



DWS Contract #: _____

SECOND AMENDMENT TO TOWER SITE LEASE AGREEMENT

This Second Amendment to Tower Site Lease Agreement ("Amendment"), effective the 1st day of October, 2023, is by and between Day Management Corporation dba Day Wireless Systems ("Lessor") and Whatcom Transportation Authority, a Washington State Public Transportation Benefit Area ("Lessee").

WHEREAS, Lessor and Lessee entered into a Tower Sites Lease Agreement ("Agreement") dated September 17, 2021, and then Amendment 1 dated September 1, 2022, whereby Lessor leases to Lessee a portion of Lessor's Premises as described therein; and

WHEREAS Lessor and Lessee desire to amend the Agreement to allow for the addition of further equipment to the Agreement.

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lessor and Lessee agree as follows:

1. **Equipment Changes.** Lessor has requested a modification to the Equipment shown on the Tower Sites Lease Agreement to place additional equipment on-site. Lessor consents to Lessee's installation and operation of the equipment listed on Exhibit 1. Exhibit 1 as shown shall hereby replace Exhibit 1 to the Agreement.
2. **Rent.** Commencing on October 1, 2023, Rent shall be increased by \$200.00 per month, in addition to the annual 4% annual adjustment as provided in the Agreement.
3. **Invoicing.** For every invoice that Lessee requests invoiced through any means other than Lessor's then-current billing system, including but not limited to a Lessee or third-party portal, a \$25.00 fee per invoice (an "Invoice Fee") shall apply. The Invoice Fee is subject to a four percent (4%) annual increase effective on each anniversary of this Amendment's Effective Date.
4. **Agreement Fees.** Lessee agrees to pay a fee of \$25.00 for each payment provided by Lessee to Lessor that is returned for lack of sufficient funds. Payments made by credit card may incur a processing fee up to 3.5% of the transaction amount.

DWS Site Reference: Sumas Mtn
Customer Site Reference:



5. **Other Terms and Conditions Remain.** In the event of any inconsistencies between the Agreement and this Amendment, the terms of this Amendment shall control. Except as expressly set forth in this Amendment, the Agreement otherwise is unmodified and remains in full force and effect. Each reference in the Agreement to itself shall be deemed also to refer to this Amendment.
6. **Capitalized Terms.** All capitalized terms used but not defined herein shall have the same meanings as defined in the Agreement.

IN WITNESS WHEREOF, the parties have caused this Amendment to be effective as of the last date written below.

LESSOR:

Day Management Corporation
dba DAY WIRELESS SYSTEMS

By: B. Davidson

Its: Contracts Manager

Date: 10/4/2023

LESSEE:

Whatcom Transportation Authority, a Washington State Public Transportation Benefit Area.

By: Les Reardanz
Signed: Tuesday, October 3, 2023

Its: General Manager

Date: _____



Exhibit 1

Date: 8/31/2023 Version:

Customer Information

Customer Name	Whatcom Transportation Authority	Primary Contact Name	R. Josh Nylander
Customer Address	4011 Bakerview Spur	Primary Contact Phone	360-788-9341
Customer Address		Primary Contact Email	joshn@ridewta.com
City	Bellingham	Secondary Contact Name	Levi Brerly
State	WA	Secondary Contact Phone	360-788-9342
Zip	98226	Secondary Contact Email	levib@ridewta.com
Emergency Phone	360-788-9340	Consultant Contact Name	
Emergency Email	helpdesk@ridewta.com	Consultant Contact Phone	
Billing Contact	Tiffany Rich	Consultant Contact Email	
Billing Phone	360-788-9347	Consulting Firm	
Billing Email	tbuying@ridewta.com		

Site Information

DWS Site Name	Sumas Mt	Latitude (NAD 83)	
ASR		Longitude (NAD 83)	
FCC ID		County	
Customer Site Name	Sumas Mt	State	
Customer Site Number		Tower Height	
Tower Type			

Installation Information

Installation Type	Modification	Desired Installation Date	Wednesday, September 01, 2021
Type of Service	Government		

Project Summary * Attach Construction Drawings

Propose to modify existing system by adding: (1) Kenwood repeater

Antenna / Feedline Information						
*Attach Cut Sheets						
Existing/New/Remove	Antenna #1	Antenna #2	Antenna #3	Antenna #4	Antenna #5	Antenna #6
Type of Antenna	Existing	Existing	Existing			
Quantity	1	1	1			
Manufacturer	Telewave	Telewave	Telewave			
Model	Ant 850F6	Ant 850F6	Ant 850F6			
Desired Mounting Height	SW tip Cell Mt	SW tip Cell Mt	SW tip Cell Mt			
Length (ft)	5	5	5			
Weight (lb)	22	22	22			
Azimuth(s)	omni	omni	omni			
Tower Leg	south	south	south			
Feedline Count	1	1	1			
Size of Feedline	7/8"	7/8"	7/8"			
Tower Mount MFG						
Tower Mount Part #						

DWS Site Reference: Sumas Mtn

Customer Site Reference:



Exhibit 1

Interior Space Information						
Rackspaces (Customer Provided or Comm. Rack)	Two	Additional Space Requirements		Length	Width	
Rack Units (Comm. Rack Only)		Batteries				
Radio Model (Comm. Rack Only)		Combining				
Voltage		UPS				
Estimated kw/month consumption		Cabinet				
		HVAC				
		Wall Mounted				
Radio Equipment Information						
	Radio #1	Radio #2	Radio #3	Radio #4	Radio #5	Radio #6
Existing/New/Remove	Existing	Existing	Existing	New		
Class of Service	Licensed	Licensed	Licensed	Licensed		
FCC Call Sign	WNPS655	WNPS655	WNPS655	WNPS655		
Manufacturer	Kenwood	Kenwood	Kenwood	Kenwood		
Model Number	NXR-900	NXR-900	NXR-900	NXR-900		
TX Frequency	862.45825	862.46875	863.80825	863.81875		
RX Frequency	817.45825	817.46875	818.80825	818.81875		
Channel Width (kHz)	0.00625	0.00625	0.00625	0.00625		
Channel Center	862.4625	862.4625	863.8125	863.8125		
TX Power	65	65	65	65		
ERP	65	65	65	65		

Disclaimers

All installations and modifications must meet federal, state, and local requirements as well as Day Wireless installation standards.

NEPA, SHPO, structural analysis, geotechnical investigation, building permit, land use application, special use permit, and/or easements may be required.

Pre payment is required when a structural analysis is needed.

Installations must be performed by Day Wireless and/or certified and approved installation contractors via NTP.

A \$500 application fee is required at colocation application submission.

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