the "Attest" area. However, a Notary Public who will complete the required information and affix his/her seal must witness the Owner's signature. The name and title of the person who signed the Proposal must be typed or printed on the line below the signature line.

(d) Proposals submitted by Partnerships: All documents requiring signatures must have the original ink signature of a General Partner. The signatures should be made on the line below the name of the corporation or firm. No seal and witness signature are required in the "Attest" area. However, a Notary Public who will complete the required information and affix his/her seal must witness General Partner's signature. The name and title of the person who signed the Proposal must be typed or printed on the line provided beneath the signature line.

(e) Proposals submitted as a Joint Proposal: If two or more parties submit a joint Proposal, all forms must be signed by the appropriate representatives of each/all parties and each signature attested/notarized as provided above. The Proposer should modify the signature spaces to meet this requirement. Under each signature, the name and title of each person who signed must be typed or printed.

(f) Authorized Representative Signature Requirements: Some businesses may delegate the City of Greenville to sign Proposal documents to an authorized representative or agent. In such cases, all documents requiring signatures must have the original ink signatures of the "authorized" representative

or agent. Attached to the documents signed by the authorized representative must be a power of attorney or resolution of the authorizing entity, executed in conformance with the above signature requirements, specifically providing the authorized representative with the City of Greenville to execute the documents on behalf of and binding the authorizing entity. A Notary Public who will complete the required information and affix his/her seal must notarize each signature on the documents and that of the authorizing entity. On the line beneath each signature, type or print the signer's name and title.

**15.0 REQUIRED PROPOSAL FORMS THAT NEED TO BE EXECUTED**

Certification that you are not on the City of Greenville's list of ineligible proposers

Statement of Proposer's Qualifications

Anti-Collusion Affidavit

Authorization for Information Affidavit

Program Fraud and False or Fraudulent Statement

Proposal Form

Proposer Declaration

Debarment Form

Iran Divestment Act

All documents need to be signed prior to contract execution. The owner or an officer of the business or corporation may sign this document. A corporate seal or Letter of Authorization is needed for any other signer. For instance, if a salesman or manager signs this form, a Letter of Authorization or a corporate seal is to be attached. Also if you do not have a corporate seal, the documents need to be notarized.

If you have any questions or concerns before having this document signed, please contact the Financial Services Manager with the City of Greenville Purchasing Division at (252) 329-4862.

**16.0 STATE AND LOCAL REQUIREMENTS**

E-VERIFY COMPLIANCE: The Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, if the Contractor utilizes a Subcontractor, the Contractor shall require the Subcontractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. By submitting a proposal, The Proposer represents that their firm and its Subcontractors are in compliance with the requirements of Article 2 Chapter 64 of the North Carolina General Statutes.

IRAN DIVESTMENT ACT: Vendor certifies that; (i) it is not identified on the Final Divestment List or any other list of prohibited investments created by the NC State Treasurer pursuant to N.C.G.S. 143-6A-4; (ii) it will not take any actions causing it to appear on any such list during the term of this Purchase Order,

and (iii) it will not utilize any subcontractor to provide goods and services hereunder that is identified on any list.

**CERTIFICATION THAT YOU ARE NOT ON THE CITY OF GREENVILLE'S**

**LIST OF INELIGIBLE PROPOSERS**

The Proposer or Sub-contractor certifies to the best of its knowledge and belief, that it and its principals:

- 1. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by the City of Greenville;
- 2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or Contract Agreement under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- 3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (2) of this certification; and
- 4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(If the Proposer or Sub-contractor is unable to certify to any of the statements in this certification, the participant shall attach an explanation to this certification.)

THE PROPOSER OR SUB-CONTRACTOR, CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 31 U.S.C. SECTIONS 3801 et. seq. ARE APPLICABLE THERETO.

By: \_\_\_\_\_  
Name of Corporation or Firm

\_\_\_\_\_  
Authorized Signature

The authorized official signing above hereby certifies that he/she has under State and Local law to comply with the subject assurances and that the certification above has been legally made.

State of (\_\_\_\_\_)

County of (\_\_\_\_\_)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Notary Public: \_\_\_\_\_

Notary Number \_\_\_\_\_

My Commission Expires \_\_\_\_\_

**STATEMENT OF BIDDER'S / PROPOSER'S QUALIFICATIONS (Page 1 of 2)**

All questions must be answered and the data given must be clear and comprehensive. This statement must be notarized. Should this page not be part of the bid/proposal packet, you're bid will be classified as not in compliance and may be disqualified. The questions may be answered on separate attached sheets. Bidder/Proposer may submit additional information he/she desires.

1. Name of Bid/Proposer \_\_\_\_\_

2. Permanent Main Office Address \_\_\_\_\_  
\_\_\_\_\_

3. Office Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

4. Fax Number \_\_\_\_\_ E-mail Address \_\_\_\_\_

5. When Organized \_\_\_\_\_

6. If a Corporation, where Incorporated \_\_\_\_\_

7. How many years have you been engaged in business under your present firm or trade name?  
\_\_\_\_\_

8. Contracts on hand: \_\_\_\_\_ (Schedule these, showing gross amounts of each Contract Agreement and the appropriate anticipated date of completion, **this will be an attachment.**)

9. General character of work performed by you. \_\_\_\_\_

10. Have you ever failed to complete any work awarded to you? Yes \_\_\_\_\_ No \_\_\_\_\_

11. If so, where and why? \_\_\_\_\_

12. Have you ever defaulted on a Contract Agreement? Yes \_\_\_\_\_ No \_\_\_\_\_

13. If so, where and why? **This will be an attachment.**

14. List the more important contracts recently completed by you, stating approximate gross cost for each, and the month and year completed, **this will be an attachment.**

15. List your major equipment available for this Contract Agreement, **this will be an attachment.**

16. Experience in General or Sub-contractor specialty work similar in importance to this project, **this will be an attachment.**

17. Background and experience of the principal members of your organization, including the officers, **this will be an attachment.**

18. Give bank reference \_\_\_\_\_  
\_\_\_\_\_

19. The City of Greenville's list of ineligible Proposer may ask for a detailed financial statement that you must furnish. If requested, you must answer if you are in agreement that you will furnish the financials.  
Yes \_\_\_\_\_ No \_\_\_\_\_

20. Net Worth Ratio: \_\_\_\_\_

**STATEMENT OF BIDDER'S / PROPOSER'S QUALIFICATIONS (Page 2 of 2)**

Bidder/Proposer may submit any additional information he/she desires.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

Being duly sworn deposes and says that he/she is \_\_\_\_\_  
(Title) and that the answers to the foregoing questions and all statements therein contained are true and correct.

By: \_\_\_\_\_  
Name of Corporation or Firm

\_\_\_\_\_  
Authorized Signature

State of (\_\_\_\_\_)

County of (\_\_\_\_\_)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Notary Public: \_\_\_\_\_

Notary Number: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**ANTI-COLLUSION AFFIDAVIT**

This Proposal will not be considered unless this form has been fully completed and signed by the Proposer or Proposer's Authorized Agent, and notarized, dated and completed by a Notary Public.

The following affidavit is submitted by or on behalf of the Proposer as a part of this Proposal:

The undersigned of lawful age, being first duly sworn on oath, says:

The undersigned is the Proposer or the duly authorized agent of the Proposer submitting the Proposal which is attached to this statement, for the purpose of certifying the facts pertaining to the non-existence of collusion among Proposer and between Proposer and City or Trust officials or employees, as well as facts pertaining to the giving or offering of things of value to government personnel in return for special consideration in the letting of any Contract Agreement pursuant to the Proposal to which this statement is attached;

The undersigned is fully aware of the facts and circumstances surrounding the making of the Proposal to which this statement is attached and has been personally and directly involved in the proceedings leading to the submission of such Proposal; and

Neither the Proposer nor anyone subject to the Proposer's direction or control has been a party to:

Any collusion among Proposer in restraint of freedom of competition by agreement to Proposal at a fixed price or to refrain from Proposing;

Any collusion with any City or Trust official, agent or employee as to quantity, quality or price in the prospective Contract Agreement, or as to any other terms of such prospective Contract Agreement; nor in any discussion between Proposer and any City or Trust official, agent or employee concerning exchange of money or other thing(s) of value for special consideration in the letting of a Contract Agreement.

\_\_\_\_\_  
Name of Individual, Partnership or Corporation

\_\_\_\_\_  
Signature of Proposer or Proposer's Authorized Agent

State of (\_\_\_\_\_)

County of (\_\_\_\_\_)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Notary Public \_\_\_\_\_

Notary Number \_\_\_\_\_

My Commission expires \_\_\_\_\_

**AUTHORIZATION FOR INFORMATION**

The undersigned hereby authorized and requests any person, firm, or corporation to furnish any information requested by the City of Greenville in verification of the recitals comprising this Statement of Proposer's Qualifications that I, being duly sworn deposes and says that the answers to the foregoing questions and all statements contained and true and correct.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

By \_\_\_\_\_  
Name of Corporation or Firm

\_\_\_\_\_  
Authorized Signature

State of (\_\_\_\_\_)

County of (\_\_\_\_\_)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Notary Public: \_\_\_\_\_

Notary Number \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

*(Balance of page intentionally left blank)*



**PROGRAM FRAUD AND FALSE OR FRAUDULENT STATEMENTS AND RELATED  
ACTS**

(1) The Proposer acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, as amended, 31 U.S.C. § 3801 et seq. and U.S. DOT regulations, "Program Fraud Civil Remedies," 49 C.F.R. Part 31, apply to its actions pertaining to this Project. Upon execution of the underlying proposal, the Proposer certifies or affirms the truthfulness and accuracy of any statement it has made, it makes, it may make, or causes to be made, pertaining to the underlying contract or the FTA assisted project for which this contract work is being performed. In addition to other penalties that may be applicable, the Proposer further acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification, the Federal Government reserves the right to impose the penalties of the Program Fraud Civil Remedies Act of 1986 on the Proposer to the extent the Federal Government deems appropriate.

(2) The Proposer also acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification to the Federal Government under a contract connected with a project that is financed in whole or in part with Federal assistance originally awarded by FTA under the 49 U.S.C. § 5307, the Government reserves the right to impose the penalties of 16 U.S.C. § 1001 and 49 U.S.C. § 5307(n)(1) on the Proposer, to the extent the Federal Government deems appropriate.

(3) The Proposer agrees to include the above two clauses in each subcontract financed in whole or in part with Federal assistance provided by FTA. It is further agreed that the clauses shall not be modified, except to identify the sub-contractor who will be subject to the provisions.

The Proposer certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Proposer understands and agrees that the provisions of the above regulations and apply to this certification and disclosure, if any.

\_\_\_\_\_  
Name of Individual, Partnership or Corporation

\_\_\_\_\_  
Signature of Proposer or Proposer's Authorized Agent

\_\_\_\_\_ day of \_\_\_\_\_, 2022

*(Balance of page intentionally left blank)*

**PROPOSAL FORM**

Submitted by:

NAME: \_\_\_\_\_  
(Please type or print)

ADDRESS: \_\_\_\_\_

Telephone ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_

E-mail \_\_\_\_\_ Cell Phone # \_\_\_\_\_

FEDERAL ID# \_\_\_\_\_

FIRM: \_\_\_\_\_

PROPOSALS WILL BE DUE AT THE ABOVE DATE AND TIME AND MAY NOT BE WITHDRAWN WITHIN NINETY (90) DAYS AFTER SUCH DATE.

I CERTIFY that this proposal is made without prior understanding, agreement or connection with any corporation, firm, or person submitting a proposal for the same contractual services and is in all respects fair and without collusion or fraud. I agree to a Proposal by all conditions of this solicitation and certify that I am authorized to sign this proposal and that the proposal is in compliance with all requirements of the Request for Proposal including, but not limited to, certification requirements.

The Firm further declares that it has examined the solicitation documents and all addenda, and that it has satisfied itself about the City of Greenville's requirements and all other information in the solicitation.

The Firm certifies neither the proposing firm nor any of its officers is on the City of Greenville's List of Ineligible Proposer or the United States comptroller General's List of Ineligible Firms for Federally Financed or Assisted Projects.

The undersigned Proposer hereby submits to City of Greenville this Proposal.

Name of Proposing Firm or Other Entity \_\_\_\_\_

\_\_\_\_\_  
Authorized Signature Printed Name

Title \_\_\_\_\_

**Proposer Declaration:**

1. Proposer has carefully read and fully understands the full scope of the Specifications.
2. Proposer has the capability to successfully undertake and complete the responsibilities and obligations of the Specifications.
3. This proposal may be withdrawn by requesting such withdrawal in writing at any time prior to proposal opening, but may not be withdrawn after proposal opening date and time.
4. The City of Greenville reserves the right to award or reject any or all proposals and to accept the proposal, which will, in its opinion, best serve the public interest. The City of Greenville reserves the right to waive any technicalities and formalities in the Proposal.
5. I acknowledge receipt of addenda number(s)

Addendum # 1 Date \_\_\_\_\_ Initialed \_\_\_\_\_ Addendum # 5 Date \_\_\_\_\_ Initialed

Addendum # 2 Date \_\_\_\_\_ Initialed \_\_\_\_\_ Addendum # 6 Date \_\_\_\_\_ Initialed

Addendum # 3 Date \_\_\_\_\_ Initialed \_\_\_\_\_ Addendum # 7 Date \_\_\_\_\_ Initialed

Addendum # 4 Date \_\_\_\_\_ Initialed \_\_\_\_\_ Addendum # 8 Date \_\_\_\_\_ Initialed

\_\_\_\_\_  
Proposer: (Name of Individual Partnership or Corporation)

\_\_\_\_\_  
(Signature of Proposer or Proposer's Authorized Agent)

\_\_\_\_\_  
(Title of Proposer or Proposer's Authorized Agent)

\_\_\_\_\_  
(Affix corporate seal if applicable)

(Balance of page intentionally left blank)

**COMPLETE THIS FORM IF YOU ARE NOT OFFERING A PROPOSAL**

As part of the City of Greenville’s continuing efforts to locate new sources and maximize competition, we would appreciate feedback from Proposer who is not proposing on our goods and services. If you are not offering a proposal on the enclosed request, please indicate which of the following describes the reason you have not submitted a proposal. Your company will be retained on our Proposer list for future goods and services unless you check Reason #1.

(Check One)

1. My firm does not offer the service requested.

2. The specifications were unclear. (Please attach information about your goods and services for future solicitations)

3. There was not sufficient time to submit a proposal. (the City of Greenville may extend the deadline if requested).

4. My firm is working at full capacity presently.

5. The terms and conditions for this proposal are not acceptable to my firm. (Please explain)

\_\_\_\_\_

6. Our experience on previous City of Greenville contracts was not satisfactory. (Please explain)

\_\_\_\_\_

\_\_\_\_\_

7. Other Comments:

\_\_\_\_\_

Firm Name:

\_\_\_\_\_

Address: \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

Signature of Authorized  
Agent \_\_\_\_\_

Title of Authorized  
Agent \_\_\_\_\_

**IRAN DIVESTMENT ACT CERTIFICATION REQUIRED BY N.C.G.S.  
147-86.59(a)**

Name of Contractor, Vendor or Bidder: \_\_\_\_\_

\_\_\_\_\_  
The contractor, vendor, or bidder listed above hereby certifies that it is not on the Iran Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.58. The contractor, vendor, or bidder listed above will not utilize on the contract with the City Of Greenville any subcontractor that is listed on the Iran Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.58.

The undersigned hereby certifies that he or she is authorized by the contractor, vendor or bidder listed above to make the foregoing statement.

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Printed Name Title

***Notes to persons signing this form:***

N.C.G.S. 147-86.59(a) requires this certification for bids or contracts with the State of North Carolina, a North Carolina local government, or any other political subdivision of the State of North Carolina. The certification is required at the following times:

- When a bid is submitted
- When a contract is entered into (if the certification was not already made when the vendor made its bid)
- When a contract is renewed or assigned

N.C.G.S. 147-86.59(b) requires that contractors with the State, a North Carolina local government, or any other political subdivision of the State of North Carolina must not utilize any subcontractor found on the State Treasurer's Final Divestment List. The State Treasurer's Final Divestment List can be found on the State Treasurer's website at the address [www.nctreasurer.com/Iran](http://www.nctreasurer.com/Iran) and will be updated every 180 days.

## CITY OF GREENVILLE ADVERTISING POLICY

The Greenville Transit Division (the Division) provides print advertising space for purchase by Commercial Advertisers, City organizations and City Departments (the Client).

This policy shall apply to all print advertising displayed on City transit vehicles and facilities owned and operated by the Department.

### **Goals**

The purpose of the Division's advertising program is to achieve the following goals:

1. To provide City transit riders with information about City events, announcements and promotions;
2. To provide the Client a convenient means of advertising; and
3. To provide a source of revenue to support the Division's operations.

To best utilize the program, the Division will ensure that advertising does not oppose the usage of the Division's transportation system, does not defame or disparage the Division's image and works jointly with the Division's primary goal of providing safe and reliable Citywide transportation.

Neither the Division nor the City shall endorse or shall be implied to endorse any Clients' product, property or service.

**The Division's advertising space will not be used as a public forum but only for the aforementioned purposes.**

To ensure these objectives are met, the Division has instituted the following guidelines regulating print advertising on City transit vehicles and facilities.

### **Acceptable Advertising**

All advertising posted on City transit shall be classified in one or more the following categories:

1. Commercial: advertising that promotes the sale of products/services for profit.
2. Event Announcements: advertising that encourages readers to attend a City hosted event.
3. City Welfare: advertising that promotes City initiatives for safety, health or personal wellbeing.
4. Transportation Promotion: advertising that promotes City transportation initiatives.

## **Prohibited Advertising**

The following types of advertising are prohibited on City transit:

1. Advertisements for products/services related to sexuality, human reproduction, contraception, sexual hygiene, sexual stimulation, sexual entertainment, pregnancy, abortion or other sexual references.
2. Advertisements that incorporate profane or disparaging verbiage.
3. Advertisements that contain nudity.
4. Advertisements that are deemed lewd or obscene according to NCGS § 19-1.1.
5. Advertisements for the sale or consumption of alcoholic beverages.
6. Advertisements for the sale or consumption of tobacco products or electronic cigarettes aka vapors as defined by NC GS §14-313.
7. Advertisements for the sale or usage of firearms or weapons.
8. Advertisements that include language, images, or other representations that are considered derogatory toward any person or group because of age, race, national origin, ethnic background, social class, culture, sexual preference, marital status, parental status, income, military status, religion or gender.
9. Advertisements that violate any federal, state, county or city law, ordinance or regulation.
10. Advertisements that disparage the reputation of the City of Greenville either as an entity or in reference to any of its elected or appointed officials, employees, departments, or visitors.
11. Advertisements that may interfere with the Division's operations or mission to provide safe and reliable transportation.
12. Advertisements for services that are in direct competition with services provided by the Division.
13. Advertisements that are false, misleading or deceptive.
14. Advertisements which give, or may be reasonably considered to give, the Division or the City's endorsement of any particular product, property or service.

15. Non-commercial or only partially commercial advertisements that both offer to sell property or services and also convey information about matters of general interest, political issues, religious, moral, or environmental matters or issues, or other public matters or issues, or expresses or advocates opinions or positions upon any of the foregoing.

### **Politics**

No political advertisements for national, state, or local elections are permitted. Political advertisements are defined as follows:

1. Advertisements supporting or opposing the election of any candidate or group of candidates for federal, state or local government offices.
2. Advertisements supporting or opposing referendums or causes promoted by political candidates or persons who currently serve on a governing body.
3. Advertisements that feature copy or images associated with a person whose notoriety is based wholly or in part upon his/her past or present activity in political affairs.
4. Advertisements whose main message coincides with acceptable guidelines but which contain political undertones are prohibited.

Announcements that promote voting in national, state or local elections but do not advocate for specific candidates will be accepted.

### **City Elections**

Advertisements promoting candidates for City elections are prohibited. Announcements for voting in City elections which do not advocate for specific candidates will be accepted.

### **Integrity**

All advertisements must be truthful. Copy and graphics must not be distorted, exaggerated, or deceptive. Testimonials must be truthful, and the Client will be required to indemnify the Division against any action brought in connection with them. Clients that promote contests or giveaways must comply with all stated rules/guidelines and applicable laws.

### **City Logos and Trademarks**

Regulations for the use of the City of Greenville's official logo and trademark must be strictly enforced. Advertisers are encouraged to consult with the City Information's Office for specific guidelines for logo and trademark usage.



## **Assessment**

The Client must comply with the stated guidelines and review of advertising materials. Clients must submit an electronic proof of their proposed advertisement to the Divisions' advertising coordinator. The Division, in its sole discretion, shall determine whether the Client's proposed advertisements will be accepted. If the proposed advertisement is rejected, the Client may work with the advertising coordinator to revise the advertisement for an acceptable format that coincides with the Division's guidelines. The Division reserves the right to accept or reject any advertisement.

## **Advertisement Submission**

Once the Client's advertisement is accepted, the Client must submit a final electronic version of the advertisement to the Division before or on the appropriate submission deadline found on the request form.

## **Vandalism**

The Division is not responsible for any vandalism that may occur to the Client's advertisements.

## **Contractors**

If advertising space in or on Division assets is sold through one or more independent contractors, these contractors shall comply with the foregoing policies, and review all advertising with reference to them. They shall refer all such advertising that falls or may fall into any of the categories defined above to the Division representative responsible for administering the advertising program, who shall determine whether the proposed advertising will be accepted. If the proposed advertising is rejected, the party or parties proposing it may request that this decision be reconsidered. Upon such request, the Division's representative shall consult with Legal Counsel and with the Public Works Director. The Director, on the basis of such consultation, shall determine whether the proposed advertising will be accepted or rejected.

The Division will cooperate with the party or parties proposing the advertising, and with the independent contractor through whom it has been proposed, in a reasonable effort to revise it in order to produce advertising that can be accepted and displayed consistently with the foregoing policies.