

**MODIFICATION # 6  
TO  
CONTRACT NUMBER 2001-035  
BETWEEN THE  
COMMONWEALTH OF VIRGINIA  
AND  
MOTOROLA, INC.**

This MODIFICATION # 6 is an agreement between the Commonwealth of Virginia through its Department of State Police, hereinafter referred to as "State" or "Commonwealth," and Motorola, Inc., hereinafter referred to as "Motorola," which modifies Contract Number 2001-035 (the "Contract") between the parties. This Modification # 6 is hereby incorporated into and made an integral part of the Contract effective July 13, 2004. This Modification will be effective as of the last date signed below.

The purpose of this Modification # 6 is increase the Contract Price to include the cost of lane closures in the Commonwealth tunnels, as required by the Virginia Department of Transportation ("VDOT").

Both parties agree to the following:

**1. Description of this Modification.**

As part of the STARS Project, Motorola is required to install transmission lines and bi-directional amplifiers in the walls of the six (6) Commonwealth tunnels listed below:

- a. Big Walker Mountain Tunnel
- b. Hampton Roads Tunnel
- c. Elizabeth River Downtown Tunnel
- d. Elizabeth River Midtown Tunnel
- e. Monitor/Merrimac Tunnel
- f. East River Mountain Tunnel

In order to complete this work, the tunnels lanes must be closed to all vehicular traffic, as required by VDOT. Motorola has hired a subcontractor to comply with VDOT's requirement, during the performance of this work.

**2. Modifications Costs.**

The following details the additional costs required, by tunnel, to complete lane closures, which will be paid by the Commonwealth.

<u>TUNNEL</u>	<u>LANE CLOSURE COST</u>
Big Walker Mountain	\$ 12,295.08
Hampton Roads Tunnel	\$ 46,106.56
Elizabeth River Downtown Tunnel	\$ 46,106.56

<u>TUNNEL</u>	<u>LANE CLOSURE COST</u>
Elizabeth River Midtown Tunnel	\$ 46,106.56
Monitor/Merrimac Tunnel	\$ 46,106.56
East River Mountain Tunnel	\$ 12,295.08
<b>TOTAL</b>	<b>\$ 209,016.40</b>

### 3. Contract Price Adjustments

Original Contract Value:	\$329,673,699.00
Amount of Previous Modifications numbered 1 through 5	\$1,418,520.00
This Change Order:	<b>\$209,016.40</b>
<b>New Contract Value:</b>	<b>\$331,301,235.40</b>

### 4. Completion Date Adjustments

None.

### 5. Milestone Payments – Tunnel Installations

In accordance with this Modification, the Milestone Payments for the Tunnel Installations are increased as follows:

<b>TUNNEL INSTALLATIONS</b>	<b>CONTRACT MILESTONES</b>	<b>THIS MODIFICATION NO. 6</b>	<b>NEW TUNNEL INSTALLATION MILESTONES</b>
Installation Hampton Roads	\$868,428.00	\$46,106.56	\$914,534.56
Installation Monitor/Merrimac	\$590,308.00	\$46,106.56	\$636,414.56
Installation East River Mountain	\$657,511.00	\$12,295.08	\$669,806.08
Installation Elizabeth River Downtown	\$435,538.00	\$46,106.56	\$481,644.56
Installation Big Walker Mountain	\$540,133.00	\$12,295.08	\$552,428.08
Installation Elizabeth River Midtown	\$518,231.00	\$46,106.56	\$564,337.56

The foregoing is the complete and final expression of the parties' agreement to modify Contract 2001-035 and cannot be modified, except by a writing signed by duly authorized representatives of both parties. If there are any inconsistencies between the provisions of this Modification and the provisions of the Contract, the provisions of this Modification will prevail.

