

AMENDMENT NO. 3
TO CONTRACT NO. MS222-09R
BETWEEN
SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY
AND
MASS ELECTRIC CONSTRUCTION COMPANY
FOR
COMMUNICATIONS AND SIGNALS MAINTENANCE SERVICES

This Contract Amendment, effective July 1, 2016, is entered into by and between the SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY (hereinafter "Authority") and Mass Electric Construction Company (hereinafter "Contractor").

RECITALS

WHEREAS:

- I. Authority and Contractor entered into an agreement for communications and signal maintenance services on December 29, 2009.
- II. The Authority under Amendment No.1 revised Article 5, Annual Budget to revise due dates for services plans and annual budgets.
- III. The Authority under Amendment No. 2 revised Article 6, Payment and Invoicing to revise Appendix S as attached and amend Article 7, Term of Agreement to exercise the four-year option as approved by the Board on December 12, 2014 and extend the term to June 30, 2020.
- IV. The Authority hereby amends the contract under Amendment No. 3 to revise Article 2, Scope of Service, Paragraph 2.2.10.C, Purchasing Decisions

NOW, THEREFORE, Authority and Contractor hereby amend the Contract as follows:

- I. Article 2, Scope of Service, Paragraph 2.2.10.C, Purchasing Decisions, shall be deleted in its entirety and replaced with the following:

2.2.10.C Purchasing Decisions. In making purchasing decisions, Contractor shall exercise sound business judgment as to the need to purchase any item. Contractor shall purchase, where prudent and cost-effective, from local vendors, but shall in all circumstances take into account and give full consideration to factors to include, but not be limited to: price, delivery schedule, freight charges and all applicable federal, state and local regulations. Contractor shall

follow a competitive bidding process in accordance with the requirements listed in FTA Circular 4220.1F, including solicitation of bids from at least three sources for any purchase over \$3,000 and maintaining documentation to support competitiveness and reasonableness of price, including adequate justification for any sole source purchases.

As hereby amended, the Contract remains in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Contract Amendment to be executed as of the day first above written.

SOUTHERN CALIFORNIA
REGIONAL RAIL AUTHORITY

MASS ELECTRIC CONSTRUCTION
COMPANY

By:



Arthur T. Leahy
Chief Executive Officer

By:



APPROVED AS TO FORM:



DON O. DEL RIO
General Counsel