

TOWN OF WELLESLEY, MASSACHUSETTS
MUNICIPAL LIGHT PLANT



Request for Proposal

ALL PROPOSALS RETURNED TO THE
WELLESLEY MUNICIPAL LIGHT PLANT DIRECTOR'S OFFICE BY
FRIDAY, JULY 19, 2019 NO LATER THAN 4:00 PM EDT

**PROPOSAL FOR THE DESIGN, CONSTRUCTION AND OPERATION OF
ONE OR MORE PROPRIETARY SMALL CELL WIRELESS ATTACHMENT
SYSTEM(S) PURSUANT TO A WIRELESS COMMUNICATION FACILITY
POLE ATTACHMENT MASTER LICENSE AGREEMENT FOR THE PURPOSE
OF PROVISIONING WIRELESS COMMUNICATIONS SERVICES WITHIN
THE TOWN OF WELLESLEY, MASSACHUSETTS**

Your participation is invited with regard to the above referenced proposal. In order for your submission to be considered responsive, **one original proposal and one electronic copy** must be delivered prior to the time and at the place indicated herein. The Wellesley Municipal Light Plant assumes no liability for proposals mistakenly opened due to improperly labeled envelopes and will return same without notice. (It is strongly suggested that documents sent via carriers other than first class mail be placed in properly labeled and sealed envelopes prior to being placed in the carrier packaging in order to avoid premature opening.) The Wellesley Municipal Light Plant Director, as the awarding authority, reserves the right to accept or reject any or all proposals or waive any informality in the best interest of the Town of Wellesley.

TOWN OF WELLESLEY MUNICIPAL LIGHT PLANT

NOTICE OF REQUEST FOR PROPOSAL

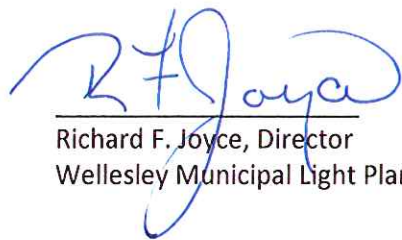
FOR

THE DESIGN, CONSTRUCTION AND OPERATION OF ONE OR MORE PROPRIETARY SMALL CELL WIRELESS ATTACHMENT SYSTEM(S) PURSUANT TO A WIRELESS COMMUNICATION FACILITY POLE ATTACHMENT MASTER LICENSE AGREEMENT FOR THE PURPOSE OF PROVISIONING WIRELESS COMMUNICATIONS SERVICES WITHIN THE TOWN OF WELLESLEY, MASSACHUSETTS

The Town of Wellesley Municipal Light Plant (“WMLP”), acting through its Director, is accepting proposals to design, construct and operate a one or more proprietary small cell wireless attachment system(s) in a public-private partnership(s) with the WMLP, for the purpose of provisioning wireless communication services as a proprietary provider within the Town of Wellesley, Massachusetts.

Proposal packages may be obtained from the Office of the Director, Wellesley Municipal Light Plant, 4 Municipal Way, Wellesley, MA 02481 during normal business hours, via email to djoyce@wellesleyma.gov or telephone 781-235-7600, extension 3380. The deadline for the submission of proposals is Friday, July 19, 2019 at 4:00 PM in the office of the Director, Wellesley Municipal Light Plant, 4 Municipal Way, Wellesley, MA 02481.

The WMLP reserves the right to reject any or all proposals if said action is in the best interests of the Town of Wellesley.



Richard F. Joyce, Director
Wellesley Municipal Light Plant

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I. ADMINISTRATIVE INFORMATION

1) Purpose

The purpose of this Request for Proposal (RFP) is to invite qualified parties to submit proposals to design, construct and operate one or more proprietary small cell wireless attachment system(s) in a public-private partnership(s) with the WMLP, for the purpose of provisioning wireless communications services as a proprietary provider within the Town of Wellesley, Massachusetts.

2) RFP Availability

This RFP may be obtained from the Office of the Director, WMLP, 4 Municipal Way, Wellesley, MA 02481 during normal business hours, via email to djoyce@wellesleyma.gov or telephone 781-235-7600, extension 3380.

3) RFP Questions and Contact Information

Questions for clarification about this RFP must be sent via email or in writing and directed to the WMLP Contact Person:

Richard F. Joyce, Director
Wellesley Municipal Light Plant
4 Municipal Way
Wellesley, MA 02481
djoyce@wellesleyma.gov
781-235-7600, Extension 3380

4) How to Respond to this RFP

Responses to this solicitation will be in the form described in Section VII of this RFP. To be considered timely, the WMLP must receive one (1) complete original hardcopy version and one (1) complete electronic copy of the proposal to the RFP on or before the Proposal Deadline below:

RFP DEADLINE

Friday, July 19, 2019
4:00 PM EDT

RFP DELIVERY

All proposals must be **delivered** to:
Wellesley Municipal Light Plant
4 Municipal Way
Wellesley, MA 02481
Attention: Richard F. Joyce, Director
djoyce@wellesleyma.gov

5) RFP Procurement Schedule

Tentative Procurement Schedule	
Activity	Dates
RFP Release	June 24, 2019
On-site Visit with WMLP Personnel and Questions & Answer Session	July 15, 2019 (by appointment)
Proposal Deadline	July 19, 2019 4:00 PM
Vendor Presentation and Meeting	Week of July 29, 2019 (if necessary)
Notice of Proposed Award	August 7, 2019

II. DESCRIPTION

The WMLP, through its Director, solicits proposals from qualified parties for the design, construction and operation of one or more proprietary small cell wireless attachment system(s) in a public-private partnership with the WMLP, for the purpose of provisioning wireless communication services within the Town. The Town of Wellesley, through the WMLP is interested in providing a combination of assets, skills set and resources to facilitate the construction and operation of one or more proprietary small cell wireless attachment system(s) in partnership with qualified wireless carriers (also referred to as "Licensee" or "Licensees"). Such assets, skills set, and resources offered by the Town of Wellesley and the WMLP include the:

- 1) Ability to provide up to three hundred (300) square feet of space located near the WMLP's facilities at 4 Municipal Way in Wellesley, to accommodate the licensee's hub/carrier hotel location, if needed;
- 2) Permitting, construction and maintenance of a WMLP-owned dedicated optical fiber network to each of the proposed small cell wireless attachment locations. The WMLP will purchase, install and own the fiber optic cable and lease the required number of strands to individual carriers, provided, however, that each Licensee will be required to lease at least two strands of fiber per attachment;
- 3) Availability of WMLP personnel and resources to install the small cell wireless attachment facilities, including any associated equipment and all Make-Ready;
- 4) Lead participant with the necessary electrical and construction permitting associated with the construction and installation of the small cell wireless attachment facilities and associated equipment;
- 5) WMLP is committed to ensuring fiber connectivity to individual attachment locations within ninety (90) days of final regulatory approval.

The WMLP has a long and successful history of constructing, operating and maintaining an extensive optical fiber network throughout the Town and is interested in leveraging their assets, skills set and resources to maximize the value of the public-private partnership with one or more

qualified wireless carrier(s). As stated within Item #2 of this section, the WMLP will purchase, install and own the fiber optic cable and lease the required number of strands to the Licensee(s) provided, however, that each Licensee will be required to lease at least two strands of fiber per attachment.

The selected party will be granted the opportunity to enter into a non-exclusive Wireless Communication Facility Pole Attachment Master License Agreement (“MLA”) with the WMLP to fulfill the terms and conditions of their submitted proposal.

III. GOALS

In seeking to solicit proposals, the WMLP’s goals in order of importance are to:

- 1) Provide mobile wireless telecommunications reception throughout the Town. Any proposal that does not provide Town-wide coverage will be considered non-responsive.
- 2) Maximize the revenue and overall business opportunity while minimizing risk to the WMLP and the Town.
- 3) Provide unobtrusive small cell wireless attachments and associated equipment that, where possible, match the circumference and color of the existing utility pole or are otherwise minimized and/or camouflaged in a manner that creates the most aesthetically appealing attachment possible.
- 4) Minimize the use and proliferation of conventional wireless towers, monopoles, roof-top and DAS sites within the Town.

IV. GENERAL TERMS OF WIRELESS COMMUNICATION FACILITY POLE ATTACHMENT MASTER LICENSE AGREEMENT

- 1) Term of the MLA shall be for ten (10) years and may be extended by mutual agreement for up to four consecutive five (5) year terms.
- 2) The MLA shall include provisions for the selected licensee(s) to apply for and receive Site Licenses for each small cell wireless attachment that the licensee(s) wish to install. Batches of up to thirty (30) applications may be submitted, once per month, during the rollout of the small cell wireless attachment system(s).
- 3) The WMLP will obtain all necessary, if any, conduit agreements, pole attachment agreements, licenses and permits from the Town by which licensee is permitted to locate the small cell wireless attachments and associated equipment. It should be noted that the WMLP has already installed fifty-six (56) DAS nodes and received approvals from all Town Boards and Committees for that project. It is also worth noting all applicable Boards and Committees have been made aware of the WMLP’s issuance of this RFP for small cell wireless attachment system(s) and no opposition has been received.

- 4) Town will grant Licensee(s) a non-exclusive right to enter and exit across, above and below those public rights of way and other public property within the Town of Wellesley for the purpose to construct, install, replace, repair, relocate, maintain and operate the small cell wireless attachments and related equipment.
- 5) WMLP will make available to Licensee(s) up to three hundred (300) square-feet of contiguous space to locate radio and data communication facilities including but not limited to radio and data communications equipment, overhead or underground utility lines, electrical power and battery equipment and emergency power generators.
- 6) WMLP will grant Licensee an exclusive right to use WMLP optical fibers deployed to each small cell wireless attachment within the Town of Wellesley for the purpose of operating one or more proprietary small cell wireless attachment system(s) during the duration of the MLA. Licensees will be required to lease a minimum of two strands of fiber per attachment from WMLP.
- 7) The MLA and/or Site Licenses shall define the amount and manner for which revenues will be generated by the WMLP with such revenues to include, but not be limited to, recurring wireless attachment fees, site license application fee, make ready work and utility services, one-time capital contribution payments, monthly hub ground lease fees, fiber lease fees and annual escalation fees. The MLA and Site Licenses shall also provide for penalties for unauthorized attachments, non-transfer or removal penalties.
- 8) General Liability, Automobile Liability, Worker's Compensation and Employer's Liability, and Umbrella Liability Insurance coverage required to be maintained by Licensee in amounts and terms designated by WMLP.

V. SELECTION CRITERIA

The WMLP will review each submission and evaluate them based upon the following criteria:

- 1) **Wireless Coverage:** Proposers commitment and installation schedule to ensure all locations within the Town of Wellesley's borders have adequate mobile, wireless telecommunications reception.
- 2) **Financial:** The proposed amount of total revenue (to include recurring, one-time payments and contracted services work) which the WMLP will receive initially and over the duration of the Small Cell Attachment Master License Agreement, the associated business risk and overall business worthiness of the proposal, will be factors in the evaluation. Reference "Disclosure" at the end of this section.
- 3) **Qualifications:** Proposers will be considered based on qualifications including their legal authority, adequate staff resources, relevant experience and existing relationships within the local marketplace.

- 4) WMLP and Town Interests: The terms and conditions of the proposed partnership, overall benefits, obligations and long-term interests of the WMLP and Town will be considered in the evaluation.
- 5) Attachment Aesthetics: The ability to install the small cell wireless attachments and associated equipment that blends in with the existing utility pole.

Disclosure: The Town and WMLP realize that in some instances it may not be in the carrier's economic interest to locate and install the small cell wireless attachments necessary to ensure Town-wide coverage. For those locations and/or installations the WMLP requests that each proposal identifies the financial concessions, if any, required from the WMLP at each location to ensure coverage.

VI. PERMITS AND LICENSES

The WMLP along with the successful respondent(s) will be responsible for obtaining any permit, license or approval from government agencies. Reference Section IV, General Terms of Small Cell Wireless Attachment Master License Agreement, Item 3, to obtain an update on the progress made in this regard.

VII. PROPOSAL FORMAT

Submittals shall include the following:

- 1) Letter of Interest: Proposers shall submit a Letter of Interest signed by a person authorized to contractually bind the party.
- 2) Proposal Summary: Proposers shall summarize their proposal on a single sheet of paper and include it as part of their overall proposal.
- 3) Financial Impact: Proposers should outline the overall current and future financial benefits to the WMLP and define all associated risks. Proposers shall submit Appendix A – Financial Terms Summary, as part of their submission.
- 4) Qualifications: Proposers should describe their company's organization, and relevant experience, both financially and operationally.
- 5) WMLP Interests: Proposers should describe proposed relationships with the WMLP, the overall non-financial benefits to the WMLP and the Town, any obligations or responsibilities required of the WMLP or the Town and a long-term view of the evolution of small cell wireless attachment systems and its readiness to support 5G technologies any subsequent impact to the Town or the system's wireless subscribers.
- 6) Schedule for the installation and activation of all Wellesley attachments assuming fiber connectivity to all locations on January 1, 2020.

- 7) Photograph or other illustration, including any associated narrative that confirms the proposer's ability to seamlessly match the small cell wireless attachments and associated equipment with the utility pole.
- 8) Color-coded coverage map detailing current wireless coverage, or lack thereof, throughout the Town of Wellesley. A second color-coded coverage map that identifies proposed small cell wireless attachment locations and the resulting wireless coverage throughout the Town of Wellesley. Maps may be submitted separately and marked "confidential".

Appendix A – Financial Terms Summary

In 2012 the WMLP purchased all jointly-owned poles from Verizon and is interested in providing a combination of assets, skills set and resources to facilitate the construction and operation of one or more proprietary small cell wireless attachment system(s) in partnership with one or more qualified party or parties. Such assets, skills set, and resources offered by the WMLP include the:

- Availability of up to three hundred (300) square feet of space located near the Municipal Light Plant's facilities at 4 Municipal Way, Wellesley, MA 02481, to accommodate Licensee's hub/carrier hotel location, if needed.
- Availability of WMLP personnel and resources to take the lead with the permitting, installation and first line failure response of the small cell wireless attachment facilities, including any associated equipment and Make-Ready.
- Permitting, construction and maintenance of a WMLP-owned dedicated optical fiber network to each small cell wireless attachment.
- WMLP will be responsible for ensuring fiber connectivity to small cell attachments and associated equipment.

Business proposals shall define the amount and manner for which revenues will be generated for the WMLP and Town with such revenues to include but not be limited to wireless attachment fees, site license application fee, make ready work and utility services, one-time capital contribution payments, monthly hub ground lease fees, fiber lease fees and annual escalation fees. Such fees shall start at the commencement of the MLA and include provisions for escalating payments in succeeding years.

1. Annual Wireless Attachment Fee: \$_____ per Attachment per year with an annual escalation factor of _____ percent (%). Fee to include fiber connectivity.
2. Recurring Operations and Maintenance Fee: \$_____ per Attachment per year at a fixed cost for the duration of the initial MLA prior to any rollover.
3. Site License Application Fee: \$_____ per Attachment to be paid with each Site License applied for under the MLA.

4. Recurring Hub Ground Rent (if applicable): \$_____ per square-foot per year with an annual escalation factor of _____ percent (%).

5. One-time Capital Contribution: \$_____ per Attachment to offset invested infrastructure capital made by WMLP.

<p>Disclosure: The Town and WMLP realize that in some instances it may not be in the carrier's economic interest to locate and install the small cell wireless attachments necessary to ensure Town-wide coverage. For those locations and/or installations the WMLP requests that each proposal identifies the financial concessions, if any, required from the WMLP at each location to ensure coverage.</p>
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