

Office of Facilities Design & Construction
Raul F. Perez, Chief Facilities Design & Construction Officer

SUBJECT: AUTHORIZATION FOR THE SUPERINTENDENT TO FINALIZE NEGOTIATIONS AND EXECUTE AMENDMENTS TO THE LEASE AGREEMENTS BETWEEN THE SCHOOL BOARD AND NEW CINGULAR WIRELESS PCS, LLC (“AT&T”) FOR CONTINUED USE BY AT&T OF A PORTION OF THE CAMPUS OF BENT TREE ELEMENTARY SCHOOL AND A PORTION OF THE CAMPUS OF CHRISTINA M. EVE ELEMENTARY SCHOOL

COMMITTEE: FACILITIES AND CONSTRUCTION

LINK TO STRATEGIC PLAN: EFFECTIVE & SUSTAINABLE OPERATIONAL PRACTICES

Background

New Cingular Wireless PCS, LLC (“AT&T”) currently leases a portion of the Christina M. Eve Elementary School (“Christina Eve”) and Bent Tree Elementary School (“Bent Tree”) campuses for the installation and operation of a cellular telecommunications tower. The current lease agreement with AT&T at both school campuses (“Current Leases”) will expire on March 31, 2025. In anticipation of the expiration of the above referenced Current Lease Agreements, the District issued Invitation To Bid ITB-24-025-VF (“ITB”) seeking a successor cell service provider to operate commercial telecommunications facilities on both sites subsequent to the Current Leases’ expiration. For both locations, Cellco Partnership d/b/a Verizon Wireless (“Verizon”) was designated the successful proposer, and the Board at its meeting of November 20, 2024 awarded the bid to Verizon. Subsequent to award of the bid, Verizon indicated a need to conduct extensive due diligence investigations at both locations prior to entering into the applicable lease agreements, and these due diligence activities are ongoing.

At the time of the award to Verizon, District staff determined that it would be desirable to issue a new public solicitation to provide for a cell service co-locator on the cell towers at Christina Eve and at Bent Tree to provide additional rental income to the District. Under this scenario, Verizon would be designated the prime vendor (per the above referenced ITB), and the successful co-locator (as established under the proposed public solicitation), would be designated as a co-locator. However, due to Verizon’s extended due diligence investigations, staff is unable to determine the availability and location on each cell tower that would be usable for installation and operation of a co-locator’s telecommunications equipment. District staff have advised Verizon that its due diligence must be completed by a time certain.

Proposed Board Action

AT&T has advised that it will respond to a public solicitation as a possible co-locator on each cell tower and is seeking to remain as a tenant until such time. The proposed solicitation for a co-locator at each site cannot be completed, nor can an award be made by the Board, prior to the March 31, 2025 expiration of the two lease agreements with AT&T. As such, staff is recommending that the AT&T lease agreements at Christina Eve and at Bent Tree be amended to extend the term for six (6) months from April 1, 2025 through September 30, 2025. Staff intends to issue the above referenced solicitation for a co-locator at each location, with a proposed award to be presented to the Board no later than its September 2025 meeting.

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The Chief Operating Officer, District Operations, and the Chief Facilities Design and Construction Officer, recommend entering into lease amendments (“Lease Amendments”) with AT&T at Christina Eve and at Bent Tree for this purpose. Accordingly, it is recommended that the Board authorize the Superintendent to finalize negotiations and execute Lease Amendments to the Current Leases with AT&T for continued use of a portion of the campus of Bent Tree and a portion of the campus of Christina Eve, for the period of April 1, 2025 through and including September 30, 2025.

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The proposed Lease Amendments have been reviewed by the Office of the General Counsel and the Office of Risk and Benefits Management for legal sufficiency and risk management issues, respectively, and found to be in compliance. A copy of each Lease Amendment in its final form is attached hereto.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, upon its determination that entering into the agreements described herein is in the best interest of the Board, authorize the Superintendent to finalize negotiations and execute amendments to the Lease Agreements between the School Board and New Cingular Wireless PCS, LLC (“AT&T”) for continued use by AT&T of a portion of the campus of Bent Tree Elementary School, located at 4861 SW 140 Avenue, Miami, and a portion of the campus of Christina M. Eve Elementary School, located at 16251 SW 99 Street, Miami, to extend the term of both lease agreements from April 1, 2025 through and including September 30, 2025, and substantially in conformance with the other terms and conditions set forth in the agenda item.

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