



REQUEST FOR INFORMATION (RFI)

June 19, 2019

Subject: Request for Information for the replacement and expansion of guest Wi-Fi Solution and Sponsoring of Service

Dear Organization:

The purpose of this Request for Information (“RFI”) is to seek a guest Wi-Fi solution for Santa Clara Valley Transportation Authority (VTA) riders and gauge the level of interest from organizations (“Organization”) in sponsoring proposed solutions. VTA may use the information gathered as a result of this RFI to prepare a subsequent Request for Proposal (“RFP”).

NOTE that this is an RFI only and is issued solely for information gathering purposes. It does not constitute a formal solicitation, nor does it guarantee that a formal solicitation may follow. This RFI should not be construed as a means to pre-qualify vendors; not responding to this RFI does not preclude participation in any future solicitation, if one is issued. Time and resource spent by Organizations in the development of a response to this RFI are voluntary and solely at that Organization’s cost. Any future Wi-Fi solution-related contract that may be awarded must comply with VTA’s procurement policies.

A question and answer meeting will be held at **10:00 am Pacific Time on Friday, July 19, 2019** at the VTA offices located at 3331 North First Street, San Jose, CA in Building A, Room A108. All interested agencies are strongly encouraged to attend.

All Organizations interested in participating in this RFI are requested to submit their responses by **5:00 pm Pacific Time on Friday, August 9, 2019** to the following recipient, using the subject line indicated below:

Norman David, Contracts Administrator
Santa Clara Valley Transportation Authority
3331 N. First Street, Bldg. A, Contracts Dept.
San Jose, CA 95134-1906
Email: norman.david@vta.org

Re: Wi-Fi Solution and Sponsoring of Service

Thank you for your time and consideration. We are hopeful that the information obtained from your responses will result in a successful guest Wi-Fi solution for VTA.

Sincerely,

Norman David
Contracts Administrator



SECTION 1: INTRODUCTION

ABOUT VTA: VTA is an independent special district that provides sustainable, accessible, community-focused transportation options that are innovative, environmentally responsible, and promote the vitality of our region. VTA provides bus, light rail, and paratransit services, with a bus fleet of 480 buses that serve a 326 square mile urbanized service area, operating 19 million miles and serving 44 million riders annually. VTA is responsible for countywide transportation planning, including congestion management, design and construction of specific highway, pedestrian, and bicycle improvement projects, as well as promotion of transit-oriented development.

VTA provides services throughout the county, including the municipalities of Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Los Gatos, Milpitas, Monte Sereno, Morgan Hill, Mountain View, Palo Alto, San Jose, Santa Clara, Saratoga and Sunnyvale. VTA continually builds partnerships to deliver transportation solutions that meet the evolving mobility needs of Santa Clara County.

VTA currently operates both a fixed route public transit service and the county's paratransit service.

Public transit service is provided using a variety of vehicles, all of which meet current federal ADA requirements, including the ability to load/secure a wheelchair. A bus operator drives the route, provides information upon request to passengers, and assists with boarding and alighting of individuals with disabilities or impairments. Stops and transit stations (stops with bus shelters and seating) are located approximately every quarter mile. Stops are served on request while stations are mandatory stops with doors opened regardless of whether a request is received from passenger on the bus or a person is waiting to board.

BACKGROUND: VTA currently provides free guest Wi-Fi service on all VTA revenue vehicles including buses and light rail trains and at over 23 VTA transit centers throughout Santa Clara County. VTA's existing Wi-Fi infrastructure, consisting of approximately 700 Icomera M340 access points, was installed between 2015 - 2018 with the intent to provide communication between vehicles and VTA's control center only.

Bandwidth not used to support operational communications has been made available for VTA guest Wi-Fi. Guest Wi-Fi usage has increased over the years and VTA's existing Wi-Fi infrastructure is no longer able to reliably support growing guest Wi-Fi demand. VTA is considering utilizing a technology partner to act as sponsor ("Sponsor") to provide an end-to-end, hardware to support, guest Wi-Fi solution. VTA is interested in learning about potential Sponsor solutions that would create a new, more reliable guest W-Fi network to VTA transit assets noted in Appendix A.

RFI GOALS: The ideal Sponsor will provide an integrated Wi-Fi solution, including hardware, installation and ongoing support for the guest Wi-Fi network. The Wi-Fi hardware selected for the project should appropriate for the unique nature of transit Wi-Fi environment. Additionally,



VTA would like to maintain an option to monetize the Wi-Fi solution through advertising sales which can be sold directly by Sponsor or via a reputable advertising vendor.

In exchange for Sponsor's Wi-Fi investment, VTA would consider providing Sponsor with a high-profile sponsorship opportunity which will be visible to VTA passengers on their 36,000,000+ rides per year. The goal of this RFI is to:

1. Gauge Sponsors' level of interest in creating new guest Wi-Fi network for VTA passengers,
2. Determine the potential value of investment to be made by Sponsor,
3. Determine the type and cost of Wi-Fi hardware suitable for VTA's on-vehicle and outdoor environments,
4. Increase understanding of guest Wi-Fi software management options,
5. Solicit methods by which VTA could seek Sponsor for guest Wi-Fi program,
6. Determine Sponsor interest in VTA guest Wi-Fi advertising.

SECTION 2: INFORMATION REQUESTED

Interested parties are invited to submit a response to this RFI describing the following:

1. Name, website address, telephone number, mailing and e-mail address of Sponsor representative.
2. Brief overview of the Sponsor's business. Please also provide qualifications and experience in planning, installing and maintaining Wi-Fi service in transit environments. If your organization has experience with transit Wi-Fi, please describe the equipment used and estimated life span of the equipment.
3. What factors effect Sponsor's level of interest in pursuing an arrangement of this type? Is there a minimum or maximum period of time that the sponsorship should last to make economic sense for the Sponsor?
4. Which assets identified in Exhibit A, are the most appealing to Sponsor? Please provide feedback for each asset category rating on a 1-5 basis with 1 being the lowest and 5 being of highest interest.
5. What kind hardware would Sponsor recommend for a) moving assets such as bus and light rail trains, and a) stationary and/or outdoor, non-moving, assets such as transit centers and bus shelters? Please include hardware qualities and/or specifications that make it the appropriate choice for these environments. What other transportation companies or transit agencies are currently using this hardware? Please provide



references at these organizations if you can.

6. Which assets have the greatest degree of interest for guest Wi-Fi sponsorship? For those assets that have the least interest to Sponsor, please explain why they are of little interest. If Sponsor were to provide guest Wi-Fi services to asset categories noted as desirable by Sponsor (rated ≥ 4), what is total cost to deploy with each asset category? Please include costs such as site survey and design, hardware costs, software license fees, installation cost, etc.
7. Please describe software platform used to manage guest Wi-Fi.
8. What opportunities does VTA have to control guest Wi-Fi advertising to prevent objectionable advertising such as tobacco?
9. Do you have any suggestions on how VTA could monetize the guest Wi-Fi program, including allowing VTA to sell advertising on guest Wi-Fi network?
10. Are there factors that could limit the success or viability of a program such as this that VTA may not have considered? Please advise.
11. Which mobile routers / mobile router vendors do you have experience working with?
12. Does your service use a "Captive Portal"? If so please describe, if not how are users informed of any/all Terms and Conditions for using the service?
13. Which cell carriers / ISPs do you have experience working with?
14. What amount of backhaul / bandwidth is required?
15. What methods will be used to keep VTA riders' web traffic and search history confidential?
16. What systems or processes do you put in place to ensure riders have adequate access and throughput to the web over the entire VTA service area?
17. Please describe what statistics are kept by the system and which can be made available to VTA.
18. Can VTA choose to block certain activities or services (such as iOS upgrades or private VPNs)?

RFI OWNERSHIP: All responses to the RFI will become the property of VTA when received by VTA and will not be returned.

CONFIDENTIALITY: All submissions and all other information submitted to VTA may be considered public information subject to disclosure under the California Public Records Act



set forth at California Government Code Section 6250 et seq. (“CPRA”), or any other similar and applicable disclosure legislation. Any proprietary information submitted by Organization in response to this RFI should be clearly and explicitly identified as such. VTA does not typically disclose proprietary information to the public, unless required by law (including the CPRA); however, VTA cannot guarantee that such information will be held confidential.

ORGANIZATION RESPONSES AND QUESTIONS: Please submit your organization’s response to this RFI, along with relevant supplemental material if desired, to VTA using the contact information and subject line description below. In addition, you may submit additional questions or comments along with your Organization’s response using Appendix A (optional).

A response to your questions or comments may not be provided but may be used in the preparation of any future documents.

Please send all responses, questions, and correspondence to:

Norman David, Contracts Administrator
Santa Clara Valley Transportation Authority
3331 N. First Street, Bldg. A, Contracts Dept.
San Jose, CA 95134-1906
Email: norman.david@vta.org

Re: Wi-Fi Solution and Sponsoring

VTA requests interested parties submit their response to this RFI to Norman David, Contracts Administrator, norman.david@vta.org no later than July 19, 2019.

SECTION 3: DESCRIPTION OF VTA ASSETS

- a. VTA Buses - 354
- b. VTA Light Rail Trains - 98
- c. Transit Centers - 23
- d. Light Rail Stations – 61
- e. Bus Shelters - 571
- f. Park and Ride Lots
- g. Intermodal Transit Centers with BART Stations– 2 opening in December 2019

A list of VTA transit assets to be considered for Sponsor guest Wi-Fi deployment are included in **Exhibit A**. The Sponsor and any proposed advertising opportunities would need to comply with VTA’s Advertising Policy is attached as **Exhibit B**.



SECTION 4: SUPPLEMENTAL INFORMATION

WHAT VTA WILL DO WITH INFORMATION: VTA's Procurement, Contracts and Materials Management department will oversee the collection of information on behalf of the Real Estate department. VTA's Real Estate department, in coordination with VTA's working group consisting of members of the following VTA departments: Information Technology, Operations, Planning, Customer Service, Risk Management, Marketing and Finance, will evaluate the information provided in this RFI. VTA's Real Estate department will determine the feasibility and benefits to VTA from recommendations. If there is a potential for a guest Wi-Fi sponsorship opportunity, then VTA may seek issue a Request for Proposal (RFP).

If you require additional information for this RFI or have any questions, please contact Norman David at norman.david@vta.org. All general questions and answers may be posted and made available to interested respondents. Based on the nature of respondent questions, a phone call with VTA working group may be scheduled to discuss questions in greater detail.

VTA may elect to submit its findings in the form of a report should the evaluation committee determine that VTA would benefit from such information. This report may provide the basis for issuing an RFP.

Parties interested in receiving information about future RFPs should subscribe as a Prospective Vendor via VTA's online system. Vendor registration can be found on the VTA Procurement Registration page.



APPENDIX A: TRANSIT ASSETS

VTA’s real estate and transit assets include but are not limited to the following:

A. Light Rail Lines and Stations

VTA operates three Light Rail lines with over 42 miles of track. The lines and the corridors they run through are designed to move commuters from the suburban areas of Santa Clara Valley into the major business areas in Downtown, the Santa Clara County Civic Center, and the high-tech and office areas of Mountain View in northern Silicon Valley. VTA’s light rail service connects commuters and travellers to the San Jose International Airport, Diridon Station and the transit systems it serves including Caltrain, ACE, the Capitol Corridor.

VTA’s moves riders to and from Silicon Valley, the Greater Bay Area, and beyond. For a complete list of light rail line and station information please visit:

<http://www.vta.org/getting-around/interactive-light-rail-map>

B. Transit Centers

VTA uses the following criteria in designating an asset as a “Transit Center”

- Place where two or more lines (bus or rail) come together.
- Includes off-street facilities built for transit connections.
- 3-bus bay and transfer activity at location

VTA has twenty-three (23) Transit Centers, listed here by city.

VTA TRANSIT CENTERS		
CITY	NAME	LOCATION
Campbell	Winchester	Winchester Boulevard
Gilroy	Gilroy	Monterey Street
Milpitas	Great Mall	Great Mall Parkway
Mountain View	Mountain View	Castro Street
Mountain View	San Antonio	San Antonio Road
Palo Alto	Palo Alto	University Avenue
San Jose	Almaden	Winfield Boulevard
San Jose	Alum Rock	Alum Rock Avenue
San Jose	Capitol	Narvaez Avenue
San Jose	Curtner	Canoas Garden Avenue
San Jose	Eastridge	Eastridge Loop – Capital Expwy & Quimby Rd
San Jose	Hostetter	Capitol Avenue
San Jose	Ohlone/Chynoweth	Chynoweth Avenue
San Jose	Penitencia Creek	Penitencia Creek
San Jose	San Jose Diridon	Cahill Street
San Jose	Santa Teresa	Santa Teresa Boulevard
San Jose	Snell	Snell Avenue
San Jose	Tamien	Lelong Street
Saratoga	West Valley	Fruitvale Ave. & Allendale Ave.
Santa Clara	Santa Clara	Railroad Avenue
Santa Clara	Valley Fair	Forrest Avenue
Sunnyvale	Frances Street	Frances Street
Sunnyvale	Lockheed Martin	Mathilda Avenue



Park & Ride Lots

For a comprehensive list of VTA’s 37 Park & Ride Lots, please see the list below or please visit: <http://www.vta.org/getting-around/schedules/park-and-rides-lots-map>

VTA PARK & RIDE LOTS
CITY: LOCATION [TOTAL PARKING CAPACITY]
<u>Campbell: Winchester LRT Station [54]</u>
<u>Cupertino: Vallco Shopping Center [50]</u>
<u>Gilroy: Gilroy Caltrain Station [471]</u>
<u>Milpitas: Great Mall LRT Station [93]</u>
<u>Milpitas: I-880/Milpitas LRT Station [275]</u>
<u>Morgan Hill: Morgan Hill Caltrain Station [486]</u>
<u>Mountain View: Downtown Mountain View Caltrain Station [340]</u>
<u>Mountain View: San Antonio Caltrain Station [199]</u>
<u>Mountain View: Whisman LRT Station [52]</u>
<u>Palo Alto: California Caltrain Station [185]</u>
<u>Palo Alto: Palo Alto Caltrain Station [389]</u>
<u>San Jose: Almaden LRT Station [189]</u>
<u>San Jose: Alum Rock Transit Center [110]</u>
<u>San Jose: Bascom LRT Station [102]</u>
<u>San Jose: Blossom Hill Caltrain Station [425]</u>
<u>San Jose: Blossom Hill LRT Station [511]</u>
<u>San Jose: Branham LRT Station [271]</u>
<u>San Jose: Capitol Avenue @ Alum Rock [26]</u>
<u>San Jose: Capitol Caltrain Station [378]</u>
<u>San Jose: Capitol LRT Station [951]</u>
<u>San Jose: Cottle LRT Station [421]</u>
<u>San Jose: Curtner LRT Station [474]</u>
<u>San Jose: Eastridge Transit Center [135]</u>
<u>San Jose: Highway 85 @ Camden Avenue [176]</u>
<u>San Jose: Hostetter LRT Station [100]</u>
<u>San Jose: Ohlone/Chynoweth LRT Station [549]</u>
<u>San Jose: Penitencia Creek LRT Station [53]</u>
<u>San Jose: River Oaks LRT Station [22]</u>
<u>San Jose: San Jose/Diridon Caltrain Station [581]</u>
<u>San Jose: Santa Teresa LRT Station [1155]</u>
<u>San Jose: Snell LRT Station [430]</u>
<u>San Jose: Tamien LRT/Caltrain Station [275]</u>
<u>San Martin: San Martin Caltrain Station [167]</u>
<u>Santa Clara: Great America ACE Station [189]</u>
<u>Santa Clara: Santa Clara Caltrain Station [321]</u>
<u>Sunnyvale: Moffett Park LRT Station [93]</u>
<u>Sunnyvale: Sunnyvale Caltrain Station [439]</u>



C. Bus Shelters

There are approximately 500 VTA bus shelters, 374 of which have advertising panels. The advertising inventory is sold through VTA's Bus Shelter Advertising vendor, Clear Channel Outdoor.

D. Intermodal Transit Centers

VTA will be operating Intermodal Transit Centers with access to Silicon Valley BART with two stations, Berryessa and Milpitas, projected to begin service in October 2019. By 2030, VTA expects to provide service to 25,000 daily passengers at Berryessa and Milpitas Intermodal Transit Centers.

For additional information on Silicon Valley BART Transit Centers stations, please visit:

<http://www.vta.org/bart/stations>



APPENDIX B: VTA’S ADVERTISING POLICY

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1.0 Purpose:

By implementing this Advertising Policy, VTA intends to establish uniform, viewpoint-neutral standards for the display of advertising on VTA property and equipment.

2.0 Scope:

This policy applies to all advertisements sold through VTA’s transit advertising contractor and bus shelter advertising contractor.

3.0 Responsibilities:

3.1 Review of Advertisements

The Advertising Vendor shall review each advertisement submitted for display on or in VTA property or equipment to determine whether the advertisement falls within, or may fall within, one or more of the categories of the “Prohibited Advertising Content” section (i.e. Section 4.3). If the Advertising Vendor determines that an advertisement falls within, or may fall within, one or more of those categories, then the Advertising Vendor shall promptly send the advertisement along with all supporting information (i.e. name of the advertiser, the size and number of advertisements, dates and locations of display, etc.) to the appropriate VTA Contract Administrator (“the Administrator”) for review of the advertisement.

3.1.1 Initial Review

Upon VTA Contract Administrator’s receipt of the advertisement and supporting information, the Administrator shall review the advertisement and supporting information to determine whether the advertisement falls within one or more of the categories set forth in Section 4.3. In reaching this determination, the Administrator may consider any materials submitted by the advertiser and may consult with the Advertising Vendor. In the event that the Administrator determines that the advertisement does not fall within any of the categories set forth in Section 4.3, the Administrator shall advise the Advertising Vendor that the advertisement is in conformity with VTA’s Advertising Policy.

3.1.2 Final Review

In the event that the Administrator determines that the advertisement falls within, or may fall within, one or more of the categories set forth in Section 4.3, then the Administrator shall, in writing, specify which of the categories the advertisement falls within, or may fall within, and shall refer the advertising and supporting information to the VTA General Counsel. Likewise, the General Counsel shall review the advertisement and supporting information to determine whether the advertisement falls within one or more of the categories set forth in Section 4.3. In reaching this determination, the General Counsel may consider any materials



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submitted by the advertiser and may consult with the Administrator. In the event that the General Counsel determines that the advertisement does not fall within any of the categories set forth in Section 4.3, the Administrator shall advise the Advertising Vendor that the advertisement is in conformity with VTA's Advertising Policy.

3.1.3 Rejection of Advertisement

In the event that the General Counsel determines that the advertisement falls within one or more of the categories set forth in Section 4.3, then the General Counsel shall, in writing, specify which of the categories the advertisement falls within, and the Administrator shall advise the Advertising Vendor that VTA has determined that the advertisement is not in conformity with the VTA Advertising Policy.

3.1.4 Opportunity for Revision by Advertiser

In the event that VTA determines that the advertisement falls within one or more of the categories of Section 4.3, the Advertising Vendor may, in consultation with the VTA Contract Administrator, discuss with the advertiser one or more revisions to the advertisement, which, if undertaken, would bring the advertisement into conformity with the VTA Advertising Policy. The advertiser shall then have the option of submitting a revised advertisement for review by VTA.

3.1.5 Formal Determination

In the event that VTA and the advertiser do not reach agreement with regard to a revision of the advertisement, the advertiser may request that VTA memorialize its formal determination in the form of a final written notice of its decision, which shall then be relayed to the advertiser. VTA's formal determination shall be final.

3.1.6 Notification of Non-Complying Advertisements

Notwithstanding the foregoing, if the VTA Contract Administrator and the General Counsel determine at any time that an advertisement already accepted for display by the Advertising Vendor falls within one or more of the categories set forth in Section 4.3, they shall:

- a. in writing, specify which of the categories the advertisement falls within;
- b. notify the advertiser that VTA has determined that the advertisement is not in conformity with its Advertising Policy and that the advertisement shall be promptly removed; and
- c. instruct the Advertising Vendor to remove the advertisement.



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3.1.7 Removal of Non-Complying Advertisements

Upon receiving a notification of a non-complying advertisement, the Advertising Vendor:

- a. shall promptly remove the advertisement;
- b. shall provide the advertiser with a copy of the VTA Advertising Policy; and
- c. may, with the VTA Contract Administrator, discuss with the advertiser one or more revisions to the advertisement, which, if undertaken, would bring the advertisement into conformity with the VTA Advertising Policy, and the advertiser shall have the opportunity for revision as set forth in the “Opportunity for Revision by Advertiser” provision above.

4.0 Policy:

4.1 Objectives

4.1.1 Increase Revenue

VTA transit operations are funded by public funds and fare box revenue. Advertising revenue is an important additional source of income that supports transit operations. Therefore, VTA’s fundamental purpose in accepting advertising is to generate revenue to augment VTA’s operating budget.

4.1.2 Promote VTA’s Mission

VTA’s mission is to provide sustainable, accessible, community-focused transportation options that are innovative, environmentally responsible, and promote the vitality of its region. Consistent with this stated purpose, VTA will accept advertising that will allow VTA to accomplish the following:

- a. Maximize revenue by attracting, maintaining, and increasing ridership;
- b. Maintain the safe and orderly operation of VTA;
- c. Prevent the appearance of favoritism by VTA;
- d. Prevent the risk of imposing views on a captive audience;
- e. Maintain a position of neutrality on controversial issues;
- f. Preserve the marketing potential of the advertising space by avoiding content that the community could view as offensive, inappropriate or harmful to the public generally or to minors in particular;
- g. Avoid claims of discrimination and maintaining a non-discriminatory environment for riders;
- h. Prevent any harm or abuse that may result from running controversial or offensive advertisements; and
- i. Reduce the diversion of resources from transit operations that are caused by controversial or offensive advertisements.



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4.1.3 Retain Non-Public Forum Status of VTA’s Advertising Space

Through this Advertising Policy, VTA intends to ensure that its advertising spaces constitute non-public fora. In keeping with this specified intention, VTA will reject any advertising material that will create a public forum for expressive activities, and VTA will actively enforce the viewpoint-neutral restrictions set forth in the Advertising Policy.

4.2 Permitted Advertising Content

The following classes of advertising are authorized (subject to the exclusions set forth under “Prohibited Advertising Content” below):

4.2.1 Commercial and Promotional Advertising

3.1 Advertising that promotes or solicits the sale, rental, distribution or availability of goods, services, food, entertainment, events programs, transactions, donations, products, or property (real or personal) for commercial purposes; or

3.2 Advertising that generally promotes an entity that engages in the sale, rental, distribution or availability of goods, services, food, entertainment, events programs, transactions, donations, products, or property (real or personal) for commercial purposes.

4.2.2 Public Service Announcements

VTA will, from time to time, make advertising space available for public service announcements (“PSA”) proposed by non-profit corporations. In order to be permissible, proposed PSA must meet the following criteria:

4.2.2.1 The sponsor of a PSA must be a governmental entity or a nonprofit corporation that is exempt from taxation under Internal Revenue Code Section 501(c)(3).

4.2.2.2 Content must be directed to the general public or a significant segment of the public and relate to:

- a. Prevention or treatment of illnesses;
- b. Promotion of safety or personal well-being;
- c. Education or training;
- d. Provision of children and family services;
- e. Solicitation by broad-based contribution campaigns which provide funds to multiple charitable organizations; or



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- f. Provision of services and programs that provide support to low income citizens, senior citizens, and people with disabilities.

4.2.2.3 The PSA may be required to bear the following legend if the sponsor is not readily or easily identifiable from the content or copy of the proposed PSA: "This message is sponsored by _____."

4.3 Prohibited Advertising Content

The following classes of advertising are prohibited:

Advertisements that contain:

4.3.1 Demeaning or disparaging material

Content that a reasonably prudent person who is knowledgeable of VTA's ridership and using prevailing community standards would believe ridicules or mocks, is abusive or hostile to, or debases the dignity or stature of, an individual or group of individuals.

4.3.2 Profanity

Content that includes profane language.

4.3.3 Violence

Content that depicts an image or contains description of graphic violence, including but not limited to:

- a. The depiction of human or animal bodies, body parts or fetuses, in states of mutilation, dismemberment, decomposition or disfigurement; or
- b. The depiction of weapons or other implements or devices used in the advertisement in an act or acts of violence or harm on a person or animal.

4.3.4 Unlawful goods or services

Content that promotes, encourages, or appears to promote or encourage the use or possession of unlawful or illegal goods or services.

4.3.5 Unlawful conduct

Content that promotes, encourages, or appears to promote or encourage unlawful or illegal behavior or activities.

4.3.6 Obscenity or nudity

Content that depicts obscene material or images of nudity. Content shall be considered "obscene" if an average person would find that the material, taken as a



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whole, appeals to a lewd curiosity; depicts or describes, in an offensive way, sexual conduct or excretory functions; and, taken as a whole, lacks serious literary, artistic, political, or scientific value. "Nudity" is construed as the depiction of a state of undress as to expose any part or portion of the pubic or anal region or genitalia of any person or any portion of the breast at or below the areola thereof of any female person.

4.3.7 Prurient sexual suggestiveness

Content that describes, depicts, or represents sexual activities or aspects of the human anatomy in a way that the average adult, applying contemporary community standards, would find appeals to the prurient interest of minors or adults in sex.

4.3.8 "Adult" goods or services

Content that promotes, encourages, or appears to promote or encourage a transaction related to, or uses brand names, trademarks, slogans or other materials which are identifiable with films rated "X" or "NC-17," video games rated M or AO, adult products, adult book stores, adult video stores, nude dance clubs and other adult entertainment establishments, adult telephone services, adult Internet sites, and escort services.

4.3.9 Advertisements that promotes the sale or use of any of the following:

- a. Alcohol
Content that advertises an alcohol product or a brand of alcohol products.
- b. Firearms
Content that advertises a firearm or a brand of firearms and/or contains an image of a firearm in the foreground of the main visual.
- c. Tobacco
Content that promotes the sale or use of tobacco or tobacco-related products (e.g., chewing tobacco, snuff, electronic cigarettes, etc.), including but not limited to depicting such products.
- d. Marijuana
Content that promotes the sale or use of marijuana or cannabis related products, including but not limited to depicting such images.

4.3.10 Advertisements which are to the knowledge of the Vendor:



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- a. False, misleading, or deceptive;
- b. Defamatory or likely to scorn or ridicule any person or group;
- c. Obscene or pornographic according to local community standards; or
- d. Advocates lawlessness or violent action.

4.3.11 Political

- a. Advertisements promoting or opposing a political party, or promoting or opposing the election of any candidate or group of candidates for federal, state, judicial, or local government offices; or
- b. Advertisements that are political in nature or contain political messages, including but not limited to those involving an issue that directly or indirectly implicates the action, inaction, prospective action or policies of a governmental entity.

4.3.12 Religious Advertisements containing images or content intended to promote a particular religion, religious idea or viewpoint.

4.3.13 Adverse to VTA

- a. Advertisements that contain material that is adverse to the commercial and administrative interests of VTA; or
- b. Advertisements that tend to disparage VTA’s services and/or public transportation generally.

5.0 *Definitions:*
N/A.

6.0 *Summary of Changes:*

The policy reflects the following changes to Prohibited Advertising Content (4.3)...

In section 4.3.9(c), expanded the description of tobacco-related products with examples such as chewing tobacco, snuff, and electronic cigarettes.

Added section 4.3.9(d) to include Marijuana or cannabis related products as Prohibited Advertising Content.



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7.0 *Approval Information:*

<i>Prepared by</i>	<i>Reviewed by</i>	<i>Approved by</i>
 Dino Guevarra Manager, Marketing & Business Development	 Bernice Alaniz Director of Communications	 Nuria I. Fernández General Manager

Date Approved: 12-07-2016



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