

Crossing surface and warning signal  
improvements at Hercules Avenue; Clearwater,  
Pinellas County, FL DOT 626827C; MP SY-871.26  
Jacksonville Division, Clearwater Sub-Division  
CSXT OP No. A43621

AMENDMENT 1 of CONSTRUCTION AGREEMENT

THIS AMENDMENT is made as of this 13<sup>th</sup> day of January, ~~2016~~ <sup>2017</sup> (the  
"Amendment 1") by and between CSX Transportation, Inc., a Virginia corporation with  
its principal place of business in Jacksonville, Florida ("CSXT") and Pinellas County, a  
body corporate and political subdivision of the State of Florida ("Agency").

WITNESSETH

WHEREAS, CSXT and Agency entered into the Construction Agreement dated January  
26, 2015; known and identified by the parties as CSXT OP No. A43621, (the "Construction  
Agreement"), under which Agency proposed to construct or to cause to be constructed  
the Project as defined in the Construction Agreement; and

WHEREAS, the parties desire to revise the Project work scope as shown in Exhibit  
"A" attached hereto and by reference made part hereof; and

WHEREAS, section 2.3 of the Construction Agreement provides that the parties intend  
that work by CSXT or on CSXT property shall conclude no later than one calendar year from  
date of executed agreement, unless the parties mutually agree to extend such date; and

WHEREAS, the parties have previously agreed to extend such date to December  
31, 2017; and

WHEREAS, pursuant to section 4.2 of the Construction Agreement CSXT provided an  
Estimate of total Reimbursable Expenses for the Project in the amount of \$455,031; and

WHEREAS, section 4.2 of the Construction Agreement provides in the event CSXT  
anticipates that actual Reimbursable Expenses for the Project may exceed such  
Estimate, it shall provide Agency with the revised Estimate of the total Reimbursable  
Expenses, together with a revised Payment Schedule, for Agency's approval and  
confirmation that sufficient funds have been appropriated to cover the total  
Reimbursable Expenses of such revised Estimate; and

WHEREAS, CSXT has provided Agency with a revised Estimate of \$649,382, as  
shown in Exhibit "B" attached hereto and by reference made part hereof; and

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WHEREAS, the parties do not intend to change the Payment Schedule and intend that the additional deposit equal to the remaining Reimbursable Expenses shall be made by the Agency within 30 days following an invoice to Agency from CSXT as provided in Exhibit "E" of the Construction Agreement; and

WHEREAS, CSXT and Agency now desire to amend the Construction Agreement as set forth herein.

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, CSXT and Agency agree as follows:

1. The recitals stated above are true and correct and are fully incorporated as if set forth herein.
2. Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Construction Agreement.
3. Pursuant to section 2.3 of the Construction Agreement, the parties mutually agree the date that all work by CSXT or on CSXT property shall be concluded is hereby extended to December 31, 2017.
4. Pursuant to section 4.2, Agency hereby approves and confirms that sufficient funds have been appropriated to cover the revised Estimate of \$649,382.
5. Exhibit B of the Construction Agreement is hereby amended by and through Exhibit A to this Amendment 1 to include additional the additionally noted Plans, Specifications and Drawings.
6. Exhibit D of the Construction Agreement is hereby amended and replaced by the CSXT Force Account Estimate attached hereto as Exhibit B.
7. The Construction Agreement, as amended by this Amendment 1, continues in full force and effect.

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IN WITNESS WHEREOF, CSXT and Agency have caused this Amendment 1 to be executed in duplicate, each by its duly authorized officers, as of the date first above-written.

ATTEST:

By:

  
\_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM:

By:

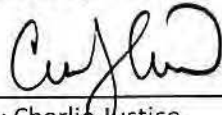
\_\_\_\_\_  
TITLE

REVIEWED & APPROVED SUBJECT TO PROPER EXECUTION

  
OFFICE OF COUNTY ATTORNEY

PINELLAS COUNTY

By:

  
\_\_\_\_\_


Name: Charlie Justice

Title: Chairman, Board of County Commissioners

Date:

CSX TRANSPORTATION, INC.

By:

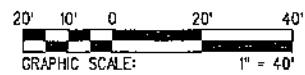
  
\_\_\_\_\_  
J. Tod Echler

Assistant Vice President - Engineering

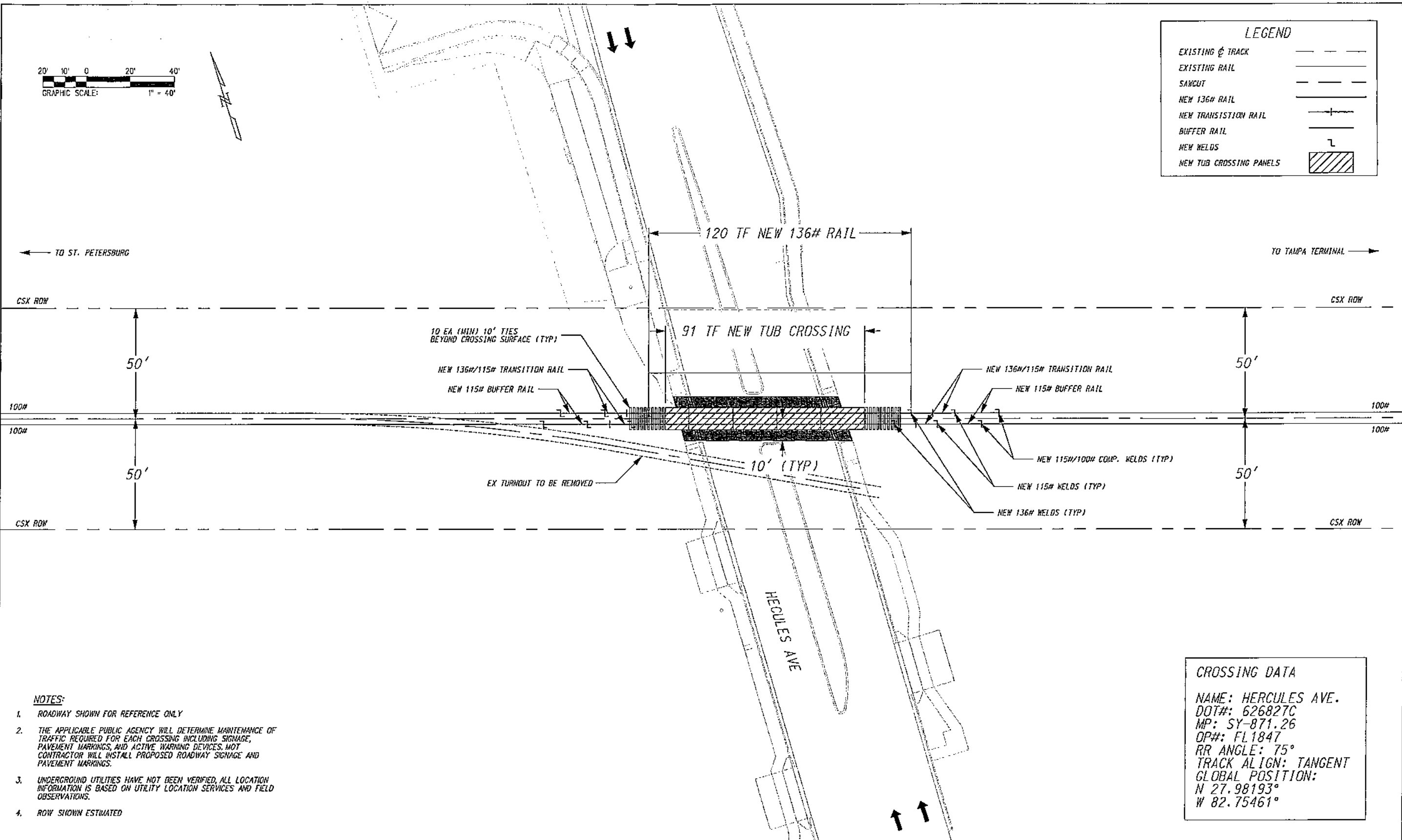
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EXHIBIT A

(See attached track plan and HO1)



LEGEND	
EXISTING @ TRACK	---
EXISTING RAIL	—
SAWCUT	---
NEW 136# RAIL	—
NEW TRANSITION RAIL	—+—
BUFFER RAIL	—
NEW WELDS	—
NEW TUB CROSSING PANELS	



CROSSING DATA	
NAME:	HERCULES AVE.
DOT#:	626827C
MP:	SY-871.26
OP#:	FL1847
RR ANGLE:	75°
TRACK ALIGN:	TANGENT
GLOBAL POSITION:	N 27.98193° W 82.75461°

- NOTES:**
- ROADWAY SHOWN FOR REFERENCE ONLY
  - THE APPLICABLE PUBLIC AGENCY WILL DETERMINE MAINTENANCE OF TRAFFIC REQUIRED FOR EACH CROSSING INCLUDING SIGNAGE, PAVEMENT MARKINGS, AND ACTIVE WARNING DEVICES. NOT CONTRACTOR WILL INSTALL PROPOSED ROADWAY SIGNAGE AND PAVEMENT MARKINGS.
  - UNDERGROUND UTILITIES HAVE NOT BEEN VERIFIED, ALL LOCATION INFORMATION IS BASED ON UTILITY LOCATION SERVICES AND FIELD OBSERVATIONS.
  - ROW SHOWN ESTIMATED

I:\Projects\2515676\1007\40\_Project Management\40B\_Estimotes\2515676-1041 Hercules Ave\STV\_Exhibit\DWG\_Clearwater\_Ave\STV\_Exhibit\DWG\_Clearwater\_FL\_Hercules\_Ave\Xing\_Exhibit.dgn 12:50:05 PM 9/8/2016

DESIGNED BY			ENGINEERING DEPARTMENT JACKSONVILLE, FLORIDA	VAL. SEC 	HERCULES AVE TUB CROSSING CLEARWATER, PINELLAS COUNTY, FL		CONTRACT NO.	
DRAWN BY JEO							DRAWING NO. 626827C	
CHECKED BY PJB							REVISION	SHEET NO.
APPROVED BY							0	1 OF 1
DATE 09/02/16		SCALE AS SHOWN		DIVISION: JACKSONVILLE		SUBDIVISION: CLEARWATER		
REV	DATE	DESCRIPTION	BY	APP				

R.R. NORTH TO TN

H.S. 1192+87

1541 FT.

87 FT.

87 FT.

1541 FT.



CSX R.O.W.

CSX R.O.W.

HAND DIGGING WILL BE REQUIRED IN SE QUAD DUE TO CLOSE PROXIMITY OF U.G UTILITIES. VAC TRUCK REQUIRED

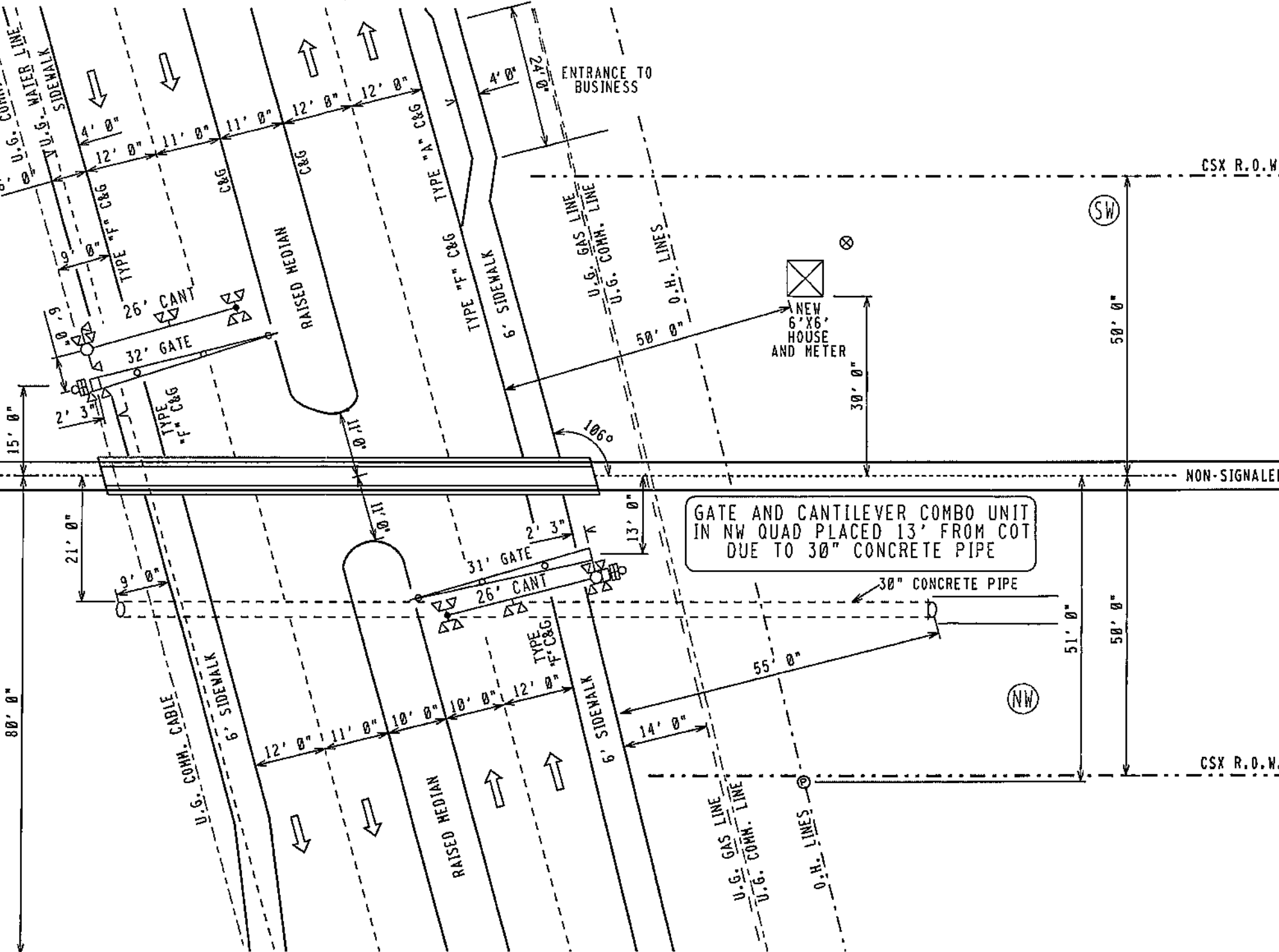
NEW 6'X6' HOUSE AND METER

ML (RUSTY RAIL)

NON-SIGNALLED

APPROACH LENGTHS TABLE	NORTHWARD	SOUTHWARD
DC, AFO, TYPE C, MOTION, CNT, OR OTHER	ML MOT	ML MOT
STANDARD MINIMUM WARNING TIME IN SECONDS	25	25
ROADWAY GATE TIME IN SECONDS	5	5
CLEARANCE TIME IN SECONDS	1	1
DOT TRAFFIC LIGHT SIMULTANEOUS PREEMPT TIME IN SECONDS*	0	0
DESIGNED WARNING TIME FOR TRAINS AT TIME TABLE SPEED	31 SEC.	31 SEC.
DOT TRAFFIC LIGHT ADVANCE PREEMPT TIME IN SECONDS *	0	0
CONTROL EQUIPMENT DECISION TIME IN SECONDS	5	5
DESIGNED DETECTION TIME FOR TRAINS AT TIME TABLE SPEED	36 SEC.	36 SEC.
TIME TABLE MAXIMUM TRAIN SPEED IN MILES PER HOUR	25	25
BUFFER SPEED IN MILES PER HOUR	5	5
TOTAL WARNING SYSTEM DESIGN SPEED IN MILES PER HOUR	30	30
APPROACH DISTANCE TO ISLAND EDGE IN FEET	1541	1541
HALF WIDTH OF ISLAND IN FEET	87	87
APPROXIMATE MILE POSTS FOR APPROACH CIRCUIT	870.95	871.57

\*AUTHORIZING AGENCY, NONE  
 \*DATE OF REQUIREMENT, NONE  
 \*AMOUNT OF TIME (SEC.), NONE



GATE AND CANTILEVER COMBO UNIT IN NW QUAD PLACED 13' FROM COT DUE TO 30" CONCRETE PIPE



PRODUCED FOR:  
**CSX TRANSPORTATION**  
 RAIL TRANSPORT GROUP ENGINEERING  
 COMMUNICATIONS AND SIGNALS

PRODUCED BY:  
**Xorail**  
 A Wabtec Company

LEGEND	GUARD RAIL	METER SERVICE	GPS COORDINATES	REVISION DATES	FILE NAME	STREET NAME
CSX ROW	O.H. POWER	POLE	27°58'93" N	06-30-2016	SY07126.H01	HERCULES AVE.
R/R POLELINE	FENCE	FIRE PLUG	82°45'28" W	-	DATE DRAWN: 12-07-2015	CITY & STATE: CLEARWATER, FL M.P. SY-871.26
GAS	WATER	SEWER CAP	ELEV. 990'	-	DRAWN BY: XRL	DOT: 626827C
FIBER OPTIC	SEWER	GAS VENT	-	-	CHECKED BY: XRL	PROJECT #: FL2014077A
					XRL #: CXS1540628	OP #: A43621

**PROPOSED CROSSING LAYOUT**  
 SCALE = 20:1

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EXHIBIT B

**CSX TRANSPORTATION, INC.  
FORCE ACCOUNT ESTIMATE**

ACCT. CODE : 709 - 443621

<b>ESTIMATE SUBJECT TO REVISION AFTER:</b>	3/8/2017	<b>DOT NO.:</b> 626827C
CITY: Clearwater	COUNTY: Pinellas	<b>STATE:</b> FL
<b>DESCRIPTION:</b> Hercules Avenue - Full signal replacement including new signal house and installation of CFLS&G W/ sidelights in the SE quadrant, and rebuild grade crossing with new 91' platform (tub)		
DIVISION: Jacksonville	SUB-DIV: Clearwater	<b>MILE POST:</b> SY-871.26
<b>AGENCY PROJECT NUMBER:</b> Pinellas County		
<b>PRELIMINARY ENGINEERING:</b>		
212 Contracted & Administrative Engineering Services		\$ -
Subtotal		\$ -
<b>CONSTRUCTION ENGINEERING INSPECTION:</b>		
212 Contracted & Administrative Engineering Services		\$ 24,500
Subtotal		\$ 24,500
<b>FLAGGING SERVICE: (Contract Labor)</b>		
070 Labor (Conductor-Flagman)		\$ -
050 Labor (Foreman/Inspector)		\$ 8,232
070 Additive 113.98% (Transportation Department)		\$ -
050 Additive 119.39% (Engineering Department)		\$ 9,746
230 Per Diem (Engineering Department)		\$ 1,575
230 Expenses		\$ -
Subtotal		\$ 19,553
<b>SIGNAL &amp; COMMUNICATIONS WORK:</b>		\$ 322,430
<b>TRACK WORK:</b>		\$ 223,864
<b>PROJECT SUBTOTAL</b>		\$ 590,347
900 <b>CONTINGENCIES:</b> 10.00%		\$ 59,035
<b>GRAND TOTAL</b> .....		\$ 649,382
<b>CURRENT AUTHORIZATION</b> .....		\$ 455,031
<b>ADDITIONAL FUNDS REQUESTED</b> .....		\$ 194,351

**NOTE:** Estimate is based on FULL CROSSING CLOSURE during work by Railroad Forces.  
This estimate has been prepared based on site conditions, anticipated work duration periods, material prices, labor rates, manpower and resource availability, and other factors known as of the date prepared. The actual cost for CSXT work may differ based upon the agency's requirements, the contractor's work procedures, and/or other conditions that become apparent once construction commences or during the progress of the work.

Office of Assistant Chief Engineer Public Projects—Jacksonville, Florida  
 Estimated prepared by: J. Higgins      Approved by: JAS      CSXT Public Project Group  
 DATE: 10/28/2015      REVISED: 9/9/2016      DATE: 09/09/16