

NOTICE TO BIDDERS
BID #01-2024
TOWNSHIP OF MONTGOMERY

PLEASE TAKE NOTICE that sealed bids will be received by the Township of Montgomery, 100 Community Drive, Skillman, New Jersey 08558 for the following:

Bid #01-2024 - Lease of Real Property from the Township of Montgomery, at Block 20001, Lot 10.05 for the Design, Construction and Maintenance of a New, Self-Supporting 135' Monopole (with option to extend to 150') and Related Equipment and Facilities

Commencing on Friday, January 12, 2024, bid documents for the above referenced project will be available between the hours of 8:30 AM and 4:00 PM, prevailing time on regular business days, at the Township of Montgomery ("Township") Finance Office, 100 Community Drive, Skillman, New Jersey 08558. Bid Documents may also be obtained upon written electronic request to Sue Weidenfeller at SWeidenfeller@montgomerynj.gov. Bidders should allow two business days from the date of the request to expect receipt of the Bid documents.

Bids will be received by the Township's Qualified Purchasing Agent, Michael W. Pitts Jr., or his designee, at the Township Offices, 100 Community Drive, Skillman, New Jersey 08558, up to 10:00 A.M. prevailing time on Friday, February 23, 2024. Bids properly received and identified will be opened publicly and read aloud shortly after the time due. No bid will be received after the time and date specified. It is anticipated that an award of a lease shall be made by resolution of the Township Committee no later than the second regular meeting of the Montgomery Township Committee following the completion of bidding.

Bids shall be made on proposal forms in the manner designated and required by "Instructions to Bidders". Bids shall be enclosed in sealed envelopes bearing the name and address of the bidder and addressed to the Township of Montgomery, clearly marked, "Bid # 01-2024 Wireless Communication Tower Enclosed — DO NOT OPEN" and must be accompanied by the items contained in the Instruction to Bidders and the Bidder's Checklist therein, in duplicate (one original and two copies).

Bids must be accompanied by certified check, cashier's check or bid bond drawn to the order of the "Township of Montgomery" for not less than Ten Percent (10%) of the amount of the bid for the annual rent for one year, but in no case in excess of Twenty Thousand Dollars (\$20,000.00). The check or bond of the bidder to whom the contract is awarded shall be retained until a Lease is executed. The check or bond of the successful bidder shall be forfeited if the bidder fails to enter into a contract pursuant to N.J.S.A. 40A:11-21.

The minimum bid, which is equivalent to the annual rent for the first year of the lease, shall not be less than Forty-thousand dollars (\$40,000) ("Minimum Rent"). Each successful bidder shall enter into a lease agreement with the Township. The monopole shall be engineered and designed to accommodate up to a total of four (4) wireless carriers plus the potential for public safety and/or Township use. Bidders may elect to include revenue share as part of their submissions. The Township shall be entitled to receive no less than the amount proposed by the successful bidder from co-locators ("Co-Locators" or "Subtenants"). Bids including revenue share will, for the sake of fair comparison, be based on amounts due. In no case shall the rent paid fall below the Minimum

Rent. The Township, for public safety reasons, shall be permitted access to the monopole at no cost to the Township, or any other public entity.

If in the best interest of the Township, the highest responsive, responsible bid, as determined by the Township, will be awarded the right to design and erect a tower on the leased portion of the property and shall have the right to select the centerline for its antenna array and location for its ground equipment. The successful bidder shall be responsible for the design and development of the wireless communications facility (including all engineering, regulatory, approvals and permits), maintenance of the communications tower and maintenance of their wireless communications equipment, and other common areas on the site.

The successful bidder shall enter into a contractual agreement with Montgomery Township in a form prepared by the Township, a copy of which will be kept on file with the Office of the Township Clerk. Said contract shall be entered into within thirty (30) days of the award of the bid.

The Township reserves the right to reject any or all bids, to waive immaterial informalities, or to accept any bid which, in the opinion of the Township, will be in the public interest, all in accordance with the New Jersey Local Lands and Buildings Law, N.J.S.A. 40A:12—1, et seq. In the event of an equal or tie bid, the Township shall award the bid to the bidder which, in the Township's sole discretion, best serves the public interest.

The Township assumes no responsibility for bids returned by mail or delivered after the deadline for submission of bids.

Bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq., and N.J.A.C. 17:27. Bidders are required to comply with the requirements of the New Jersey Prevailing Wage Act, N.J.S.A. 34:56-27 and the New Jersey Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq.

Bids must be received in a **sealed envelope that is labelled as follows:**

Return Address: Bidder Name
Bidder Address
Delivery Address: Purchasing Agent: Michael W. Pitts Jr.
100 Community Drive, Skillman, NJ 08558
Bid # 01-2024 Wireless Communications Tower
Enclosed - DO NOT OPEN

Any proposal received not complying with these requirements SHALL not be opened and returned to sender marked "Unresponsive".

Proposals shall be submitted in sealed envelopes that include the following:

- One (1) copy on the proposal forms contained in the bid package
- One (1) copy scanned as a PDF file, submitted with bid package on a CD or USB media device.

Michael W. Pitts Jr., Purchasing Agent
Township of Montgomery