



AGREEMENT FOR PIGGYBACK PURCHASE

THIS AGREEMENT FOR PIGGYBACK PURCHASE is made and entered into by and between the Lee County Board of County Commissioners, a political subdivision of the State of Florida ("County") and Crown Castle Fiber LLC, a New York company authorized to do business in the State of Florida, hereinafter referred to as the "Vendor".

WHEREAS, the Vendor entered into a purchase agreement with MiCTA, Contract Number 161AN-FBOS2019-0822, on September 16, 2019, for fiber optic backup network services ("Agreement"); and

WHEREAS, the Agreement is eligible for piggyback purchases; and

WHEREAS, the County desires to make purchases from the Vendor under the same terms and conditions of the Agreement.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING AND THE MUTUAL COVENANTS CONTAINED HEREIN, IT IS AGREED AS FOLLOWS:

The County and the Vendor agree to be bound by the terms and conditions of the Agreement with respect to the County's purchases of fiber optic backup network services from the Vendor during the term of the Agreement from the effective date and any renewals or extensions thereof except as provided below:

The provision stating "The laws of the State of Michigan shall govern this Agreement, including all matters relating to the validity, construction, performance and enforcement there of." in section

23, Governing Law of the MiCTA contract, which are incorporated into this Agreement, shall be superseded and supplemented by:

“The laws of the State of Florida shall govern this Agreement, including all matters relating to the validity, construction, performance and enforcement thereof. Any dispute, action or proceeding arising out of or related to this Agreement will be exclusively commenced in the state courts of Lee County, Florida, or where proper subject matter jurisdiction exists, in the United States District Court for the Middle District of Florida. Each party irrevocably submits and waives any objections to the exclusive personal jurisdiction and venue of such courts, including any objection based on forum non conveniens.”

The effective date shall be the date the Lee County Board of County Commissioners awarded the Solicitation to the Vendor.

[The remainder of this page intentionally left blank.]

IN WITNESS WHEREOF, the parties have executed this Agreement for Piggyback Purchase as of the last date written below.

APPROVED as to Form for the Reliance of Lee County Only

BY: *A.C. Lira*
County Attorney's Office

DATE: 10/7/2021

COUNTY: LEE COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

BY: *[Signature]*
Chair
Lee County Board of County Commissioners

DATE: October 08, 2021

Crown Castle Fiber LLC

BY: *Lisa Gugliada*
Authorized Signature

Lisa Gugliada

Authorized Signature Printed Name

Associate General Counsel

Authorized Signature Title

9/30/21

Date

ATTEST:

Kang J. Inardhan
(Witness)

9/30/21

Date

CORPORATE SEAL: