

**NOTICE OF PUBLIC AUCTION FOR LEASE OF WATER TOWER SITE  
FOR A WIRELESS COMMUNICATIONS FACILITY**

**PUBLIC NOTICE IS HEREBY GIVEN** that pursuant to N.J.S.A. 40A:12-14, the Township of Long Beach (“Township”) shall accept sealed bids for the lease of space unneeded for public use for the installation and collocation of a wireless communications facility on a certain water tower and related property space at a certain property owned by the Township located at 201 West Roosevelt Avenue in the Township (“Property”). Sealed proposals shall be received by hand delivery or by U.S. Mail to the Municipal Clerk at the Long Beach Township Municipal Building located at 6805 Long Beach Boulevard, Brant Beach, New Jersey 08008. Public Call at 11:00am, and thereafter unsealed and read in the Municipal Court Room on Tuesday, May 24, 2022, or after 11:00 a.m. prevailing time, no bids to be received after public call thereafter. At this time and place, certain portions of the Property shall be offered for lease in accordance with and pursuant to the terms of the Instructions and Specifications and Agreement, which set forth the mandatory lease terms, and are available for inspection at the Office of the Clerk for the Township of Long Beach located at the Municipal Building or online at [www.longbeachtownship.com](http://www.longbeachtownship.com)

The minimum acceptable bid, as set forth in Resolution 22-0404.04, shall be not less Forty-Two-Thousand Dollars (\$42,000.00) *per annum*, plus the additional payments and consideration set forth in and required by the Agreement, for certain portions of the Property.

Payment of the bid price shall occur in accordance with the requirements set forth in the Agreement.

All bidders shall be required to execute and submit the Agreement without revisions with their bid, a copy of which may be obtained upon request from the Office of the Clerk for the Township.

BY ORDER OF THE BOARD OF COMMISSIONERS  
DANIELLE LAVALLE, RMC  
MUNICIPAL CLERK

## INSTRUCTIONS AND SPECIFICATIONS

### **FIVE-YEAR LEASE WITH FOUR FIVE-YEAR OPTIONS TO RENEW OF SPACE LOCATED AT THE WATER TANK SITE FOR THE INSTALLATION, COLLOCATION, AND USE OF THE SPACE FOR A COMMUNICATIONS FACILITY, INCLUDING THE OPERATION OF WIRELESS ANTENNAS AND EQUIPMENT**

1. **Location of Property** – One space located at the certain premises owned by the Township of Long Beach (“Township”) located at 21 West Roosevelt Avenue in the Township, County of Ocean, State of New Jersey (“Property”).
2. **Use of Property** – As set forth in and governed by the attached Agreement, the Township is seeking to lease a non-exclusive interest in the water tower, certain land space, and right to ingress and egress located at the Property for the purposes of the installation and use of a wireless communications facility. All conditions and requirements relating to the lease are set forth and governed by the attached Agreement.
4. **Rent and Payments** – The successful bidder shall agree to pay to the Township rent on a monthly basis in equal installments due on the first day of each calendar month. The successful bidder shall also pay any real estate taxes resulting from property improvements made by the successful bidder and any and all other payments set forth and required by the attached Agreement, including, but not limited to, the additional payment of \$15,000.00 and the reimbursement of professional fees during the term of the Agreement. The minimum bid that shall be accepted for the annual rent is forty-two-thousand dollars (\$42,000.00). In addition, the additional consideration and payment requirements are set forth in the attached Agreement.
5. **Utilities** – As set forth in and governed by the attached Agreement, the successful bidder shall be responsible for any and all costs relating to and/or arising out of the installation and use of utilities relating to the bidder’s use of the Property.
6. **Submissions Prior to the Auction** – Prior to or at the time of the live auction, the bidder shall complete, execute, and provide the following documents, each of which is attached hereto.
  - A. Non-Collusion Affidavit.
  - B. Statement of Corporate Ownership.
  - C. Power of Attorney.
7. **Power of Attorney** – The bidder shall provide the Township with an executed Power of Attorney that establishes that the person who executes the Agreement

on its behalf has the authority to bind the bidder to the terms of the bid and Agreement.

**8. Rejection of Bids** – The Township reserves the right to reject any and all bids submitted at the live auction.

**9. Award and Responsive and Successful Bidder** – The Township shall award to the highest bidder. In the event of a tie bid, the tie shall be resolved by the flip of a coin by the Township’s attorney or a designated representative in the event there are two tie bidders and by drawing the short straw in the event there are more than two tied bidders. In order to qualify as a responsive and successful bidder, the bid must include the Agreement in its existing form and agreed upon and executed by an authorized representative of the bidder.