

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners

DATE: July 17, 2017

FROM: Jeffrey P. Sheffel, City Attorney

SUBJECT: Proposed Agreement with New Cingular Wireless PCS, LLC for Amendment to Tower Siting Agreement

I have reviewed the above-captioned agreement for form and legality, and the general business terms and other significant provisions are as follows:

- 1) Department/Office involved – Information Technology
- 2) Type of Agreement – First Amendment to Tower Siting Agreement
- 3) Method of Procurement (RFP, bid, etc.) – n/a
- 4) Term of Contract
 - a) initial – 10 yrs. (no change)
 - b) renewals (if any) – One automatic 10-yr renewal followed by three automatic 5-yr renewals (The original agreement had one automatic 10-yr renewal)
 - c) who exercises option to renew – Only New Cingular can decide not to renew (The original agreement allowed either party to decide not to renew)
- 5) Contract Amount – \$30,000/yr. rent plus a \$10,000 signing bonus payable within 60 days of signing the amendment (the original agreement had \$14,500/yr. rent).
- 6) Termination rights – New Cingular can terminate without cause by giving 360 days' notice (The original agreement gave such right to both parties)
- 7) Indemnity/Insurance Requirements – New Cingular indemnifies City and provides insurance (no change).
- 8) Scope of Services – City allows New Cingular to install a tower on City property.
- 9) City's prior experience with Vendor – Yes.
- 10) Other significant provisions – None.

cc: Wazir A. Ishmael, Ph.D., City Manager