

RESOLUTION

WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for Lease Agreements – Wireless Telecommunications Facility at 401 Chambers Bridge Road on Wednesday, August 2, 2023; and

WHEREAS, the bid solicitation has been duly advertised by the Township in accordance with the provisions of the New Jersey Lands and Building Law, N.J.S.A. 40A:13-1 et seq.; and

WHEREAS, the bids have been reviewed by FSD Enterprises, the Township’s cellular tower consultant; and

WHEREAS, FSD Enterprises, LLC recommends rejection of the bid submitted by CCTMO LLC, 8020 Katy Freeway, Houston, TX 77024 as non-responsive; and

WHEREAS, the FSD Enterprises, LLC has recommended the award of said bid to the highest responsive and responsible bidders being in full compliance with the bid specification;

WHEREAS, FSD Enterprises, LLC has recommended rebidding said services for additional lease agreements.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. That, pending mutually satisfactory resolution of submitted exceptions and mutually acceptable final lease language, the contract for the right to lease tower and ground space for the installation of communications equipment at 401 Chamber Bridge Road is hereby awarded as follows:
 - Cello Partnership dba Verizon Wireless, 1 Verizon Way, Basking Ridge, NJ 07920 for the initial term annual rent of \$44,024.00
 - T-Mobile Northeast LLC, 12920 SE 38th Street, Bellevue, WA 98006 for the initial term annual rent of \$44,000.00
2. That the initial term of the lease agreement is for five (5) years, commencing on August 22, 2023. Upon expiration of the initial five (5) year term, the agreement shall automatically be extended for four (4) additional five (5) year terms unless the vendor(s) terminate it at the end of the then current term by giving the Township written notice of the intent to terminate at least six (6) months prior to the end of the then current term.
3. That rent for each term shall increase by 2.75% or personal consumption expenditures price index per year, whichever is higher on the anniversary of the Rent Commencement Date.
4. That rental payments shall commence on the first day of the month after vendor(s) are in receipt of all necessary approvals to begin construction or one-hundred and twenty (120) days after date of bid award (August 22, 2023) whichever occurs first (the “Rent Commencement Date”).
5. That the Mayor is hereby authorized to execute and the Clerk to attest to the proposed form of agreement aforesaid, which such agreement shall be available for public examination in the office of the Township Clerk during normal business hours.

6. That the Township Council authorizes and directs the Office of Purchasing & Contracting to advertise and solicit new bids for additional lease agreements.

Agenda #	Date
4-7	6/22/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

5. That a certified copy of this resolution shall be forwarded to the vendors, FSD Enterprises, LLC, Business Administrator, Chief Financial Officer and the Office of Purchasing & Contracting.

cc: 8/23/23

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on August 22, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 22nd day of August, 2023.


LYNNETTE A. IANNARONE
TOWNSHIP CLERK