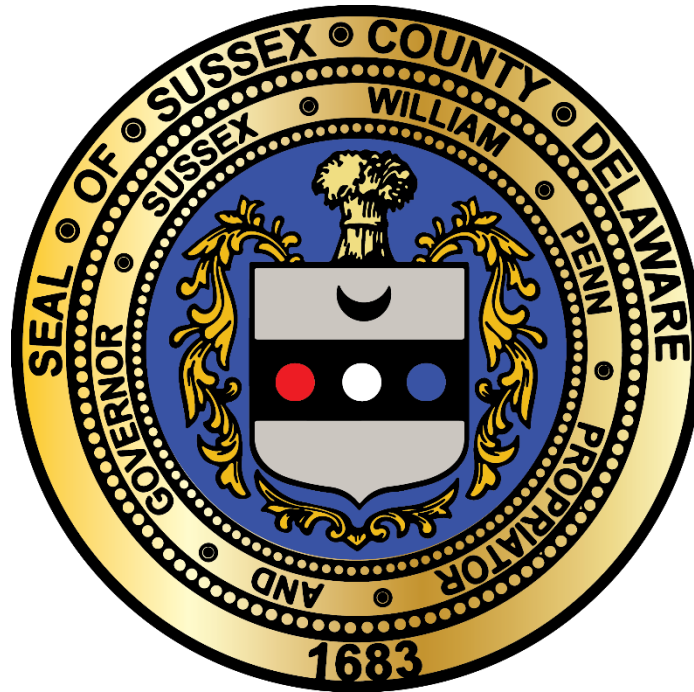


Sussex County, Delaware



REQUEST FOR PROPOSALS

GROUND LEASE AT 19255 PLANTATION RD,
REHOBOTH, DE 19971

September 21, 2022

REQUEST FOR PROPOSALS
GROUND LEASE AT 19255 PLANTATION RD,
REHOBOTH, DE 19971

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DATE RELEASED: SEPTEMBER 21, 2022

REQUEST FOR PROPOSALS

The Sussex County Government is seeking sealed submittals for:

Ground lease agreement between Lessee and Sussex County, a political subdivision of the State of Delaware. The County will lease to Lessee approximately 50,000 square feet of land located at 19255 Plantation Rd, Rehoboth, DE 19971, for the purpose of constructing a communications hut for broadband expansion. The lease shall be subject to the terms and conditions approved by Sussex County Government.

Based on the criteria established, an evaluation committee will be selected to read, screen, and rank all proposals. The evaluation committee shall determine that all applicants meet the minimum qualifications to submit a proposal on this request. At any point in the negotiation process, the evaluation committee may, at its discretion, terminate negotiations with any and all respondents.

Interested parties must submit a written proposal to the Information Technology Director, Attention: Dwayne Kilgo, 22215 Dupont Blvd, Georgetown, DE 19947, by **3:00 p.m., October 5, 2022**. The award shall be made in writing to the responsible respondent whose proposal is determined to be the most advantageous to the County.

The request for proposals may be obtained by visiting Sussex County's website sussexcountyde.gov/legal-notices/bids or by contacting Mr. Dwayne Kilgo, Information Technology Director, 22215 Dupont Blvd, Georgetown, Delaware, telephone: (302) 855-7898, email: dkilgo@sussexcountyde.gov. The request for proposals may be obtained during regular business hours which are 8:30 a.m. to 4:30 p.m., Monday through Friday. In its sole discretion, Sussex County, Delaware, may extend the time and place for opening of proposals from that described in the advertisement by providing not less than two (2) calendar days' notice, by posting an Addendum on the Sussex County website and by providing notice thereof by certified delivery, facsimile machine, or other electronic means such as email, to those potential respondents who obtained copies of the RFP and provided notice thereof to Dwayne Kilgo at the email address provided herein.

Respondents having questions concerning the proposal should submit them in writing via e-mail no later than 12:00 p.m., September 29, 2022, to Dwayne Kilgo at dkilgo@sussexcountyde.gov.

Award of successful proposal is expected in mid-October 2022.

II. Instructions for Proposals

Each written proposal must be submitted in a sealed envelope, addressed to Mr. Dwayne Kilgo, Information Technology Director, 22215 Dupont Blvd, Georgetown, DE 19947. Each sealed envelope containing a proposal must be plainly marked on the outside as “Broadband Hut RFP” and bear the name and address of the respondent. If sent by mail, the sealed envelope should be sent by certified mail and be indicated as received on the certified receipt prior to the Proposal Opening. Late proposals will not be accepted. Sussex County may extend the time and place for opening of proposals from that described in the advertisement, by providing not less than two (2) calendar days’ notice, by posting an Addendum on the Sussex County website and by providing notice thereof by certified delivery, facsimile machine, or other electronic means such as email, to those potential respondents who obtained copies of the Request for Proposals and provided notice thereof to Dwayne Kilgo at the email address provided herein.

Sussex County reserves the right to reject any and all proposals, to waive any informalities in proposals received, except with respect to the date, time and place where the documents are submitted, to cancel this RFP in whole or in part, to reissue this RFP and/or to accept or reject items of proposals received. In the event this RFP is canceled in whole or in part prior to the opening of proposals, all respondents shall receive a notice of cancellation and all proposals received shall be returned to the respective respondents unopened.

FAX proposals will not be accepted.

Interested parties are asked to submit one (1) written proposal to Sussex County, Attention: Dwayne Kilgo, Information Technology Director, 22215 Dupont Blvd, Georgetown, DE 19947, by 3:00 p.m., October 5, 2022, at which time the proposals will be publicly opened, reading aloud and recording only the name of the respondent. All other information shall be confidential.

Mailing Address: Mr. Dwayne Kilgo
PO Box 589
Georgetown, DE 19947

Delivery Address: Mr. Dwayne Kilgo
22215 Dupont Blvd
Georgetown, DE 19947

Telephone Number: (302) 855-7898

III. General Information

Sussex County Government will lease to Lessee, approximately 50,000 square feet of land located at 19255 Plantation Rd, Rehoboth, DE 19971. Lessee shall be required to construct a communications hut for broadband, at Lessee's expense. Lessee shall also be responsible for all permitting and sitework related to the construction of the communications hut.



Terms of the lease shall be Triple Net – the Lessee shall be solely responsible for all costs relating to the property being leased, in addition to the rent fee applied under the lease.

Construction of the hut shall begin within 6 months of award of this RFP.

Successful Respondent shall be required to provide a performance bond in the amount equal to the cost for constructing the proposed hut.

Successful Respondent shall design and permit the project within four (4) months, award a contract within five (5) months and start construction within six (6) months of award of this RFP.

An on-site inspection of the facility may be arranged by calling the Information Technology Director at (302) 855-7898.

IV. Required Submittals

The following information must be included in the Respondent's proposal. Failure to provide any of the information will result in the rejection of the application:

1. Respondent's informational cover page that includes the following:
 - a. The Respondent's legal name.
 - b. Respondent's mailing address.
 - c. Respondent's telephone and facsimile numbers.
 - d. Respondent's email address.
 - e. Name of Respondent's representative or contact person.
 - f. Representative's telephone number.
2. Business Information (if the proposed Lessee is a business entity). Provide a full description of the Respondent's business, including the following information:
 - a. A description of the business, including any relationship to a larger corporate entity;
 - b. Names of key officers and owners.
3. Proposed annual land rent per square foot (must be above minimum) and proposed rent escalation.
4. Proposed length of lease. (A maximum 30 year initial term is acceptable, with options to extend not to exceed 50 years total.)
5. A summary of the Respondent's proposed use of the facility being leased, including the following information:
 - a. Describe how the use will benefit the area's community for expansion of broadband.
 - b. Proposed hours of operation (if a business entity).
6. Evidence of the Respondent's ability to supply all required insurance coverages as specified by the County.

V. Insurance Requirements

Prior to construction, Sussex County Government shall review/approve the insurance to be purchased by the contractor(s) that will construct the hut, including workers' compensation, commercial general liability, business auto and builders' risk. Minimum liability limits shall be \$1M to \$5M.

VI. Grounds for Denial of Proposal

The following may be used as grounds for declaring a proposal "non-responsive":

- The applicant does not meet qualifications standards and requirements established by the Minimum Standards.
- The applicant's proposed operations or construction will create an unacceptable safety hazard.

- The granting of the application will require the expenditure of County funds, labor or materials on the facilities described in or related to the application, or the operation will result in a financial loss to Sussex County.
- Any party applying or having interest in the business has supplied false information or has misrepresented any material fact in the application or in supporting documents or has failed to make full disclosure on the application.
- Any party applying, or having an interest in the business, has defaulted in the performance of any lease or other Agreement with Sussex County Government.
- Any party applying, or having an interest in the business, is not sufficiently creditworthy and responsible in the judgment of the Sussex County Council to provide and maintain the business to which the application relates and to promptly pay amounts due under an Agreement.

VII. Evaluation and Selection Process

Based on the criteria established, an evaluation committee will be selected to read, screen, and rank all proposals.

EVALUATION CRITERIA

Proposals will be evaluated based on the following criteria (maximum of 100 points).

- **PROPOSED RENT - 50 points**
- **NUMBER OF SUBSCRIBERS PROPOSED FROM LOCATION
–25 points**
- **COST OF BROADBAND SERVICES – 25 points**

Information provided under Section IV above will be used in case of a tied score.