

CS-20-172

CONTRACT APPROVAL FORM

(Contract Management Use only)
CONTRACT TRACKING NO.
CM2323-A2

CONTRACTOR INFORMATION

Name: American Tower Asset Sub, LLC

Address: 11 Presidential Way Woburn, MA 01801
City State Zip

Contractor's Administrator Name: Frank Chiara, Esquire Title: Contracts Analyst

Tel#: (781) 926-4909 Fax: _____ Email: frank.chiara@americantower.com

CONTRACT INFORMATION

Contract Name: License Agreement (Hilliard - 302821) Contract Value: \$2,500 per month/\$150,000 for 5 yrs.

Brief Description: Lease agreement for the tower in Hilliard, Florida (Site No.: 302821)

Contract Dates : From: 5/01/2016 to: 4/30/2021 Status: New Renew Amend# WA/Task Order

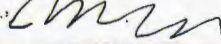

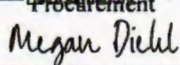
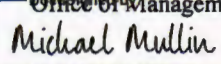
How Procured: Sole Source Single Source ITB RFP RFQ Coop. Other _____

If Processing an Amendment:


Contract #: CM2323-A2 Increase Amount of Existing Contract: \$142.82 per month/\$8,569.20 for 5 yrs.

New Contract Dates: 5/01/2021 to 4/30/2026 TOTAL OR AMENDMENT AMOUNT: \$2,842.82 per month/\$158,569.20 for 5 years

DocuSigned by: **APPROVALS PURSUANT TO NASSAU COUNTY PURCHASING POLICY, SECTION 6**

- | | | | |
|----|---|----------------|---|
| 1. |  | March 25, 2021 | Tax Collector/Technical Services |
| | Department Head Signature | Date | Submitting Department |
| 2. |  | March 25, 2021 | 49255525-544000 |
| | Procurement | Date | Funding Source/Acct # |
| 3. |  | March 25, 2021 | |
| | Office of Management & Budget | Date | |
| 4. |  | March 30, 2021 | |
| | County Attorney/Contract Management | Date | |

Comments: _____

DocuSigned by: **COUNTY MANAGER – FINAL SIGNATURE APPROVAL**
 March 31, 2021
Taco Pope Date

RETURN ORIGINAL(S) TO CONTRACT MANAGEMENT FOR DISTRIBUTION AS FOLLOWS:

- Original: Clerk's Services; Contractor (original or certified copy)
- Copy: Department
- Procurement
- Office of Management & Budget
- County Attorney/Contract Management
- Clerk Finance

Licensor Site Name/Number: Hilliard FL 2 / 302821

Licensor Contract Number: 533196

Licensee Site Name/Number: N/A / N/A

SECOND AMENDMENT TO LICENSE AGREEMENT

This Second Amendment (the “Second Amendment”) to that certain License Agreement dated July 6, 2016 by and between SpectraSite Communications, LLC and Nassau County Public Safety Radio System, as amended by that certain First Amendment to License Agreement dated October 1, 2018 (collectively, the “Agreement”) is made and entered into as of the latter signature date hereof, by and between SpectraSite Communications, LLC, a Delaware limited liability company (the “Licensor”) and Nassau County Public Safety Radio System, a Florida government entity (the “Licensee”) (collectively, the “Parties”).

RECITALS

WHEREAS, Licensor owns a certain communications tower on a certain parcel of land located at 371105 Oxford Street, Hilliard, FL 32046-3155 more commonly known to Licensor as the Hilliard FL 2 tower site (the “Tower Facility”); and

WHEREAS, Licensor and Licensee entered into the Agreement for the use of a certain portion of the Tower Facility; and

WHEREAS, the Parties agree to extend the term of the Agreement, among other things, all on the terms and conditions as set forth herein.

NOW THEREFORE, in consideration of the foregoing promises and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereto agree as follows:

- 1) Licensor and Licensee agree to extend the term of the Agreement commencing on May 1, 2021 (the “Extension Term Commencement Date”) for a period of five (5) years (the “Extension Term”).
- 2) Immediately following the expiration of the Extension Term, there shall be three (3) additional periods of five (5) years each (each a “Renewal Term”). The Agreement shall automatically renew for each successive Renewal Term unless either Party notifies the other in writing of its intention not to renew this Agreement at least ninety (90) days prior to the end of the then existing term.
- 3) Effective upon May 1, 2021, the Monthly License Fee shall be increased by One Hundred Forty-Two and 82/100 Dollars (\$142.82) per month (“Increased Fee”) and adjusted pursuant to the Annual Escalator as set forth on Section 4 of this First Amendment. The Increased Fee for any fractional month at the beginning or end of the period shall be appropriately prorated.
- 4) Licensor and Licensee agree and acknowledge that all future payments of the Monthly License Fee shall be made to the Licensor at the following remittance address:

Licensor Site Name/Number: Hilliard FL 2 / 302821

Licensor Contract Number: 533196

Licensee Site Name/Number: N/A / N/A

SpectraSite Communications, LLC
29641 Network Place
Chicago, IL 60673-1296

- 5) The Parties agree that (i) a digital or electronic signature on this Second Amendment and/or (ii) a fully executed scanned or electronically reproduced copy or image of this Second Amendment shall be deemed an original and may be introduced or submitted in any action or proceeding as competent evidence of the execution, terms and existence hereof notwithstanding the failure or inability to produce or tender an original, manually executed counterpart of this Second Amendment and without the requirement that the unavailability of such original, manually executed counterpart of this Second Amendment first be proven.
- 6) Capitalized terms contained herein, unless otherwise defined, are intended to have the same meaning and effect as that set forth in the Agreement.
- 7) All other terms and provisions of the Agreement remain in full force and effect.

[SIGNATURES APPEAR ON THE NEXT PAGE]

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Licensors Site Name/Number: Hilliard FL 2 / 302821

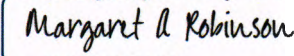
Licensors Contract Number: 533196

Licensee Site Name/Number: N/A / N/A

IN WITNESS WHEREOF, the Parties hereto have set their hands to this Second Amendment to that certain License Agreement as of the day and year written below:

LICENSOR:

SpectraSite Communications, LLC,
a Delaware limited liability company

By: 
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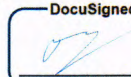
Name: Margaret A Robinson

Title: .Sr Counsel US Tower.

Date: March 31, 2021

LICENSEE:

Nassau County Public Safety Radio
System, a Florida government entity

By: 
DocuSigned by:
1C1BF18FBC3045E...

Name: Taco E. Pope

Title: County Manager

Date: March 31, 2021