

CONTRACT MODIFICATION

1. CONTRACT NO: 200492 On Board Digital Displays	2. CONTRACT MODIFICATION NO.: 1	3. EFFECTIVE DATE OF C.M. See Block 10	4. CONTRACTOR NAME: Clever Devices
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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: \$0 NO CHANGE

PRIOR NOT-TO-EXCEED PRICE: \$853,682.96

INCREASE: \$0

NEW NOT-TO-EXCEED PRICE \$853,682.96

7. TERM OR PERIOD OF PERFORMANCE: 90 days INCREASE

PRIOR: 08/01/2020 (Go Live Date)

NEW: 11/01/2020 (Go Live Date)

8. CONTRACTOR'S EXECUTION:

Name & Title: Andrew Stanton, Chief Operating Officer
(Print or type)

Signature: 

Date Executed: 04 / 09 / 2020

9. CONTRACTING OFFICER'S EXECUTION:

Name: Jeffery Yeomans, Contracts Administrator
(Print or type)

Signature: 

Date Executed: 04 / 10 / 2020

10. DESCRIPTION OF CONTRACT MODIFICATION:

This modification is made in accordance with Exhibit E, Contractual Terms and Conditions, Section 46, EXCUSABLE DELAYS, to be made a part hereof for all pertinent purposes.

The Authority accepts the following statements discussed with the Contractor on March 19, 2020 pertaining to potential contract delays:

1. The COVID-19 Pandemic is creating supply chain disruptions that have impacted needed hardware.
2. The Contractor is unable to provide a firm date on when exactly the disruptions would be resolved.
3. These disruptions would create a failure to perform by missing the Go Live date of August 1, 2020, but is beyond their control and without fault or negligence of the Contractor.

At the request of the Contractor, and based on the statements accepted above, the Authority has ascertained there to be an excusable delay related to the COVID-19 Pandemic, and therefore extends the period of performance in Exhibit E, Contractual Terms & Conditions, Section 4, Period of Performance, to November 1, 2020.

4. PERIOD OF PERFORMANCE

The Contractor shall complete Deploy/Go-Live Phase no later than August ~~August~~ November 1, 2020, as further described in Exhibit F-Revised-3, Scope of Services and Compliance Matrix and all the requirements listed in the Compliance Matrix's Appendix A.

This excusable delay is to be at no additional cost to the Authority. Contractor will cease any ongoing work until parties can reconvene no later than May 31, 2020 to evaluate the existing delay and determine whether the period of performance would need further revision. Payment milestones are made in accordance with contract.

This modification may be executed in multiple originals, and an executed facsimile shall have the same force and effect as an original document.

[END OF MODIFICATION #1]