

CONTRACT MODIFICATION

1. CONTRACT NO: 137666	2. CONTRACT MODIFICATION NO.: 12	3. EFFECTIVE DATE OF C.M. See Block 9	4. CONTRACTOR NAME: Herzog Transit Services, Inc.
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5. AGREEMENT TO MODIFY CONTRACT:

The parties hereto agree to modify the Contract identified in Block 1, above, as described in Block 10, below, pursuant to the terms and conditions of the Contract. Except as modified herein, all other provisions of the Contract (including, but not limited to, price, delivery, and completion date) remain unchanged.

6. AMOUNT OF THIS CONTRACT MODIFICATION: INCREASE


PRIOR TOTAL ESTIMATED NOT TO EXCEED PRICE: \$ 119,732,235.82
Add: Modification #11 (Not to Exceed): 83,609.00
NEW TOTAL ESTIMATED NOT TO EXCEED PRICE: \$ 119,815,844.82

7. TERM OR PERIOD OF PERFORMANCE: NO CHANGE

PRIOR:
NEW:

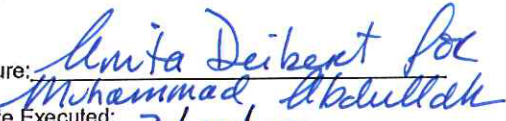
8. HERZOG TRANSIT SERVICES, INC. ("CONTRACTOR"):

Name & Title: Lance Davis, General Manager
(Print or type)

Signature: 
Date Executed: 3 / 19 / 2019

9. CAPITAL METRO TRANSPORTATION AUTHORITY ("CAPITAL METRO"):

Name: Muhammad Abdullah, Contracting Officer
(Print or type)

Signature: 
Date Executed: 3/19/18

10. DESCRIPTION OF CONTRACT MODIFICATION:

This modification is in accordance with EXHIBIT E-Revised-7, Contractual Terms and Conditions, Section 14, entitled **CHANGES**, and adds the additional work detailed below:

Metro Drive Crossing Preemption Circuit Installation

As further described in the attached Scope of Work dated 2/16/18 for the Metro Drive Preemption Circuit Installation, which is attached hereto and incorporated herein for all pertinent purposes, Contractor shall modify the grade crossing warning system train detection circuits at the locations specified in the attached Scope of Work dated 2/16/18 and as detailed in the attached Drawings:

- Drawings - MP 87.29
- Drawings - MP 86.46
- Drawings - MP 86.79
- Drawings - Metro Drive
- Drawings - MP 87.12
- Drawings - MP 87.02

Pricing: Capital Metro hereby accepts Contractors proposal dated 2/28/16, attached hereto and incorporated herein for all pertinent purposes, specifically for the C1 Pricing, Section 2 in the not-to-exceed amount of [REDACTED] which reflects pricing without the 350' creek bore needed for the 7C/#14.



Scope of Work for Metro DR. Crossing Preemption Circuit Installation

A. RFP Scope and General Description of Work

"HERZOG shall modify the grade crossing warning system train detection circuits at one or more of the following locations: Control Point West Leander milepost 87.29, Metro Drive 87.13, Metro Crossover milepost 87.12, Leander Station milepost 87.02, Hero Way milepost 86.79, and South Street milepost 86.46. HERZOG shall install all the relays, arbor panels, cable(s), wiring and associated hardware needed for the operation of the preemption circuit in accordance with the contract design drawings. HERZOG shall validate circuit wires end-to-end breakdown test per design plans. HERZOG shall terminate the Metro Dr. crossing preemption circuitry wiring to TxDOT's Traffic Control Unit circuitry located in Metro Drive crossing bungalow. HERZOG shall install the re-configured highway-rail grade crossing constant warning system application logic file at the following locations but, not limited, at West Leander crossing, Metro Dr. crossings, Metro Central CROSSOVER (DAX) and Leander Station, provided by HNTB Engineering. HERZOG shall test and validate the site specific Inputs/Outputs crossing activation warning system application control circuits configured that support the Metro Drive preemption circuit, ensuring it is operational and in compliance with Federal Railroad Administration (FRA), Code of Federal Regulations (CFR) Part 234 Grade Crossing Signal System Safety regulatory requirements and per contract design plans.

After the complete installation, HERZOG shall test and commission the preemption circuit and the supporting crossing locations for the safe operation as intended within the contract design drawings in concurrence with the crossing operation per FRA, CFR Part 234 Grade Crossing Signal System Safety regulatory requirements prior to revenue service."

Herzog will provide dig tickets, utility locates, potholing for existing signal and utility cables (as necessary), and provide a qualified flagger. The flagging includes required flagging and protection when fouling track for construction signage. Herzog employees will ensure all Railroad Safety Policies are adhered to.

B. Work to be Completed

- Trench in roughly 1600' of 7C/#14 from Metro Dr. to Bill
 - This is to include a creek bore totaling 350'
- Perform all necessary wiring at
 - Metro Center Crossover MP87.02
 - Hero Way MP 86.79
 - South Street MP 86.46
- 1-day cutover to test all new circuits

C. Exclusion & Notes

- Bid is based on one (1) mobilization. Multiple phases will be an added cost.

CI. Pricing

- Herzog Transit Services Inc. is prepared to offer two lump sum bids for the installation of the new preemption circuit.

- Price reflects HTSI's work including the 350' creek bore needed for the 7C/
#14

- Price reflects HTSI's work without the 350' creek bore needed for the 7C/#14

Thank you for the opportunity to work with you.

The amount stated above is the final contract modification amount agreed to by both parties. Upon receipt of payments totaling this amount, the Contractor, for itself, its successors and assigns will release, acquit and forever discharge Capital Metropolitan Transportation Authority (Capital Metro) from and against any claims, debts, demands, or cause of action which the Contractor has or may have had a result of furnishing labor, supplies, or materials for the change order stated above. This modification may be executed in multiple originals, and an executed facsimile or email copy shall have the same force and effect as the original document.

[END OF MODIFICATION #12]