

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

THE COMMITTEE OF 100 ON THE)
FEDERAL CITY)
)
Plaintiff)
v.)
)
ANTHONY FOXX, Secretary of)
Transportation, et al.)
)
Defendants)
_____)

PLAINTIFF’S MOTION FOR A PRELIMINARY INJUNCTION

EXHIBIT 18

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. Contract Number DCKA-2008-R-0146	Page of Pages 1 31
2. Amendment/Modification Number 008	3. Effective Date See Block 18C	4. Requisition/Purchase Request No.	5. Solicitation Caption
6. Issued By: Office of Contracting and Procurement District Department of Transportation 2000 14th Street, NW; 6th Floor Washington, DC 20009		7. Administered By (If other than line 6) D.C. Department of Transportation Transportation Operations Administration 2000 - 14th Street, N.W., 7th Floor Washington, D.C. 20009	
8. Name and Address of Contractor (No. Street, city, country, state and ZIP Code) Skanska/Facchina a Joint Venture 295 Bendix Road, Suite 400 Virginia Beach, VA 23452		9A. Amendment of Solicitation No.	
		9B. Dated (See Item 11)	
		10A. Modification of Contract/Order No. DCKA-2008-R-0146	
		10B. Dated (See Item 13) February 11, 2011	
Code	Facility		
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS			
<p>The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or fax which includes a reference to the solicitation and amendment number. FAILURE OF YOUR ACKNOWLEDGEMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by letter or fax, provided each letter or telegram makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.</p>			
12. Accounting and Appropriation Data (If Required)			
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14			
(X)	A. This change order is issued pursuant to: (Specify Authority) The changes set forth in Item 14 are made in the contract/order no. in item 10A.		Book 1, Section O
	B. The above numbered contract/order is modified to reflect the administrative changes (such as changes in paying office, appropriation date, etc.) set forth in item 14, pursuant to the authority of 27 DCMR, Chapter 36, Section 3601.2.		
	C. This supplemental agreement is entered into pursuant to authority of:		
	D. Other (Specify type of modification and authority)		
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input checked="" type="checkbox"/> is required to sign this document and return <u>1</u> copies to the issuing office.			
14. Description of amendment/modification (Organized by UCF Section headings, including solicitation/contract subject matter where feasible.)			
Total Amount of Change Order		\$4,171,044	
Total Contract Value (including this Change Order)		\$265,075,044	
Fixed Date Time Limit For This Contract Prior to Approval of this Work		July 10, 2013	
Fixed Date Time Limit For This Contract upon Approval of this Work		July 10, 2013	
(Refer to attached documents for additional information)			
Except as provided herein, all terms and conditions of the document referenced in Item (9A or 10A) remain unchanged and in full force and effect			
15A. Name and Title of Signer (Type or print) James K Brookshire III, Vice President		16A. Recommended: Contracting Officer's Technical Representative	
15B. Name of Contractor <i>James K Brookshire III</i> 3/9/11 *(Signature of person authorized to sign)		16B. District of Columbia <i>Jared Cherifi</i> (Signature)	
17A. Recommended Chief Engineer, District Department of Transportation		18A. Approved: Jerry M. Carter, Contracting Officer DDOT	
17B. District of Columbia <i>[Signature]</i> 5/25/2011 (Signature of person authorized to sign)		18B. District of Columbia <i>Jerry M. Carter</i> (Signature of Contracting Officer)	
		18C. Date Signed 5/14/11	

Attachment A – Supporting Documentation
 District Department of Transportation
 11th Street Bridge Replacement

Federal-Aid Project: FAP IM-295-2 (185)
 Contract Number: DCKA-2008-R-0146
 Change Order Number: 008

SUPPORTING DOCUMENTATION

SCOPE OF SERVICES

The basis of the Scope of Services outlined in this document is to modify the design of proposed Bridge S-19 to accommodate the proposed construction along the current CSX rail line adjacent to I-695 (Southeast/Southwest Freeway) in Southeast Washington, DC. This is an additional item of Work to be added to the executed Contract; however, in no way shall the additional item of Work be excluded from any contractual requirements set forth in the initial contract or previously executed Change Orders to the Contract. In particular, the Scope of Services to be provided in Change Order 008 shall include the following:

Re-design of Bridge S-19 over the CSX Rail line

The Contractor shall re-design the new proposed bridge structure (S-19) that carries I-695 over the existing CSX Rail line in the vicinity of 11th and M Streets in Southeast Washington, DC. This structure shall be re-designed in such a way as to not preclude the construction of a CSX temporary shoo-fly track (included as Attachment B) and the widening of the CSX Virginia Avenue Tunnel (included in the Request for Proposal documents supplied prior to award). All costs associated, directly or indirectly, with the re-design of Bridge S-19 are included in this Change Order.

The Contractor shall be solely responsible for design coordination and review with CSX representatives, and shall adhere to all standards, specifications, and design request of CSX. Under no circumstances shall this Change Order modify, change, or circumvent any requirements previously outlined by CSX, or any requirements provided or listed in the Conformed Contract.

In addition, the Contractor shall indemnify and hold the District harmless against all claims, losses or delays caused by CSX during the design coordination and review process since the execution of the agreement between CSX Railroad and the District Department of Transportation dated August 23, 2010. Both parties agree that the Scope of Services outlined for Change Order 10 do not address the time prior to the execution of the agreement nor preclude the Contractor from seeking other CSX related utility delays pursuant to the Conformed Contract.

SUPPORTING DOCUMENTATION

In accordance to Book 1, Section O of the Conformed Contract for the 11th Street Bridge Replacement Project, the following is a list of documents to substantiate the proposed Change Order, and are included as reference material for the Change Order:

- Attachment B CSX Temporary Shoo-fly and Diagram of Proposed Bridge Abutment to Accommodate Design
- Attachment C Railroad Agreement between CSX and DDOT

Total Amount of this Change Order

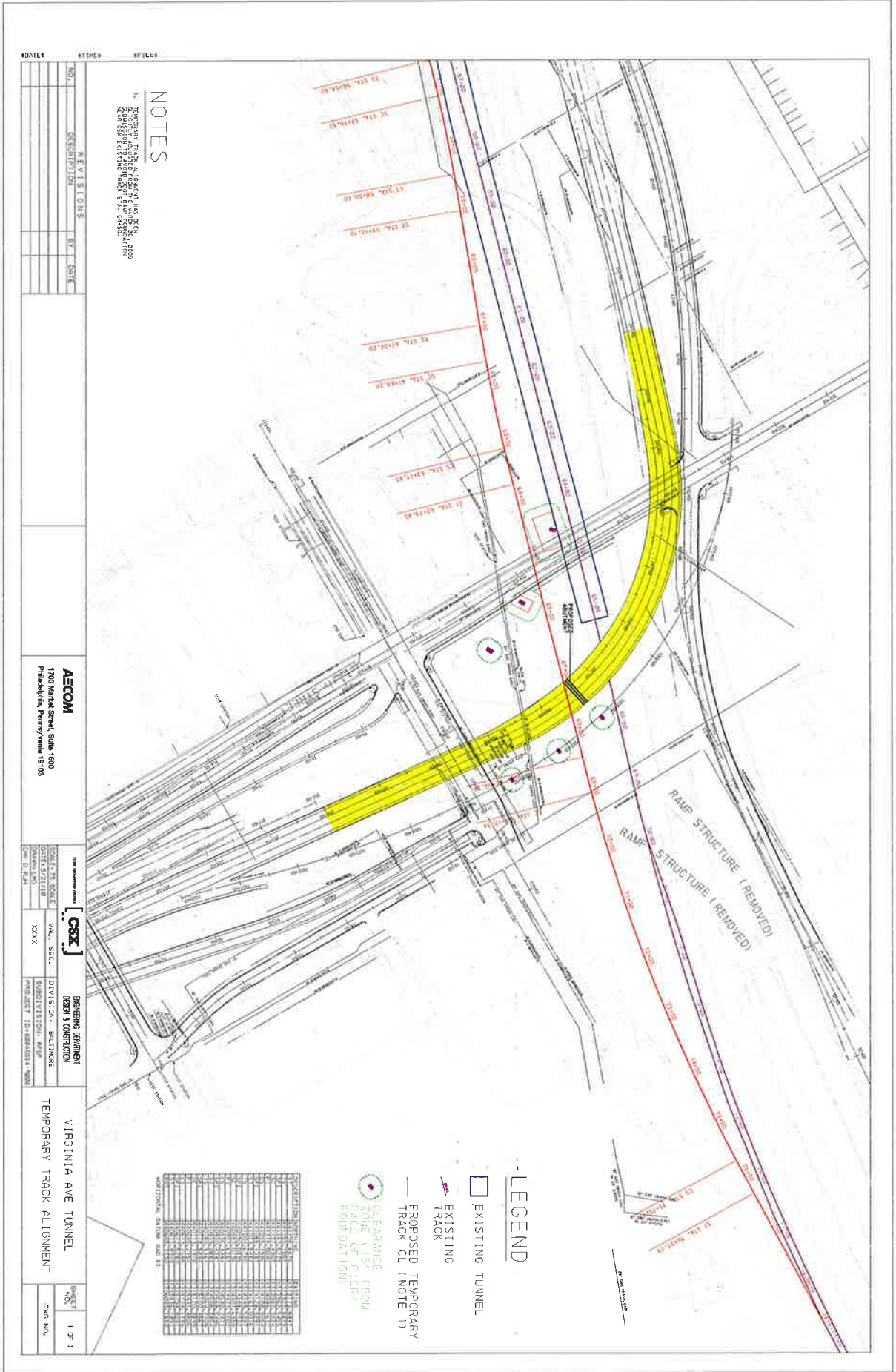
Detail cost breakdown as submitted on C: \$ 4,171,044

DBE Goal

For the additional item of Work described in this Change Order, the DBE goal shall be 15% for design and 6% for construction.

Impact Delay Analysis

Completion Dates:	Project Substantial Completion	May 23, 2013
	Project Final Completion	July 10, 2013



REVISIONS

NO.	DESCRIPTION	BY	DATE

NOTES

1. TEMPORARY TRACK ALIGNMENT HAS BEEN SHOWN ON THIS DRAWING. THE USER SHALL REFER TO THE EXISTING TRACK PLAN FOR THE EXISTING TRACK ALIGNMENT.

AECOM
 1700 Market Street, Suite 1000
 Philadelphia, Pennsylvania 19103

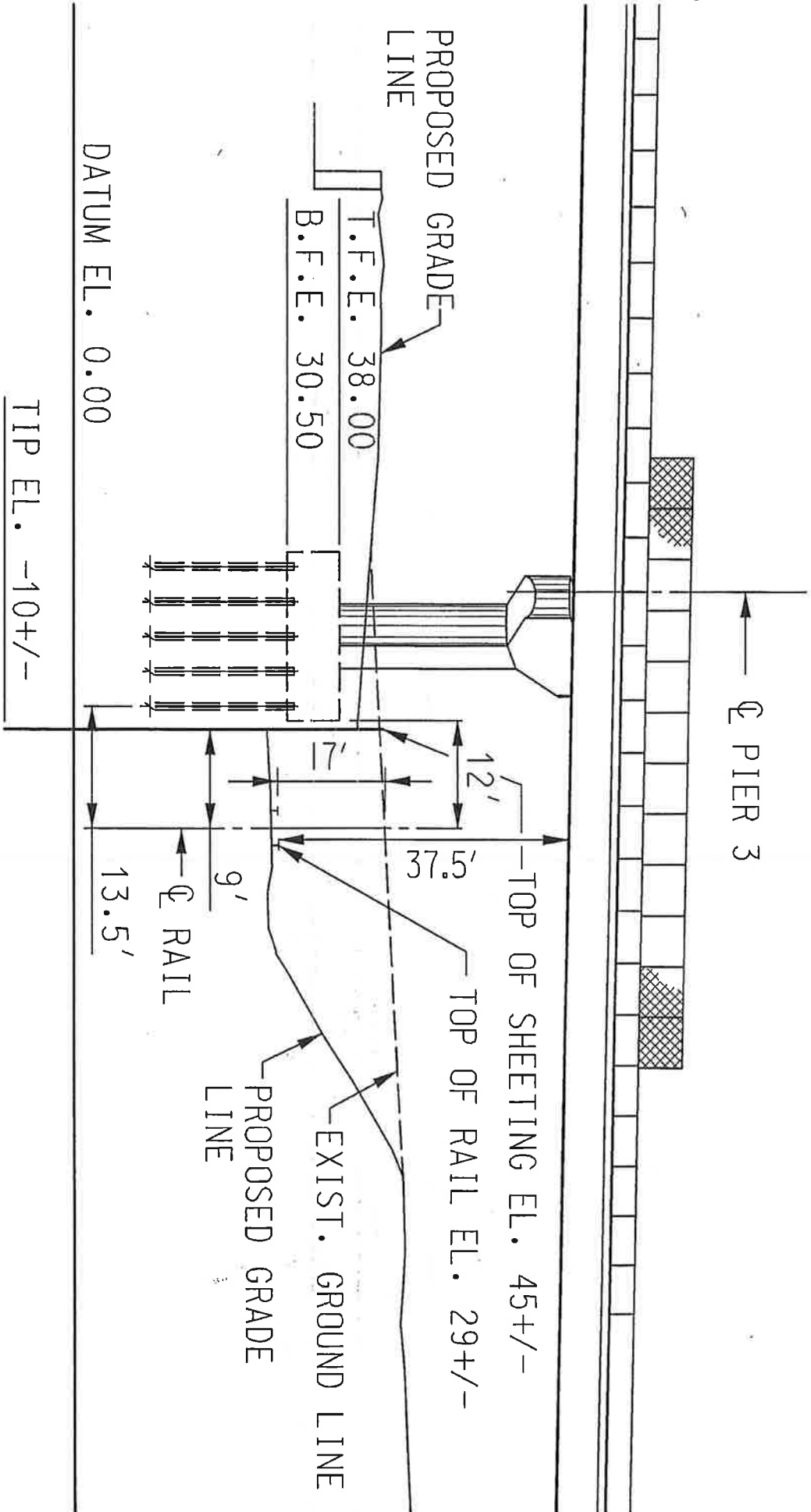
SCALE: AS SHOWN	DATE: 08/14/14	DESIGNER: JAC	CHECKER: JAC
PROJECT NO.: 11-000000	PROJECT NAME: 11TH STREET BRIDGE REPLACEMENT	DISTRICT: DISTRICT 1	SECTION: SECTION 1

VIRGINIA AVE TUNNEL
 TEMPORARY TRACK ALIGNMENT

STATIONING	EXISTING TRACK CL	PROPOSED TEMPORARY TRACK CL
11+00	11+00	11+00
11+10	11+10	11+10
11+20	11+20	11+20
11+30	11+30	11+30
11+40	11+40	11+40
11+50	11+50	11+50
11+60	11+60	11+60
11+70	11+70	11+70
11+80	11+80	11+80
11+90	11+90	11+90
12+00	12+00	12+00
12+10	12+10	12+10
12+20	12+20	12+20
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12+70	12+70	12+70
12+80	12+80	12+80
12+90	12+90	12+90
13+00	13+00	13+00
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14+80	14+80	14+80
14+90	14+90	14+90
15+00	15+00	15+00

LEGEND

- EXISTING TUNNEL
- EXISTING TRACK
- PROPOSED TEMPORARY TRACK CL (NOTE 1)
- CLEARANCE FROM FACE OF PIER FOUNDATION



7/27/10