

RESOLUTION NO. RS2020-554

A resolution approving the first amendment to the license agreement between the Metropolitan Government of Nashville and Davidson County and Verizon Wireless to install in-building, radio-distribution devices within the Richard Fulton Main Office Building and the Howard Office Building to enhance wireless reception on or within the Richard Fulton Main Office Building.

WHEREAS, BL2018-1443 approved a license agreement between the Metropolitan Government of Nashville and Davidson County and Verizon Wireless to install in-building, radio-distribution devices within the Richard Fulton Main Office Building and the Howard Office Building to enhance wireless reception on or within the Richard Fulton Main Office Building; and,

WHEREAS, the Parties wish to amend the agreement to allow installation of Verizon's fiber at the premises and through and between Metro's buildings to support Verizon's IBRD system in lieu of Metro's fiber; and,

WHEREAS, installation of the IBRD System in the Richard Fulton Main Office Building will amplify Verizon's wireless signal within the building, creating better reception for the wireless users in the building; and,

WHEREAS, BL2018-1443 authorized amendments by resolution of the Metropolitan Council.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1: That the First Amendment to the license agreement, attached hereto and incorporated herein, between the Metropolitan Government of Nashville and Davidson County and Verizon Wireless, to install in-building radio-distribution devices within the Richard Fulton Main Office Building and the Howard Office Building, to enhance wireless reception on or within the Richard Fulton Main Office Building, is hereby approved, and the Metropolitan Mayor is authorized to execute the same.

Section 2: Amendments to this legislation shall be passed by Resolution.

Section 3: That this resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:



Keith Durbin, Director
Information Technology Services

INTRODUCED BY:



Member(s) of Council

APPROVED AS TO FORM AND
LEGALITY:



Assistant Metropolitan Attorney

FIRST AMENDMENT TO LICENSE AGREEMENT

This First Amendment to License Agreement (this “Amendment”) is made this _____ day of _____, 20____, by and between **The Metropolitan Government of Nashville and Davidson County**, hereinafter “Licensor”, and **Cellco Partnership d/b/a Verizon Wireless**, hereinafter “Licensee”.

WHEREAS, Licensor and Licensee’s predecessor in interest entered into that certain License Agreement dated January 16, 2019, (the “Agreement”), whereby Licensor currently licenses to Licensee certain spaces on and within Licensor’s Buildings on Licensor’s Property located at 800 2nd Avenue South, Nashville, Tennessee and 700 2nd Avenue South, Nashville, Tennessee (the “Premises”), as further described in the Agreement;

WHEREAS, Licensor and Licensee desire to amend the Agreement to document Licensee’s installation of fiber at the Premises and through and between Licensor’s Buildings to support Licensee’s IBRD System.

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

1. Any capitalized terms used in this Amendment that are not defined herein have the meanings given those terms in the Agreement.
2. Paragraph 1(a) of the Agreement is hereby amended to add the following language at the end of the Paragraph:

Licensor further grants Licensee a license to install additional fiber/T-1 running through existing conduit between the Fulton Building and the Adjacent Building for the connection of the IBRD System components in the Fulton Building and the IBRD System components in the Adjacent Building.

3. **Fiber Location.** In accordance with Paragraph 1 and Paragraph 7 of the Agreement, the parties hereby supplement Exhibit A of the Agreement with Exhibit A-1, attached hereto and incorporated herein by reference, to show the location of Licensee’s license for additional fiber/T-1 running through existing conduit between the Fulton Building and the Adjacent Building and the location of Licensee’s fiber installation within Licensor’s Buildings. All references to Exhibit A in the Agreement shall hereinafter also be references to Exhibit A-1.
4. Licensor and Licensee each hereby warrant to the other that the person executing this Amendment on behalf of the warranting Party has the full right, power and authority to enter into, and execute, this Amendment on that Party’s behalf, and that no consent from any other person or entity is necessary as a condition precedent to the legal effect of this Amendment.
5. Except as specifically provided in this Amendment, the Agreement shall remain in full force and effect and shall continue to be binding upon, and enforceable against, Licensor and Licensee in accordance with its terms. All covenants, terms and obligations of the Agreement not modified by this Amendment are hereby ratified and affirmed. The terms and provisions of this Amendment shall control in the event of any inconsistency or discrepancy between the Agreement and this Amendment.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]
[SIGNATURES APPEAR ON NEXT PAGE]

IN WITNESS WHEREOF, the parties have set forth their hand and seal as of the date indicated above.

LICENSOR:

**Metropolitan Government of Nashville and Davidson
County**

By: _____
Name: _____
Title: _____
Date: _____

ATTEST:

APPROVED AS TO FORM & LEGALITY:

Tara M. Ladd

LICENSEE:

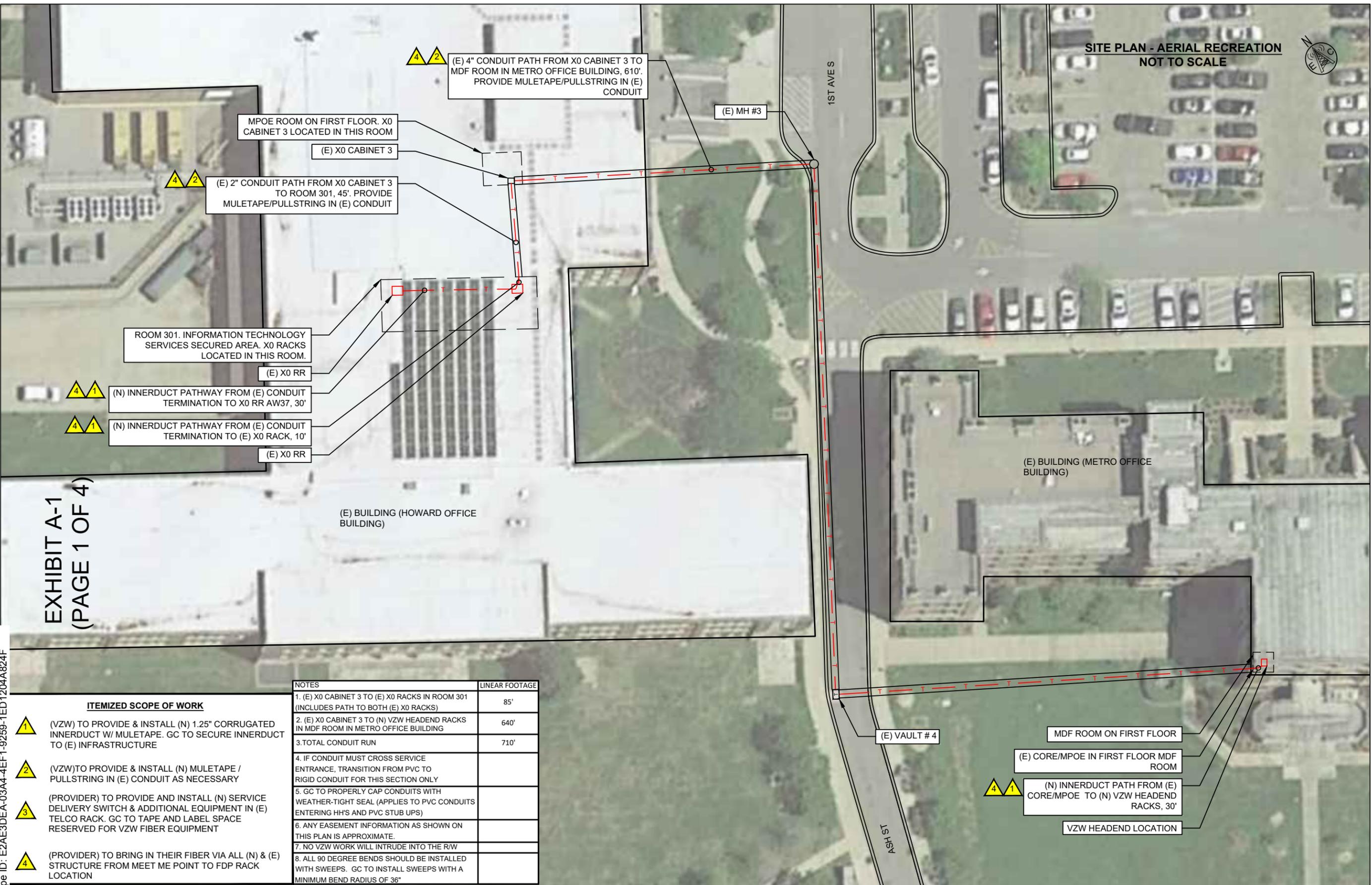
Cellco Partnership d/b/a Verizon Wireless

By: Shariq Usufay _____
Name: شاریق اوسوفای _____
Title: Senior Real Estate Manager _____
Date: Sep 23, 2020 _____

Exhibit A-1

Location of Licensee's Fiber on Premises and Through and Between Licensor's Buildings

Licensee may be referred to in the attached as "Verizon" or "VZW".



SITE PLAN - AERIAL RECREATION
NOT TO SCALE



EXHIBIT A-1
(PAGE 1 OF 4)

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A&E FIRM:

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 Charlotte, NC 28202

PREPARED FOR:

 8921 Research Drive
 Charlotte, NC 28262

REVISIONS:

REV	DATE	DESCRIPTION
0	01/03/20	INITIAL
1	01/28/20	SOW UPDATE

PROJECT INFO:

NA INB RICHARD FULTON METRO OFFICE-A
800 2ND AVE S
NASHVILLE, TN 37210

SEAL:

DRAWN BY:
 AL

APPROVED BY:
 MCA

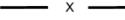
SHEET TITLE:
 SITE PLAN

NOTES	LINEAR FOOTAGE
1. (E) X0 CABINET 3 TO (E) X0 RACKS IN ROOM 301 (INCLUDES PATH TO BOTH (E) X0 RACKS)	85'
2. (E) X0 CABINET 3 TO (N) VZW HEADEND RACKS IN MDF ROOM IN METRO OFFICE BUILDING	640'
3. TOTAL CONDUIT RUN	710'
4. IF CONDUIT MUST CROSS SERVICE ENTRANCE, TRANSITION FROM PVC TO RIGID CONDUIT FOR THIS SECTION ONLY	
5. GC TO PROPERLY CAP CONDUITS WITH WEATHER-TIGHT SEAL (APPLIES TO PVC CONDUITS ENTERING HH'S AND PVC STUB UPS)	
6. ANY EASEMENT INFORMATION AS SHOWN ON THIS PLAN IS APPROXIMATE.	
7. NO VZW WORK WILL INTRUDE INTO THE R/W	
8. ALL 90 DEGREE BENDS SHOULD BE INSTALLED WITH SWEEPS. GC TO INSTALL SWEEPS WITH A MINIMUM BEND RADIUS OF 36"	

ITEMIZED SCOPE OF WORK

	(VZW) TO PROVIDE & INSTALL (N) 1.25" CORRUGATED INNERDUCT W/ MULETAPE. GC TO SECURE INNERDUCT TO (E) INFRASTRUCTURE
	(VZW) TO PROVIDE & INSTALL (N) MULETAPE / PULLSTRING IN (E) CONDUIT AS NECESSARY
	(PROVIDER) TO PROVIDE AND INSTALL (N) SERVICE DELIVERY SWITCH & ADDITIONAL EQUIPMENT IN (E) TELCO RACK. GC TO TAPE AND LABEL SPACE RESERVED FOR VZW FIBER EQUIPMENT
	(PROVIDER) TO BRING IN THEIR FIBER VIA ALL (N) & (E) STRUCTURE FROM MEET ME POINT TO FDP RACK LOCATION

LEGEND

TELCO (FIBER)		RIGHT OF WAY	
ELECTRICAL/POWER		COMPOUND FENCE	
NG TELCO (FIBER)		LEASE AREA	
NG ELECTRICAL/POWER		EASEMENT	

LEGEND

NEW OPEN CUT/RESTORE	
NEW CONCRETE ENCASUREMENT	
NEW/EXISTING TELCO MH/HH	
NEW/EXISTING CORE W/ PULL BOX	

LEGEND

NEW BORE PIT	
EXISTING UTILITY POLE	
EXISTING PEDESTAL	

LEGEND

DEMARCATION EXISTING FIBER DISTRIBUTION PANEL	
HANDHOLE	
HIGH DENSITY POLYETHYLENE	
JUNCTION BOX	
LOOP BACK	
MANHOLE	

ACRONYM LEGEND

DMARC (E) FDP	MAIN POINT OF ENTRY NATIONAL ELECTRICAL MANUFACTURERS ASSOCIATION
HH	NEW NETWORK INTERFACE DEVICE
HDPE	PEDESTAL
JB	POLYVINYL CHLORIDE
LB	RIGHT OF WAY
MH	RADIO BASE STATION

ACRONYM LEGEND

MPOE NEMA (N) NID	CONFIDENTIAL AND PROPRIETARY MATERIALS FOR AUTHORIZED VERIZON PERSONNEL AND OUTSIDE AGENCIES ONLY. USE, DISCLOSURE, OR DISTRIBUTION OF THIS MATERIAL IS NOT PERMITTED TO ANY UNAUTHORIZED PERSONS OR THIRD PARTIES EXCEPT BY WRITTEN AGREEMENT
PED	
PVC	
R/W	
RBS	

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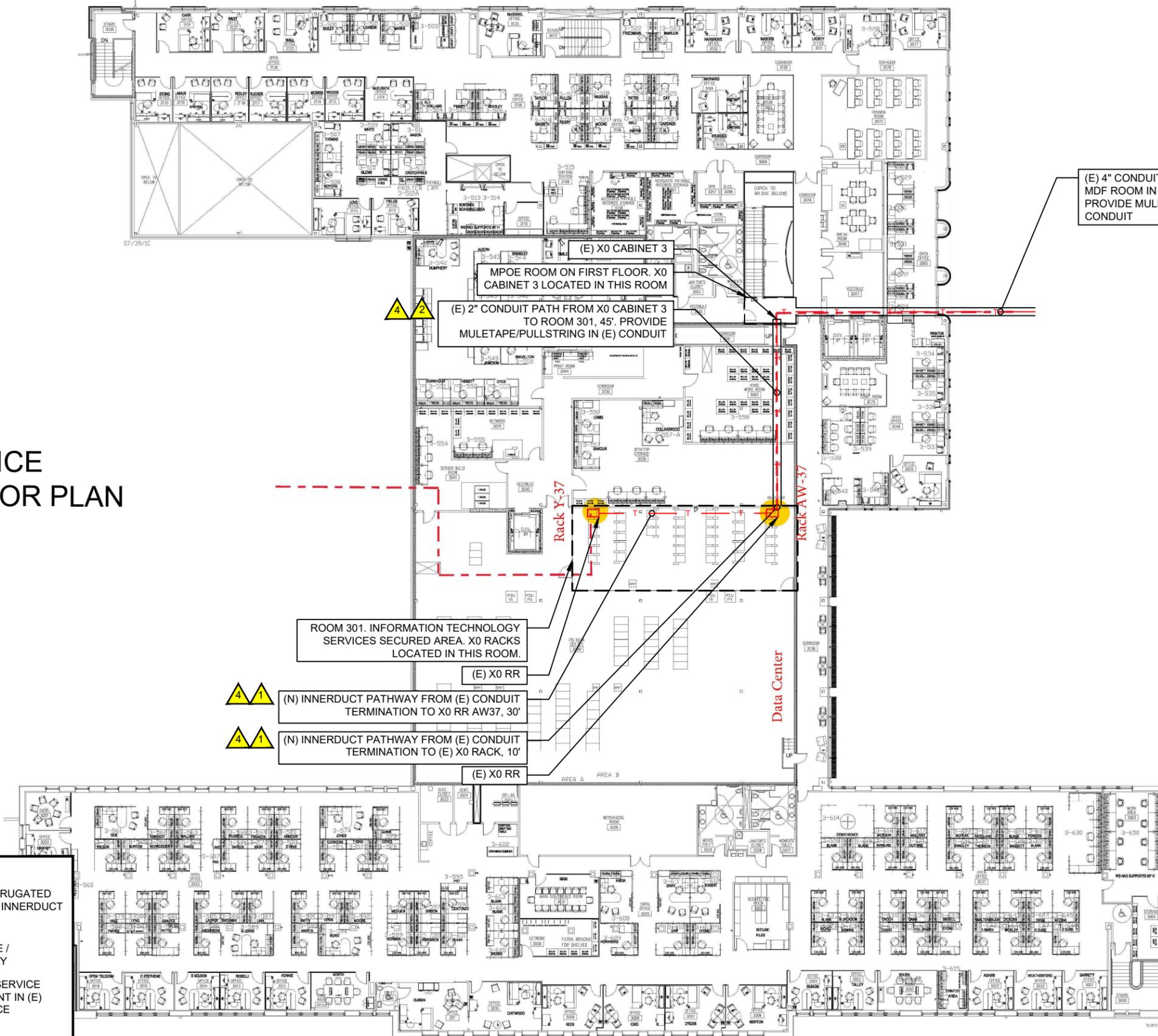


REV	1
SHEET	2.1

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EXHIBIT A-1
(PAGE 2 OF 4)

HOWARD OFFICE BUILDING FLOOR PLAN



(E) 4" CONDUIT PATH FROM X0 CABINET 3 TO MDF ROOM IN METRO OFFICE BUILDING, 610'. PROVIDE MULETAPE/PULLSTRING IN (E) CONDUIT

(E) X0 CABINET 3
MPOE ROOM ON FIRST FLOOR. X0 CABINET 3 LOCATED IN THIS ROOM
(E) 2" CONDUIT PATH FROM X0 CABINET 3 TO ROOM 301, 45'. PROVIDE MULETAPE/PULLSTRING IN (E) CONDUIT

ROOM 301. INFORMATION TECHNOLOGY SERVICES SECURED AREA. X0 RACKS LOCATED IN THIS ROOM.

(N) INNERDUCT PATHWAY FROM (E) CONDUIT TERMINATION TO X0 RR AW37, 30'
(N) INNERDUCT PATHWAY FROM (E) CONDUIT TERMINATION TO (E) X0 RACK, 10'

- ITEMIZED SCOPE OF WORK**
- 1 (VZW) TO PROVIDE & INSTALL (N) 1.25" CORRUGATED INNERDUCT W/ MULETAPE. GC TO SECURE INNERDUCT TO (E) INFRASTRUCTURE
 - 2 (VZW) TO PROVIDE & INSTALL (N) MULETAPE / PULLSTRING IN (E) CONDUIT AS NECESSARY
 - 3 (PROVIDER) TO PROVIDE AND INSTALL (N) SERVICE DELIVERY SWITCH & ADDITIONAL EQUIPMENT IN (E) TELCO RACK. GC TO TAPE AND LABEL SPACE RESERVED FOR VZW FIBER EQUIPMENT
 - 4 (PROVIDER) TO BRING IN THEIR FIBER VIA ALL (N) & (E) STRUCTURE FROM MEET ME POINT TO FDP RACK LOCATION

METRO HOWARD OFFICE BLDG
FLOOR 3

LEGEND

TELCO (FIBER)	---	RIGHT OF WAY	R/W
ELECTRICAL/POWER	---	COMPOUND FENCE	X
NG TELCO (FIBER)	---	LEASE AREA	---
NG ELECTRICAL/POWER	---	EASEMENT	---

NEW OPEN CUT/RESTORE	---
NEW CONCRETE ENCASUREMENT	---
NEW/EXISTING TELCO MH/HH	---
NEW/EXISTING CORE W/ PULL BOX	---

NEW BORE PIT	---
EXISTING UTILITY POLE	---
EXISTING PEDESTAL	---

ACRONYM LEGEND

DEMARCATION EXISTING FIBER DISTRIBUTION PANEL	---
HANDHOLE	---
HIGH DENSITY POLYETHYLENE	---
JUNCTION BOX	---
LOOP BACK	---
MANHOLE	---

DMARC (E) FDP	---
HH HDPE	---
JB LB	---
MH	---

MAIN POINT OF ENTRY NATIONAL ELECTRICAL MANUFACTURERS ASSOCIATION	---
NEW NETWORK INTERFACE DEVICE	---
PEDESTAL	---
POLYVINYL CHLORIDE	---
RIGHT OF WAY	---
RADIO BASE STATION	---

MPOE NEMA (N) NID PED PVC ROW RBS	---
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EAST COAST ACQUISITION
222 S. Church St.
Charlotte, NC 28202

PREPARED FOR:
verizon
8921 Research Drive
Charlotte, NC 28262

REVISIONS:

0	01/03/20	INITIAL
1	01/28/20	SOW UPDATE

PROJECT INFO:

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800 2ND AVE S
NASHVILLE, TN 37210

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AL

APPROVED BY:
MCA

SHEET TITLE:
FLOOR PLAN

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EAST COAST ACQUISITION
REV 1
SHEET 3

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 CONDUIT DIAGRAM

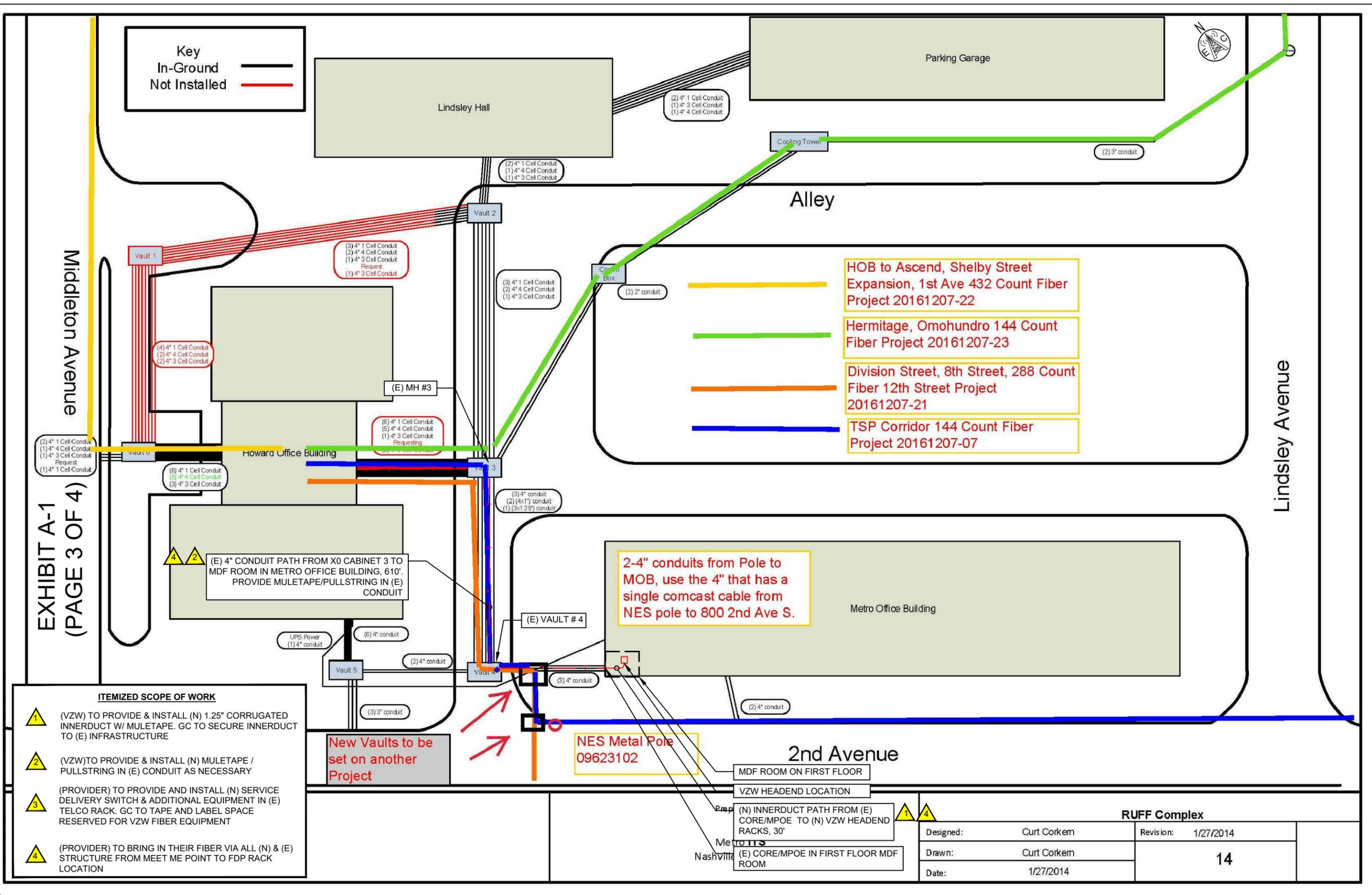


EXHIBIT A-1
(PAGE 3 OF 4)

Key
 In-Ground ———
 Not Installed ———

- ITEMIZED SCOPE OF WORK**
-  (VZW) TO PROVIDE & INSTALL (N) 1.25" CORRUGATED INNERDUCT W/ MULETAPE. GC TO SECURE INNERDUCT TO (E) INFRASTRUCTURE
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 -  (PROVIDER) TO BRING IN THEIR FIBER VIA ALL (N) & (E) STRUCTURE FROM MEET ME POINT TO FDP RACK LOCATION

New Vaults to be set on another Project

2-4" conduits from Pole to MOB, use the 4" that has a single comcast cable from NES pole to 800 2nd Ave S.

NES Metal Pole 09623102

MDF ROOM ON FIRST FLOOR
 VZW HEADEND LOCATION
 (N) INNERDUCT PATH FROM (E) CORE/MPOE TO (N) VZW HEADEND RACKS, 30'
 Metro ITS
 Nashville
 (E) CORE/MPOE IN FIRST FLOOR MDF ROOM

Designed:	Curt Corkern	Revision:	1/27/2014
Drawn:	Curt Corkern	14	
Date:	1/27/2014		

LEGEND

TELCO (FIBER)	---	RIGHT OF WAY	— R/W —	NEW OPEN CUT/RESTORE	— — — — —
ELECTRICAL/POWER	---	COMPOUND FENCE	— X —	NEW CONCRETE ENCASUREMENT	— — — — —
NG TELCO (FIBER)	---	LEASE AREA	---	NEW/EXISTING TELCO MH/HH	⊙ ⊙ ⊙ ⊙
NG ELECTRICAL/POWER	---	EASEMENT	---	NEW/EXISTING CORE W/ PULL BOX	⊙ ⊙ ⊙ ⊙

LEGEND

NEW BORE PIT	⊙	DEMARCATION EXISTING FIBER DISTRIBUTION PANEL	⊙
EXISTING UTILITY POLE	⊙	HANDHOLE	⊙
EXISTING PEDESTAL	⊙	HIGH DENSITY POLYETHYLENE	⊙
		JUNCTION BOX	⊙
		LOOP BACK	⊙
		MANHOLE	⊙

ACRONYM LEGEND

DMARC (E) FDP	DMARC	MAIN POINT OF ENTRY	MPOE
HH	HH	NATIONAL ELECTRICAL MANUFACTURERS ASSOCIATION	NEMA
HDPE	HDPE	NEW	NID
JB	JB	NEW NETWORK INTERFACE DEVICE	NEW
LB	LB	PEDESTAL	PEDESTAL
MH	MH	POLYVINYL CHLORIDE	PVC
		RIGHT OF WAY	R/W
		RADIO BASE STATION	RBS

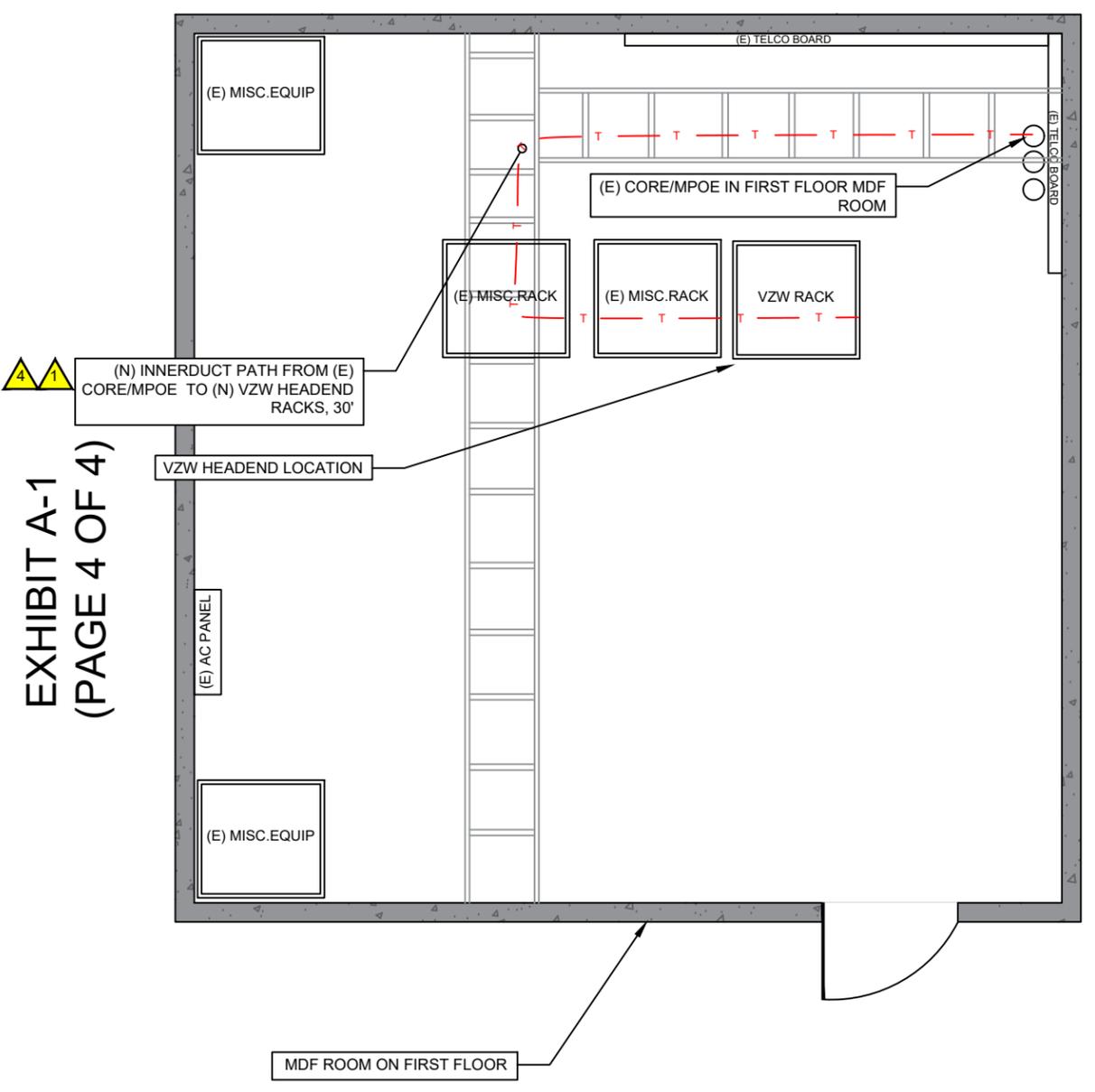
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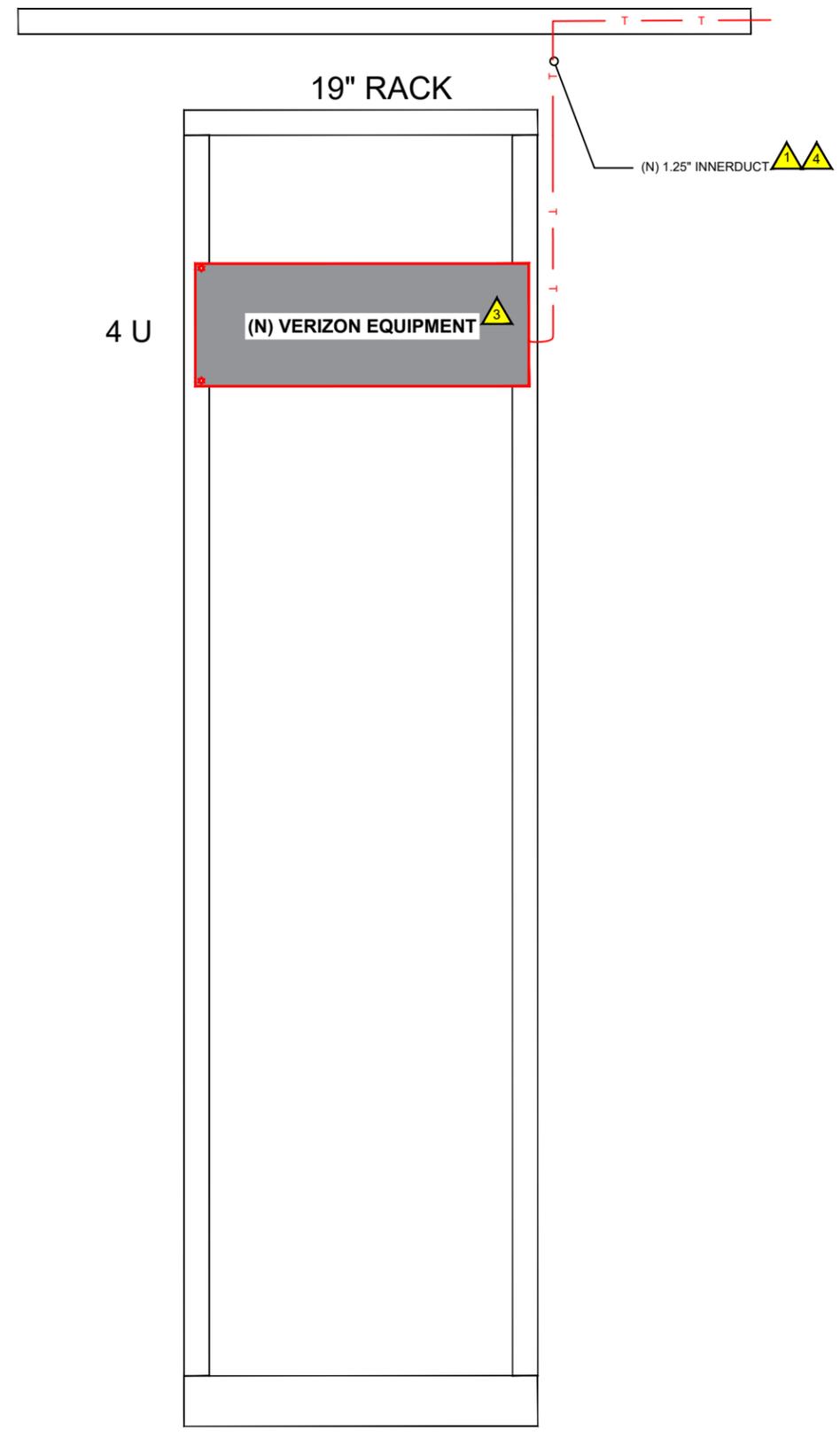
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- ITEMIZED SCOPE OF WORK**
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 - 4** (PROVIDER) TO BRING IN THEIR FIBER VIA ALL (N) & (E) STRUCTURE FROM MEET ME POINT TO FDP RACK LOCATION



**EXHIBIT A-1
(PAGE 4 OF 4)**



A&E FIRM:

EAST COAST ACQUISITION
 222 S. Church St.
 Charlotte, NC 28202

PREPARED FOR:

verizon
 8921 Research Drive
 Charlotte, NC 28262

REVISIONS:

REV	DATE	DESCRIPTION
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**800 2ND AVE S
NASHVILLE, TN 37210**

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SHEET TITLE:
EQUIPMENT PLAN

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LEGEND

TELCO (FIBER)	RIGHT OF WAY	NEW OPEN CUT/RESTORE	NEW BORE PIT
ELECTRICAL/POWER	COMPOUND FENCE	NEW CONCRETE ENCASMENT	EXISTING UTILITY POLE
NG TELCO (FIBER)	LEASE AREA	NEW/EXISTING TELCO MH/HH	EXISTING PEDESTAL
NG ELECTRICAL/POWER	EASEMENT	NEW/EXISTING CORE W/ PULL BOX	

ACRONYM LEGEND

DEMARCATION EXISTING FIBER DISTRIBUTION PANEL	DMARC (E) FDP	MAIN POINT OF ENTRY NATIONAL ELECTRICAL MANUFACTURERS ASSOCIATION	MPOE NEMA (N)
HANDHOLE	HH	NEW NETWORK INTERFACE DEVICE	NID
HIGH DENSITY POLYETHYLENE	HDPE	PEDESTAL	PED
JUNCTION BOX	JB	POLYVINYL CHLORIDE	PVC
LOOP BACK	LB	RIGHT OF WAY	ROW
MANHOLE	MH	RADIO BASE STATION	RBS

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