

City of Albuquerque

Request for Proposals

ADDENDUM #1

Solicitation Number: RFP2007-003-SV
"Advertising Concession:
ABQ RIDE Vehicles and Facilities"



REVISED Proposal Due Date: 22 November 2006
NLT 4:00 PM {MST}

The time and date proposals are due shall be strictly observed.

Pre-Proposal Conference: 18 October 2006 – 10:00 AM {Local Time}

City of Albuquerque
Department of Finance and Administrative Services
Purchasing Division
10/30/06

The purpose of this first addendum is to provide an overview of the Pre-Proposal Conference, document amendments to the Request for Proposals {RFP} and answer questions submitted by attendees both written and verbal as follows:

The Pre-Proposal Conference was held as scheduled with several companies in attendance. As requested the Attendance Roster is attached hereto. An overview of the procurement process was provided by purchasing and a brief overview of the advertising component of transit was presented followed by questions and discussions.

Since this was not a mandatory pre-proposal conference, the City will receive sealed proposals for this project from all interested vendors, including those in attendance. All questions will be answered and sent directly to those in attendance and posted to the City of Albuquerque Purchasing Website.

Amendments to the Request for Proposals {RFP}

1. As requested, the Proposal Due Date is changed to 22 November 2006 – 4:00 P.M. {MST}

Amend Part 1, “Instructions to Offerors” Paragraph 1.2, “Proposal Due Date” to read:

1.2 Proposal Due Date: 22 November 2006 – 4:00 P.M. {MST}

The time and date Proposals are due shall be strictly observed

2. Page iii, “Introduction”: Delete Paragraph 5 in its entirety and replace with the following language:

ABQ RIDE is committed to implementing a shelter construction and advertising program, similar to what was recently agreed to with “Sam Trans” {a transit provider for San Mateo County, California}. The contractor {CBS Outdoors} has agreed to construct transit shelters in exchange for advertising space on the structure.

3. Part 2, “Proposal Format”, Page 10, Paragraph 2.3.4: Add Sub Paragraph 2.3.4.6 as follows:

2.3.4.6 Construction of Bus Shelters. Description of how Offeror will provide a transit shelter construction and advertising program..

4. Part 3, “Scope of Services”, Page 15: Add Paragraph 3.14 as follows:

3.14 Construction of Bus Shelters.

3.14.1 Describe proposed transit shelter construction and advertising program.

Correct Typos

Page 29, Paragraph 2. A. Correct the dollar amount to read: One Hundred Forty-Four Thousand and 00/100 Dollars (144,000.00).

Part 6, Proposed Contract: Please correct the RFP Number in the footer for each page in this section to read as follows: RFP07-003-SV

Please incorporate any changes in this first addendum in the Request for Proposals.

Sign and return this Addendum with your RFP response.

If I can be of further assistance regarding this process, please call me at (505) 768-3341 or e-mail svescovi@cabq.gov Thank you for your interest in this project.

Sincerely,



Sandra Vescovi
Contracting Supervisor
DFAS, Purchasing

Addendum Acknowledged:

<hr/>	
<i>Company Name</i>	<i>Date</i>
<hr/>	
<i>Printed Name</i>	<i>Date</i>
<hr/>	
<i>Signature</i>	

Attachments:

1. Questions and Answers
2. Albuquerque Code of Ordinances
14-16-3-5 General Sign Regulations
5-1-3, duties of Mayor
3. Pre-Proposal Conference Roster

Copy: John Vigil, Purchasing Officer
Greg A. Payne, Director, Transit Department
City Clerk
File: RFP07-003-SV

ATTACHMENTS

- 1. QUESTIONS/ANSWERS**
- 2. CODE OF ORDINANCES**
- 3. PRE-PROPOSAL CONFERENCE ROSTER**

1. QUESTIONS/ANSWERS

1. How many shelters does the City currently have?

- Citywide ABQ RIDE has under 100 shelters and more than 2800 bus stops.
- ABQ RIDE would like to add more shelters at bus stops for our passengers and potential advertisers.
- The potential contractor must have a valid New Mexico GB 98 Contractor's License. The potential contractor can subcontract this work, but both parties must have a current, valid contractor's license.
- The shelter portion of the RFP is not mandatory. However it is included as part of the points system for evaluation of submissions. So without it, the proposal score will be lower.

2. How many shelters is ABQ RIDE looking for the vendor to build?

There is not a set number of shelters required for the RFP. However, the more shelters there are, the more advertising space is available to you as a contractor.

3. Are there limitations or sign ordinances?

Please see attached Albuquerque Code of Ordinances Paragraph 14-16-3-5, General Sign Regulations. And also see Section 5-1-3, Duties of the Mayor.

4. Would the City prohibit construction of shelters or signage – restrictions?

Please see attached Albuquerque Code of Ordinance Paragraph 14-16-3-5, General Sign Regulations.

5. Are shelters a requirement of the contract?

The shelter portion of the RFP is not mandatory. However, it is included as part of the points system for evaluation of submissions. So without it, the score will be lower. Construction of shelters will weigh 150 points in the evaluation process. See revised proposal format and Scope of Services as revised in this addendum #1.

6. Will shelters weigh 150 points or 300 points in the evaluation?

Construction of shelters will weigh 150 points. This is not mandatory, but without a shelter component, the proposal score will be lower. Remember that the potential contractor must hold a New Mexico GB 98 Contractor's License.

7. There is a discrepancy in the dollar value on p. 11 –Form 5, p. 29 Section A.

The correct value should read \$144,000.

8. Are the 100, 200 & 300 series models all 40 ft. long? Can we get a break down of the make, model and year of vehicles?

100 series	1989 GMC RTS2, 40 feet long
200 series	1989 GMC RTS 2, 35 feet long
300 series	1996 Neoplan NF440, 40 feet long
400 series	2001 Thomas Built SLF232, 32 feet long
6400 (Rapid)	2004 New Flyer 972, 60 feet long

9. Can we get current figures related to advertising revenue?

ABQ RIDE has only been managing the advertising program in-house since July. Since that time, ABQ RIDE has averaged revenue of \$34,000. This just includes advertising space with appropriate discounts for number of boards and length of contract. Production is not included in these figures.

10. Can we get a payment history to the City revenue? What is going directly to the City?

February 25 – March 24, 2006 = \$8,983.13 City's portion at 50% of net revenues
April 25 – May 24, 2006 = \$16,318.22 City's portion at 50% of net revenues
October 2006 = \$34,256.88 Billed revenues at 100% (City took over advertising)

11. The 75% occupancy mandate, why is that relevant if we're satisfying the dollar amount of the contract? Would we be allowed to fill those empty spaces with our choice of advertising?

The idea is to generate more than \$144,000 a year. That number is just a minimum annual guarantee for the first year. While some months may be slower than others, if you calculate the \$34,000 per month that ABQ RIDE has brought in, this would bring more than \$400,000 per year. ABQ RIDE has been basing their numbers mostly on busboards and only about 4 to 6 partial wraps. As a potential contractor, the opportunity for unlimited bus wraps and vinyl advertising will increase revenues.

12. What is graffiti free?

The mayor has a graffiti free policy.

13. Realistic time frame to clean-up graffiti, will the transit department assist with this process?

The offeror should tell Transit how this program will be implemented to create a graffiti free environment in the proposal response.

14. How is the total calculated?

The potential contractor can propose a minimum annual guarantee above the \$144,000 for the first year. The potential contractor can generate higher revenues with a 50% revenue sharing to the City of Albuquerque. This will be based on monthly reports submitted to transit. Refer to the agreement sections 6 and 7.

15. For the transit occupancy portion, how is that reported?

Currently ABQ RIDE has 141 buses available for advertising. This number may fluctuate slightly over the upcoming years. As stated in the agreement, ABQ RIDE has the opportunity to advertise transit services and trade on 25% of the fleet. So at this time, ABQ RIDE can advertise on approximately 35 buses. As

new shelters are constructed and new buses are ordered this number may change. The 75% occupancy should not include the 25% of reserved ABQ RIDE space.

16. Who owns the shelters if the contract is terminated?

Effective either upon installation of the improvement or upon the expiration of the contract, the City shall be the owner of the improvement and shall be entitled to receive a bill of sale to the improvement.

In the event the contract is terminated, please reference Page 12, Section 9, Part 6 of the proposed Concession Agreement.

17. Production costs are an additional revenue stream, are you looking to have percentage of revenue based on space only or production as well? If we have gross revenue and part of that comes from production does that matter? Typically net space sales.

The revenue stream will be determined on space only. The vendor has the opportunity to make additional revenue by offering production services. However, the advertiser must be notified that they have the option to go to any production company as long as they meet the requirements provided by ABQ RIDE. ABQ RIDE is requiring a minimum of \$144,000 for the first year or 50% of gross revenues of space if above that.

18. Will it be necessary to obtain zoning and other approvals at existing and right of way bus stops?

There may be some bus stops in the City that don't have adequate space or right of way for the construction of a bus shelter. The potential contractor may need to work with the City Planning Department or the Department of Municipal Development.

Please see attached Albuquerque Code of Ordinances- General Sign Regulations. And also see Duties of the Mayor.

19. Will you provide a written response to all questions?

ABQ RIDE will provide a written response to questions received during the allotted time frame.

20. It sounds like there needs to be a standard for offering discounts for advertising dependant on length of time or number of ads purchased, etc.

This needs to be submitted by the vendor to Transit for approval.

21. Can there be some built in flexibility, can the potential vendor deviate up to a set limit up to 15% in the event of a downturn in the economy or an unforeseen event like 9/11?

It is important that ABQ RIDE and the potential vendor have frequent communications when they feel this may occur. In rare circumstances (such as an unforeseen event like 9/11), there may be exceptions allowed to the rule.

22. Our customers want to know where they're going to be in terms of geographic locations in the City. Companies want to know where their ads are going to be running. Do the buses run on a set route.

Realistically, ABQ RIDE cannot determine that right now, but hope to be moving in that direction in the future.

23. How many bus garages are there here?

ABQ RIDE has two bus garages. The east side garage is located on Yale Blvd. The 300 and 400 series buses pull out of this facility. The west side garage is on Daytona, near Unser and I-40. The 100 and 200 series buses pull out of this facility as well as the Rapid Ride fleet.

24. Is it safe to assume that they cater to those specific areas?

Not at this point. ABQ RIDE hopes to move in that direction sometime in the future. But for now, each bus that pulls out of the garage could be on any route in the city. The only fixed route system is the Rapid Ride fleet along Central Avenue and to Uptown.

25. Will the City consider advertisers such as Casino, Lottery, Gambling?

ABQ RIDE will consider advertising from casino's, lottery and gambling. The potential contractor must seek prior transit approval before working into an agreement with one of these businesses. The potential contractor must follow appropriate City ordinances attached.

26. Will there be advertising opportunities on the existing Rapid Ride shelters?

Part of that is contingent on the fact that ABQ RIDE already has relationships and partnerships with businesses. Currently, ABQ RIDE has entered into a five-year contract with 11 businesses on 11 separate Rapid Ride shelters. Those businesses pay \$5,000 each year for 5 years. That money will continue to come directly to Transit at 100%. The potential vendor will have the opportunity to seek sponsorship for unused Rapid Ride shelters for the same amount. ABQ RIDE will then take in 50% of the revenue.

27. Can we get examples of media trade that you already provide?

It varies. This year, ABQ RIDE traded \$18,000 of advertising space for radio time with American General Media. This includes 17 Kings that will expire on January 14 and 7 Mini Tails that will expire on January 7.

28. If we wanted to offer a wrap for an entire year could we do that?

The potential contractor can certainly offer a wrap for an entire year. The length of the contract will be determined by the potential ABQ RIDE advertising contractor and the potential advertiser.

29. Installation and Removal – Could this be modified to 10 days, especially when considering bus wraps?

ABQ RIDE will be willing to work with the potential contractor in certain circumstances to extend the amount of take/down time. ABQ RIDE must be notified of a delay.

30. Do you allow full window coverage?

ABQ RIDE provided full window coverage on the full D-RIDE bus wrap, but now would prefer partial window coverage instead of full coverage. The potential contractor just needs to work with ABQ RIDE prior to the first bus wrap for approval on window coverage.

31. Instead of the five days, usually it's at least 7 – 14 days, for outdated copy. Will you address the issue with outdated copy vs. outdated event?

ABQ RIDE wants an ad for an outdated event removed within 5 business days. ABQ RIDE will extend the time frame for other non-dated material to be removed within 7-14 days.

32. Installation time is required to be overnight, could you allow some day time hours especially on the weekends?

Most of the ABQ RIDE buses are in the garage during the overnight hours, so that will be the best time to reach as many vehicles at once. However, there may be times during the day and over the weekends when the potential contractor might be able to get some work done. The potential contractor can certainly do installs and removals during any time of the day or night, but keep in mind that a promised install date must be met to a potential advertiser. Installations and removals cannot disrupt bus service in any way. The potential contractor will have a dedicated bay for installations.

33. Does the previous vendor own the bus boards or does the Transit Department own these?

ABQ RIDE currently owns the existing busboards. ABQ RIDE is moving to mainly vinyl advertising. Busboard frames will not be placed on the new bus order expected to arrive next year.

34. Would you consider leaving the frames on some of the older buses that will be replaced? There may be some interest in these still.

ABQ RIDE will be ordering approximately 35 new buses to replace about 35 of the 100 and 200 series buses. This will leave approximately 20, 100 or 200 series buses in the fleet. ABQ RIDE will consider leaving the frames on those 20 buses, but all other vehicles will have just vinyl advertising.

**35. Will it be permissible to propose a smaller amount for the first year?
Determined on history?**

No. ABQ RIDE has been generating approximately \$34,000 per month since July. This is mainly on existing busboards. With the option to advertise on 35 of the 400 series buses that do not have much advertising now, there should not be a problem with generating the Minimum Annual Guarantee, especially when combined with shelter advertising opportunities.

36. Do you have any idea what projected revenue will be for January and February?

ABQ RIDE is in the process of securing ads for these dates and renewing some contracts. At this time, projected revenue for January is about \$4,000, but ABQ RIDE has several pending contracts.

37. Will ABQ RIDE remove the existing frames from the buses?

ABQ RIDE will remove the frames from the existing buses, unless otherwise proposed in your response.

38. Projected Gross Revenues- Why are agency commissions included in this?

ABQ RIDE will consider gross sales projections without agency commissions if it is already configured in the net billing.

39. Is it typical for us also to give you a copy of the contract within 5 days of the contract? Can we turn in the contract on a monthly basis? I think it would make sense for everything to come in together.

Yes, the potential contractor can turn in all of the contracts and revenues into ABQ RIDE on a monthly basis. ABQ RIDE will allow up to 15 days into the following month to receive this information.

40. On-board advertising, how far along is the Transit Department?

This is a component that is included in ABQ RIDE's Request for Bids for new buses. ABQ RIDE hopes to incorporate this type of on-board advertising. At this point, ABQ RIDE does not know how many on-board television screens there will be. ABQ RIDE does have the ability for advertising using the enunciators on certain bus routes, but has not determined how this can be used. The potential contractor can provide this as part of the proposal.

41. Is the Minimum Annual Guarantee after the first year based on what was actually paid to the City in overall gross in the previous year?

Yes. Commencing at the end of the calendar year, the MAG shall be adjusted for the next year to a sum of money representing 85% of the gross revenues fee payable for the preceding agreement year in accordance with section 7.2; provided, however, that in no event shall the MAG for any year be less than the MAG for the initial calendar year of the agreement.

42. Would this potentially include Modern Streetcar?

That has yet to be determined.

43. Contractor Bond and Insurance. Does this mean we need to be sure that subcontractors are compliant?

If the potential contractor sub-contracts any work, it is the contractor's responsibility to ensure that the subcontractor has proper insurance coverage. Please see page 11, Sec. 8.3.3.

44. Why is this now called a concession and not a contract?

This is modeled after a revenue generating agreement at the airport, so the same language was used.

The following are answers to the written questions provided by Templeton Marketing Services.

45. Some questions concerning the shelter requirement of the RFP:

A. How will the locations for the shelters be determined?

-The potential contractor will need to submit a written request to the City of Albuquerque for shelter location prior to construction.

B. How will the needed zoning and other approvals be obtained?

-The potential contractor will need to follow city ordinances and neighborhood covenants prior to shelter construction. The potential contractor may need to work with the City of Albuquerque Planning Department or the Department of Municipal Development. Please see attached Albuquerque Code of Ordinances Paragraph 14-16-3-5, General Sign Regulations. And also see Section 5-1-3, Duties of the Mayor.

C. Will it be necessary to obtain zoning and other approvals if electric utilities are not used and if shelters are located at existing bus stops?

-Not if all of the requirements are met in the attached Albuquerque Code of Ordinances Paragraph 14-16-3-5, General Sign Regulations and Section 5-1-3, Duties of the Mayor.

D. Who will own the shelters when the contract is terminated?

- Effective either upon installation of the improvement or upon the expiration of the contract, the City shall be the owner of the improvement and shall be entitled to receive a bill of sale to the improvement.

In the event the contract is terminated, please reference Page 12, Section 9, Part 6 of the proposed Concession Agreement.

E. Page iii says, "This RFP will grant additional points to a proposal for providing a shelter construction / advertising component." Is a shelter proposal required or optional?

- The shelter portion of the RFP is not mandatory. However, it is included as part of the points system for evaluation of submissions. So without it, the score will be lower. The shelter component will weigh 150 points in the evaluation process. There will not be additional points given for shelter construction on top of the 150 evaluation points. See revised proposal format and Scope of Services as revised in this addendum #1.

F. Re: Design of Shelter, are there any parameters, guidelines or restrictions from City Zoning regarding the design of the shelter, ie height restrictions and other possible limitations that offeror should know about prior to submitting a shelter design?

- Please see the attached Albuquerque Code of Ordinances - General Sign Regulations and the Duties of the Mayor.

46. The RFP states that the contract may be terminated if the contractor fails to sell 75% of inventory each month. Is there any provision for easing this requirement during difficult times for the advertising business, such occurred following the 9/11 attack, and during annual seasonal slow downs? Since there is already a MAG, will the City consider removing this requirement?

It is important that ABQ RIDE and the potential vendor have frequent communications when they feel this may occur. In rare circumstances (such as an unforeseen event like 9/11), there may be exceptions allowed to the rule.

47. Does section 4.3.1 of the contract mean that the contractor may not offer special incentive pricing if needed to maximize revenue?

It is essential that the potential contractor be fair about pricing from one business to the next. The potential contractor needs to have a set discounted rate for number panels and time period. In the event the contractor deviates from the set pricing, the ABQ RIDE Director needs to give approval.

48. The RFP requires a minimum annual guarantee of \$144,000, which might be difficult to meet the first year of a start-up program. Would it be permissible to propose a smaller amount for the first year?

No. ABQ RIDE has been generating approximately \$34,000 per month since July. This is mainly on existing busboards. With the option to advertise on 35 of the 400 series buses that do not have much advertising now, there should not be a problem with generating the Minimum Annual Guarantee, especially when combined with shelter advertising opportunities.

49. What is the current inventory of buses that will be available? Are there newer buses coming, and if so, what type, how many, and which buses will be removed from service?

ABQ RIDE currently has 141 buses available for advertising. An additional 6 new Rapid Ride buses will arrive in January, bringing the total number of buses up to 147. ABQ RIDE has Request for Bids (RFB) out right now and plans to receive approximately 35 new 40-foot buses that will replace approximately 35 of the 100 and

200 series buses that date back to 1989. Since the bid has not yet been awarded, ABQ RIDE does not know what the make and model of the new buses will be.

100 & 200 series buses	54 buses
300 series buses	39 buses
400 series buses	35 buses
Rapid Ride (60' articulated)	12 buses (6 more in January)
Trolley	1

50. Will the Rapid Ride buses be available for displaying advertising, and if so, just the backs or sides as well?

The backs of the Rapid Ride's will be available for advertising. ABQ RIDE is open to the idea of advertising on other portions of the Rapid Ride buses. The potential contractor can put this in their proposal.

51. Will the City consider leaving the advertising frames on the older diesel buses (100 & 200 series)? And also, some of the frames on the 300 series, like the mini tail and king frames?

ABQ RIDE will be ordering approximately 35 new buses to replace about 35 of the 100 and 200 series buses. This will leave approximately 20, 100 or 200 series buses in the fleet. ABQ RIDE will consider leaving the frames on those 20 buses, but all other vehicles will have just vinyl advertising. ABQ RIDE does not plan to leave the frames on the 300 series buses.

52. Pg 11, 2.6 'Projected gross revenues'- Why are agency commissions included in projections for gross sales when(if billing agency or 3rd party media buyer) commissions are already configured in actual net billing.

ABQ RIDE will consider gross sales projections without agency commissions if it is already configured in the net billing.

2. CODE OF ORDINANCES

Albuquerque Code of Ordinances

§ 14-16-3-5 GENERAL SIGN REGULATIONS.

(A) *Zoning Permits, Seals of Compliance.*

(1) Permit needed. Except for signs specified under divisions (A)(6), (B)(3) and (B)(4) of this section, a zoning permit is required for the following types of new signs:

- (a) All sign faces having an area greater than 40 square feet.
- (b) All signs having a height in excess of eight feet.
- (c) All illuminated signs.
- (d) All signs with moving elements.
- (e) All free-standing and projecting on-premise signs.

(f) A permit for a new off-premise sign will be approved only upon removal of an existing off-premise sign, and support structure, of equal or greater sign area. In addition, the new off-premise sign must be located on a property of equivalent or more intensive zoning, e.g., a C-2 off-premise sign removal can be applied to a C-2 or C-3 zone, but not to a C-1 zone.

(2) Permit Applications. The permit application for a new sign shall contain the following:

- (a) Signature of the applicant.
- (b) The name and address of the sign owner and sign erector.
- (c) Drawings showing the design and dimensions of the sign.

Standard sign structure drawings may be filed with the Planning Department and referenced in permit applications.

(d) A drawing of the site plan or building facade indicating the proposed location of the sign, and all other existing signs maintained on the premises and regulated by this Zoning Code.

(3) Fee. A sign permit fee shall be charged to cover the cost of enforcement of zoning regulations concerning signs erected after 1975. The fee for a sign permit shall be:

(a) \$.70 per square foot of the largest face of the sign or \$65 whichever is more.

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(b) \$1.45 per square foot of the largest face of the sign or \$45, whichever is more, for signs erected without a permit when it has been determined by the Zoning Enforcement Officer that the sign erector had full knowledge of the permit requirements.

(4) Seal of Compliance. Any sign for which a permit is required shall bear a seal of compliance. This seal shall be affixed to the sign by the Zoning Enforcement Officer after an inspection has shown that the sign conforms to the provisions of this Zoning Code. A special seal of compliance (or legal nonconformance) shall be placed on legal preexisting signs of types listed in division (A)(1) of this section by the Zoning Enforcement Officer.

(5) Nullification. A sign permit shall become null and void if the work for which the permit was issued has not been completed within a period of six months after the date of the permit. However, a permit for the same sign may be renewed and no additional fee shall be collected for the renewal.

(6) Permit Exceptions. The following operations shall not be considered as creating a sign and shall not require a sign permit.

(a) Replacing Copy. The changing of the advertising copy or message, including the interchange of sign facings, on an approved painted or printed sign structure or on a marquee or similar approved sign, provided the size of the sign is not changed.

(b) Maintenance. Painting, cleaning, and other normal maintenance and repair of a sign or sign structure unless a structural change is made.

(B) *Regulations Applicable to Signs in All Zones.*

(1) Prohibited Signs. The following signs are prohibited and shall be removed or brought into conformance in accordance with § 14-16-4-11 of this Zoning Code:

(a) Signs contributing to confusion of traffic control or resembling traffic control lighting; unauthorized signs, signals, markings or devices which purport to be or are imitations of official traffic control devices or railroad signs or signals, or signs which hide or interfere with the effectiveness of any official traffic control devices or any railroad signs or signals.

(b) Unauthorized signs, installed after June 17, 2002, which attempt to control traffic on the public right of way.

(c) Signs, except wall signs, in a clear sight triangle.

(d) The copy on signs which advertise an activity, business, product, or service no longer produced or conducted on the premises upon which the sign is located unless they can meet requirements for a new off-premise sign. Where the owner or lessor of the

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premises is seeking a new tenant, such signs may remain in place for not more than 30 days from the date of vacancy.

(e) Rotating, pulsating or oscillating beacons of light, including searchlights used for commercial or promotional purposes.

(f) Signs with audible devices.

(g) Free-standing signs with overhead wiring to supply electric power; however, off-premise signs are excluded unless underground power lines supply the site.

(h) Permanent Directory Signs. One permanent sign identifying and giving directions to businesses in an industrial park controlled by the IP or SU-1 zone shall be permitted at each entrance to the industrial park. Illumination shall be in accordance with the restrictions set forth in this section. Such signs' areas shall not exceed 1.5 square feet per business in the industrial park.

(i) Canopy signs, the bottom of which is less than seven feet above grade.

(j) Building-mounted signs which extend above the wall of the building and which do not have sign supports covered in a manner which integrates the sign with the building design. (Angle irons or similar supports shall not be visible from public right-of-way; guy wires or cables may be visible).

(k) Signs with high intensity electronic discharge strobe lights.

(l) Off-premise sign, any part of which is located within six hundred sixty feet of the nearest edge of the right-of-way of Interstate 25 between the northern and southern boundaries of the City, and within six hundred sixty feet of the nearest edge of the right-of-way of Interstate 40 between the eastern and western boundaries of the City.

(2) Prohibited Locations.

(a) No sign shall have its lowest point less than 12 feet above the ground over public right-of-way except those signs specified in Subsection 14-16-3-5(F) of this Zoning Code.

(b) No sign facing, except a wall sign or a one-square-foot address sign, shall be between three and eight feet above the gutter line within ten feet of a street public right-of-way line except those signs specified in Subsection 14-16-3-5(F) of this Zoning Code.

(3) Special Political Signs. Special political signs shall be permitted up to a total area of six square feet on each premises in a residential zone and up to 32 square feet for each sign in a nonresidential zone. Special political signs may be erected no earlier than 60 days

Albuquerque Code of Ordinances

prior to the election to which the sign pertains; they shall be removed within ten days after that election or after the termination of the candidacy, whichever occurs first.

(4) Signs Permitted in All Zones. Subject to the other provisions of this Zoning Code, the following additional signs shall be permitted on private property in any zone and shall not be counted in determining the number or size of signs permitted:

(a) Construction Signs. One sign shall be permitted for all building contractors, one for all professional firms, and one for all lending institutions on premises under construction, each sign's area not to exceed 32 square feet with not more than a total of three such signs permitted on one premises. Such sign shall be confined to the site of the construction, construction shed, or trailer and shall be removed within 14 days of the beginning of the intended use of the project.

(b) Real Estate Signs.

1. a. One temporary real estate sign located on the property it refers to shall be allowed for each street frontage of a developed premises or undeveloped lot of less than two acres. Signs shall be removed within seven days of sale or complete leasing.

b. In residential zones, the signs shall not exceed four square feet in area including name identification riders. An additional add-on sign area of one-half square foot indicating that the property has been sold or leased is permitted. In nonresidential zones, the signs shall not exceed 16 square feet in area.

2. One temporary real estate sign not exceeding 24 square feet in area and located on the property it refers to shall be allowed for each lot two acres or over. If the lot has multiple frontage, one additional sign not exceeding 24 square feet in area shall be allowed on the property, to be placed facing the additional frontage. Under no circumstances shall more than two sign units be permitted on the lot. Signs shall be removed within seven days of sale or complete leasing.

3. Temporary real estate directional signs not exceeding three square feet in area, three feet in height, and four in number, showing a directional arrow and placed on private property may be permitted on approach routes to an open house.

4. Up to two temporary subdivision identification signs located on the vacant residential property shall be allowed for each subdivision or builder's development of ten lots or more. Such signs shall not exceed 32 square feet in area and sign height shall not exceed eight feet. Signs shall not be displayed prior to the date of recording of the plat, and shall be removed upon completion of the project.

Albuquerque Code of Ordinances

5. The height of real estate signs shall not exceed five feet when located in a residential zone.

(c) Signs located inside a building or structure, provided the sign is not so located as to be conspicuously visible and readable, without intentional effort, from outside the building or structure.

(d) Advertising for community or civic events, flags or emblems of civic, philanthropic, educational, or religious organizations, maintained for a temporary period not in excess of one month.

(e) Official national, state, or city flags for any period of time.

(f) Street Banners. Street banners advertising a public entertainment or event, if specifically approved by the Planning Director and the Traffic Engineer and in locations designated, may be displayed 14 days prior to and seven days after the public entertainment or event.

(g) Permanent Identification Signs. One permanent sign setting forth the name of a community, development, center, or other like project shall be permitted if set back in accordance with the requirements of the zone in which the sign is placed. Illumination shall be in accordance with the restrictions set forth in this Zoning Code. Such signs shall not exceed 20 square feet in area. Additional signs meeting the above definitions may be approved by the Planning Director if he finds the project is large and needs additional signs for reasonable identification.

(h) Civic, Religious, and Quasi-Public Signs - Off-Premise. Off-premise name, directional, and information signs of service clubs, places of worship, civic organizations, and quasi-public uses shall be not more than three square feet in area. Sign height shall not exceed eight feet. In the event that there is a need for more than one such sign at one location, all such signs must be consolidated and confined within a single frame, subject to the review and approval of the Planning Director.

(i) Residential Name and Street Address Signs. A resident's name sign not exceeding one square foot in area per face shall be permitted for each house or town house. Sign height shall not exceed eight feet. Street address signs shall not be limited.

(j) Private Traffic Direction. Signs which are necessary for and function only to direct traffic movement onto, off of, or within a premises shall be allowed without limit as to number: maximum size shall not exceed six square feet. These signs shall not contain commercial advertising and shall not be counted in the number of signs in the other provisions of this Zoning Code. Illumination of these signs shall conform to this Zoning Code, except that standard traffic signal light devices may be used if needed and if approved by the

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Traffic Engineer. Horizontal directional signs on and flush with paved areas are exempt from the limitations of this division (j).

(C) *Regulations Applicable to Signs in or Within 40 Feet of Residential Zones.* The additional provisions of this section apply to all signs in a residential zone or within 40 feet of a residential zone. In the case of a nonresidential zone within 40 feet of a residential zone, the more restrictive of these regulations or the regular sign regulations in the nonresidential zone shall apply.

(1) No portion of an illuminated sign shall have a luminance greater than 200 footlamberts at night.

(2) No sign nor part of a sign shall move, flash, or rotate. No sign or part of a sign shall change its illumination more than once an hour.

(3) No more than one sign per premises shall be illuminated, apart from the general illumination of the premises, between 10:00 p.m. and 7:00 a.m.

(4) No sign shall be on the public right-of-way, except for name and address signs mounted on mailboxes and signs specified in Subsection 14-16-3-5(F) of this Zoning Code.

(5) An apartment premises with five to 24 dwelling units may have wall signs identifying the apartments provided the sign area on any facade does not exceed 12 square feet, and the total wall sign area on any premises does not exceed 30 square feet. No facade shall have more than five words which contain any character equal to or exceeding four inches in height; words consisting of characters all of which are less than four inches high may be used without limit as to number.

(6) An apartment premises with more than 24 dwelling units or a nonresidential premises may have signs identifying the principal uses of the premises, as follows:

(a) Each premises may have no more than one free-standing sign provided, however, that premises with more than 750 feet of public street frontage may have one additional free-standing sign for each 500 feet of additional frontage or fraction thereof.

(b) No free-standing sign shall exceed 16 feet in sign height or 24 square feet per sign face.

(c) Wall signs, provided the sign area on any facade does not exceed 40 square feet and the total wall sign area on any premises does not exceed 100 square feet. No facade shall have more than five words which contain a character equal to or exceeding four inches in height; words consisting of characters all of which are less than four inches high may be used without limit as to number.

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(7) No signs shall be erected or maintained on a house, townhouse, mobile home used as a residence, or vacant land, except as permitted in division (B) of this section and § 14-16-2-6(A)(2)(f) (for home occupations) of this Zoning Code.

(8) Premises which are mobile home parks with up to 24 dwellings may have signs identifying the development provided the signs are mounted flush to the perimeter wall or fence and the total sign area does not exceed 30 square feet. There shall be no more than five words which contain any character equal to or exceeding four inches in height; words consisting of characters all of which are less than four inches high may be used without limit as to number.

(9) Premises which are mobile home parks with more than 24 dwellings may have signs identifying the development as follows:

(a) Premises may have one free-standing sign at any location on the site provided, however, that premises with more than 750 feet of public street frontage may have one additional sign for each 500 feet of additional frontage or fraction thereof. Such sign shall not exceed 16 feet in sign height or 24 square feet per sign face.

(b) In addition to signs provided in division (a) above, premises may have signs mounted flush to the perimeter wall or fence if the total of such sign area does not exceed 100 square feet. There shall be no more than five words which contain a character equal to or exceeding four inches in height; words consisting of characters all of which are less than four inches high may be used without limit as to number.

(D) *Regulations Applicable to Signs in Nonresidential Zones.* The additional provisions of this section apply to all signs not in a residential zone or within 40 feet of a residential zone.

(1) General Illumination.

(a) No light bulb used to indicate time or temperature shall have a rating greater than 40 watts; no reflectors shall be used in connection with such bulbs.

(b) No portion of an illuminated sign, apart from light bulbs used to indicate time or temperature, shall have a luminance greater than 320 footlamberts at night.

(2) Any illuminated sign, or any illuminated element of any sign, may turn on or off, or change its brightness, provided that:

(a) Change of illumination does not produce any apparent motion of the visual image, including but not limited to illusion of moving objects, moving patterns or bands of light, expanding or contracting shapes, or any similar effect of animation except twinkling.

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(b) There is no continuous or sequential flashing in which more than one-third of the lights are turned on or off at one time.

(c) The sign is not within 200 feet of a residential zone and visible from such zone.

(3) No sign or any part of any sign may move or rotate at a rate more often than once each ten seconds, or change its message or picture at a rate more often than once each five seconds, with the exception of wind devices, the motion of which is not restricted.

(4) Religious Signs. On-premise signs consisting only of religious symbols of a religious group operating an institution or place of worship may be as high as 15 feet above the roof top of the principal building on the lot, regardless of whether the sign is illuminated.

(E) *Joint Sign Premises.*

(1) A joint sign premises may be created by the owners of all the abutting premises who wish to cooperate in order to jointly obtain permission for one free-standing or projecting sign on the joint sign premises. Such owners shall sign an appropriate form provided by the Zoning Enforcement Officer.

(2) A joint premises is entitled to a free-standing or projecting on-premise sign as if it were one premise. However, if the owner of one or more cooperating premises which is necessary to make up the required 100 feet of street frontage legally withdraws from such agreement, the free-standing or projecting sign automatically becomes illegally nonconforming and shall be removed within 30 days.

(F) *Transit Shelter Sign.* Signs which are attached to or part of the structure of a transit shelter as allowed in Section 5-1-3 ROA 1994 and further regulated by this section.

(1) Number. Each transit shelter may only have one transit shelter sign.

(2) Size. Transit shelter sign shall not exceed 24 square feet.

(3) Height. Transit shelter signs shall not exceed 7 feet in height.

(4) Location.

(a) A transit shelter sign may be on the public right-of-way.

(b) A transit shelter sign may be located on private property abutting the right-of-way.

(c) A transit shelter sign may not be placed without the prior approval of the Transit Department.

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(5) Illumination shall be in accordance with the restrictions set forth in this Zoning Code.

(6) Prohibited Locations.

(a) A transit shelter sign may not be placed on a transit shelter that faces or abuts a house or townhouse.

(b) A transit shelter sign shall not encroach the clear sight triangle.

(c) A transit shelter sign may not be placed on a transit shelter located along a local street, as classified by the Long Range Roadway System.

(d) A transit shelter sign may not be placed on a transit shelter within 100 feet of a residentially zoned lot located along a collector street, as classified by the Long Range Roadway System.

(e) A transit shelter sign may not be placed on a transit shelter within 50 feet of a dwelling unit located along an arterial street, as classified by the Long Range Roadway System.

(G) *Signs Advertising Alcoholic Beverages.*

(1) Signs, free-standing and building-mounted, that advertise alcoholic beverages, including the use of words and images, and are visible from a street, sidewalk, park or a facility that serves minors shall not be located within 300 feet of a facility that serves minors.

(2) The following signs that advertise alcoholic beverages shall be permitted:

(a) Signs located inside a building, even when visible from the outside;

(b) Signs on vehicles;

(c) Signs that serve to identify businesses that sell alcohol by depicting the name, logo or slogan of the business;

(d) Signs that do not refer to a specific brand of alcoholic beverage;

(e) Signs visible from and that face an interstate highway; and

(f) Signs discouraging the use of alcoholic beverages.

(3) For the purposes of this subsection "facilities that serve minors" is defined to mean a pre-elementary, elementary or secondary school, day care center, church or other place of worship, including incidental recreational and educational facilities attended by minors and

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city owned parks or city owned major public open spaces frequented by minors.

('74 Code, § 7-14-40E; Am. Ord. 31-1995; Am. Ord. 23-2001; Am. Ord. 39-2001; Am. Ord. 30-2002; Am. Ord. 31-2002; Am. Ord. 43-2005; Am. Ord. 52-2005)

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§ 5-1-3 DUTIES OF MAYOR.

(A) *Courtesy benches.* The Mayor may permit the installation of courtesy benches at convenient locations along city streets or ways on city property where the installation will not inconvenience the movement of vehicular or foot traffic. In granting the permit for such purposes the Mayor may impose reasonable requirements for the construction, installation, maintenance, use and removal of such benches including the following:

(1) That the benches be built according to standards of safety and according to plans first submitted to and approved by the Department of Public Works and the Transit Department.

(2) That the permittee undertake to maintain the benches so installed for a reasonable period of time to be specified in the permit.

(3) That the permittee be required to provide indemnification to the city, its officers, agents and employees or insurance in which the city is named insured to protect the city and its Councillors, officers, agents and employees against liability arising out of the construction, maintenance and use of such courtesy benches.

(4) Permits may allow the use of the benches and related shelter structures, if any, for restrained public advertising limited solely to informing the public that it is a city bus stop.

(5) Ownership of the installations on terms specified in the permit shall be provided.

('74 Code, § 5-1-3) (Ord. 13-1966; Am. Ord. 39-1991)

(B) *Transit benches and transit shelters.* The Mayor may provide for or contract for the installation of transit benches and transit shelters along city streets or city right-of-way. The Mayor may also provide for or contract for advertising services on transit shelters. Any contract for advertising services on transit shelters shall be for a maximum term of five years with an option to renew the contract for a second term of five years upon the determination of the city that the services were satisfactory and upon a determination of the City Council that the policy of allowing advertising on transit shelters should be continued. No non-public advertising will be allowed on transit benches. Any contract for installation of transit benches and transit shelters shall require that they be built according to standards of safety and that the plans be submitted to and approved by the City Transit Department and the City Design Review Committee of the Public Works Department. The Mayor shall require that any contract provide that effective either upon the installation of the improvement or upon the expiration of the contract the city shall be

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the owner of the improvement and shall be entitled to receive a bill of sale to the improvement.

(C) *Other uses.* The Mayor may authorize the temporary incidental use of city lands for the foregoing and for other purposes where he finds the proposed use will not conflict with the principal purposes for which the lands were acquired and will be useful to a substantial segment of the general public. All such permits shall be temporary in nature, contain provisions for prohibiting discrimination in the use of such facilities based upon race, color, creed, or national origin, shall include reasonable charges imposed by the Mayor for the purpose of protecting the public health and safety by assuring the condition of the premises, and shall contain provisions for the termination of the same on notice by the Mayor within a reasonable time. Charges for the permits shall be determined by the Mayor on the basis of administrative costs involved and reasonable value to the permittee and he shall report at regular intervals to the City Council by appropriate summary the licenses or permits issued during the preceding interval indicating the name of the person to whom issued and the nature of the permit, and the consideration received. ('74 Code, § 5-1-4) (Ord. 13-1966; Am. Ord. 41-2001)

3. PRE-PROPOSAL CONFERENCE ROSTER

Pre-Proposal Conference:
RFP07-003-SV, "Advertising Concession: ABQ RIDE Vehicles and Facilities"
Thursday - 18 October 2006 - 10:00 a.m. (MDT)

PAGE 1 of 3

1. Company: VISTA MEDIA Attn: BRAD STOTEN
Address: 1434 AUBURN BLVD City/State/Zip: SACRAMENTO, CA. 95815
Telephone: 916/648.6001 Fax: 916/646.3230 Date 10/16/06
E-Mail: brad@vistamediagroup.com

2. Company: Clear Channel OUTDOOR Attn: SALLY ADAMS ANN Jarrell
Address: 458 INDUSTRIAL City/State/Zip: 87107
Telephone: 345.3589 Fax: 345.2668 Date 10/16
E-Mail: annjarrell@clearchannel.com

3. Company: LAMAR Attn: CLIFF WOHL
Address: 754 S. 200 W. 24101 City/State/Zip: SLC, UTAH
Telephone: _____ Fax: _____ Date _____
E-Mail: C WOHL @ LAMAR . COM

4. Company: LAMAR Attn: YORK HAINES
Address: _____ City/State/Zip: PDY, OR
Telephone: 503 223-9796 Fax: _____ Date _____
E-Mail: YHAINES @ LAMAR . COM

5. Company: Templeton Marketing Attn: _____
Address: 6509 Mirjave St NW City/State/Zip: Albq NM 87120
Telephone: 505-898-3757 Fax: 505-899-2317 Date _____
E-Mail: don+20@owl.com

Pre-Proposal Conference:
RFP07-003-SV, "Advertising Concession: ABQ RIDE Vehicles and Facilities"
Thursday - 18 October 2006 - 10:00 a.m. (MDT)

PAGE 2 of (3)

1. Company: Angela Atterbury Inc Attn: Angela Atterbury
Address: 7801 Lang Ave NE City/State/Zip: Alb NM 87107
Suite 110
Telephone: 505-255-2400 Fax: 505-883-8664 Date 10/18/06
E-Mail: angela.atterbury@gmail.com

2. Company: _____ Attn: _____
Address: _____ City/State/Zip: _____
Telephone: _____ Fax: _____ Date _____
E-Mail: _____

3. Company: _____ Attn: _____
Address: _____ City/State/Zip: _____
Telephone: _____ Fax: _____ Date _____
E-Mail: _____

4. Company: _____ Attn: _____
Address: _____ City/State/Zip: _____
Telephone: _____ Fax: _____ Date _____
E-Mail: _____

5. Company: _____ Attn: _____
Address: _____ City/State/Zip: _____
Telephone: _____ Fax: _____ Date _____
E-Mail: _____

Pre-Proposal Conference:
RFP07-003-SV, "Advertising Concession: ABQ RIDE Vehicles and Facilities"
Thursday - 18 October 2006 - 10:00 a.m. (MDT)

PAGE 3 of 3

1. Company: Stephanie Sign Shop Attn: Angie Corbett
Address: 8500 Paseo Alameda City/State/Zip: Albuquerque, NM 87109
NM
Telephone: 342-2200 Fax: 342-2202 Date 10-18-06
E-Mail: angiecorbett@nssp.com

2. Company: _____ Attn: _____
Address: _____ City/State/Zip: _____
Telephone: _____ Fax: _____ Date _____
E-Mail: _____

3. Company: _____ Attn: _____
Address: _____ City/State/Zip: _____
Telephone: _____ Fax: _____ Date _____
E-Mail: _____

4. Company: _____ Attn: _____
Address: _____ City/State/Zip: _____
Telephone: _____ Fax: _____ Date _____
E-Mail: _____

5. Company: _____ Attn: _____
Address: _____ City/State/Zip: _____
Telephone: _____ Fax: _____ Date _____
E-Mail: _____