

**WILSON BOROUGH
REQUEST FOR PROPOSALS
FOR A LICENSE TO INSTALL AND OPERATE A BILLBOARD ON ROUTE 22 NEXT TO
FISK FIELD AND FOR THE CONSTRUCTION OF AND PARTIAL LICENSE TO ADVERTISE
ON A SCOREBOARD ON FISK FIELD**

RFP Issue Date: April 21, 2017

Deadline for Proposal Submissions: May 22, 2017

I. INTRODUCTION

The Request for Proposal (RFP) is for the purpose of Wilson Borough ("the Borough") entering into a contract with a Billboard Company for the License to Construct and Lease a two-sided Static or Digital Billboard on the Eastbound side of Route 22 next to the Borough Property known as Fisk Field to allow for Advertising on said Billboard, as well as for the Construction of and partial License to Advertise on a Digital Scoreboard on Fisk Field.

An applicant may submit qualified proposals for the Construction and Lease of a Static Billboard, Digital Billboard, or proposals for both. All proposals must also include a proposal for the Construction of a Digital Scoreboard on Fisk Field with the ability for advertising on either side. The Borough anticipates that it may award one contract but reserves the right not to award a contract.

II. MINIMUM QUALIFICATIONS:

Applicants shall submit a statement of qualifications demonstrating, through the submission of verifiable citations of completed projects performed either directly, by contractors, or by members of the applicant's team, the applicant's experience in the following areas:

- (i.) Experience in the sale of outdoor advertising;
- (ii.) Ability to finance and manage transactions of a similar scope and magnitude;
- (iii.) Experience in the construction and maintenance of billboards; and
- (iv.) Experience in the construction of Digital Scoreboards with adjacent advertising.

Qualification requirements may be satisfied by corporate experience or by the experience of individual employees of the applicant, or of its consultants, contractors and/or other members of the applicant's team.

If subcontractors are to be utilized, please include information regarding the proposed subcontractors including the name of the company, their address and three references with contact personnel for each subcontractor.

III. SCOPE OF WORK AND SPECIFICATIONS:

In exchange for this exclusive right to sell advertising on Borough Property, the applicant will be responsible for the following payments to the Borough:

The greater of a Minimum Annual Guarantee (in an amount to be proposed in the applicant's response to this RFP), OR a share of the Applicant's annual gross revenues earned in connection with the rights to advertise. The percentage to be proposed will be included in the applicant's response to this RFP.

The applicant will further be responsible for the construction of a Scoreboard on the Property known as Fisk Field. Said Scoreboard shall have Digital or Static advertising on either side. The advertising on one side of the Scoreboard will be for Lease to the applicant for a Lease duration to be proposed by the applicant. The advertising on the other side of the Scoreboard will be for use by the Borough only for advertising of Borough events, or for other uses in which the Borough sees fit. The payment(s) to be made to the Borough for the partial lease to advertise on the Scoreboard is to be proposed by the applicant.

In addition, the applicant must provide all products and services included in this contract, including costs for related infrastructure, at no cost to the Borough. The applicant shall be responsible for constructing, maintaining, and repairing all aspects of the Billboard and its infrastructure for the term of this contract, as well as acquiring and paying for all necessary permits that may be required by the Borough and the Pennsylvania Department of Transportation.

The successful applicant shall at their own expense, whenever necessary or required, furnish safety devices and take such other precautions as may be necessary to protect life and property. The applicant shall bear all losses resulting to him or to the Borough on account of the amount or character of the work, or because of the nature of the area in or on which the work being done is different from what was estimated or expected, or account of the weather, elements or other causes.

IV. SUBMISSION:

Proposals must be submitted via regular mail or hand delivery to Borough of Wilson, Guy B. Tomaino Municipal Building, 2040 Hay Terrace, Easton, Pennsylvania, 18042. Proposals should be clearly marked "Billboard Proposal" and include the name and address of the applicant written on the face of the envelope.

Deadline for Proposal Submissions: Only proposals received on or before the close of business on May 22, 2017 will be considered. Proposals received after this date will be returned unopened.

Proposals received by the Borough before the time of opening of proposals may be withdrawn at any time before the date and time scheduled for opening upon written application of the applicant who shall be required to produce evidence showing that the individual is or represents the principal or principals involved in the proposal. Once proposals have been opened, they must remain firm for a period of up to 60 calendar days.

The time for opening of proposals shall be at the next regularly scheduled meeting of the Borough Council following the submission deadline.

Each proposal must give the full business address of the applicant and be signed by an authorized representative. Proposals by partnerships must furnish the full name of all partners and must be signed in the partnership name by one of the members of the partnership or by an authorized representative, followed by the signature and designation of the person signing. Proposals by corporations must be signed in the legal name of the corporation, followed by the name of the State in which incorporated and must contain the signature and designation of the President, Secretary or other person authorized to bind the corporation in the matter. When requested, satisfactory evidence of the authority of the officer signing shall be furnished.

Each Proposal shall contain a Certificate of Insurance from the Applicant's Insurance Company.

V. EVALUATION, SELECTION, AND NOTICE:

Proposals will be evaluated by the Wilson Borough Council based on the following criteria:

- Qualifications or Capacity to Perform; and
- The revenue to be produced for the Borough.

The Borough Council reserved the right to reject any or all bids or any part thereof as deemed to be in the best interest of the Borough.

The Borough Council will make the decision for selection of a Bidder. Proposals will be evaluated for purpose of award by the Borough Council. The selected Bidder/Applicant will be notified in writing. Any Agreement that may result from this proposal shall not be binding on either party until it has been approved by the Borough Council.

VI. SITE CONDITIONS AND INSPECTION:

The site of the Billboard is to be on the Eastbound Side of Route 22 on the Property known as Fisk Field in the Borough. The site of the Scoreboard is to be on Fisk Field. Site inspection is recommended and is the sole responsibility of the applicants. Parties interested in gaining direct access to the site for purposes of inspection are invited to inspect the site. Special

permission is not required to view the site from adjacent public pavements. However, receipt of this RPF does not constitute permission to enter the property.

The successful applicant will be responsible for designing and constructing the outdoor advertising structure (the Billboard), as well as the Scoreboard with side advertising, to meet existing conditions.

The Borough makes no representations or warranties as to the environmental condition of the property.

Applicants may conduct their own environmental and/or geotechnical investigations on the Property before submitting a proposal provided that the applicant:

1. Makes arrangements for such investigations in compliance with the Borough's normal access permit procedures including, but not limited to, standard indemnifications and provisions to safeguard and restore the premises to the Borough's satisfaction;
2. Provides complete reports of any investigations into the Borough for the Borough to use as it sees fit; and
3. The applicants accept full responsibility for all costs associated with the development, preparation, and submission of proposals. The Borough will bear no responsibility for cost of any kind in this regard.

VII. ENGINEERING AND CONSTRUCTION:

The successful applicant shall be responsible for engaging the services of a qualified licensed professional engineer to prepare all necessary structural drawings and to inspect and approve the plans for the Billboard and Scoreboard; and Compliance with the Commonwealth of Pennsylvania and Wilson Borough construction and outdoor advertising permitting and licensing statutes and regulations.

The successful applicant will have the sole responsibility for paying all costs and expenses incident to the permitting, construction and erection of the Billboard and Scoreboard, including, but not limited to, the following:

- Engineering;
- Recording and permitting fees;
- Legal and incidental expenses; and
- All construction costs.

The applicant is responsible for obtaining all construction permits and approvals, properly maintaining the Billboard and paying for all utilities, inspection fees and other costs throughout the life of the Lease of the Billboard. The Borough shall be responsible for the upkeep and utilities of the Scoreboard. If necessary, the applicant is responsible for entering

into its own access and crossing agreements with adjacent property owners for the purpose of gaining access to the Borough's Property to construct and maintain the structures.

VIII. LEASE DURATION:

The Lease duration of the Billboard is for an initial term of five (5) years with an option to renew, upon written agreement by both the Borough and applicant, for an additional five (5) years. The Lease term for the partial lease to Advertise on the side of the Scoreboard on Fisk Field is to be proposed by the applicant.

IX. CONTACT:

Jill Garcia
Wilson Borough Manager
2040 Hay Terrace
Easton, PA 18042