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City of Jasper

**Request for Proposals for Lease of Municipal Real Estate for
Telecommunications Tower and Equipment Shelter
RFP 2023-11**

**Addendum No. 2
October 18, 2023**

1. Is the current water tank being decommissioned/removed or is the new tower intended to be erected on the same parcel as existing tank?

The City's "Lilly" water tank is located at 36 Lilly Circle in Jasper. There are no plans to take this water tank out of service. This tank was recently (2022) rehabilitated and does not need to be replaced. The tank currently has existing telecommunications equipment erected on top of the tank with ground storage facilities constructed by the current carriers; there are no plans for the City to erect a new water tank or tower.

2. If the tank is being removed, what is the timeline?

There are no plans to take the Lilly tank offline or to remove it.

3. How many carriers are currently installed on the tower? Have they been made aware of the pending new tower?

There are two telecommunications carriers on the water tank currently, and they were sent RFP 2023-11 directly. The City also maintains a base station for our Utility Department's Advanced Metering Infrastructure on the tank. The City of Jasper Police Department maintains radio equipment and a repeater inside of an equipment shelter, and lessees will agree to allow the Police Department's equipment to remain.

The reason for this Request for Proposals is due to the lease agreements with the current carriers being in conflict with Georgia Statute 36-37-6, which only allows a lease term to be a maximum of 10 years, with a 10-year renewal. After this 20-year period, the City is required to rebid the lease agreements.

4. What is the height of the existing tank?

The height of the tank is at least 149 feet tall, as that is the distance from ground level to the overflow height near the base of the tank. This is a 250,000-gallon tank.

5. What is the desired height required for the city equipment?

Please clarify your question. The City is not placing new equipment on the tank. Once company(s) are procured, design drawings must be submitted to the City for review and approval.

6. Is there a dedicated easement to the tank? Is the access to the property off of Appalachian Trail?

The City of Jasper owns the 1-acre parcel that the Lilly Tank is on. Access to the property is off of Lilly Circle.

7. Will zoning be required or is the City property exempt?

There is no change in usage on this property. There is an existing elevated water tank on this property.

8. To confirm, the lease term cannot extend beyond a 20-year window. 10-year initial, and 10-year renewal.

Correct. Georgia Statute 36-37-6 "Sale of Municipal Property" only allows a maximum 10-year initial term, and a maximum 10-year renewal term.

9. Can an alternative City-owned property be used if it is viable to build on and achieves same/better coverage for the carriers?

The City does own other properties and owns/maintains other elevated water storage tanks; however, the Lilly Tank parcel is currently the property that carriers are located. This RFP is specifically for the Lilly Tank. The City would have to evaluate whether other locations would be suitable for carriers (some tanks definitely are not) and put out a separate RFP for lease of municipal real estate.

10. With City support, is the project exempt from zoning approval or guaranteed to be approved?

This specific location is owned by the City of Jasper, and already has a water storage tank located upon it. There will be no change to zoning required at this location.

11. Is there a height restriction/maximum height limit for the tower?

There may be FAA restrictions regarding height of carrier equipment on top of the tank; however, the tank is already in place and has carriers currently on it.

12. The RFP says the terms/lengths of terms are negotiable, but also refers to Georgia law that states "the initial term of the resulting lease may not exceed ten (10) years and the renewal term, if any, may not exceed one term of no more than ten (10) years." Are they only negotiable downward from the above referenced 10 year terms or can they exceed/be extended? Is there a mechanism to automatically renew after 20 years (10 year initial + 1 x 10 year term)?

Georgia Statute 36-37-6 "Sale of Municipal Property" only allows a maximum 10-year initial term, and a maximum 10-year renewal term, and then the City must go out for sealed proposals/bids again. The terms are negotiable downward; however, the statute only allows one (1) renewal term before that specific carrier's contract will have to be re-bid.

13. Is the advanced payment going to be credited towards the first year's rent once the tower is constructed? Or is the advanced payment a one-time fee outside of any monthly rental payment?

Please refer to Section 3.5 "Advanced Payment" in RFP 2023-11. The advanced payment represents the final monthly rental payment(s) paying under the lease.

14. Is the advanced payment reimbursed if the tower is not constructed for reasons outside of the developer's controls (i.e. Federal permitting or Environmental reasons)?

The City of Jasper will reimburse the advanced payment, less a \$200.00 administrative processing fee, should the lessee be unable to construct facilities due to federal permitting or environmental issues.

