

**WILLINGBORO MUNICIPAL UTILITIES AUTHORITY**

**REQUEST FOR BIDS FOR BIDS**

**FOR**

**FROM FCC LICENSED CARRIERS FOR THE LEASE OF SPACE ON EXISTING  
WATER TOWERS FOR THE PLACEMENT OF CELLULAR ANTENNAS AND  
RELATED EQUIPMENT**

**ISSUED BY:**

**WILLINGBORO MUNICIPAL UTILITIES AUTHORITY  
433 JOHN F. KENNEDY WAY  
WILLINGBORO, NEW JERSEY 08046-2119**

**ISSUED:**

**April 21, 2023**

**BID DUE DATE:**

**May 19, 2023  
10:00 AM**

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## NOTICE TO BIDDERS

**PLEASE TAKE NOTICE** that sealed bids will be received by the Willingboro Municipal Utilities Authority (WMUA) on or before May 19, 2023 at 10:00 AM at its office located at 433 John F. Kennedy Way Willingboro Township, New Jersey 08046-2119 for Leases for antenna attachment on the following two existing water storage towers:

1. The Holyoke Tank – 152' tall (from ground level) located at 25 Holyoke Lane on Block 617, Lot 8 in Willingboro Township; and
2. The Edge Lane Tank – 152' tall (from ground level) and located at 161 Edge Lane on Block 833, Lot 80 in Willingboro Township

and ground space for ancillary equipment and structures.

A complete copy of the Bid package consisting of the Notice to Bidders, Instructions to Bidders, Specifications and Bid Forms, including a Bid Price Form may be obtained at the WMUA's office at 433 John F. Kennedy Way Willingboro Township, New Jersey 08046-2119 between the hours of 9:00AM and 4:30PM Monday through Friday or may be obtained by emailing the WMUA at [jmackie@wmua.info](mailto:jmackie@wmua.info) and requesting a copy. All perspective bidders must provide their name, telephone number and email when requesting a copy of the Bid package.

Bids must be submitted on forms provided by the WMUA and placed in a sealed envelope bearing the name of the bidder, and clearly marked, "**BID for Lease for a Communications Facility ENCLOSED – DO NOT OPEN**" in the lower left corner. All bids must be submitted on or before **May 19, 2023 at 10:00 AM**.

**The WMUA has imposed a minimum bid requirement of \$4,000/ month.**

Bids can be delivered or mailed to:

Attn: Executive Director  
Willingboro Municipal Utilities Authority  
433 John F. Kennedy Way  
Willingboro Township, New Jersey 08046-2119

The WMUA assumes no responsibility for bids submitted by mail. Bidders must either be, or represent, Federal Communications Commission (FCC) licensed carriers.

**Bids must be accompanied by a bid security in the form of certified check, cashier's check or Bid Bond in an amount equal to 10% of the total rent bid for the entire (12 months) first year, or \$20,000, whichever is less.**

The WMUA reserves the right to reject any and all bids or to waive any minor informalities or irregularities in the bids received and to accept the bid or bids that are deemed to be in the best interests of the WMUA.

Additional important information can be found in the bid documents. Bidders are required to comply with the laws of the State of New Jersey, including the New Jersey Prevailing Wage Act, N.J.S.A. 34:56-27.

James Mackie, Executive Director  
Willingboro Municipal Utilities Authority

## **I INSTRUCTIONS TO BIDDERS**

### **1. Invitation to Bid –**

A. Sealed Bids will be received by the Willingboro Municipal Utilities Authority (“WMUA”) at its Administrative Offices, at 433 John F. Kennedy Way Willingboro Township, New Jersey 08046-2119 on or before May 19, 2023 at 10:00 AM. On such date and at the above time and place, in accordance with the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., such Bids will be publicly opened and read aloud for Lease for antenna attachment on the following two existing water storage towers:

- The Holyoke Tank – 152’ tall (from ground level) located at 25 Holyoke Lane on Block 617, Lot 8 in Willingboro Township; and
- The Edge Lane Tank – 152’ tall (from ground level) and located at 161 Edge Lane on Block 833, Lot 80 in Willingboro Township (collectively the “Tank Facilities”)

and ground space for ancillary equipment and structures, (the “Lease” or “Leases”).

The minimum acceptable Lease Payment amount is \$4,000 per month, per Tank Facility for a maximum of twelve (12) antennas and \$150 per month for each additional antenna. The term of the Leases to be awarded shall be for an initial five (5) year term with the option to extend the Leases for up to four (4) additional five-year terms for a total of up to 25 years. On each yearly anniversary of the commencement of the Lease, the Successful Bidder shall pay the then current rental amount, increased by three (3%) percent.

Bids shall be submitted only on the bid forms supplied by the WMUA or a true copy thereof. Bids must be submitted in a sealed envelope bearing the name of the bidder, and clearly marked, **“BID for Lease for a Communications Facility ENCLOSED – DO NOT OPEN”** in the lower left corner. All bids must be submitted on or before May 19, 2023 at 10:00 AM. Bid submissions shall be provided in digital format on a USB Drive along with an original and one (1) copy, with both the original and copy being submitted in hard copy format, with properly signed bid proposal forms as required. The original should be stamped “original.”

In all cases, the WMUA reserves the right to determine, in its sole discretion, whether any aspect of a Bid meets the submission requirements of the Bid Specifications. The WMUA reserves the right to reject any Bid that, in its sole judgment, does not comply with the submission guidelines set forth in these Bid Specifications. In addition, notwithstanding any of the provisions hereof, the WMUA reserves the right to waive any minor immaterial informality in the Bids received. Any Bid received after the time and date specified will not be considered. By submitting a Bid, Bidder acknowledges and agrees that they shall not be permitted to withdraw a submitted Bid within sixty (60) days after the date of the

Bid opening. Following opening of Bids received by the WMUA, the Board of Commissioners of the WMUA shall be required to take formal action authorizing the award of Leases or the rejection of any or all Bids. The WMUA anticipates that the completion of this process shall require up to a period of sixty (60) days following opening of Bids.

- B. Before submitting a Bid, the Bidder shall become familiar with the Bid Specifications and other documents that will be incorporated by reference into the Leases; investigate the Tank sites and make such examination thereof as may be necessary to formulate a Bid.
- C. Failure to submit the required forms and information required by these Bid Specifications and the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., shall cause the WMUA to reject a Bid. Failure to submit other forms requested may cause the WMUA to reject a Bid.
- D. The Contract Documents consist of the Notice to Bidders, the Instructions to Bidders, any Supplementary Instructions to Bidders, Bid Specifications, all Addenda issued during the bidding period, Form of Lease between the WMUA and any selected bidder, the Bid Forms and any other sample bidding and agreement forms included or referenced in the Bid Specifications.
- E. Contract Documents may be examined at the offices of the WMUA.
  - i. One set of Contract Documents may be obtained in person at the office of the WMUA at no cost to Bidder or via electronic mail upon request.
  - ii. If the Bidder desires to have one set of the Bid Documents provided via overnight courier service, the Bidder can supply its bill-to recipient shipping account number for the courier service requested by Bidder to be utilized.
- F. A written request for the withdrawal of a Bid will be granted if the request is received prior to the date and time of the Bid opening.
- G. Bidders, by submitting a Bid to the WMUA, acknowledge and agree and provide their consent, pursuant to N.J.S.A. 40A:11-24(a), to the WMUA holding the Bid prices submitted for consideration by the WMUA for a period of sixty (60) days after the receipt and opening of Bids, or for such other period of time as may be specified elsewhere in the Bid Specifications.
- H. The WMUA shall award the Leases or reject all Bids within sixty (60) days after the receipt and opening of Bids or within such time as may be specifically stated elsewhere in the Bid Specifications, except that Bids may be held for consideration for a longer period beyond the identified sixty (60) day period as the WMUA and Bidders may further mutually agree.

**2. ANTICIPATED BID SCHEDULE –****ANTICIPATED BID SCHEDULE**

<u>ACTIVITY</u>	<u>DATE</u>
Issuance of Bid Specifications	April 21, 2023
Deadline for Questions	May 4, 2023
Addenda Issued	May 12, 2023
Receipt of Bids	May 19, 2023
Lease Award	By June 21, 2023
Execute Lease	June 24, 2023

The WMUA will strive to maintain the above Bid Scheduled, but reserves the right to modify the Schedule as necessary and will provide notice of any modifications to the Bidders in accordance with applicable law.

**3. OBLIGATION OF BIDDER**

- A. At the time of the opening of Bids, each Bidder will be presumed to have visited the Tank Facilities and to have read and have become thoroughly familiar with the Contract Documents, including all Addenda and responses to questions from bidders. The failure or omission of any Bidder to receive or examine any form, instrument or document, or visit the Tank Facilities and become acquainted with conditions there existing shall not relieve any Bidder from any obligation with respect to its Bid.
- B. The Successful Bidder shall not assign, transfer, convey, sublet or otherwise dispose of the Lease or any part thereof to anyone without the prior written consent of the WMUA, which consent may be withheld at the sole discretion of the WMUA.
- C. The Successful Bidder shall not create any hazard, conflict, or interference with the reasonable and proper use, maintenance, repair, or operation of the Tank Facilities, including the property surrounding same or with other communication systems located at and on the Tank Facilities.
- D. The Successful Bidder shall comply with the terms, conditions, requirements and obligations contain in the Form Lease Agreement attached hereto and made a part hereof.
- F. The Successful Bidder shall be solely responsible for securing all required approvals/ permits necessary and required for the installation, operation and

maintenance of the equipment it installs on or at the Tank Facilities, and for all costs associated with the construction, maintenance and operations of the equipment it installs on or at the Tank Facilities

#### 4. SITE VISIT CONFERENCE

- A. Site Tours of the Tank Facilities may be scheduled by appointment by contacting James Mackie, Executive Director at (609) 781-8657 or [jmackie@wmua.info](mailto:jmackie@wmua.info), on or before **May 3, 2023**.

#### 5. INTERPRETATIONS AND ADDENDA

- A. All questions and inquires related to the Bid Documents shall be submitted in writing to James Mackie, Executive Director at [jmackie@wmua.info](mailto:jmackie@wmua.info) with a copy to Ryan J. Scerbo, Esq., special legal counsel to the WMUA at [rscerbo@decotiislaw.com](mailto:rscerbo@decotiislaw.com). All questions related to the Contract Documents shall be submitted to the WMUA, in writing, no later than **May 4, 2023**. If a response to a submitted question is not issued in an Addendum, Bidders shall assume that no change to the Bid Documents is considered necessary or desirable in response to the question.
- B. The Bidder shall carefully study the Bid Documents and compare them with local conditions and shall at once report to the WMUA, in writing, any errors, inconsistencies and ambiguities discovered. No claim for relief by a Bidder on account of mistakes or omissions in the Bid Documents shall be considered. By providing a Bid, a Bidder waives its rights, if any, to claim mistakes or omissions for any reason whatsoever.
- C. No oral interpretations will be made to any Bidder regarding the Bid Documents. Every request for an interpretation shall be made in writing as set forth in Section 5.A. above. Every interpretation made to a Bidder will be in the form of an Addendum or responses to questions from Bidders, which, when issued in accordance with N.J.S.A. 40A:11-23(c)(1), shall be sent no later than seven (7) business days before opening of Bids (weekends and holidays excepted) by fax to all Bidders to whom the Bid Documents have been issued prior to the date of the last Addendum and to any Bidder who has submitted a Bid prior to the date of the last Addendum. In the event there is a need to issue an Addendum, notice of the issuance of the Addendum shall also be published in accordance with the requirements of N.J.S.A. 40A:11-23(c)(1) of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.
- D. All Addenda shall become part of the Bid Documents and supersede the affected Bid Specifications previously issued.
- E. Failure of the Bidder to receive or examine properly issued Addenda shall not relieve the Bidder from any of the requirements of the Bid Documents. Addenda will be available for examination at the offices of the WMUA.



## 6. BID OPENING

- A. At the time and place for the opening of the Bids, the Bids will be opened by the WMUA and their contents will be read aloud and made public for all parties and Bidders that may be present in person or by representative.

## 7. LEASE AWARD

- A. The WMUA reserves the right to award a Lease or Leases to the Bidder or Bidders submitting:
  - i. the most favorable aggregate bid (i.e. lump sum for both Tank Facilities); or
  - ii. The most favorable unit price for each Tank Facility (i.e. a split award).

In the event of a tie, the WMUA shall utilize a coin toss to determine a winner.

- B. If the Successful Bidder is a corporation not organized under the laws of New Jersey, the award of the Lease shall be conditioned upon the corporation promptly filing a certificate of authority to do business in the State of New Jersey pursuant to N.J.S.A. 14A:13-2 and complying with the provisions of N.J.S.A. 14A:13-4.
- C. The WMUA reserves the right to reject any or all Bids in accordance with N.J.S.A. 40A:11-13.2 and/or to waive minor immaterial informalities in the bidding in accordance with applicable law.
- D. A Successful Bidder shall be required to execute the Lease and deliver all Insurance Certificates required within ten (10) days after notification of the lease award.
- E. Bidders are reminded that they are required to submit, on behalf of themselves and their identified subcontractors (if any), evidence of their Business Registration Certificate (BRC) issued by the State of New Jersey Department of Treasury, Division of Revenue in accordance with N.J.S.A. 52:32-44, prior to the award of the lease.
- F. Successful Bidders shall complete W-9 Form and submit to the owner prior to agreement award. The form is available at the following link: [www.irs.gov/pub/irs-pdf/fw9.pdf](http://www.irs.gov/pub/irs-pdf/fw9.pdf)

## 8. PREPARATION OF BIDS

- A. Bidders shall submit only on the bid forms supplied by the WMUA or a true copy thereof. Bids must be submitted in a sealed envelope bearing the name of the bidder, and clearly marked, **"BID for Lease for a Communications Facility ENCLOSED – DO NOT OPEN"** in the lower left corner.
- B. Bids shall be submitted on the Bid Forms furnished in the Bid Documents, properly filled out and duly executed. The Bid Forms shall not be altered or added to in any way. Lump Sum Bid, or Unit prices upon which the Lump Sum Bid is based, shall be filled in, in ink or typewritten. All blank spaces in the Bid Forms must be filled out and completed by the Bidder.
- C. Bids not based on the Bid Documents (including all Addenda issued), Bids containing a qualification or exception to the requirements of the Bid Documents, conditional or uninvited alternative Bids, Bids that are not complete or properly signed or submitted in accordance with the requirements of the Bid Documents and Bids containing an alteration of a form or irregularity of any kind may be rejected.
- D. Each Bid shall include the following:
  - 1. Bid Security and Power of Attorney made payable to the Willingboro Municipal Utilities Authority in the amount of ten percent (10%) of the total rental payment bid amount for the entire (12 months) first year of the Bid sum, or \$20,000.00 whichever is less. Security shall be either a certified check, cashier's check, or Bid Bond by a surety licensed to conduct business in New Jersey.
    - (a) The Successful Bidder(s) Bid Security shall be retained until the Bidder has signed the Lease and furnished the required insurance.
    - (b) If the Successful Bidder fails to enter into a Lease and furnish the required insurance within (10) business days after it has received notice of acceptance of its Bid and award of a Lease, the WMUA shall retain the Successful Bidder's Bid Security as liquidated damages, not as a penalty.
  - 2. Non-Collusion Affidavit (Form C).
  - 3. Ownership Disclosure Statement setting forth names and addresses of all stockholders of partners who hold ten percent (10%) or greater interest in any corporation of partnership bidding on the Project, in accordance with N.J.S.A. 52:25-24.2 (Form D).
  - 4. Such other items as set forth in the Bid Forms.

## 5. Bid Document Submission Checklist. (Form J)

**9. INSURANCE REQUIREMENTS**

- A. The Successful Bidder, prior to occupying the leased space, shall provide at its own expense, the following insurance coverages to the WMUA together with evidence of such insurance as stated below. The Successful Bidder shall give notice to the WMUA, by registered mail, return receipt requested, sixty (60) days prior to cancellation or material change or notice of non-renewal of the policies, for all of the following stated insurance policies. The Certificates of Insurance shall state:

“Should any of the above-described policies be canceled before the expiration date thereof, the issuing company will mail sixty (60) days written notice to the certificate holder named to the left.”

- B. All notices shall name the Successful Bidder and identify the Lease. All policies shall be endorsed naming the WMUA, its officers, employees, agents and consultants, and its respective successors and assigns as their interests may appear, as additional insured. All policies shall require that the insured will pay all defense claims and any judgments entered therein. It is expected that all policies will be insured on an “occurrence” basis. The WMUA may waive or modify any requirement stated herein if the WMUA, in its sole judgment and discretion, deems it would be in its best interest to do so.
- C. **Workers Compensation.** The Successful Bidder shall obtain Standard Workers’ Compensation Insurance indemnifying the WMUA against any loss arising from liability or injuries sustained by any and all agents, servants or employees of the Successful Bidder who shall be entitled to compensation under the Workers’ Compensation Law of the State of New Jersey (Workers’ Compensation Limit – statutory/Employers Liability limit \$500,000 each accident). If the Successful Bidder is incorporated outside the State of New Jersey, the said policy must include the “Other States Endorsement.”
- D. **General Liability.** The Successful Bidder shall obtain General Liability Insurance on an “occurrence” form with a Five Million and 00/100THS (\$5,000,000.00) Dollars combined single limit of liability per occurrence (limit may be combined with an excess limit to have a total of Five Million and 00/100THS (\$5,000,000.00) Dollars per occurrence). The policy must require an additional Insured. The policy will include the ISO Simplified Occurrence Form, the policy will contain no endorsements that would limit or eliminate the coverage provided by the ISO version. In the event the policy has an aggregate limit of liability, said policy must include ISO Form CG-25-03-97 Amendment-Aggregate Limits of Insurance (per project).
- E. **Automobile Liability.** The Successful Bidder shall obtain Automobile Liability Insurance with a minimum combined limit of liability of One Million and 00/100THS

(\$1,000,000.00) Dollars per accident. Said policy must include coverage for owned, non-owned and hired autos. The policy must have pollution coverage via CA 9948 endorsement and an MCS-90 endorsement, a true copy of which must be filed with the WMUA. The policy must provide for the defense of the first named insured, as well as, the WMUA, its Commissioners, officers, employees, agents and servants all of whom are to be endorsed to the policy as additional insured.

- F. **Environmental Impairment Liability.** The Contractor must show evidence of the purchase of environmental impairment liability insurance or through corporate financial capacity, the ability to provide a minimum of One Million and 00/100THS (\$1,000,000.00) Dollars per occurrence with Two Million and 00/100THS (\$2,000,000.00) Dollars annual aggregate for the clean-up, mitigation and defense costs associated with a spill from any permanent or temporary fuel storage tank.

The Successful Bidder's environmental impairment liability policy must include coverage for transportation, removal, clean up and remediation of any and all pollutants at an operational exposure or while in transit due to the negligent act or omission of the Successful Bidder. Further, said policy must provide bodily injury and property damage liability coverage resulting from or directly related to a pollutant event caused by the Successful Bidder.

- G. **Disability Benefit.** The Contractor shall provide proof of compliance with the Disability Benefits Law.

- H. **Umbrella/Excess Liability.** See Section 9.(D) hereinabove.

- I. **Policy Changes.** If at any time, any of the foregoing insurance policies shall be or become unsatisfactory to the WMUA, as to form or substance, or if a company issuing any such policy shall be or become unsatisfactory to the WMUA, its officers, employees, agents and servants, its successors and /or assigns as their interests may appear the Lease shall, upon notice to the Successful Bidder that effect from same the Successful Bidder shall within sixty (60) days of such notice obtain a new policy, submit the same to the WMUA for approval and submit a Certificate thereof as herein above provided. Upon failure of the Successful Bidder to furnish, deliver and maintain such insurance as above provided, the Lease, at the election of the WMUA, its officers, employees, agents, and servants, its successors and/or assigns may be forthwith declared suspended, discontinued or terminated. Failure of the Successful Bidder to take out and/or maintain or the taking out and/or maintenance of any required insurance, shall not relieve the Successful Bidder of any liability under the Lease. All policies required above shall contain a sixty (60) day notice of cancellation and/or non-renewal and shall require the insured to notify the WMUA of its intent to either cancel or not to renew immediately.

- J. **Insurance Companies.** The Successful Bidder shall use an Insurance company(ies) that has (have) an A.M. Best rating of at least AX. The WMUA, at

its sole judgment and discretion, may allow the Successful Bidder to utilize and insure with a rating less than AX. Requests must be forwarded to the WMUA for its review and approval. The Successful Bidder shall use an insurance company(ies) that is (that are) authorized to underwrite insurance risks for the specific line(s) of coverage by the Department of Insurance of the State of New Jersey.

- K. **Hold Harmless Provision.** Contractual Liability Insurance: The Successful Bidder, as allowed by law, shall indemnify, defend, and hold harmless the WMUA, its Commissioners, officers, employees, agents and consultants, and their respective successors and assigns, from and against any and all claims, demands, suits, proceeding, liabilities, judgments, awards, losses, damages, costs and expenses, including attorney fees, because of bodily injury, sickness, disease or death, sustained by any person or persons or injury or damages to, or destruction of, any property directly of, indirectly arising out of, relating to, or in connection with the Lease, whether or not due or claimed to be due, in whole or in part, to the active, passive or concurrent negligence or fault of the Successful Bidder, its officers, agents, servants, or employees and/or any other persons and whether or not such claims, demands, suits or proceedings are just, unjust, groundless, false, or fraudulent.

#### 10. **POLITICAL CONTRIBUTION DISCLOSURE COMPLIANCE (PAY TO PLAY)**

Pursuant to N.J.S.A. 19:44A-20.27, contractors doing business with public entities must file an annual disclosure statement of political contributions with the New Jersey Election Law Enforcement Commission (ELEC) if they receive contracts in excess of Fifty Thousand and 00/100THS (\$50,000.00) Dollars per year from public entities. Bidders are responsible for determining whether a filing with ELEC is necessary. Additional information on this matter may be obtained from ELEC at 888-313-3532 or at [www.elec.state.nj.us](http://www.elec.state.nj.us).

11. **FORM OF AGREEMENT** See **Section III** of the Bid Documents.

#### 12. **BID FORMS**

- A. The following Bid Forms **MUST** be submitted at the time of submittal of a Bid. Failure to submit any of them will be cause for the rejection of the Bid. (N.J.S.A. 40A:11-23.2).
1. Acknowledgment of Receipt of Addenda/Changes to Bid Documents (Form B)
  2. Bid Security (see Form E)
  3. Statement of Ownership Disclosure (Form D)
  4. Signed and Executed Bid Pricing Form (Form A)
- B. Failure to submit the following documents prior to the awarding of a Lease may be cause for the bid to be rejected:

1. Non-Collusion Affidavit (Form C)
  2. No Material Change of Circumstances Certification (Form G)
  3. Affidavit of Non-Debarred Status (Form H)
  4. Bid Document Submission Checklist (Form J)
- C. Failure to submit the following documents prior to the awarding of a Lease shall be cause for the bid to be rejected:
1. State of New Jersey Business Registration Certificate (see Form F for reference)
  2. Combined Certification of Disclosure of Investment Activities in Iran and Non-Involvement in Prohibited Activities in Russia and Belarus (Form I)

## **PART II. FORM OF LEASE AGREEMENT**

## **PART III BID FORMS**



**FORM A**  
**BID PRICING FORM**  
**WILLINGBORO MUNICIPAL UTILITIES AUTHORITY**  
**REQUEST FOR BIDS FOR BIDS**  
**FOR**  
**FROM FCC LICENSED CARRIERS FOR THE LEASE OF SPACE ON EXISTING**  
**WATER TOWERS FOR THE PLACEMENT OF CELLULAR ANTENNAS AND**  
**RELATED EQUIPMENT**

**DATE:** \_\_\_\_\_

**Bidder Name:** \_\_\_\_\_

**Telephone No.** \_\_\_\_\_

**E-Mail:** \_\_\_\_\_

**Bid Price:**

**NOTE: MINIMUM BID REQUIRED IS \$4,000/MONTH FOR A MAXIMUM OF  
TWELVE (12) ANTENNAS, AND \$150/MONTH FOR EACH ADDITIONAL  
ANTENNA PER TOWER**

**Location:**

A. Holyoke Lane Bid \$\_\_\_\_\_/Month for up to twelve (12) antenna per  
tank and \$150/Month for each additional antenna

B. Edge Lane Bid \$\_\_\_\_\_/Month for up to twelve (12) antenna per tank  
and \$150/Month for each additional antenna

**Total Bid** \_\_\_\_\_ (**\$**\_\_\_\_\_) / Month.

**Signature:** \_\_\_\_\_

**Print Name:**

**Title:**

**FORM B**

**ACKNOWLEDGMENT OF RECEIPT OF ADDENDA/CHANGES TO BID**  
**DOCUMENTS FORM**

**WILLINGBORO MUNICIPAL UTILITIES AUTHORITY**  
**REQUEST FOR BIDS FOR BIDS**  
**FOR**  
**FROM FCC LICENSED CARRIERS FOR THE LEASE OF SPACE ON EXISTING**  
**WATER TOWERS FOR THE PLACEMENT OF CELLULAR ANTENNAS AND**  
**RELATED EQUIPMENT**

Pursuant to N.J.S.A. 40A:11-23.1(a), the undersigned bidder hereby acknowledges receipt of the following notices, revisions, or addenda to the Notice to Bidders, Bid Specifications or Contract Documents. By indicating date of receipt, Bidder acknowledges the submitted Bid takes into account the provisions of the Notice to Bidders, revisions or addenda. Note that the WMUA's record of the Notice to Bidders shall take precedence and that failure to include provisions of changes in a Bid may be subject for rejection of the Bid.

Local Unit Reference Number or Title of Addendum/Revision	How Received (mail, fax, pick-up, etc.)	Date Received

**IF NO ADDENDA HAVE BEEN RECEIVED, PLEASE CHECK:** ☐

Acknowledgment by bidder:

Name of Bidder:

---

By Authorized Representative:

Signature:

---

3283470

Printed Name and Title:

---

Dated:

---

**FORM C****NON-COLLUSION AFFIDAVIT**

**WILLINGBORO MUNICIPAL UTILITIES AUTHORITY  
REQUEST FOR BIDS FOR BIDS  
FOR  
FROM FCC LICENSED CARRIERS FOR THE LEASE OF SPACE ON EXISTING  
WATER TOWERS FOR THE PLACEMENT OF CELLULAR ANTENNAS AND  
RELATED EQUIPMENT**

State of New Jersey   }  
County of Burlington   }

I, \_\_\_\_\_ of the City of \_\_\_\_\_, in the  
County of \_\_\_\_\_, and the State of \_\_\_\_\_, of full age, being  
duly sworn according to law on my oath depose and say that:

I am \_\_\_\_\_ of the  
firm of \_\_\_\_\_, the Bidder  
making the Bid for the above-named contract, and that I executed the said Bid with full authority  
to do so; that said Bidder has not, directly or indirectly, entered into any agreement, participated  
in any collusion, or otherwise taken any action in restraint of free, competitive bidding in  
connection with the above-named contract; and that all statements contained in said Bid and in  
this Affidavit are true and correct, and made with full knowledge that the Willingboro Municipal  
Utilities Authority relied upon the truth of the statements contained in said Bid and in the statements  
contained in this Affidavit in awarding the contract for the said Bid.

I further warrant that no person or selling agency has been employed or retained to solicit  
or secure such contract upon an agreement or understanding for a commission, percentage,  
brokerage, or contingent fee, except bona fide employees or bona fide established commercial  
or selling agencies maintained by \_\_\_\_\_. (Name of Vendor)

Signed: \_\_\_\_\_

\_\_\_\_\_  
(type name of affiant under signature)

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

3283470

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Signature of Notary Public

Notary Public of \_\_\_\_\_

My commission expires \_\_\_\_\_

## FORM D

**STATEMENT OF OWNERSHIP DISCLOSURE****N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)**

**WILLINGBORO MUNICIPAL UTILITIES AUTHORITY  
REQUEST FOR BIDS FOR BIDS  
FOR  
FROM FCC LICENSED CARRIERS FOR THE LEASE OF SPACE ON EXISTING  
WATER TOWERS FOR THE PLACEMENT OF CELLULAR ANTENNAS AND  
RELATED EQUIPMENT**

This statement shall be completed, certified to, and included with all bid and proposal submissions. Failure to submit the required information is cause for automatic rejection of the bid or proposal.

**Name of Organization:** \_\_\_\_\_

**Organization Address:** \_\_\_\_\_

**Part I Check the box that represents the type of business organization:**

- ☐ Sole Proprietorship
- ☐ Non-Profit Corporation (skip Parts II and III, execute certification in Part IV)
- ☐ For-Profit Corporation (any type)      ☐ Limited Liability Company (LLC)
- ☐ Partnership   ☐ Limited Partnership      ☐ Limited Liability Partnership (LLP)
- ☐ Other (be specific): \_\_\_\_\_

**Part II**

- ☐ The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**

OR

- ☐ No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

(Please attach additional sheets if more space is needed):

Name of Individual or Business Entity	Address

**Part III DISCLOSURE OF 10% OR GREATER OWNERSHIP IN THE STOCKHOLDERS, PARTNERS OR LLC MEMBERS LISTED IN PART II**

**If a bidder has a direct or indirect parent entity which is publicly traded, and any person holds a 10 percent or greater beneficial interest in the publicly traded parent entity as of the last annual federal Security and Exchange Commission (SEC) or foreign equivalent filing, ownership disclosure can be met by providing links to the website(s) containing the last annual filing(s) with the federal Securities and Exchange Commission (or foreign equivalent) that contain the name and address of each person holding a 10% or greater beneficial interest in the publicly traded parent entity, along with the relevant page numbers of the filing(s) that contain the information on each such person. Attach additional sheets if more space is needed.**

Website (URL) containing the last annual SEC (or foreign equivalent) filing	Page #'s

**Please list** the names and addresses of each stockholder, partner or member owning a 10 percent or greater interest in any corresponding corporation, partnership and/or limited liability company (LLC) listed in Part II **other than for any publicly traded parent entities referenced above.** The disclosure shall be continued until names and addresses of every non corporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established pursuant to N.J.S.A. 52:25-24.2 has been listed. **Attach additional sheets if more space is needed.**



Stockholder/Partner/Member and Corresponding Entity Listed in Part II	Address

#### **Part IV Certification**

I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder/proposer; that the WMUA is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with the WMUA to notify the WMUA in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the, permitting the WMUA to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):		Title:	
Signature:		Date:	

**FAILURE TO SUBMIT THE REQUIRED INFORMATION IS CAUSE FOR AUTOMATIC REJECTION**

**FORM E****CONSENT OF SURETY**

**WILLINGBORO MUNICIPAL UTILITIES AUTHORITY  
REQUEST FOR BIDS FOR BIDS  
FOR  
FROM FCC LICENSED CARRIERS FOR THE LEASE OF SPACE ON EXISTING  
WATER TOWERS FOR THE PLACEMENT OF CELLULAR ANTENNAS AND  
RELATED EQUIPMENT**

The \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Name and Address of Surety)

a corporation existing under the Laws of the State of \_\_\_\_\_ and authorized to so business under the Laws of the State of New Jersey, in consideration of the sum of One (\$1.00) Dollar lawful money of the United States of America, to it in hand paid, receipt whereof is hereby acknowledged, and in consideration, hereby certifies that application has been made to us by

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Name and Address of Bidder)

and satisfactory arrangements have been completed by which we have and do now agree to become bound as surety and furnish a bond in the full amount of the enclosed bid, which said bond shall be conditioned for the faithful performance, and labor and material payment, on the part of said Bidder of the terms and conditions of the Agreement for the lease of space on the Tank Facilities with the Willingboro Municipal Utilities Authority, according, to the plans and specifications on which said bid is made, if bidder is awarded the Agreement. This proposition is made with the understanding that any change made in the Bid Specifications, agreements, or quantities, without the consent of the bondsmen shall in no way vitiate the bond.

\_\_\_\_\_

(Company Name)

\_\_\_\_\_

Attorney-in-Fact

WITNESS AS TO SURETY:

\_\_\_\_\_

3283470

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(Local Address)

**FORM E**

**FORM OF BID BOND**

**WILLINGBORO MUNICIPAL UTILITIES AUTHORITY  
REQUEST FOR BIDS FOR BIDS  
FOR  
FROM FCC LICENSED CARRIERS FOR THE LEASE OF SPACE ON EXISTING  
WATER TOWERS FOR THE PLACEMENT OF CELLULAR ANTENNAS AND  
RELATED EQUIPMENT**

**KNOW ALL MEN BY THESE PRESENTS, THAT WE** \_\_\_\_\_

\_\_\_\_\_

Principal, as Principal, and the \_\_\_\_\_

\_\_\_\_\_ of \_\_\_\_\_

a corporation duly organized under the laws of the State of \_\_\_\_\_,

hereinafter called the Surety, as Surety, are held and firmly bound unto \_\_\_\_\_

\_\_\_\_\_

hereinafter called the Obligee, in the sum of \_\_\_\_\_

\_\_\_\_\_ Dollars

(\$ \_\_\_\_\_), for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, The Principal has submitted a bid for

\_\_\_\_\_

\_\_\_\_\_

**NOW THEREFORE**, if the Obligee shall accept the Bid of the Principal and the Principal shall enter into an Agreement with the Obligee in accordance with the terms of such Bid, and give such bond or bonds as may be specified in the Contract Documents with good and sufficient surety for the faithful performance of such Agreement, for the prompt payment of labor and material furnished in the prosecution thereof and give such bond or bonds, if the Principal shall pay to the Obligee the difference, not to exceed the penalty hereof, between the amount specified in said Bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Services covered by said Bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

**FORM F****New Jersey Business Registration Requirements****WILLINGBORO MUNICIPAL UTILITIES AUTHORITY****REQUEST FOR BIDS FOR BIDS****FOR****FROM FCC LICENSED CARRIERS FOR THE LEASE OF SPACE ON EXISTING WATER TOWERS  
FOR THE PLACEMENT OF CELLULAR ANTENNAS AND RELATED EQUIPMENT**

Pursuant to N.J.S.A. 52:32-44, the Willingboro Municipal Utilities Authority ("Contracting Agency") is prohibited from entering into a contract with an entity unless the bidder/proposer/contractor, and each subcontractor that is required by law to be named in a bid/proposal/contract has a valid Business Registration Certificate on file with the Division of Revenue and Enterprise Services within the Department of the Treasury prior to award of contract.

Prior to contract award or authorization, the contractor shall provide the Contracting Agency with its proof of business registration and that of any named subcontractor(s).

Subcontractors named in a bid or other proposal shall provide proof of business registration to the bidder, who in turn, shall provide it to the Contracting Agency prior to the time a contract, purchase order, or other contracting document is awarded or authorized.

During the course of contract performance:

- (1) The contractor shall not enter into a contract with a subcontractor unless the subcontractor first provides the contractor with a valid proof of business registration.
- (2) The contractor shall maintain and submit to the Contracting Agency a list of subcontractors and their addresses that may be updated from time to time.
- (3) The contractor and any subcontractor providing goods or performing services under the contract, and each of their affiliates, shall collect and remit to the Director of the Division of Taxation in the Department of the Treasury, the use tax due pursuant to the Sales and Use Tax Act, (N.J.S.A. 54:32B-1 et seq.) on all sales of tangible personal property delivered into the State. Any questions in this regard can be directed to the Division of Taxation at (609)292-6400. Form NJ-REG can be filed online at [www.state.nj.us/treasury/revenue/busregcert.shtml](http://www.state.nj.us/treasury/revenue/busregcert.shtml).

Before final payment is made under the contract, the contractor shall submit to the Contracting Agency a complete and accurate list of all subcontractors used and their addresses.

Pursuant to N.J.S.A. 54:49-4.1, a business organization that fails to provide a copy of a business registration as required, or that provides false business registration information, shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000, for each proof of business registration not properly provided under a contract with a contracting agency.

**FORM G****NO MATERIAL CHANGE OF CIRCUMSTANCES CERTIFICATION****WILLINGBORO MUNICIPAL UTILITIES AUTHORITY  
REQUEST FOR BIDS FOR BIDS  
FOR  
FROM FCC LICENSED CARRIERS FOR THE LEASE OF SPACE ON EXISTING  
WATER TOWERS FOR THE PLACEMENT OF CELLULAR ANTENNAS AND  
RELATED EQUIPMENT**

There have been no material changes which have occurred or are being contemplated by Bidder to occur either prior or subsequent to the time of submission of the Bid by Bidder affecting the ability of Bidder to fully perform and satisfy its obligations pursuant to the Bid submitted to the Willingboro Municipal Utilities Authority for lease of space on existing water towers for the placement of cellular antennas and related equipment.

No material changes, include, but are not limited to, method and mode of conducting business, bankruptcies, mergers or acquisitions, or any other significant event which can materially affect the performance by the Bidder.

No materials changes means also that I have I executed the Bid with full authority to do so.

Name of Bidder: \_\_\_\_\_

By Authorized Representative:

Signature: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

Dated: \_\_\_\_\_

## FORM H

**AFFIDAVIT OF NON-DEBARRED STATUS**  
**WILLINGBORO MUNICIPAL UTILITIES AUTHORITY**  
**REQUEST FOR BIDS FOR BIDS**  
**FOR**  
**FROM FCC LICENSED CARRIERS FOR THE LEASE OF SPACE ON EXISTING**  
**WATER TOWERS FOR THE PLACEMENT OF CELLULAR ANTENNAS AND**  
**RELATED EQUIPMENT**

STATE OF NEW JERSEY )

)

COUNTY OF )

I, \_\_\_\_\_ of the City/Town of \_\_\_\_\_ in the County of \_\_\_\_\_ and the State of New Jersey, of full age, being duly sworn according to law on my oath depose and say that:

I am the Bidder making the Bid to the Willingboro Municipal Utilities Authority for the for lease of space on existing water towers for the placement of cellular antennas and related equipment and I executed the Bid with full authority so to do. At the time of making the Bid, this Bidder is not included on the State of New Jersey, State Treasurer's List of Debarred, Suspended and Disqualified Bidders. All statements contained in the Bid and this affidavit are true and correct and made with the full knowledge that the Willingboro Municipal Utilities Authority will rely upon the truth of the statements contained in the Bid and the Statements in this affidavit in awarding the contract.

I further warrant that should the name of the firm, company or corporation making this Bid appear on the State Treasurer's List of Debarred. Suspended and Disqualified Bidders at any time prior to, and during the life of the contract, including the Guarantee Period, I shall notify the Willingboro Municipal Utilities Authority immediately.

**I understand that the firm, company or corporation making the Bid as a Contractor is subject to debarment, suspension and/or disqualification in contracting with the State of New Jersey and the Department of Environmental Protection if the CONTRACTOR commits any of the acts listed in N.J.A.C. 7:1-5.2, as determined according to applicable law and regulation.**



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SIGNATURE

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PRINT OR TYPE NAME

---

TITLE

Subscribed and sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

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Signature of Notary Public

Notary Public of \_\_\_\_\_

My commission expires \_\_\_\_\_

## FORM I

## COMBINED CERTIFICATION OF DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

AND NON-INVOLVEMENT IN PROHIBITED ACTIVITIES IN RUSSIA AND BELARUS

## WILLINGBORO MUNICIPAL UTILITIES AUTHORITY

## REQUEST FOR BIDS FOR BIDS

## FOR

FROM FCC LICENSED CARRIERS FOR THE LEASE OF SPACE ON EXISTING  
WATER TOWERS FOR THE PLACEMENT OF CELLULAR ANTENNAS AND  
RELATED EQUIPMENT

CONTRACT AWARDS AND RENEWALS	
<input type="checkbox"/>	<i>I certify, pursuant to law, that neither the person or entity listed above, nor any parent entity, subsidiary, or affiliate appears on the N.J. Department of Treasury's lists of entities engaged in prohibited activities in Russia or Belarus pursuant to P.L. 2022, c. 3 or in investment activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. (Skip Part 2 and sign and complete the Certification below.)</i>
CONTRACT AMENDMENTS AND EXTENSIONS	

<input type="checkbox"/>	<p><i>I certify, pursuant to law, that neither the person or entity listed above, nor any parent entity, subsidiary, or affiliate is listed on the N.J. Department of the Treasury's lists of entities determined to be engaged in prohibited activities in Russia or Belarus pursuant to P.L. 2022, c. 3. I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. (Skip Part 2 and sign and complete the Certification below.)</i></p>
<b>IF UNABLE TO CERTIFY</b>	
<input type="checkbox"/>	<p><i>I am unable to certify as above because the person or entity and/or a parent entity, subsidiary, or affiliate is listed on the Department's Russia-Belarus list and/or Chapter 25 Iran list. I will provide a detailed, accurate, and precise description of the activities as directed in Part 2 below, and sign and complete the Certification below. <u>Failure to provide such will prevent the award of the contract to the person or entity, and appropriate penalties, fines, and/or sanctions will be assessed as provided by law.</u></i></p>

## Part 2: Additional Information

### PLEASE PROVIDE FURTHER INFORMATION RELATED TO PROHIBITED ACTIVITIES IN RUSSIA OR BELARUS AND/OR INVESTMENT ACTIVITIES IN IRAN.

You must provide a detailed, accurate, and precise description of the activities of the person or entity, or of a parent entity, subsidiary, or affiliate, engaging in prohibited activities in Russia or Belarus and/or investment activities in Iran in the space below and, if needed, on additional sheets provided by you.

## Part 3: Certification of True and Complete Information

*I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments there, to the best of my knowledge, are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity.*

*I acknowledge that the \_\_\_\_\_ is relying on the information contained herein and hereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the \_\_\_\_\_ to notify the \_\_\_\_\_ in writing of any changes to the answers of information contained herein.*

*I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification. If I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the \_\_\_\_\_ and that the \_\_\_\_\_ at its option may declare any contract(s) resulting from this certification void and unenforceable.*

<b>Full Name (Print)</b>		<b>Title</b>	
<b>Signature</b>		<b>Date</b>	

**FORM J****BID DOCUMENT SUBMISSION CHECKLIST**

**WILLINGBORO MUNICIPAL UTILITIES AUTHORITY  
REQUEST FOR BIDS FOR BIDS  
FOR  
FROM FCC LICENSED CARRIERS FOR THE LEASE OF SPACE ON EXISTING  
WATER TOWERS FOR THE PLACEMENT OF CELLULAR ANTENNAS AND  
RELATED EQUIPMENT**

**A. Failure to submit the following documents with the submission of the bid will cause the bid to be rejected. (N.J.S.A. 40A:11-23.2)**

Required With  
Submission of Bid  
(Owner's checkmarks)

Initial Each Item  
Submitted with Bid  
(Bidder's initials)

<b>X</b>	Bid Pricing Form	
<b>X</b>	A bid guarantee as required by <u>N.J.S.A. 40A:11-21</u>	
<b>X</b>	A certificate from a surety company, pursuant to <u>N.J.S.A. 40A:11-22</u>	
<b>X</b>	A statement of corporate ownership, pursuant to <u>N.J.S.A. 52:25-24.2</u>	
<b>X</b>	Bidder's acknowledgement of receipt of any notice(s) or revision(s) or addenda to an advertisement, specifications of bid document(s)	

**B. Failure to submit the following documents prior to the time of award may cause the bid to be rejected.**

Submission  
Prior to Award  
(Owner's checkmarks)

Initial Each Item  
Submitted with Bid  
(Bidder's initials)

Submission  
Prior to Award  
(Owner's checkmarks)

Initial Each Item  
Submitted with Bid  
(Bidder's initials)

<b>X</b>	Non-Collusion Affidavit (this form must be Notarized)	
<b>X</b>	No Material Change of Circumstances Certification	
<b>X</b>	Bid Document Submission Checklist	

<b>X</b>	Affidavit of Non-Debarred Status	

**D. The following documents are required to be submitted prior to award of contract.**

Required Prior To  
Contract Award  
(Owner's checkmarks)

Initial Each Item  
Submitted with Bid  
(Bidder's initials)

<b>X</b>	Business Registration Certificate(s) of Bidder and Subcontractors (if any) ( <u>N.J.S.A.</u> 40:11-23.2) (see Form M for reference)	
<b>X</b>	Combined Certification of Non-Involvement in Prohibited Activities in Russia and Belarus and Investment Activities in Iran	

**D. SIGNATURE: The undersigned hereby acknowledges and has submitted the above-listed requirements.**

Name of Bidder: \_\_\_\_\_

Authorized Representative: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_

## IV TANK PLANS