



TOWN OF APPLE VALLEY

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor and Town Council **Date:** April 25, 2017
From: Lori Lamson, Assistant Town Manager **Item No:** 2
Subject: REQUEST FOR PROPOSALS – MASTER PLAN FOR IDENTIFYING
POTENTIAL LOCATIONS AND MARKETING WIRELESS
TELECOMMUNICATION SITES WITHIN THE TOWN

T.M. Approval: _____ **Budgeted Item:** Yes No N/A

RECOMMENDED ACTION:

That the Town Council authorize staff to issue the Request for Proposals (RFP) – Location and Marketing Plan for Telecommunication sites within the Town of Apple Valley.

SUMMARY:

At this time, the Town has an opportunity to evaluate the possibility of developing a wireless marketing plan for the purpose of siting wireless telecommunication facilities on Town owned property. Staff has developed a Request for Proposal and would recommend the Town Council authorize the issuance of the RFP.

BACKGROUND:

At the February 28, 2017 Town Council meeting, Council directed staff to look into the preparation of a Master Plan that would consider the appropriate locations for future wireless telecommunication facilities on Town property. Also, this plan would provide for a marketing tool that would assist the Town in finding providers that would be interested in developing these facilities. This would provide better service to the community with fewer dropped calls and better coverage, as well as provide a revenue source for the Town. After researching this issue, staff has determined that this would be in the best interest of the Town and has prepared a Request For Proposal (attached) for Council's consideration.

FISCAL IMPACT:

This RFP issuance will have no initial impact on the Town's budget. However, it is anticipated that there would be a cost associated with sharing revenue from future telecommunication operators that decide to locate on Town property.

ATTACHMENT:

1. Request for Proposals – Wireless Telecommunication Location and Marketing Plan

REQUEST FOR PROPOSALS

1.0 GENERAL INFORMATION

1.1 Purpose and Intent.

This Request for Proposals (RFP) for Wireless Marketing, Planning, and Management Services is issued by the Town of Apple Valley (the "Town") through the Department of the Town Manager.

The Town invites interested parties ("Respondent" or "Respondent(s)") to demonstrate knowledge and expertise in Wireless Marketing, Planning, and Management Services and to assist the Town in attracting submissions for the design, installation, and maintenance of a carrier neutral Wireless "Small Cell" and public Wi-Fi Communications Network throughout the Town. Interested parties are invited to provide a proposal for the development of a Wireless Marketing Plan (hereinafter referred to as "Plan" or "Marketing Plan"). The Marketing Plan would be used to strategically develop the Town's wireless telecommunication infrastructure to meet the needs of the Town. The successful Respondent would be expected to prepare and utilize the Plan and work on the Town's behalf to develop agreements to construct, manage, and leverage certain Town assets and telecommunication infrastructure with third parties. It is anticipated that this project could utilize the following Town assets: building(s), pole(s), tower(s), fiber, conduit(s), cable(s), cabinet(s), street furniture, vault(s), and any structures which could be utilized for the purpose of promoting, transmitting or facilitating wireless communications.

Prior to any binding agreement with the successful respondent(s) for services under this RFP, the successful Respondent(s) will be required to enter into a Contract for the requested services under this RFP. This RFP does not constitute an obligation or agreement on the part of the Town of Apple Valley. The ideal Respondent or Respondents would demonstrate expertise in several areas including:

- Negotiating favorable property agreements (e.g., sub license and encroachment agreements) with multiple telecommunication service providers;
- Developing and managing service contracts with multiple telecommunication service providers;
- Developing similar networks in other jurisdictions;
- Experience with Distributed Antenna System ("DAS") design, installation, and maintenance;
- Experience with Wireless Small Cell design, installation, and maintenance;
- Town-wide Wi-Fi design; and
- Delivering benefits which could be offered to the Town as part of the Plan (e.g., financial benefits that would support the wireless infrastructure and expansion efforts, wireless communications infrastructure, services, hardware, and programs to underserved communities.)

1.2 Background.

The Town has been approached by a number of wireless carriers for vendor specific small cell deployments requiring access to Town infrastructure. The number of small cells is anticipated to be numerous over the next couple years. A preapproved design that maintains wireless vendor neutrality will

help expedite a small cell installation for all wireless carriers. A public-private partnership model can provide a fast, well-engineered, and professionally managed system that maximizes the overall benefits to the Town, the community businesses, and telecommunications providers. The Town is looking for an optimal partnership that will maximize benefit to all parties by bringing extensive industry knowledge and technical expertise to this process.

2.0 GENERAL REQUIREMENTS.

2.1 RFP Issue Date: **April 27, 2017**

2.2 Question and Answer Period.

Any questions regarding this RFP must be submitted in writing via e-mail or U.S. mail to the attention of the following individual:

**Lori Lamson
Assistant Town Manager
14955 Dale Evans Parkway
Apple Valley, CA 92307
llamson@applevalley.org**

Questions must be submitted no later than May 17, 2017 at 4:00 p.m. (PST). The aforementioned individual will respond in writing to any questions. The Town will maintain a list of all individuals/entities requesting copies of the RFP and will ensure that copies of all questions and responses thereto shall be made available, upon request, to each entity on such list. Each question shall begin by referencing the RFP page number and section number to which it relates.

After the submission of proposals, unless requested by the Town, contact with the Town is limited to status inquiries only, and such inquiries shall be directed to the above-named individual. Any further contact or information about the proposal to the Town will be considered an impermissible supplementation of the Respondent's proposal.

2.3 Submission of Proposal

In order to be considered by the Town, a Respondent's proposal must be received by **LORI LAMSON, 14955 DALE EVANS PARKWAY, APPLE VALLEY, CA 92307, NO LATER THAN 5:00 P.M. (PST) on JUNE 12, 2017.** Proposals received after this deadline will not be considered.

Proposals submitted via e-mail or facsimile will not be accepted or considered.

Each Respondent must submit one (1) sealed, complete, original proposal. Each Respondent must also submit five (5) sealed, complete and exact copies of the original proposal.

The Town will evaluate the proposals and determine if interviews are necessary or desirable. The Town may reject any and all proposals, and cancel this RFP.

2.4 Proposal Format & Content.

The outline below should be followed when preparing the proposal for the services described in Sections 1 and 2 of this document. Be advised that failure to follow the outline could result in rejection of the proposal.

A. Description of Respondent: In this section of the proposal, describe the Respondent's company and the services it provides. Describe the type of organization, number of years in business, federal tax ID, address and telephone number of office(s), total number of employees, and the number employees focused on this type of engagement. The Respondent shall provide a financial reference or annual report, and a gross/net revenue report for each of the last three fiscal years. The Company may include any additional literature and product brochures.

B. Statement of Interest.

C. Relevant Qualifications. In this section, the Respondent should provide relevant qualifications and experience of the company and resumes of individuals who will be assigned to the project. This section should demonstrate and explain why the Respondent is particularly suited to meet the needs of the Town of Apple Valley.

D. Approach for Providing the Requested Services.

E. Conceptual Property Agreement/Lease Rate Structure for Wireless Carriers. In this section, please provide a conceptual property agreement rate structure for wireless carriers for both capital and recurring expenses. Rates shall include:

- DAS network and/or Small Cell deployment in the Town.
- Street light or pole attachment
- Fiber and conduit connectivity to co-location site
- Co-location services

F. Revenue/Cost sharing. In this section, please provide a revenue cost share/split proposal with the Town.

G. Taxes/Licenses. In this section of the proposal affirmatively verify that the business has all necessary licenses and certifications, and is current with tax remittance.

H. Client References. The Respondent must provide a minimum of three client references for similar work performed for clients of a similar size, complexity and business. At least one local government reference is required. The Respondent will provide the following information about clients being used as references: client name,

client contact information, client size and industry, and brief description of the engagement. If possible, sample deliverables should be provided either as part of the proposal or for viewing as part of presentations.

3.0. SCOPE OF WORK

3.1 Project Scope.

A. Respondent shall provide consulting and planning services to identify Town assets to market. These services, which shall be refreshed at a minimum annually, shall include RF analysis, asset inventory, projections of wireless requirements, wireless master planning, review of equipment and pole mounting for the wireless infrastructure (aesthetics) and other associated services which shall be shared with the Town.

B. Respondent will recommend potential Town assets to market and the Town will have the right to determine which Town assets are marketed.

C. The Town assets that may be marketed may include building(s), street light(s), pole(s), tower(s), fiber, conduit(s), cable(s), cabinets(s), street furniture, vault(s), and any structures which could be utilized for the purposes of promoting, transmitting or facilitating communications.

D. Respondent will negotiate and propose property agreements (e.g., license, sublicense, or encroachment agreements) with Carriers for Town approved sites. The Town shall have the final authority to grant or approve all property agreements pursuant to this Plan.

E. Respondent and the Town shall negotiate a revenue split from the revenue received from all property agreements.

F. The Town will retain underlying ownership of any Town owned or licensed property.

G. The proposed term of the agreement with the successful Respondent is five (5) years, with a mutual option to renew for one additional 5-year period.

I. Respondent shall provide an annual report summarizing marketing efforts, network construction, market changes, and RF analysis results.

3.2 Town Assets. It is projected that Town of Apple Valley assets will be available to support cellular carrier small cells and Town Wi-Fi services. As stated above, Respondent shall provide consulting and planning services to identify Town assets to market. Below are descriptions of some potential Town assets:

- A. Street Lights.
- B. Existing Wireless Telecommunication Towers.
- C. Conduit.

- D. Other Assets. The Town has over 20 properties with Town buildings/structures on them.

4.0 METHOD OF COMPENSATION

Respondent and the Town shall negotiate, as part of any agreement entered into as a result of this RFP, a revenue split from the revenue received from all property agreements.

5.0 PROPOSAL EVALUATION

5.1. In making its decision, the Town shall consider, at a minimum, the following:

- A. Specialized experience, qualification and technical competence of the Respondent, its principals, project manager and key staff;
- B. Ability of the firm to provide innovative solutions;
- C. Approach to the project and any unusual problems anticipated;
- D. The capacity and capability of the firm to perform the work within the time limitations;
- E. Past record and performance of the firm with respect to schedule compliance, cost control, and quality of work;
- F. Proximity of the firm to the Town;
- G. Fees or fee structure as may be appropriate for the designated service;
- H. Availability of financial and operating resources as required to complete the work;
- I. M/WBE and/or DBE participation;
- J. Ability of the firm to meet statutory or ordinance requirements; and
- K. Other items that arise as the result of the proposal or interview.

The Town reserves the right to accept any and all proposals; reject any and all proposals; request additional information as the Town may deem necessary; waive any and all nonmaterial irregularities pertaining proposals received or the RFP process; disqualify any and/or all Respondents, reject any and/or all proposals for failure to comply with this RFP or to promptly provide additional requested materials or information, and to interview or call for a presentation from one or more of the Respondents. Further, the Town reserves the right to negotiate final contract terms with any Respondent, or enter into a subsequent agreement with another Respondent if the originally selected Respondent fails to execute its

agreement with the Town. Any agreement is not binding unless it is executed by authorized representatives of the Town and the selected Respondent.

6.0 ADDITIONAL INFORMATION

6.1 Contents of Proposal.

All materials submitted in accordance with this RFP will become and remain the property of the Town and will not be returned.

All Proposals may be considered public records, but may be deemed and treated as “closed” or “exempt” by the Town, at the sole discretion of the Town, pursuant to the Town’s understanding and interpretation of the laws of the State of California. The Town cannot guarantee the confidentiality of any materials during the evaluation process or at any other time. Thus, Proposals and communications exchanged in response to this RFP should be assumed to be subject to public disclosure.

6.2 Cost Liability.

Any cost incurred by the Respondent in preparation, transmittal or presentation of any Proposal or material submitted in response to this RFP, including oral interview if required, shall be borne solely by the Respondent.

6.3 Respondent Responsibility.

The Respondent assumes sole responsibility for the complete effort required in this RFP. No special consideration shall be given after proposals are opened because of a Respondent’s failure to be knowledgeable of all the requirements of this RFP. By submitting a proposal in response to this RFP, the Respondent represents that it has satisfied itself, from its own investigation, of all the requirements of this RFP.

6.4 Amendment/Termination.

The Town reserves the right to amend, substitute or otherwise modify this RFP or to cancel this RFP at any time if the Town determines it is in the best interest of the Town.

6.5 Indemnification.

Each Respondent in seeking, receiving or possessing this RFP and/or in submitting a response does release, indemnify and hold the Town and its various employees, representatives and agents harmless from and against all claims and demands of any and all loss, cost, damage, or liability of whatever nature, which may be asserted or imposed against the Town as a result of issuing this RFP, making any revisions thereto

and conducting this selection process and subsequent negotiations, and making a final recommendation and/or entering into a contract.

6.6 Amendment of Proposal.

Proposals may be withdrawn prior to the proposal submission date in writing by the Respondent or its authorized representative, provided its identity is disclosed on the envelope containing the proposal and such representative signs a receipt for the proposal.

6.7 Contract.

The selected Respondent(s) shall be expected to enter into a written contract with the Town of Apple Valley. The selected bidder(s) shall comply with all laws, ordinances, and regulations applicable to the services contemplated herein. By responding to this RFP, you are stating that you are familiar with all federal, state and local laws and ordinances that may in any way affect the services to be provided.

This RFP in no manner obligates the Town to the eventual purchase of services offered until confirmed by an executed written Agreement approved by the Town. Progress toward this end is solely at the discretion of the Town and may be terminated at any time prior to the signing of the Agreement. The Town reserves the right to negotiate financial and other arrangements, to negotiate with Respondents as to any aspect of Respondent's proposal whatsoever, and to ask consultant to submit additional information with respect to any aspect of Respondent's submission whatsoever. The Town reserves the right to negotiate final agreement terms with any Respondent.

6.8 Audit.

The Town along with the Town's auditors and accountants shall be afforded access during the term of any contract adopted pursuant to this RFP, and for five (5) years following termination, to all of the company's books and records without limitation whatsoever for the purpose of conducting audits. All books and records shall be open to inspection and/or reproduction to the extent necessary to adequately permit evaluation and verification of the company's full compliance with contract documents. In those situations where the company's records have been generated from computerized data or records, in addition to hard copy (reports), contractor shall provide such information on disk or in a suitable alternative electronic format.

6.9 Business License.

The successful Respondent must provide proof that it is current with respect to all applicable Town taxes and licenses prior to the initiation of any contract.