REQUEST FOR PROPOSALS

UNIVERSITY CONTRACT FOR

SELECTION OF A CONTRACTOR TO DESIGN, INSTALL AND MANAGE

A

Stealth Monopole Cell Tower

RFP AA15-JM-5009

SUBMITTED BY THE AMHERST PROCUREMENT DEPARTMENT
TABLE OF CONTENTS

I. INTRODUCTION .............................................................................. 3
II. GENERAL ...................................................................................... 3
   Questions ..................................................................................... 3
III. GENERAL SCOPE OF WORK .......................................................... 4
IV. TERM OF CONTRACT ................................................................. 6
V. LOCATION .................................................................................... 6
VI. PROPOSAL SUBMISSION REQUIREMENTS ...................................... 6
   Qualifications of Firm .................................................................. 6
   Project Experience ...................................................................... 6
   Overall Strategy .......................................................................... 7
   Pricing for Services Offered ......................................................... 7
   Project Schedule Projection .......................................................... 7
   Signal Levels ................................................................................ 7
   Response Identification Form ......................................................... 7
VII. EVALUATION CRITERIA AND INVITATION TO PRESENT .................. 7
VIII. CONTRACT .................................................................................. 8
   University Contract for Services .................................................. 8
   Prevailing Wages ....................................................................... 8
   Public Information ...................................................................... 9
   Cost to Submit ........................................................................... 9
   Alterations to Proposals .............................................................. 9
   Insurance .................................................................................... 9
   Exceptions to Contract Terms and Conditions ......................... 10
ATTACHMENT A - Response Identification Form ................................... 11
ATTACHMENT B – Prevailing Wage Schedule ...................................... 12
ATTACHMENT C – Google Earth Map of Site Location ............................ 13
REQUEST FOR PROPOSALS

I. INTRODUCTION

The objective of this Proposal is the selection of a single Contractor to have exclusive rights to design, install and maintain a stealth monopole cell tower with concealed antennas at a satellite campus location for the University of Massachusetts Amherst (UMA). The satellite campus site is located in Waltham Massachusetts at the Waltham Experiment Station. The secondary focus would be to provide a positive, shared revenue stream for the University from this initiative to address deferred maintenance at the Waltham Experiment Station.

II. GENERAL

The UMA seeks qualifications for Services related to the design and installation and management of a stealth monopole cell tower with concealed antennas. It is the University’s intent to select an aggregator who will design, build, market, and maintain a stealth monopole cell tower with concealed antennas at the UMA satellite Waltham Experiment Station.

Questions

All questions from prospective firms concerning this RFP shall be referred to the Assistant Director of Procurement, by email or fax only, by 5:00 PM, on February 17, 2015. The contact information for this individual is:

| John O. Martin |
| Director of Procurement & Campus Services |
| University of Massachusetts-Amherst |
| Fax: (413)545-1643 |
| E-Mail: jomartin@admin.umass.edu |

No telephone calls will be accepted. Inquiries received after the specified date and time will not be accepted. The UMA will post its response to all written questions to all bidders of record on the Procurement web page by formal addendum by 5 p.m. on Monday, February 23, 2015. The UMA will extend the due date by written addendum if such information significantly amends this, or makes compliance with, the original proposed due date impractical.

Bids shall be received no later than 2:00 PM on March 10, 2015. Proposals shall be addressed and delivered to:

| University of Massachusetts Amherst |
| Procurement Department |
| Room 407 Goodell Building |
| 140 Hicks Way |
| Amherst, MA 01003-9334 |
| Attention RFP AA15-JM-5009 |
Each proposal shall clearly identify the respondent’s name and business address. One paper original clearly marked as such and (4) electronic copies of each proposal on flash drives shall be submitted to the University.

Proposals delivered late or to another location will be rejected and filed unopened in the Procurement file.

RECEIPT OF RFP FROM SOURCE OTHER THAN ISSUING OFFICE

WARNING: Prospective Contractors utilizing a version of the RFP other than the official version posted on the Procurement web page @ umass.edu/procurement do so at their own risk. The official version will be the only version acceptable regardless of where the version originated.

III. GENERAL SCOPE OF WORK

The UMA invites qualified aggregators of stealth monopole cell towers with concealed antennas to submit qualifications for providing and marketing the cell tower system.

Proposers must demonstrate full knowledge and understanding of the specifications and requirements and provide a list of references for monopole cell towers with concealed antennas of similar size and scope that demonstrates a minimum of five (5) years of experience with design, installation, marketing and management of similar systems. References from higher education institutional campuses are desirable.

All costs associated with design, planning, construction, maintenance, tariffs, taxes, fees and other costs associated with this project will be borne by the selected Contractor. In addition, the selected Contractor will be responsible for obtaining and meeting the requirements of all required permits.

Prior to the tower installation work starting the UMA will require that as part of this project scope the successful bidder will remove and properly dispose of an approximately 60’x100’ dilapidated barn in the vicinity of the communications cell tower location. Additionally, the contract must install a security fence around the cell tower site and level the affected area to blend in with the surrounding terrain. Following the selection of a qualified aggregator the selected Contractor will be required to enter into a Contract for Service with the UMA which will specify the timeframe for the survey, design and marketing of the monopole cell tower with concealed antennas capabilities to carriers.

A copy of the University Contract for Services can be viewed at: http://www.umass.edu/procurement/Fill-In_Forms/CFS%20long_form.pdf

Bidders do NOT need to submit a University Contract for Services with their responses. Only the awarded Contractor will be required to sign the contract.
The area of the Waltham Experiment Station designated for the cell tower location is listed in Section V. Location.

Upon completion of the design and marketing phase and acceptance by the UMA, the selected Contractor will enter into a License Agreement with the UMA and be responsible for the installation of the proposed monopole cell tower with concealed antennas and shall be responsible for all costs associated with permits, fees, installation, operation and maintenance of the system during the term of the License Agreement.

The installation shall be done in compliance with M.G.L. c. 149, § 26-27H. The prevailing wage program and schedule is found in Attachment B of this RFP. This lists the minimum prevailing wage rates that must be paid to all workers employed in the work. The University is not responsible for any errors, omissions, or misprints in the said schedule. Such schedule shall continue to be the minimum wage rate wages payable to the workers employed in the work through the term of the contract, subject to the exceptions provided in M.G.L. c. 149, § 26-27H. The installer shall cause a copy of said schedule to be kept in a conspicuous place at the site during the term of the contract. Certified payroll records shall be submitted on a weekly basis to the UMA project manager. These wage rates can be found in Attachment B of this RFP.

The wage rates will remain in effect for the duration of the project, except in the case of multi-year public construction projects. For construction projects lasting longer than one year, awarding authorities must request an updated wage schedule. Awarding authorities are required to request these updates no later than two weeks before the anniversary of the date the contract was executed by the awarding authority and the general contractor. Contractors are required to obtain wage schedules from awarding authorities, and pay no less than these rates to covered workers.

IV. TERM OF CONTRACT

The term of this Contract/License will be 5 years with (2) two five year renewal options based on mutual agreement between the UMA and the selected Contractor.

V. LOCATION

The Waltham Experiment Station is located at 240 Beaver Street, Waltham Massachusetts. The City of Waltham is bordered by Lexington to the north, Belmont and Watertown to the east, Lincoln and Weston to the west, and Newton to the South. The major transportation connections in Waltham are Interstate 95/Route 128 and state highway Route 20 which intersect in western Waltham. The Massachusetts Turnpike and state Route 2 are easily accessible to the south and north, respectively.

The Experiment Station is bordered by several major institutions including: Bentley College to the west on Beaver Street, the Fernald School and the Girl Scouts of
Massachusetts to the north. Downtown Waltham is located about 1.5 miles to the southwest.

The location of the cell tower on the Waltham Experiment Station property is marked on Attachment C - Google Earth Map of Site Location. N42.3867 W 71.21244

VII. PROPOSAL SUBMISSION REQUIREMENTS

One paper original clearly marked as such and (4) electronic copies of each proposal on flash drives shall be submitted to the UMA. The original bid shall be marked as such and identified as instructed in Section I. Proposals must include the following information:

1. **Qualifications of the Firm**
   Submit information describing the unique qualifications of the firm for this contract. Provide an organizational chart showing the design team, indicating the Prime Contractor and each sub-contractor. For each firm involved, list the Principal-in-Charge, the Project Manager, and other support personnel.

2. **Project Experience**
   Provide a list and description of similar project experience for the primary firm. These projects shall be of similar size and complexity. Information required should include the following as a minimum:
   - Name of Project
   - Owner representative, address and telephone number
   - General scope and dollar value of project
   - Period of performance
   - Principal or Project Manager in charge

3. **Overall Strategy**
   Describe the monopole cell tower Contractor’s overall strategy for selecting the proposed type project design and equipment for the project, including the ability to meet the needs of new technologies and geographic requirements as they arise. This must include termination and end of license agreement responsibilities – how does the cell tower and associated equipment removed from the site. Additionally if there is any space on the cell tower being proposed for University use.

4. **Pricing for Services Offered**
   Describe how the project will be financed and provide clear evidence of available funds for this project, including but not limited to: anticipated revenue sharing plans, cost schedules, carrier contracts etc. This must include annual escalation calculation on proposed revenue sharing plans.

5. **Project Schedule Projection**
   Provide an overall project schedule projection including both the survey/marketing phase and implementation phase of the project. The schedule will provide enough
detail so that the time that will be needed to complete the various phases is clearly defined.

6. **Response Identification Form**
   An authorized representative of the bidder shall fill out and sign the Response Identification Form that is attached as Attachment A to this RFP.

This request for proposal does not create any contractual relationship between the UMA and any party. The UMA reserves the right to accept or reject any or all bids submitted for this project.

**VIII. EVALUATION CRITERIA AND INVITATION TO PRESENT**

A Selection Committee representing the University will review the proposals and select the Contractor whose experience, services, availability, and references have the most appeal to the UMA. Selected Contractors may be invited to a central designated location to make a formal presentation of their bid response to the Selection Committee in order to clarify any questions the committee may have prior to an award being made. The presentation shall be made by the selected Contractor(s) to the Selection Committee within ten (10) days after receiving the invitation to present. The bidder’s failure to make such a timely presentation may be grounds for rejection of the bid, at the option of the Selection Committee.

The award will be made to the Contractor who, in the opinion of the Selection Committee, offers the best overall package. The evaluation will include, but will not necessarily be limited to, the following (in rank order of importance to the UMA - note that some may be of equal importance):

1. Professional qualifications of the proposer.
2. Experience of the Contractor in the installation and management of communications cell towers in general and specifically experience with the installation and management of these systems in a University campus setting.
3. Demonstrated capability to design and follow an overall project schedule and a specific implementation schedule for this project.
4. Demonstrated capability of managing comparable systems and solving problems in a timely fashion.
5. Demonstrated capability of recruiting carrier participation.
6. References from previous/current clients.
7. Completeness of proposal submission as identified in Section V.
8. Professional qualifications of any subcontractors and/or equipment suppliers.

The proposals will be evaluated based on a point system. The criteria and their assigned points will be placed in a sealed envelope in the bid file prior to the proposal opening date and time, for use by the Selection Committee during the award process.
VII.  CONTRACT

The selected firm will be required to enter into a standard University Contract for Services for the survey, design and marketing phase of the project. The successful proposer must sign the standard University Contract for Services and agree to all Terms and Conditions listed. A copy of the University Contract for Services can be viewed at: http://www.umass.edu/procurement/Fill-In_Forms/CFS%20long_form.pdf

The terms and conditions of the University’s Contract for Services are hereby incorporated into this RFP.

Following acceptance by the University of the design and marketing phase of the project, the selected Contractor will be required to enter into a License Agreement covering the initial term and optional renewal period(s).

In addition to the requirements identified in the Contract for Services, the following provisions shall also apply to this RFP and contract.

Prevailing Wages
The successful Contractor shall comply with M.G.L. c. 149, § 26-27H. The prevailing wage program and schedule is found in Appendix B in this RFP. This lists the prevailing minimum wage rates that must be paid to all workers employed in the work. The University is not responsible for any errors, omissions, or misprints in the said schedule. Such schedule shall continue to be the minimum wage rate wages payable to the workers employed in the work through the term of the contract, subject to the exceptions provided in M.G.L. c. 149, § 26-27H. The bidder shall cause a copy of said schedule to be kept in a conspicuous place at the site during the term of the contract. Certified payroll records shall be submitted on a weekly basis. These wage rates can be found in Attachment B of this RFP.

The wage rates will remain in effect for the duration of the project, except in the case of multi-year public construction projects. For construction projects lasting longer than one year, awarding authorities must request an updated wage schedule. Awarding authorities are required to request these updates no later than two weeks before the anniversary of the date the contract was executed by the awarding authority and the general contractor. Contractors are required to obtain wage schedules from awarding authorities, and pay no less than these rates to covered workers.

Public Information
All proposals and related documents submitted in response to this RFP are subject to the Massachusetts Public Records Law, M.G.L. Chapter 66, Section 10 and to M.G.L. Chapter 4, Section 7, Subsection 26, regarding public access to such documents. Statements in the proposal response that are inconsistent with those statutes will be disregarded.
Cost to Submit
The UMA is not responsible for any expenses that may be incurred by any bidder to prepare or submit proposals.

Alterations to Proposals
The Contractor may not materially alter its bid response after the bids have been opened. Only the Director of Procurement may deem what constitutes a material alteration to a proposal.

Insurance
The Contractor shall purchase and maintain at its sole cost and expense throughout the term of this Agreement adequate insurance coverage necessary for the performance of the work under the Contract. Such insurance should include but not be limited to the following types and amounts of coverage:

a. The following minimum insurance coverage is required.

   i) Workers’ Compensation Insurance in compliance with applicable federal and state laws, including Employers Liability Insurance with limits of at least one million dollars ($1,000,000) per occurrence.
   ii) Automobile Liability Insurance covering owned, non-owned, and hired vehicles with combined limits for bodily injury and property damage of at least one million dollars ($1,000,000) per accident. The policy must be endorsed to include the University as an additional insured.
   iii) Commercial General Liability Insurance including products and completed operations liability, and contractual liability coverage specifically covering this Agreement, written on an occurrence form, with combined limits for bodily injury, personal injury, and property damage of at least one million dollars ($1,000,000) per occurrence and three million dollars ($3,000,000) per aggregate. The policy must be endorsed to include the University as an additional insured.

b. All insurance maintained by the Contractor pursuant to this Agreement shall be written by insurance companies licensed to do business in the Commonwealth of Massachusetts. If the Contractor determines that any such insurance needs to be placed with surplus lines carriers not licensed by the Commonwealth of Massachusetts, written permission from the University is required. All insurance companies to be used by the Contractor must have a Best’s Rating of not less than A- and be reasonably acceptable to the University.

c. If requested by the UMA in writing, the Contractor shall furnish certified copies of the aforementioned policies to the UMA’s designated representative.
d. All insurance maintained by the Contractor shall provide that insurance for the benefit of the UMA shall be primary and the University’s own insurance shall be non-contributing. The Contractor shall provide the University with certificates of insurance evidencing the above referenced insurance policies within ten (10) days of the execution of this Agreement.

e. The certificates shall contain an unequivocal provision that the UMA shall be given thirty (30) days prior written notice of cancellation, material change, or non-renewal of the coverage.

f. Contractor shall cause its subcontractors to purchase, carry, and maintain all insurance coverage and coverage limits that Section requires Contractor to have.

g. Contractor’s and/or Contractor’s subcontractor’s failure to provide or to continue in full force the insurance that this section requires shall be a material breach of this Agreement and may, at the sole determination of the UMA, result in termination of this Agreement for cause.

Proposer Exceptions To Contract Terms and Conditions
If proposer takes exception to any of the contract terms and conditions contained herein, it must be so noted in the bid. Such an exception may be grounds for rejection of the proposal, at the option of the UMA.
RFP # AA15-JM-5009
ATTACHMENT A
RESPONSE IDENTIFICATION FORM

Date: ___________________________________________

Name of Contractor: ____________________________________________

Title of Principle Officer: _______________________________________

The undersigned certifies, under penalties of Perjury that this proposal is in all respects bona fide, fair and made without collusion or fraud with any other person. As used in this section, the word “person” shall mean any natural person, joint venture, partnership, corporation or other business or legal entity and further the undersigned agrees to comply with the terms, conditions, requirements and other specifications as described in the RFP.

Signature: ________________________________

Type / Print: ____________________________________________________

Title: __________________________________________________________

Mailing Address: ________________________________________________

________________________________________________________________________

________________________________________________________________________

Telephone: ______________________________________________________

Fax: ________________________________

Person to Contact Regarding this Proposal: ___________________________

800 Telephone Number for Placing Orders: ___________________________

Email Address: __________________________
Prevailing wage information will be posted via addendum
RFP AA15-JM-5009
Attachment C
Google Earth Map of Site Location. N42.3867 W 71.21244