

Invitation for Bids

Rooftop Antenna Leases

Arlington Housing Authority
4 Winslow Street
Arlington, MA 02474-3062
Phone: (781) 646-3400
Fax: (781) 643-6923

(This form is for utilization by Massachusetts Housing Authorities)

| | |
|---|----|
| ADVERTISEMENT..... | 4 |
| INVITATION FOR BIDS..... | 5 |
| 1 INTRODUCTION..... | 5 |
| 2 PREMISES TO BE LEASED..... | 5 |
| 3 LEASE TERM..... | 5 |
| 4 LEASE RATES AND PAYMENT SCHEDULES..... | 5 |
| 5 RESPONDENTS' RESPONSIBILITIES..... | 5 |
| 6 SITE INSPECTION..... | 6 |
| 7 REQUEST FOR INTERPRETATION..... | 6 |
| 7.1 Notification of Problem with IFB..... | 6 |
| 7.2 Requests for Clarification or Interpretation..... | 6 |
| 7.3 Notification of IFB Changes..... | 6 |
| 7.4 Mailing of Addenda..... | 7 |
| 8 SUBMISSION OF BIDS..... | 7 |
| 8.1 Bid Deadline..... | 7 |
| 8.2 Identification of Bids..... | 7 |
| 9 AWARD OF CONTRACT..... | 7 |
| 9.1 Ranking of Bids..... | 7 |
| 9.2 Maximization of Revenue..... | 7 |
| 9.3 Bid Revisions..... | 7 |
| 9.4 Waiver and Rejection..... | 8 |
| 10 FORM OF LEASE..... | 8 |
| 11 AGENTS..... | 8 |
| ATTACHMENT A - SITES LOCATION INFORMATION..... | 9 |
| Chestnut Manor (667-2)..... | 9A |
| Winslow Towers (667-3)..... | 9B |
| Hauser Building (667-4)..... | 9C |
| Cusack Terrace (667-5)..... | 9D |
| FORM FOR BID RESPONSE..... | 10 |
| CERTIFICATE OF VOTE OF AUTHORIZATION..... | 13 |
| NON-COLLUSIVE AFFIDAVIT..... | 14 |
| DISCLOSURE OF BENEFICIAL INTERESTS IN REAL PROPERTY TRANSACTION..... | 15 |
| REAP CERTIFICATION..... | 17 |

Arlington Housing Authority
Invitation for Bids - Rooftop Antenna Lease - Page 3

FORM OF LEASE OF ROOFTOP SPACE FOR TELECOMMUNICATIONS

| | |
|--|----|
| DEVICES (24 Pages)..... | 1 |
| 1. Scope of Lease..... | 1 |
| 2. Lease of Premises..... | 2 |
| 3. Use..... | 3 |
| 4. Term..... | 5 |
| 5. Rent..... | 5 |
| 6. Approvals Contingency..... | 6 |
| 7. Non-interference..... | 6 |
| 8. Insurance/ Liability..... | 7 |
| 9. Warranties..... | 8 |
| 10. Access to Leased Premises..... | 8 |
| 11. Maintenance & Repair Utilities; Time for Installation and Maintenance... | 9 |
| 12. Default and Right to Cure..... | 10 |
| 13. Assignment/ Sublease..... | 11 |
| 14. Notices..... | 13 |
| 15. Severability..... | 13 |
| 16. Subordination..... | 13 |
| 17. Amendment; Waiver..... | 14 |
| 18. Short Form Lease..... | 14 |
| 19. Bind and Benefit..... | 14 |
| 20. Entire Agreement..... | 14 |
| 21. Governing Law..... | 14 |
| 22. Interpretation..... | 14 |
| 23. Estoppel..... | 15 |
| 24. Tenant's Indemnity..... | 15 |
| 25. Taxes..... | 16 |
| 26. Limitation of Landlord's Liability..... | 16 |
| 27. Overloading..... | 16 |
| 28. Condemnation or Casualty, Etc..... | 17 |
| 29. Health or Environmental Risk..... | 19 |
| 30. Tenant's Work..... | 19 |
| 31. Other Easements; Leases..... | 20 |
| 32. Marking and Lighting Requirements..... | 20 |
| 33. Counterparts..... | 20 |

ADVERTISEMENT

ARLINGTON HOUSING AUTHORITY
INVITATION FOR BIDS
LEASE OF ROOFTOP SPACE FOR TELECOMMUNICATIONS DEVICES

The Arlington Housing Authority (the "Authority") is soliciting sealed bids for the lease and use of rooftop and penthouse space on the following four properties operated by the Authority:

1. Chestnut Manor (667-2), 54 Medford Street, Arlington, MA, a 7 story residential highrise containing 100 apartments for elderly/ handicapped tenants.
2. Winslow Towers (667-3), 4 Winslow Street, Arlington, MA, a 13 story residential highrise containing 132 apartments for elderly/ handicapped tenants and one floor in use as administrative offices.
3. Hauser Building (667-4), 37 Drake Road, Arlington, MA, a 7 story residential highrise containing 144 apartments for elderly/ handicapped tenants.
4. Cusack Terrace (667-5), 8 Summer Street, Arlington, MA, a 5 story residential highrise containing 67 apartments for elderly/ handicapped tenants.

This space is available for the installation and operation of radio communications facilities. These facilities can include, but are not limited to cellular telephone, personal communications systems, paging and land mobile radio. The lease and use of these spaces will be on a non-exclusive basis.

A separate sealed bid must be submitted for each site proposed. Sealed bids will be received until 12:00 noon on December 4, 2017 at the Main Office, of the Arlington Housing Authority, located at 4 Winslow Street, Arlington, MA.. At such time, the bids will be publicly opened and read aloud.

Invitation for Bids (IFB) copies are available for pickup after Noon on October 17, 2017 at the Authority's main office, 4 Winslow Street, Arlington, MA 02474-3062. Or available for download at www.arlingtonhousing.org The Authority will mail an Invitation for Bids free of charge. Contact the Authority by telephone, at (781) 646-3400 or by mail at the above noted address. No IFBs will be mailed out within five days of the bid deadline.

John J. Griffin
Executive Director

Arlington Housing Authority
Invitation for Bids - Rooftop Antenna Lease - Page 5

INVITATION FOR BIDS

1 INTRODUCTION

This Invitation for Bids ("IFB") is issued by the Arlington Housing Authority (hereinafter the "Authority") to solicit bids for the lease and use of available rooftop and penthouse space. This space is available for the installation and operation of radio communications facilities. These facilities can include, but are not limited to Cellular Telephone, Personal Communications Systems, Paging and Land Mobile Radio. The lease and use of these spaces will be on a non-exclusive basis.

Bids received shall be for the complete work as specified in the IFB dated October 17, 2017. Any bid which does not conform with the IFB, or which is incomplete, conditional or obscure, or which contains any additions not called for, shall be invalid.

2 PREMISES TO BE LEASED

The Authority has roof (and penthouse) space available at the following Authority owned sites located in Arlington, MA 02474-3062:

- a. Chestnut Manor (667-2), 54 Medford Street, Arlington, MA, a 7 story residential highrise containing 100 apartments for elderly/ handicapped tenants.
- b. Winslow Towers (667-3), 4 Winslow Street, Arlington, MA, a 13 story residential highrise containing 132 apartments for elderly/ handicapped tenants and one floor in use as administrative offices.
- c. Hauser Building (667-4), 37 Drake Road, Arlington, MA, a 7 story residential highrise containing 144 apartments for elderly/ handicapped tenants.
- d. Cusack Terrace (667-5), 8 Summer Street, Arlington, MA, a 5 story residential highrise containing 67 apartments for elderly/ handicapped tenants.

A separate sealed bid must be submitted for each site being bid on.

3 LEASE TERM

Each Bid must be for ten (10) years. This agreement may be extended for up to two additional five (5) year extensions provided that such extensions are agreed upon by both the tenant and landlord.

4 LEASE RATES AND PAYMENT SCHEDULES

The base lease rate is not subject to negotiation and must be clearly identified in the Respondent's bid. The Respondent's base lease rate will only cover the rental of space from the Authority. All bids shall include a rental schedule of the rents to be paid over the period of this agreement.

The Consumer Price Index shall be determined by the most recently published Consumer Price Index appearing in the New York Times prior to the beginning of any contract extension period.

5 RESPONDENTS' RESPONSIBILITIES

Respondents must include with their bid:

Arlington Housing Authority
Invitation for Bids - Rooftop Antenna Lease - Page 6

- 5.1 A fully completed "FORM FOR BID RESPONSE" which is included in this IFB package.
- 5.2 Description of antenna system and equipment to be installed including catalogue cuts and space and mounting requirements. Said description to include all transmit and receive frequencies, transmitter output power and effective radiated power.
- 5.3 AC power requirements and number and types of telephone lines required (if any).
- 5.4 Access requirements (how often is access required for maintenance).
- 5.5 Certification that the installation is in compliance with all regulations regarding exposure of the general public and workers to Non-Ionizing Radiation. These regulations include, but are not limited to, those promulgated by the Federal Communications Commission, Massachusetts Department of Public Health and the Massachusetts Department of Labor and Industries.
- 5.6 Certification that the Tenant will maintain general liability insurance, on an occurrence basis, in the amount of \$1,000,000.00 for personal injury and/ or property damage that includes the Authority as a named insured and excess/ umbrella coverage of \$2,000,000.00.
- 5.7 Executed Certificate of Vote of Authorization in the form included with this package.
- 5.8 Executed Mass. General Laws c. 30B §10 Non-Collusive Affidavit in the form included with this package.
- 5.9 Executed Mass. General Laws c. 7 §40J Disclosure of Beneficial Interests in Real Property Transaction in the form included with this package.
- 5.10 Executed Mass. General Laws c. 62C, §49A REAP Certificate in the form included with this package.

6 SITE INSPECTION

The site is available for inspection by any and all Respondents. Each Respondent is encouraged to visit the site to verify the accuracy of this IFB's information and the site's suitability for the Respondent's purposes. Site visits may be scheduled by contacting Mr. Robert Cronin, Superintendent of Maintenance, at (781) 646-3400 ext 17.

7 REQUEST FOR INTERPRETATION

7.1 Notification of Problem with IFB

Respondents shall promptly notify the Authority of any ambiguity, inconsistency, or error they may discover upon examination of this Invitation for Bids.

7.2 Requests for Clarification or Interpretation

Bidders requiring clarification, or interpretation of the Invitation for Bids must make a written request to the Authority. The Authority will answer such requests if received at least seven (7) calendar days before the proposal due date.

7.3 Notification of IFB Changes

Arlington Housing Authority
Invitation for Bids - Rooftop Antenna Lease - Page 7

Addenda are the sole source of interpretation, correction, or changes to the Invitation for Bids. The Authority is not accountable for any oral instructions.

7.4 Mailing of Addenda

Addenda are by certified mail, return receipt requested, to every individual or firm on record.

8 SUBMISSION OF BIDS

8.1 Bid Deadline

All Respondents' bids must be received no later than 12:00 noon on December 4, 2017 at the main office of the Arlington Housing Authority, 4 Winslow Street, Arlington, MA 02474-3062, Attn: John J. Griffin, Executive Director.

8.2 Identification of Bids

Respondents must submit all bids in a sealed envelope with the following marked plainly on the outside:

Rooftop Lease Bid
Highrise Name
Bid Opening Date
Firm Name
Address
Telephone Number
Contact Person

9 AWARD OF CONTRACT

9.1 Ranking of Bids

The Authority reserves the right to grant more than one site license for the available lease space. The Authority will rank the bids in order from the highest to lowest rental amounts offered. The Respondent offering the highest rental amount will receive the first site license. If remaining space is available the Authority will then award the second site license to the Respondent offering the second highest rental amount. The granting of additional site licenses to any other Respondents will continue, until at the sole discretion of the Authority, there is no remaining space available.

9.2 Maximization of Revenue

It is the primary goal of the Authority to use this IFB process to maximize the revenue generated by the available space. The Authority reserves the right to reject the bids of any Respondents on the basis of their physical space needs. If two or more lower priced Respondents can fit into the space of a higher priced Respondent and provide a larger total rental income, then the Authority may reject the bid of a higher priced Respondent.

9.3 Bid Revisions

Arlington Housing Authority
Invitation for Bids - Rooftop Antenna Lease - Page 8

Except as otherwise provided in Mass. G.L. c. 30B, §5(f), there shall be no changes allowed to any bids after opening.

9.4 Waiver and Rejection

The Authority reserves the right to waive any informalities in or to reject any or all bids if it is in the public interest to do so.

10 FORM OF LEASE

All site leases for the available rooftop will be executed on the form for lease included with this Invitation for Bids.

11 AGENTS

Bids from Agent(s) on behalf of a prospective tenant are acceptable. The Agent(s) will be working on behalf of the prospective tenant and any fees and/ or commissions due the Agent will be the responsibility of the prospective tenant. Agent(s) will have no claims against the Authority.

Arlington Housing Authority
Invitation for Bids - Rooftop Antenna Lease - Page 9

ATTACHMENT A - SITES LOCATIONS INFORMATION

(SITE ADDRESSES with LOCATION MAPS - CITY/ TOWN STREETS)

See attached maps for locations of the following four Arlington Housing Authority sites:

Page 9A.

Chestnut Manor (667-2)
54 Medford Street
Arlington, MA 02474-3062
7 story highrise

Page 9B.

Winslow Towers (667-3)
4 Winslow Street
Arlington, MA 02474-3062
13 story highrise

Page 9C.

Hauser Building (667-4)
37 Drake Road
Arlington, MA 02474-3062
7 story highrise

Page 9D.

Cusack Terrace (667-5)
8 Summer Street
Arlington, MA 02474-3062
5 story highrise

FORM FOR BID RESPONSE - Page 2

| | | | |
|---|----------|------|---------------------------------|
| Antennas | | | |
| Type (Tx/ Rx) | Quantity | Type | Approximate Dimensions |
| Transit Antenna(s) | | | Length: Diameter: Weight: |
| Receive Antenna(s) | | | Length: Diameter: Weight: |
| GPS Antenna(s) | | | Length: Diameter: Weight: |
| Other Antenna(s) | | | Length: Diameter: Weight: |
| Minimum horizontal separation between bidder's transmit, receive & GPS antennas (in feet): | | | |
| Minimum horizontal separation between bidder's antennas and any other antennas (in feet): | | | |
| | | | |
| Heliac | | | |
| Type (Tx/ Rx) | Quantity | Type | Heliac Diameter Size |
| Transit Line(s) | | | |
| Receive Line(s) | | | |
| GPS Line(s) | | | |
| Other Helix Line(s) | | | Length: Diameter: Weight: |
| Approximate dimensions (length, width and height) of the cabinet the proposed equipment will be installed in: | | | |

FORM FOR BID RESPONSE - Page 3

| | |
|---|--|
| Number of phone lines required for proposed installation: | |
| Estimated total electrical wattage to be drawn by all of the proposed equipment: | |
| Estimated number of times per month bidder will need to visit the site to adjust or inspect the installation: | |

Additional Attachments to Bid Response - Include catalogue cuts and space and mounting requirements for all equipment to be included in this proposed installation.,

Radio Frequency Interference - The undersigned certifies the proposed installation outlined in this bid shall not cause radio frequency interference to the Authority or to any other lessee who is using the Site at the time of installation, provided the equipment used by another lessee is operating within the technical parameters specified by its manufacturer and/ or as defined by the FCC.

Non-Ionizing Radiation - The undersigned certifies the proposed installation outlined in this bid will comply with all regulations regarding exposure of the general public and workers to Non-Ionizing Radiation. These regulations include, but are not limited to, those promulgated by the Federal Communications Commission, Massachusetts Department of Public Health and the Massachusetts Department of Labor and Industries.

General Liability Insurance - The undersigned certifies that if awarded a lease pursuant to this bid it will maintain general liability insurance, on an occurrence basis, in the amount of \$1,000,000.00 for personal injury and/ or property damage that includes the Authority as a named insured and excess/ umbrella coverage of \$2,000,000.00.

| | |
|--|--|
| Full Corporate Name of Bidder/ Respondent: | |
| By (signature): | |
| Name & title: | |
| Business Address: | |
| | |
| Telephone No.: | |

CERTIFICATE OF VOTE OF AUTHORIZATION

_____ 19 __

I hereby certify that a meeting of the Board of Directors of the :

Name of Corporation

duly called and held at _____ on the _ day of _____, 2017__, at which a quorum was present and acting, it voted that _____ of the _____, be and hereby is authorized to execute and deliver for and in behalf of the Corporation a Lease with the Arlington Housing Authority, for rooftop space at State-Aided Housing Project No. _____ in the Town of Arlington, MA, which Lease was presented to and made a part of the records of said meeting.

I further certify that _____ is duly qualified and acting
Name of Corporate Officer

_____ of the Corporation and that said vote has not been
Title

repealed, rescinded or amended

A true copy of the record,

ATTEST:

(CORPORATE SEAL)

SUBSCRIBED AND SWORN TO THIS _____ DAY OF _____ BEFORE ME.

Notary Public

My Commission Expires: _____

MASS. GENERAL LAWS c. 30B, §10

NON-COLLUSIVE AFFIDAVIT

The undersigned certifies under penalties of perjury that this bid is in all respects bona fide, fair and made without collusion or fraud with any other person. As used in this paragraph the word "person" shall mean any natural person, joint venture, partnership, corporation or other business or legal entity.

(Name of person signing bid)

(Company)

MASS. GENERAL LAWS, c.7, §40J

DISCLOSURE OF BENEFICIAL INTERESTS IN REAL PROPERTY TRANSACTION

This form contains a disclosure of the names and addresses of all persons with a direct or indirect beneficial interest in the real estate transaction described below. This form must be filed with the Massachusetts Division of Capital Planning and Operations, as required by M.G.L. c.7, §40J, prior to the conveyance of or execution of a lease for the real property described below. Attach additional sheets if necessary.

1. Public agency involved in this transaction: Arlington Housing Authority

2. Complete legal description of the property:

3. Type of transaction: Sale Lease or rental for _____ [term]:

4. Seller(s) or Lessor(s): _____
Purchaser(s) or Lessee(s): _____

5. Names and addresses of all persons who have or will have a direct or indirect beneficial interest in the real property described above. *Note: If a corporation has, or will have a direct or indirect beneficial interest in the real property, the names of all stockholders must also be listed except that, if the stock of the corporation is listed for sale to the general public, the name of any person holding less than ten percent of the outstanding voting shares need **not** be disclosed.*

| Name | Address |
|-------|---------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

(Continued on next page)

5. Continued

None of the persons listed in this section is an official elected to public office in the Commonwealth of Massachusetts except as noted below:

| Name | Title or position |
|-------|-------------------|
| _____ | _____ |
| _____ | _____ |

6. This section must be signed by the individual(s) or organization(s) entering into this real property transaction with the public agency named in item 1. If this form is signed on behalf of a corporation, it must be signed by a duly authorized officer of that corporation.

The undersigned acknowledges that any changes or additions to item 4 of this form during the term of any lease or rental will require filing a new disclosure with the Division of Capital Planning and Operations within 30 days following the change or addition.

The undersigned swears under the pains and penalties of perjury that this form is complete and accurate in all respects.

Signature: _____

Printed name: _____

Title: _____

Date: _____

MASS. GENERAL LAWS c.62C, §49A

REAP CERTIFICATION

Pursuant to MGL c.62(C) sec. 49(a), the individual signing this Lease on behalf of the Tenant, hereby certifies, under the penalties of perjury, that to the best of his/ her knowledge and belief the Tenant has complied with any and all applicable state tax laws.

(Name of person signing bid)

(Company)