

We buy advertising. Better.

VISIT MENDOCINO COUNTY
MEDIA PURCHASING AGREEMENT
June 2, 2014

Creative Concepts Media + Marketing (hereinafter referred to as 'Creative Concepts') will act as the media agency for Visit Mendocino County for all advertising mediums as defined by agreed upon media plans including but not limited to: radio, television, print, outdoor, digital, search, and non-traditional media advertising.

As a media purchasing agent only, Creative Concepts is neither responsible nor liable for any claims, lawsuits or other related incidents that occur because of claims against the product. In the event of any proceeding, litigation or suit against Visit Mendocino County, Inc. by any regulatory agency or consumer, or in the event of any court action or other proceeding challenging any product Visit Mendocino County, Inc. produces; Visit Mendocino County, Inc. is responsible for any legal expenses Creative Concepts incurs on behalf of Visit Mendocino County, Inc.

AGENCY SERVICES

- Creative Concepts agrees to devote our best efforts to your interests and to endeavor in every way to make your advertising successful. Creative Concepts agrees to use our knowledge of advertising and marketing for your behalf to create unique opportunities for your products.
- Creative Concepts ensures complete confidentiality on all projects.
- Costs in connection with your advertising shall be in accordance with plans and budget estimates first approved by Visit Mendocino County, Inc.'s assigned point of contact.
- Visit Mendocino County, Inc. will retain the right to modify, reject, cancel, or stop any and all plans, schedules or work in progress, subject to any liability previously incurred, and cancellation fees.
- Creative Concepts will order the space, time or other means to be used for your advertising, endeavoring to secure the most advantageous rates and positioning available.
- Creative Concepts will create and negotiate promotions with the media as an added value of your advertising where possible.
- Creative Concepts will check and verify insertions, displays or other means of advertising used.
- Creative Concepts will track all online advertising through our third party tracking service, and optimize continuously.

VISIT MENDOCINO COUNTY, INC. SERVICES

- Visit Mendocino County, Inc. will develop and provide an overall annual advertising budget. Once approved, Creative Concepts will develop detailed media plans with flight dates, media outlets and promotions where applicable, for all media Creative Concepts is purchasing on behalf of Visit Mendocino County, Inc.
- Visit Mendocino County, Inc. will provide all advertising creative and assets per specifications needed for the media plan.

CHARGES FOR ADVERTISING AND SERVICES:

The following charges are provided based on Creative Concepts purchasing all traditional and interactive media for Visit Mendocino County, Inc.

• Initial Media Plan:

Creative Concepts Media + Marketing will develop an initial media plan, mapping Visit Mendocino County advertising quarterly, allowing you to budget accordingly. The media plan will include recommendations for advertising across all advertising media. Recommendations for media are based on research of your target audience as well as experience in evaluating the performance of local media outlets. Creative Concepts will also include unique opportunities such as sponsorships, airport options, and other means for gaining incremental exposure of your brand messaging that do not fall into specific media categories. The media plan will include run dates and rates for all advertising options. Once the plan is completed, Creative Concepts will present the plan, review options in depth, answer questions, and receive feedback.

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VISIT MENDOCINO COUNTY, INC. AGREEMENT

Page Two

The Creative Concepts process for developing the media plan entails:

- Utilize the approved destination marketing plan
- Analyze your target audience.
- Assess your current strategy and look for opportunities.
- Determine the media mix based on research and the given budget. The media mix allocates percentages of your budget to different media.
- Once the media mix is determined, Creative Concepts will analyze and evaluate media options.
- After the media plan is approved, Creative Concepts will work with vendors to negotiate rates, bonus, and added value options.

The initial media plan only refers to the very first media plan created by Creative Concepts. The cost for the initial media plan is \$3600. If the media plan is implemented within 60 days of presentation, Creative Concepts will rebate 50% or \$1800 of the media plan towards media purchases.

Commissions will include monthly meetings, annual on-site meeting, all planning, research, and media promotion development, and implementation; after the initial media plan is created and researched. Creative Concepts will work with the media to develop promotions for Visit Mendocino County, Inc. as well as work to have Visit Mendocino County, Inc. a partner in media promotions and events.

- Radio, Television, Outdoor and Print Media: 15% commission (17.65% mark up on net fees)
Creative Concepts will purchase these media on a commission basis, receiving 15% commission, usually paid by the media. Commissions include placement of media, traffic instructions, monitoring, support, campaign recaps, checking of invoices for media purchased and invoicing the media cost.

- Digital / Social Advertising: 15% commission (17.65% mark up on net fees)
Creative Concepts will purchase online media on a commission basis, receiving 15% commission. This includes planning, placement, traffic instructions, optimization, monitoring, support, reporting, recaps, checking of invoices for media purchased and invoicing the media cost.

- Third party Ad Tracking: 5% commission

Creative Concepts will serve all online and mobile advertising through a third party ad server. This commission covers the online and mobile tracking fees.

- Creative Concepts will charge a 15% commission (17.65% mark up on net fees) for any non-commissionable media, media negotiated by Creative Concepts and contracted directly to Visit Mendocino County, Inc., or trade schedules.

- Miscellaneous Projects: Cost estimate
Creative Concepts will provide cost estimates for services provided if outside of the media buying scope of work, or outside of the media Creative Concepts is purchasing on behalf of Visit Mendocino County, Inc. These projects may include development of budgets, marketing services, or any other services requested that are not named within this scope of work document. Creative Concepts will charge an hourly fee for this agreement of \$125/hour.

- Any changes or cancellations of purchased advertising may result in rate changes, short rates or additional fees. Creative Concepts will charge a 7.5% cancellation fee on all media cancelled after implemented by Visit Mendocino County, Inc.

TERMS OF PAYMENT

- Visit Mendocino County, Inc. will be financially responsible for all advertising created, implemented and purchased on their behalf.

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VISIT MENDOCINO COUNTY, INC. AGREEMENT

Page Three

• Creative Concepts will invoice Visit Mendocino County, Inc. monthly. Invoices will be installment payments that will be based on the total amount of the media plan divided by the total months of media plan and will be due and payable within 30 days. All invoices that exceed the 30 days will be charged a monthly interest rate of 1.5%.

TERMS OF AGREEMENT

• Agreement shall begin on June 23, 2014 with the understanding that Creative Concepts will start media purchases as of July 1, 2014. The agreement will continue thru June 30, 2015. The agreement will continue on an annual basis thereafter unless canceled by client by May 31st of any given year.

Visit Mendocino County, Inc. hereby contracts for the media services described above upon the terms set forth above which Visit Mendocino County, Inc. hereby acknowledges and confirms receipt of by executing in the space provided below. All contracts, media plans, and other service estimates transmitted to Creative Concepts via fax machines or approved by email will be treated as original contracts.

In the event of disputes, discrepancies or legal action, all legal fees will be the client's responsibility and Creative Concepts shall be entitled to recover all attorneys' fees and out of pocket expenses. Mediation must be utilized prior to formal legal action and Washoe County, Nevada shall be the proper and exclusive legal jurisdiction and venue.

Agreed by Visit Mendocino County, Inc.:

Signature: 

Print name: SCOT SCHNEIDER

Title: PRESIDENT/CEO Date: 6/5/14