

AMENDMENT 1 of CONSTRUCTION AGREEMENT

THIS AMENDMENT is made as of this _____ day of _____, 2026, (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 June 4, 2025; known and identified by the parties as CSXT OP No. FL3217, (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, 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 March 31, 2026 unless the parties mutually agree to extend such date; and

WHEREAS, the parties mutually agree to extend such date no later than December 31, 2026 as part of this Amendment; 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 \$413,297; 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 \$472,696; as shown in Exhibit “A” attached hereto and by reference made part hereof; and

**St. Petersburg, Pinellas County Co., FL
Tub-Platform Crossing Surface 46th Avenue N.
626693F; Florida Zone
Clearwater Zone; ARE 894.46
CSXT OP No. FL3217(A52405)**

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, 2026.
4. Pursuant to section 4.2, Agency hereby approves and confirms that sufficient funds have been appropriated to cover the revised Estimate of \$472,696.
5. Exhibit D of the Construction Agreement is hereby amended and replaced by the CSXT Force Account Estimate attached hereto as Exhibit A.
6. 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:

Jo Alejandra Lugo
~~XXXXXXXX~~

PINELLAS COUNTY

By:

Barry A. Burton
Name: Barry A. Burton

APPROVED AS TO

Title: County Administrator

FORM: By:

Date:

CSX TRANSPORTATION, INC.

TITLE

By: _____

Tony C. Bellamy

Sr. Director-Design & Construction

APPROVED AS TO FORM

By: Joseph A Morrissey
Office of the County Attorney

EXHIBIT A

ACCT. CODE : 709 - TBD

Form Revision
20250714-A

ESTIMATE SUBJECT TO REVISION AFTER: 8/12/2026		DOT NO.: 626693F
CITY: St. Petersburg	COUNTY: Pinellas	STATE: FL
DESCRIPTION: UPDATED - 46th Avenue North: Tub-Platform crossing surface upgrade and construction engineering & inspection and flagging services to cover proposed roadway resurfacing.		
ZONE: Florida	SUB-DIV: Clearwater	MILE POST: ARE 894.46
AGENCY PROJECT NUMBER: Pinellas County, Florida BOCC		

PRELIMINARY ENGINEERING:

Contracted & Administrative Engineering Services	\$ -
Subtotal	\$ -

CONSTRUCTION ENGINEERING/INSPECTION:

Contracted & Administrative Engineering Services	\$ 33,500
Subtotal	\$ 33,500

FLAGGING SERVICE: (Contract/CSX Labor)

Engineering Labor (Foreman/Inspector/Flagman)	45	Days @	\$ 700.00	\$ 31,500
Additive	167.90% (Engineering Department)			\$ 52,889
Subtotal				\$ 84,389

SIGNAL & COMMUNICATIONS WORK: \$ 7,139

TRACK WORK: \$ 188,019
CONTRACT WORK: \$ 116,677

PROJECT SUBTOTAL: \$ 429,723
CONTINGENCIES: 10.00% \$ 42,972

<u>PROJECT TOTAL:</u>	*****	\$ 472,696
<u>CURRENT AUTHORIZED BUDGET:</u>	*****	\$ 413,297
<u>TOTAL SUPPLEMENT REQUESTED:</u>	*****	\$ 59,399

DIVISION OF COST:

Agency	<u>100.00%</u>	\$ 59,399
Railroad	<u>0.00%</u>	\$ -
		\$ 59,399

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, their contractor's work procedures, and/or other conditions that become apparent once construction commences or during the progress of the work

Office of Director - CSXT Public Projects, Jacksonville, Florida

Estimated prepared by: <u>Benesch</u>	Approved by: <u>KSW</u>	CSXT Public Project Group
DATE: <u>03/11/24</u>	REVISED: <u>08/12/25</u>	DATE: <u>08/12/25</u>