



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



William Cass, P.E.
Commissioner

David Rodrigue, P.E.
Assistant Commissioner

Bureau of TSMO
August 8, 2025

11

Her Excellency, Governor Kelly A. Ayotte
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

- 1. Authorize the Department of Transportation to retroactively exercise one (1) optional contract renewal term with Wall Street Tower of Camden, NJ (Vendor #307273) for the one (1) year contract extension for use of communications facility & tower space, beginning on June 25, 2025 through June 25, 2030 subject to Governor and Council approval. The original contract was approved by Governor and Council on June 24, 2020, Item #51.
2. Further authorize the Department of Transportation to increase the contract amount by \$44,314.15, from \$38,225.78 to \$82,539.93, effective upon Governor and Council approval. 50.9% Highway Funds and 49.1% Turnpike Funds (Intra-Agency Transfers)

Funds are available in Fiscal Year 2026 and anticipated to be available in Fiscal Years 2027, 2028, 2029 and 2030 upon the availability and continued appropriation of funds in the future operating budget(s), with the authority to adjust encumbrances between fiscal years within the price limitation through the Budget Office, if needed and justified:

Table with 6 columns: Item Description, FY 2026, FY 2027, FY 2028, FY 2029, FY 2030. Row 1: 04-96-96-960515-3052 Trans Sys Mgmt & Operations, \$8,346.77, \$8,597.18, \$8,855.09, \$9,120.74, \$9,394.37. Row 2: 022-500248 Rent/Lease Other than State

EXPLANATION

This item is retroactive due to the vendor and the NHDOT going through the negotiation process of drafting the contract renewal.

On June 24, 2020, Governor and Council approved the original contract with Wall Street Tower of Camden, NJ for use of communications facility & tower space to be effective for a 5-year term ending June 24, 2025. The contract included one (1) additional five (5) year renewal terms with a 3% escalation each year with approval by Governor and Council. The Department is seeking authorization to exercise the one optional renewal term.

The additional five-year term will continue to support the intelligent transportation system (ITS) communications via microwave radio for ITS devices along the Frederick E. Everett Turnpike that are used for situational awareness and traffic management. Originally there were four (4) leases approved by the original resolution. The Department will be requesting to proceed forward with (3) renewals individually. The Crown Castle lease at Bedford, NH is no longer needed. The Department is satisfied that that annual lease cost is reasonable and comparable to other commercial rates throughout the State.

This contract has been approved by the Attorney General as to form and execution and the Department has verified that the necessary funds are available. Copies of the fully executed contract are on file at the Secretary of State office and the Department of Administrative Services office, and subsequent to Governor and Council approval will be on file at the Department of Transportation.

The Department of Transportation has determined that the vendor is in good standing with the Secretary of State's Office, has secured the required levels of insurance, and has provided evidence of authority to execute and be bound by the contract. Documents supporting these assertions are available at the agency, for review upon request.

Your approval of this contract is respectfully requested.

Sincerely,



William J. Cass, P.E.
Commissioner

Attachments

STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION
LEASE AGREEMENT BUREAU OF TSMO
CONTRACT AMENDMENT 1

WHEREAS, pursuant to a Lease Agreement approved by Governor and Council, on June 24, 2020, Item #51 (hereinafter referred to as the "Agreement"), between the New Hampshire Department of Transportation (hereinafter referred to as the "Department") and Wall Street Tower of Camden, NJ. (VC #307273) (hereinafter referred to as "Contractor") agreed to terms and conditions of a tower space lease Contract.

WHEREAS, pursuant to the Lease Agreement, there is an option for a (1) additional five (5) year term, at the current annual escalated rate, by mutual agreement of both parties and approval by Governor and Council;

WHEREAS, the Contractor and Department have agreed to exercise the extension of the Lease Agreement.

NOW THEREFORE, in consideration of the foregoing, and the covenants and conditions contained in the Contract and set forth herein, the parties hereto do agree as follows:

1. License Agreement is hereby amended as follows:
 - a. Amend the Agreement by deleting the current Completion Date of 6/24/2025 and adding a new completion date of 6/25/2030.
 - b. Amend Section Term / Rental by removing the \$7,200.00 initial yearly rental rate for the Initial Term to \$8,346.77 initial yearly rental rate for the start of the extension.

Contract and Amendment Number	End Date	Contract Amount and Increases
Original Contract	June 24, 2020 – June 24, 2025	\$38,225.78
Extension	June 25, 2025 – June 25, 2030	\$44,314.15
Original & Extension Total		\$82,539.93

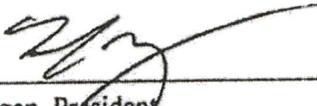
Initial and Date All Pages:
Vendor Initials

Date: 2-26-2025

STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION
LEASE AGREEMENT BUREAU OF TSMO
CONTRACT AMENDMENT 1

Except as provided herein, all provisions of the Agreement shall remain in full force and effect. This modification shall take effect on June 25, 2025 with approval from Governor and Council.

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the day and year first above written.



Mark Morgan, President
Wall Street -Michaels Corp., Manager of
Wall Street Tower, LLC, General Partner of
Wall Street Tower, LP

Date: 2/26/2025

Department of Transportation



William J. Cass, PE, Commissioner
State of New Hampshire Department of Transportation

Date: 2/3/25

Approved by the Attorney General (Form, Substance and Execution)



State of New Hampshire, Department of Justice

Date: 1/17/25

Approved by NH Governor and Council

Date: _____



Victoria F. Sheehan
Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION

G+C #51
Date 6/24/20



William Cass, P.E.
Assistant Commissioner

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

Bureau of TSMO
May 20, 2020

REQUESTED ACTION

Authorize the Department of Transportation to enter into lease agreements with Crown Castle International of Dallas, TX (Vendor #307719), American Tower of Chicago, IL (Vendor #299185), & Wall Street Tower of Camden, NJ (Vendor #307273) for communications facility & tower space in the amount of \$159,274.08 effective upon Governor and Council approval for a five year term. 59% Highway Funds, 39% Turnpike Funds (Intra-Agency Transfers) and 2% Other (Private/Local).

Funding to support this request are anticipated to be available in the following accounts in State FY 2020 and State FY 2021 upon the availability and continued appropriation of funds in the future operating budget. Funding is contingent upon the availability and continued appropriation of funds in FY 2022, FY 2023, FY 2024 and FY 2025, with the ability to adjust encumbrances through the Budget Office between State Fiscal Years if needed and justified:

04-96-96-960515-3052	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>
Trans Sys Mgmt & Operations			
022-500248 Rent/Lease Other than State	\$22,500.00	\$30,675.00	\$31,595.25
	<u>FY 2023</u>	<u>FY 2024</u>	<u>FY 2025</u>
	\$32,543.22	\$33,519.33	\$8,441.28

EXPLANATION

On March 22, 2017, Governor and Council approved (Item #23) for the Department of Transportation to enter into a contract with Tilson Technology Management, Inc. (Vendor #265209) to design, test and build an Advanced Transportation Management System (ATMS) on the Frederick E. Everett Turnpike (FEET). It included new Intelligent Transportation System field devices and a new wireless communications network connecting the field devices to the Transportation Management Center.

Tilson was tasked with designing, building and placing ITS microwave radio communications devices on appropriate communication towers along the FEET. They were required to negotiate and arrange lease agreements between the Department and the owners of the towers to be utilized. Each lease involves a 5 year lease agreement with a 3% escalation each year. The Department is satisfied that the annual lease price is reasonable and comparable to other commercial rates throughout the State. The total cost per lease for all five years is shown below:

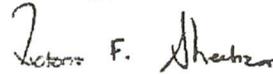
Vendor	Tower Physical Location	Total Cost
Crown Castle	39 Orchard Ave, Nashua NH	\$38,225.78
Crown Castle	233 South River Road, Bedford NH	\$38,225.78

American Tower	Englewood Drive, Merrimack, NH	\$44,596.74
Wall Street Tower Limited Partnership	555 Canal St, Manchester, NH	\$38,225.78
Total:		\$159,274.08

These lease agreements have been approved by the Attorney General as to form and execution. The Department has verified that the necessary funds are available. Copies of the fully executed leases are on file at the Secretary of State's office and the Department of Administrative Services office, and subsequent to Governor and Council approval will be on file at the Department of Transportation.

Your approval of these leases is respectfully requested.

Sincerely,



Victoria F. Sheehan
Commissioner

Attachments