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William Cass, P.E.
Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION

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David Rodrigue, P.E.
Assistant Commissioner

Bureau of TSMO
August 1, 2025

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) contract renewal term with Global Signal Acquisitions II LLC (Vendor #343025) for the first five (5) year contract extension for use of communications facility & tower space, beginning on April 28, 2025 through April 27, 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 to increase the amount of the contract by \$43,776.15, from \$38,225.78 to \$82,001.93, effective upon Governor and Council approval. 50.9% Highway Funds and 49.1% Turnpike Funds (Intra-Agency Transfers)

Funds are available in the following account for Fiscal Year 2026 and are 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:

04-96-96-960515-3052	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>
Trans Sys Mgmt & Operations			
022-500248 Rent/Lease Other than State	\$9,636.53	\$8,534.55	\$8,790.57
	<u>FY 2029</u>	<u>FY 2030</u>	
	\$9,054.30	\$7,760.20	

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, item #51, Governor and Council approved the original contract with Crown Castle International of Dallas, TX for use of communications facility & tower space to be effective for a 5-year term ending June 23, 2025. The contract included three (3) 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 first of the three (3) optional renewal terms.

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.

Your approval of this contract is respectfully requested. The Department of Transportation has determined that the vendor is in good standing with the Secretary of State's Office 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.

Sincerely,



William J. Cass, P.E.
Commissioner

Attachments

STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION
FIRST TOWER SITE LICENSE AGREEMENT RENEWAL
BUREAU OF TSMO

This First Tower Site License Agreement Renewal (this "First Renewal") is made this 28th day of April, 25, by and between Global Signal Acquisitions II LLC, a Delaware limited liability company, ("Licensor") and New Hampshire Department of Transportation, a government agency of the State of New Hampshire ("Licensee").

RECITALS:

WHEREAS, Licensor and Licensee) entered into that certain Tower Site License Agreement dated as of April 28, 2020 (the "License Agreement"), whereby Licensee leases or licenses from Licensor certain space at a telecommunications facility known as CELL 153 NASHUA EVERETT TPK., Crown BU# 878777, located at 39 Orchard Ave., Nashua, New Hampshire (the "Site");

WHEREAS, the License Agreement, in accordance with its terms and conditions, is subject to three (3) automatic extension periods of five (5) years each, at the then applicable annual escalated rate, contingent upon approval by Governor and Council of the State of New Hampshire; and

WHEREAS, Licensor and Licensee desire to amend the License Agreement pursuant to the terms and subject to the conditions set forth herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree to be legally bound to this First Renewal as follows:

1. **Capitalized Terms.** Unless clear from the context in which they are used, all capitalized terms used herein shall have the same meanings ascribed to them in the License Agreement.
2. **Current Term Expiration Date.** Pursuant to Section 4.1 of the License Agreement, the parties acknowledge that the current term of the License Agreement is scheduled to expire on April 27, 2025, at 11:59 p.m. New York time.
3. **Automatic Term Renewal.** Pursuant to Section 4.2 of the License Agreement, the parties acknowledge that the term of the License Agreement shall be automatically renewed for a second term of five (5) years (the "Second Term") beginning on April 28, 2025, and expiring on the day immediately prior to the fifth (5th) Anniversary of said Second Term at 11:59 p.m. New York time.
4. **Adjustment to Basic Payment.** Pursuant to Section 5.2 of the License Agreement, the parties acknowledge that Licensee shall pay to Licensor Two Thousand Eighty-Six and 69/100 Dollars (\$2,086.69) per calendar quarter for first year of Second Term (the "Adjusted Basic Payment). Said Adjusted Basic Payment shall escalate by three percent (3%) on October 1, 2025.
5. **Governor and Council Approval of Term Renewal.** Pursuant to Section 19.4 of the License Agreement, the parties acknowledge that renewal of the License Agreement for the Second Term is contingent upon Governor and Council approval.

Initial and Date All ^{Initial} Pages:
Licensor Initials RE

Date: 7/15/2025 | 3:01:13 PM EDT

Agreement Renewal

STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION
FIRST TOWER SITE LICENSE AGREEMENT RENEWAL
BUREAU OF TSMO

Except as provided herein, all provisions of the License Agreement shall remain in full force and effect. This modification shall take effect on April 28, 2025, and shall be subject to approval from Governor and Council. In the event of any inconsistencies between the License Agreement and this First Renewal, the terms of this First Renewal shall control. Each reference in the License Agreement to itself shall be deemed to also refer to this First Renewal.

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

Signed by:
Robert Eis
C380FFAA566D4E8...
Name, Title
Global Signal Acquisitions II LLC

Date: 7/15/2025 | 3:01:13 PM EDT

Department of Transportation

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

Date: 8/12/25

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

Christina W. D.
State of New Hampshire, Department of Justice

Date: 9/3/2025

Approved by NH Governor and Council

Date: _____

Initial and Date All Pages:
Licensor Initials [Signature]

Date: 7/15/2025 | 3:01:13 PM EDT

Agreement Renewal



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 Trans Sys Mgmt & Operations	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>
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:

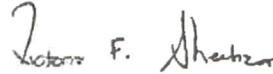
Vendor	Tower Physical Location	Total Cost
Crown Castle	39 Orchard Ave, Nashua NH	\$38,225.78
Crown Castle	233 South River Road, Bedford NH	\$38,225.78

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