

CONTRACT MODIFICATION

1. CONTRACT NO: 137666	2. CONTRACT MODIFICATION NO.: 29	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:

NO CHANGE

PRIOR TOTAL ESTIMATED NOT-TO-EXCEED PRICE: \$ 130,367,806.50
Modification #29 (Not-to-Exceed): \$ 0.00
NEW TOTAL ESTIMATED NOT-TO-EXCEED PRICE: \$ 130,367,806.50

7. TERM OR PERIOD OF PERFORMANCE:

NO CHANGE

PRIOR: September 30, 2022
NEW: September 30, 2022

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

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

Signature: 
Date Executed: 4 / 7 / 2020

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

Name: Sean Wighamman, Contracting Officer
(Print or type)

Signature: _____
Date Executed: 4 / 7 / 2020

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 work detailed below:

- A. This Modification 29 is to document an equivalent swap of Maintenance of Way (MOW) Plan deliverables for Base Year 5 (FY20) of the Contract, to add ten (10) additional replacement concrete at-grade crossings in lieu of installing approximately two-miles of replacement rail (equivalent to 21,100 linear feet or 10,560 track feet), per Exhibit F-Revised-5, Section 10. MAINTENANCE OF WAY SERVICES (CONSISTS OF TRACK, BRIDGES, AND CROSSINGS).
1. Please see Exhibit F-Revised-5, Section 10.2.1. Install 21,100 linear feet, of new 115# or 136# railAnchor and spike two track miles. This modification shall remove this requirement for Base Year 5 (FY20) of the Contract only. The location of replacement rail that will not be installed shall be designated by Capital Metro and updated in the MOW Plan for Base Year 5 (FY20).
 2. Please see Exhibit F-Revised-5, Section 10.2.4. Replace two grade crossings (all associated materials). This modification shall change this requirement for Base Year 5 (FY20) of the Contract only, to add ten (10) additional replacement grade crossings, a total of 629 LF, to be replaced prior to September 30, 2020, for a new total of twelve (12) grade crossings (all associated materials). The locations of the grade crossings to be replaced shall be designated by Capital Metro and updated in the MOW Plan for Base Year 5 (FY20). Completion dates are dependent on road closures and vendor availability.

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 #29