

CONTRACT MODIFICATION

1. CONTRACT NO: 137666	2. CONTRACT MODIFICATION NO.: 16	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: \$122,162,207.81

Add: Modification #16: \$ 245,739.60

New Total Estimated Not to Exceed Price: \$122,407,947.41

7. TERM OR PERIOD OF PERFORMANCE:

NO CHANGE

PRIOR:

NEW:

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

*******CONTRACTOR DOES NOT NEED TO SIGN*******

Name & Title: _____
(Print or type)

Signature: _____

Date Executed: ____/____/____

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

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

Signature: 

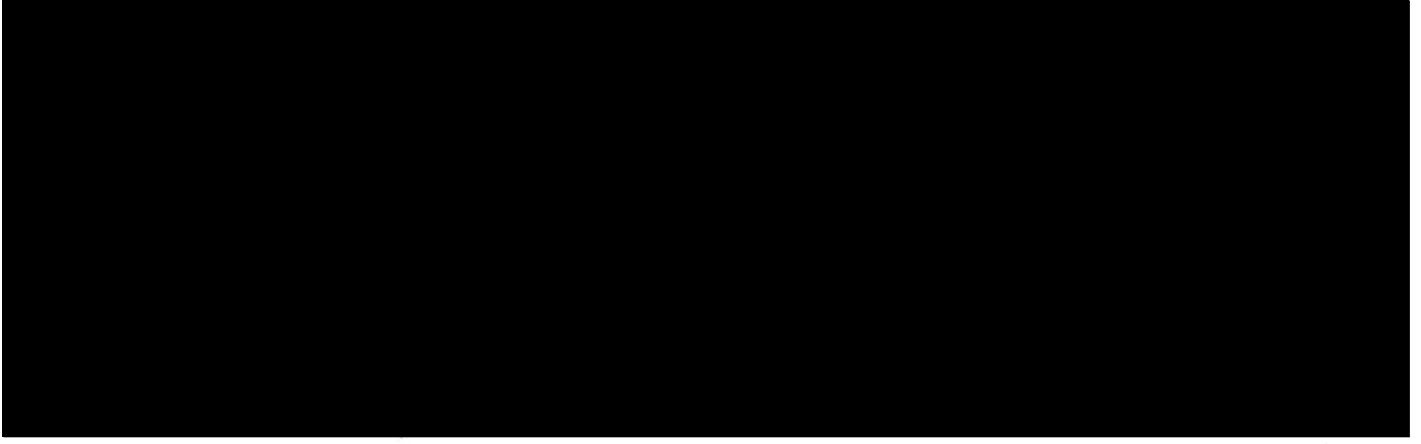
Date Executed: 10/16/2018

10. DESCRIPTION OF CONTRACT MODIFICATION:

This modification is in accordance with EXHIBIT E-Revised-9, Contractual Terms and Conditions, Section 14, entitled **CHANGES**, and incorporates the additional work detailed below:

A Roadway Worker in Charge (RWIC) (formerly Employee in Charge (EIC)) is a qualified roadway worker designated to direct or restrict the movement of trains past a point on a track to provide on-track safety for roadway workers who are engaged solely in performing that function. Herzog Transit Services, Inc. is the contractor responsible for rail commuter operations and maintenance in the Central Corridor of Capital Metro's rail line and is required to provide dedicated and qualified RWICs.

This modification exercises the option under Modification #11 as reflected below (see fully executed Modification #11 is attached for reference) for Herzog continue to provide two (2) Roadway Workers In-Charge (RWICs) to support multiple projects throughout the Central Corridor as determined by CMTA:



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 #16]