

Dane County Contract Addendum Cover Sheet

Res 171

Revised 06/2021

| | |
|--|--------|
| Contract # Admin will assign | 11763G |
|--|--------|

| | | | |
|---|---|-----------------------|------------------|
| Dept./Division | Emergency Management | Vendor Name | Verizon Wireless |
| Brief Addendum Title/Description | Amendment to Contract 11763 with Verizon Wireless to adjust fees paid to Dane County for leased space on County owned siren sites | Vendor MUNIS # | 14349 |
| | | Addendum Term | Ending 1/1/2038 |
| | | Amount (\$) | \$ 1,620.00 |

| Department Contact Information | | Vendor Contact Information | |
|--------------------------------|--------------------------------|----------------------------|------------------------------------|
| Contact | Charles A Tubbs | Contact | Tim Carney |
| Phone # | 608-266-4330 | Phone # | 414-708-7559 |
| Email | tubbs.charles@countyofdane.com | Email | timothy.carney@verizonwireless.com |
| Purchasing Officer | | | |

| Purchase Order – Maintenance or New PO | | | | | |
|--|--|-------------|-------------|--------------|--|
| <input type="checkbox"/> | PO Maintenance Needed PO# | Org: | Obj: | Proj: | |
| | | Org: | Obj: | Proj: | |
| <input type="checkbox"/> | No PO Maintenance Needed – this addendum does not change the dollar amount of the contract. | | | | |
| <input type="checkbox"/> | New PO / Req. Submitted Req# | Org: | Obj: | Proj: | |
| | | Org: | Obj: | Proj: | |

| Budget Amendment | |
|--------------------------|---|
| <input type="checkbox"/> | A Budget Amendment has been requested via a Funds Transfer or Resolution. Upon addendum approval and budget amendment completion, the department shall update the requisition in MUNIS accordingly. |

| Total Contracted Amount – List the Original contract info, then subsequent addenda including this new addendum | | | | | |
|---|-------------------|-----------------|---------------------|--|-------------------|
| <p>A resolution is required when the total contracted amount first exceeds \$100,000.</p> <p>Additional resolutions are then required whenever the sum(s) of any additional addenda exceed(s) \$100,000</p> | Addendum # | Term | Amount | Resolution | |
| | Original | 25 years | \$ 18,000.00 | <input type="checkbox"/> None | Res# 2013 RES-206 |
| | 11763A-E | Ends 1/1/2038 | | <input checked="" type="checkbox"/> None | Res# |
| | 11763F | Ends 12/31/2039 | \$ 69,000.00 | <input checked="" type="checkbox"/> None | Res# |
| | 11763G | Ends 1/1/2038 | \$ 1,620.00 | <input type="checkbox"/> None | Res# 2021 RES-171 |
| | | | | <input type="checkbox"/> None | Res# |
| | | | | <input type="checkbox"/> None | Res# |
| Total Contracted Amount | | | \$ 88,620.00 | | |

| Contract Language Pre-Approval – prior to internal routing, this contract has been reviewed/approved by: | | |
|--|---|---|
| <input type="checkbox"/> Corporation Counsel: | <input type="checkbox"/> Risk Management: | <input checked="" type="checkbox"/> No Pre-Approval |

| APPROVAL | |
|---|--|
| Dept. Head / Authorized Designee | |
| Tubbs Sr, Charles | Digitally signed by Tubbs Sr, Charles Date: 2021.12.07 10:28:44 -06'00' |

| APPROVAL – Contracts Exceeding \$100,000 | |
|--|----------------------------|
| Director of Administration | Corporation Counsel |
| <i>Greg Brockmeyer</i> | <i>David Gault</i> |

| APPROVAL – Internal Contract Review – Routed Electronically – Approvals Will Be Attached | | | |
|--|-------------------------|------------------------|---|
| DOA: | Date In: 12/7/21 | Date Out: _____ | <input checked="" type="checkbox"/> Controller, Purchasing, Corp Counsel, Risk Management |

Goldade, Michelle

From: Goldade, Michelle
Sent: Tuesday, December 7, 2021 1:16 PM
To: Hicklin, Charles; Rogan, Megan; Gault, David; Lowndes, Daniel
Cc: Stavn, Stephanie; Oby, Joe
Subject: Contract #11763G
Attachments: 11763G.pdf

| Tracking: | Recipient | Read | Response |
|------------------|------------------|-------------------------|----------------------------|
| | Hicklin, Charles | Read: 12/8/2021 8:54 AM | Approve: 12/8/2021 8:54 AM |
| | Rogan, Megan | Read: 12/7/2021 1:38 PM | Approve: 12/7/2021 1:38 PM |
| | Gault, David | Read: 12/7/2021 3:51 PM | Approve: 12/7/2021 3:53 PM |
| | Lowndes, Daniel | Read: 12/7/2021 2:01 PM | Approve: 12/7/2021 2:02 PM |
| | Stavn, Stephanie | Read: 12/7/2021 1:19 PM | |
| | Oby, Joe | | |

Please review the contract and indicate using the vote button above if you approve or disapprove of this contract.

Contract #11763G

Department: Emergency Management

Vendor: Verizon Wireless

Contract Description: Addendum to adjust fees paid to Dane County for lease space on County-owned siren sites (Res 171)

Contract Term: ends 1/1/2038

Contract Amount: reduction of income

Michelle Goldade

Administrative Manager

Dane County Department of Administration

Room 425, City-County Building

210 Martin Luther King, Jr. Boulevard

Madison, WI 53703

PH: 608/266-4941

Fax: 608/266-4425

TDD: Call WI Relay 711

Please Note: I currently have a modified work schedule...I am in the office Mondays and Wednesdays and working remotely Tuesdays, Thursdays and Fridays in accordance with COVID 19 response guidelines.

AUTHORIZING AN AMENDMENT TO LICENSE AGREEMENT WITH VERIZON
WIRELESS

In 2014, Dane County Emergency Management entered into a Master License Agreement with Verizon Wireless Personal Communications (Verizon) that contained general terms and conditions by which Verizon could install, maintain and operate communications equipment on certain County-owned warning siren utility poles. The agreement term is 25 years and the negotiated fee to the county was no less than \$3000 per year per site for six sites for a total of \$18,000.

Due to a recent Federal Communications Commission Ruling and Order regarding small wireless facilities, fee schedules have been amended and Verizon requests that these changes be reflected in the agreement. This Amendment changes the fee language in accordance with the new ruling. As part of the amendment, Verizon's fees to the county will be reduced to \$250 per pole per year resulting in a total of \$1,620.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the changed as described above and that the Dane County Executive is authorized to execute on behalf of the county, the Amendment to License Agreement and

BE IT FURTHER RESOLVED that the Department of Emergency Management be directed to ensure complete performance of the Agreement.

**AMENDMENT 1 TO THE
MASTER LICENSE AGREEMENT**

THIS FIRST AMENDMENT TO MASTER LICENSE AGREEMENT ("Amendment") is entered into this ____ day of _____, 20__ (the "First Amendment Effective Date") by and between the County of Dane ("Licensor"), and Cellco Partnership d/b/a Verizon Wireless (successor in interest to Verizon Wireless Personal Communications LP) ("Licensee"). Licensor and Licensee are at times collectively referred to hereinafter as the "Parties" or individually as the "Party."

Whereas, Licensor and Licensee had previously entered into the Master License Agreement (the "Agreement") and wish to update the Agreement in accordance with the requirements of Wis. Stat. § 66.0414;

Whereas, Cellco Partnership d/b/a Verizon Wireless, an affiliated entity of Verizon Wireless Personal Communications LP, was assigned all rights, interests, and obligations of the Agreement by Verizon Wireless Personal Communications LP in accordance with Section 15 of the Agreement; and

Whereas, the parties hereby wish to amend those terms as follows:

1. Small Wireless Facility shall have the meaning as set forth in Wisconsin Statute 66.0414(1)(u). Except as otherwise set forth in this Amendment, defined terms shall have the same meaning as set forth in the Agreement.
2. As of August 1, 2021, the parties wish to delete the second paragraph of Section 3 in its entirety and replace it with the following:

Licensee shall pay the following fees under this Agreement:

- i. One-Time Application Fee: Licensor may charge one of the following fees for an application under this Agreement: (i) \$500 for an application that includes five or fewer Small Wireless Facilities, (ii) \$500 plus \$100 for each additional Small Wireless Facility after the fifth for an application that includes more than 5 Small Wireless Facilities, or (ii) \$1,000 for an application that includes the installation of a Small Wireless Facility and a new or replacement Pole to which it will be attached.
- ii. Licensor Pole Recurring Fee: Licensor may charge \$250 per year for each Small Wireless Facility collocated on a Licensor owned or controlled Pole.
- iii. ROW Administration Recurring Fee: Licensor may charge \$20 per year for each Small Wireless Facility installed by Licensee in the Licensor under this Agreement.

- iv. For purposes of determining the total annual fee applicable for a partial calendar year in which the Commencement Date occurs in a month other than January, the total fee will be a pro-rated amount equal to the product obtained by multiplying 1/12th of the annual fee by the number of months remaining in such year.
 - v. Licensor may adjust the rates described in this Section by 10 percent as of July 10, 2024 and every fifth anniversary thereafter, rounded to the nearest multiple of \$5.
 - vi. Except as provided in this Section, the Licensor shall not require any other or additional recurring fees, costs, or charges of any kind. Any Supplements entered into prior to August 1, 2021 shall be automatically updated to reflect the fees set forth in this Section.
3. Miscellaneous. This Amendment may be executed in counterparts. A scanned or electronic copy shall have the same legal effect as an original signed version. The Parties represent and warrant that the individuals executing this Amendment are duly authorized.

[Remainder of page intentionally left blank; signature page to follow.]

IN WITNESS WHEREOF, the Parties have executed, or caused their respective duly authorized representatives to execute, this Agreement as of the day and year listed below.

COUNTY OF DANE

CELLCO PARTNERSHIP

Dena Ranieri

(Signature)

(Signature)

Printed Name:

Printed Name: Dena Ranieri

Title:

Title: SR. Manager - Real Estate

Date:

Date: December 6, 2021