




CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
JOSEPH A. CURTATONE
MAYOR

OFFICE OF THE EXECUTIVE DIRECTOR

MEMORANDUM

TO: Mayor Joseph A. Curtatone

FROM: Monica R. Lamboy, Executive Director 

DATE: January 13, 2011

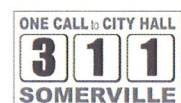
SUBJECT: Request authorization to enter into a contract with City Solutions, Inc. to operate a modular newsrack program for ten (10) years

The Mayor's Office of Strategic Planning and Community Development (OSPCD) respectfully requests that you forward to the Board of Aldermen (BOA) a request to enter into a contract with City Solutions, Inc. to operate a modular newsrack program that will extend for ten (10) years. On August 27, 2009, the Board of Aldermen approved a request to authorize OSPCD to solicit proposals for the installation, maintenance, and management of a modular news rack program for a period of more than three years (Order #187707). A publicly advertised request for proposals was issued in conformance with the provisions of Massachusetts General Laws Chapter 30B. BOA action is required for all contracts in excess of three (3) years.

Independent news boxes with free and paid publications are prevalent in Somerville's corridors and neighborhoods. At times, streets lined with news boxes can be an eyesore and not conform to ADA regulations, creating pedestrian hazards. In order to enhance current efforts to create a more pedestrian and user-friendly city, the City proposes to contract with a vendor who will install, maintain and manage a modular newsrack program within public rights-of-way. The program will provide a percentage of advertising revenue to the City, in lieu of compliance fees currently received. In a separate report, staff has prepared a proposed ordinance amending the existing Newsrack Ordinance to facilitate the proposed contract.

BACKGROUND

In 2005, the BOA passed an amendment to the Newsrack Ordinance which created regulations to



monitor and enforce the legal placement and use of news boxes throughout the city. The 2005 amendment also required publishers to apply for a certificate of compliance on an annual basis and affix permit stickers on all news boxes accordingly. A 2007 news box inventory found that the number of news boxes was continuing to grow in Somerville. While the Newsrack Ordinance has increased the safe placement of these products, the volume of individual boxes and lack of coordination of placement continues to impede beautification efforts in key areas.

On January 28, 2008, the City issued a request for proposals soliciting vendors for a modular newsrack program. The City received two proposals from qualified candidates. However, both respondents indicated that a one- to three-year contract timeframe was not a viable duration to provide a successful modular newsrack program, from both an economic and implementation perspective. The vendors indicated that due to the significant capital expense of installing the racks, more than a three-year period would be required to see a return on investment. As part of the program, the vendor would install advertising on the newsracks to finance the program. Both respondents to the RFP referenced previous successful newsrack programs in other municipalities with a time horizon of at least ten years, with some extending to fifteen years. As a result of their comments, the Administration did not complete the procurement process. Instead, authorization from the BOA to issue an RFP for more than three years was sought and the BOA granted its approval August 27, 2009.

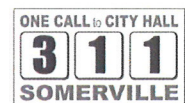
REQUEST FOR PROPOSALS

On March 1, 2010, the City issued a Request for Proposals for the installation, maintenance, and management of a modular newsrack program for a period of ten (10) years. The City received one qualified response from City Solutions, Inc. City Solutions is a privately held company based in Santa Barbara, California and has been in the modular newsrack business since 1997. They currently have newsracks in Indianapolis, Indiana, Columbus, Ohio, and Arizona State University in Tempe, Arizona. City Solutions manufactures and installs newsracks and operates the program. City Solutions contracts with a local representative to provide regular maintenance and repairs of newsracks. City Solutions designs the modular newsracks to blend in with any streetscape (*see Attachment 1*).

The City Solutions proposal was evaluated on several dimensions based on the elements that are of critical importance to the City, specifically, the proposed operation of the program, management of the publishers, appearance and maintenance of the newsracks, method of funding the cost, and revenue-sharing opportunities. Based on their proposal and references, staff believes that City Solutions has the product and experience necessary to successfully implement a newsrack program in Somerville.

PROPOSED NEWSRACK PROGRAM

The proposed newsrack program will be a free program in Newsrack Improvement Areas that incurs no investment by the City or the publishers. Newsrack Improvement Areas will be those areas where newsracks approved under the proposed contract are located. No individual news boxes will be permitted within 300 feet of an approved newsrack. However, the City will



consider, through a permit application process, placement of individual news boxes outside of the Newsrack Improvement Areas.

In order to fund the initial capital costs, operation and maintenance of the newsrack program, City Solutions will provide advertising on the newsrack hardware. No content relating to alcohol, smoking/tobacco or weapons will be allowed. The size of the advertising panels will vary according to the specific dimensions of the newsrack hardware in any given location in the city but panels will be no larger than 30 inches by 88 inches.

As proposed, the newsrack program will be installed, operated and managed by City Solutions. They will work directly with publishers to provide news materials in newsracks. The practice of publishers applying for a certificate of compliance and paying individual permit sticker fees within Streetscape Improvement Areas will not be required, however, City Solutions will be required to ensure each newsrack complies with the Newsrack Ordinance. Outside Newsrack Improvement Areas, publishers may place individual news boxes after obtaining a certificate of compliance and individual news box permits.

Revenue Share

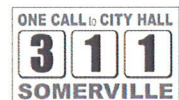
The City will receive a five (5) percent revenue share of the gross receipts from newsrack advertising. The revenue share will offset the decrease in the fees collected from the compliance and permit requirements associated with individual news boxes (approximately \$7,200 per fiscal year). In addition, the City will be provided with advertising opportunities free-of-charge on a space available basis to promote non-commercial ventures.

Location of Newsracks

OSPCD staff will work with City Solutions to determine where in the city newsracks will be located. As exhibited in Attachment 2, City Solutions and the City have identified preliminary locations for the newsracks. Locations will predominantly contain two (2) to four (4) tower newsrack configurations (*see Attachment 3*). City Solutions and OSPCD staff will work with DPW to ensure the placement and newsrack hardware comply with the Newsrack Ordinance and all rights-of-way regulations. The newsrack hardware material is made up of aluminum, steel alloy and brass. The door panels are UV and abrasion resistant polycarbonate. The newsrack coating will be a forest green color, environmentally safe, and anti-stick for ease of cleaning and graffiti removal (*see Attachment 3*). A local City Solutions representative will be responsible for all cleaning, maintenance, repair, and advertising.

NEXT STEPS

Pending BOA approval, staff will prepare a contract with City Solutions for a modular newsrack program for execution by the Mayor. The contract will detail the items of critical importance to the City, as outlined above. In addition, in a separate report, OSPCD staff is recommending amendments of the City of Somerville Code of Ordinances, Chapter 12, Article 4, Placement and Maintenance of Newsracks, regarding advertising, compliance and permit fees, and the creation



of Newsrack Improvement Areas within which Newsboxes will not be allowed.

Once the contract and amendment to the Newsrack Ordinance have been approved, City Solutions will be given notice to proceed. The steps for City Solutions to implement a successful newsrack program are as follows: meet with publishers, identify the locations for newsracks, map the locations, provide locations and specifications to the City for review and approval, confirm relationships with publishers and obtain commitments, complete a program description, map and implementation schedule for publishers, determine final hardware requirements, order equipment production, and install the newsracks. It is expected that the program will be operational by Spring 2011.

RECOMMENDATION

It is recommended that the Board of Aldermen authorize a contract with City Solutions, Inc. to operate a modular newsrack program for ten (10) years. In accordance with Section 2-369 of the Somerville Code of Ordinances, the award of a contract for a term exceeding three (3) years is prohibited unless authorized by a majority vote of the Board of Aldermen.

Attachments

1. Additional Modular Newsrack Images (3)
2. Preliminary Newsrack Locations
3. Newsrack Specifications

