CALIFORNIA High-Speed Rail Authority

CHANGE ORDER (CO)

CO No.: 00136

TITLE: Reconfigure Stanislaus and Tuolumne Street

DATE: 8/17/2017

PROJECT: Construction Package No. 1

CONTRACT NO: HSR 13-06

CONTRACTOR: Attn: Ghassan Ariqat
Tutor Perini/Zachry/Parsons, a Joint Venture
1401 Fulton Street
Suite 400
Fresno, CA 93721

DESCRIPTION OF CHANGE:

Design and reconstruct a bi-directional grade separation at Tuolumne Street in lieu of Stanislaus Street.

In accordance with Directive Letter 00023, convert Tuolumne Street from a one-way to a two-way traffic configuration between E Street and P Street. Terminate Stanislaus Street at G and H Streets, and convert Stanislaus Street from a one-way to a two-way traffic configuration between E Street and Van Ness Avenue.

Design and construct all necessary utility relocations, traffic signal modifications, pedestrian improvements and civil works within one block of Tuolumne Street between E Street and P Street and within one block of Stanislaus Street between E Street and Van Ness Avenue as requested by the City of Fresno.

The exclusions, assumptions, and reference plans used to negotiate this Change are identified in the attached Memorandum of Understanding dated 08/16/2017, which is incorporated by reference.

PAYMENT ADJUSTMENT AT AGREED LUMP SUM :

For this work, the Contractor shall receive and accept the agreed lump sum price of $12,866,824.00. This sum constitutes full and complete compensation for providing all design and construction services, labor, material, equipment, tools and incidentals, including all markups by reason of this change.

TIME ADJUSTMENT:

Any delay due to this change order, if any and if determined to be a controlling operation, shall be evaluated under a separate change order in accordance with Section 23.4, "Equitable Adjustments – Limitation on Delay and Disruption Damages," of the *General Provisions*.

PCO	Payment Item	Description	Quantity	Unit	Unit Price	Net Amount	Time Adj. Days
0075R2/0075R3/0075.0001R2	00001	Reconfigure Stanislaus and Tuolumne	1.0	LS	$12,866,824.00	$12,866,824.00	0
				Total:	$12,866,824.00		0

M.K

Initials Acknowledging Page 1 of 2

Contractor	California High Speed Rail Authority		
Acceptance by	Submitted by	Recommended by	Approved by

TITLE:	Reconfigure Stanislaus and Tuolumne Street	**DATE:**	**8/17/2017**
PROJECT:	Construction Package No. 1	**CONTRACT NO:**	**HSR 13-06**

Release of Claims

Except as modified by this Change Order, all terms and conditions of the Contract, as previously modified, remain unchanged and in full force and effect. The parties agree that this Change Order is a final and equitable adjustment of the Contract time and Contract amount and constitutes a mutual accord and satisfaction of all claims, current or future, of whatever nature caused by or arising out of the facts and circumstances surrounding this Change Order including, but not limited to, direct, indirect and consequential costs; additional time for performance; and the impact of the modifications specified in this Change Order, alone or taken with other changes, on the unchanged Work.

Contractor's Sworn Certification

By executing this Change Order for the Contractor below, the undersigned for the Contractor certifies as true, under penalty of perjury (under the laws of California, executed in Fresno, California), as follows:

This Change Order is made in good faith and in accordance with the terms of the Contract.

The amount of time and/or compensation requested accurately reflects the appropriate adjustments and includes all known and anticipated impacts or amounts that may be incurred as a result of the event or matter giving rise to such proposed change.

The Contractor has no reason to believe and does not believe that the factual basis for this Change Order is falsely represented.

The Contractor has investigated the basis for each Subcontractor claim and has determined that each such claim is justified as to entitlement and amount of money and/or time requested and has no reason to believe and does not believe that the factual basis for the Subcontractor's claim is falsely represented.

Subcontractor's Sworn Certification(s):

Attached as_____[indicate "none" if no such Subcontractors are involved] are sworn certifications from each Subcontractor involved in the Work or event contemplated by this Change Order in the form above.

Tutor Perini/Zachry/Parsons, a Joint Venture

Acceptance by		
Signature	Ghassan Ariqat – Project Manager/Director	Date 8/18/17

California High-Speed Rail Authority

Submitted by		
Signature	John C. Lee - D-B Oversight Manager	Date 8-25-17
Recommended by		
Signature	For Terry Ogle, Acting Design & Construction Manager	Date 8/25/17
Approval by		
Signature	Terry Ogle – Director of Design & Construction	Date 8/29/17

M.K.