



## Legislation Text

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File #: 2019-0125, Version: 1

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**DATE:** May 14, 2019

**SUBJECT:**

**RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH CIVILIAN, INC., SPARK BRANDING HOUSE, INC., AND ARK MARKETING & MEDIA SOLUTIONS TO PROVIDE AS-NEEDED MEDIA RESEARCH, BUYING AND ANALYSIS FOR DISTRICT MARKETING AND COMMUNICATIONS CAMPAIGNS TO SUPPORT VARIOUS LINES OF BUSINESS AND PUBLIC OUTREACH GOALS IN A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$600,000 FOR A PERIOD OF FIVE YEARS BEGINNING JUNE 1, 2019 THROUGH MAY 31, 2024. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET**

### **EXECUTIVE SUMMARY:**

This action will authorize as-needed agreements for Media Research, Buying and Analysis Services.

The Marketing & Communications Department uses the services of professional consulting firms to provide advanced skills to supplement the services of the in-house resources by providing a combination of strategic media buying support services including but not limited to media research, recommendations and refinement; media buying, execution and trafficking; and media buy tracking, analysis and adjustment based on outcomes. Consultants will develop media plans to effectively reach the target audience in support of various marketing, communications, branding and outreach campaigns.

Pursuant to BPC Policy No. 110, the District issued a Request for Qualifications (RFQ) on December 11, 2018. The District received seven submittals, of which all seven were deemed responsive, and selected four firms for interviews. Based on the written submittals, interviews, and a decision analysis process using the criteria stated in the RFQ, District staff is recommending the Board select and authorize agreements with three firms which were determined to be the highest qualified firms for the services solicited.

Each agreement is for a five-year period. The aggregate total of all agreements will not exceed \$600,000. Funds appropriate for future fiscal years will be budgeted in the appropriate fiscal year, subject to Board approval upon adoption of each fiscal year's budget.

Upon Board approval, Agreement 59-2019SN with Spark Branding House, Inc. dba Spark, Agreement 60-2019SN with Ark Marketing and Media Solutions, Inc. and Agreement 61-2019SN with Civilian, Inc. will be executed.

## **RECOMMENDATION:**

Adopt a resolution selecting and authorizing five-year agreements with Spark Branding House, Inc. dba Spark, Ark Marketing and Media Solutions, Inc. and Civilian, Inc. for as-needed media research, buying and analysis services for an aggregate amount not to exceed \$600,000.

## **FISCAL IMPACT:**

Funds for the first year of expenditure are included in the FY 18/19 Marketing & Communications Department's non-personnel expense budget. Funds required for future fiscal years will be budgeted in the appropriate fiscal year and cost account, subject to Board approval upon adoption of each fiscal year's budget.

## **COMPASS STRATEGIC GOALS:**

This agenda item supports the following Strategic Goal(s).

- A Port that the public understands and trusts.
- A vibrant waterfront destination where residents and visitors converge.
- A Port with a comprehensive vision for Port land and water uses integrated to regional plans.

## **DISCUSSION:**

With the launch of the new brand, the Marketing & Communications Department has implemented an integrated marketing, communications and branding strategy which includes not only the Port's new logo and master brand messaging, but also five complete sub-brands and accompanying marketing and outreach campaigns for the various lines of business that fall within each of those focus areas. As each sub-brand and the associated marketing and outreach campaigns are further developed, the in-house team requires the support of supplemental consultants to assist with research, execution and analysis of media placement programs.

The Marketing & Communications Department uses the services of professional consulting firms to provide advanced skills to supplement the services of the in-house resources by providing a combination of strategic media buying support services including but not limited to media research, recommendations and refinement; media buying, execution and trafficking; and media buy tracking, analysis and adjustment based on outcomes. Consultants will develop media plans to effectively reach the target audience in support of various marketing, communications, branding and outreach campaigns.

Pursuant to BPC Policy No. 110, the District issued a Request for Qualifications (RFQ) on December 11, 2018 and held an information exchange meeting on January 3, 2019. During the advertisement period, 1,623 vendors were notified and 50 vendors registered for the opportunity.

The District received seven submittals, of which all seven were deemed responsive. A cross-departmental panel consisting of District staff from Marketing & Communications, Maritime and Real Estate reviewed all the proposals and invited the top four firms to interview. During the interviews, each firm gave a short presentation highlighting the key elements in their proposal followed by their

recommendations for a hypothetical media plan the were given in advance of the interview. Firms were then asked the same set of questions designed to help the panel determine how well each firm's approach, capabilities, experience of staff and firm met the District's expectations. This was followed up by a brief open dialog where participants were given the opportunity to ask follow-up questions to clarify proposal elements.

At the conclusion of all the interviews, District staff conducted a decision analysis (facilitated by the District's Procurement Department) where they considered written submittals, presentations and responses to interview questions in order to rank the four firms based on the criteria established in the RFQ. Based on the rankings during the decision analysis, the following three firms were determined to be the highest qualified firms for the services solicited and are being recommended to the Board for five-year agreements not to exceed an aggregate amount of \$600,000:

- Civilian, Inc.
- Spark Branding House, Inc.
- Ark Marketing & Media Solutions

The selected vendors have the expertise to support the department with a variety of media placement services including but not limited to:

- 1) Developing comprehensive strategic marketing and media plans with broadcast media, digital, direct marketing, out-of-home, social media and print sections;
- 2) Media buying and execution with placement, deliverables coordination with the in-house production team and trafficking;
- 3) Media campaign and analysis with broadcast, digital, direct, out-of-home, social media and print analysis;
- 4) Media landscape research and analysis with local and regional media, national and international media, and industry specific media.

The selected vendors each bring distinct qualifications to the pool that will allow the District to utilize specialized services from each consultant including relevant experience with similar styles of campaigns and/or lines of business, relevant experience with public agencies, relevant experience with business-to-business and/or business-to-consumer campaigns and/or public outreach and awareness campaigns. Additionally, the selected vendors utilize up-to-date media buying tools and software subscriptions that allow the district to gain valuable insight into target audiences and market research.

### **General Counsel's Comments:**

The Office of the General Counsel has reviewed and approved this agenda and the proposed agreements as to form and legality.

### **Environmental Review:**

The proposed Board action, including without limitation, a resolution selecting and authorizing agreements for media research, buying, and analysis for marketing and communications campaigns does not constitute an "approval" or a "project" under the definitions set forth in California Environmental Quality Act (CEQA) Guidelines Sections 15352 and 15378 because no direct or indirect changes to the physical environment would occur. CEQA requires that the District adequately

assess the environmental impacts of projects and reasonably foreseeable activities that may result from projects prior to the approval of the same. Any project developed as a result of Board's action that requires the District or the Board's discretionary approval resulting in a physical change to the environment will be analyzed in accordance with CEQA prior to such approval. CEQA review may result in the District, in its sole and absolute discretion, requiring implementation of mitigation measures, adopting an alternative, including without limitation, a "no project alternative" or adopting a Statement of Overriding Consideration, if required. The current Board direction in no way limits the exercise of this discretion. Therefore, no further CEQA review is required.

In addition, the proposed Board direction or action complies with sections 21, 35, and 81 of the Port Act, which allow for the Board to pass resolutions, to do all acts necessary and convenient for the exercise of its powers, and to use District funds for expenses of conducting the District. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed Board action is consistent with the Public Trust Doctrine.

The proposed Board direction or action does not allow for "development," as defined in Section 30106 of the California Coastal Act, or "new development," pursuant to Section 1.a. of the District's Coastal Development Permit (CDP) Regulations because they will not result in, without limitation, a physical change, change in use or increase the intensity of uses. Therefore, issuance of a Coastal Development Permit or exclusion is not required. However, development within the District requires processing under the District's CDP Regulations. Future development, as defined in Section 30106 of the Coastal Act, will remain subject to its own independent review pursuant to the District's certified CDP Regulations, PMP, and Chapters 3 and 8 of the Coastal Act. The Board's direction or action in no way limits the exercise of the District's discretion under the District's CDP Regulations. Therefore, issuance of a CDP or exclusion is not required at this time.

### **Equal Opportunity Program:**

Due to limited known sub opportunities, no SBE goal was established for this agreement.

### **PREPARED BY:**

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### **Attachment(s):**

Attachment A:	Agreement 59-2019SN with Spark Branding House, Inc. dba Spark
Attachment B:	Agreement 60-2019SN with Ark Marketing and Media Solutions, Inc.
Attachment C:	Agreement 61-2019SN with Civilian, Inc.