

**MODIFICATION # 20
TO
CONTRACT NUMBER 2001-035
BETWEEN THE
COMMONWEALTH OF VIRGINIA
AND
MOTOROLA, INC.**

This MODIFICATION #20 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 #20 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 #20 is to add to the Contract Price the additional site costs incurred during the Fork Mountain construction, as well as reimbursement for the removal and relocation of all subscribers completed through July 27, 2007.

Both parties agree to the following:

1. Description of this Modification.

A. Overview.

(1) **Additional Fork Mountain Site Work:** The costs included in this Modification pertain to the additional rock that was discovered after work at the Fork Mountain Site began. The costs incurred by Motorola are for the additional rock removal and the necessary Site civil work. Associated costs are detailed in Attachment A, which is attached hereto and incorporated herein.

(2) **Relocation and Removal of Subscribers:** Costs included in this Modification include the relocation and removal of all subscribers performed for STARS through July 27, 2007. The costs for this service are delineated in Contract Appendix 24B – STARS Contract Pricing. Detailed subscribers counts and associated costs are included in Attachment B, which is attached hereto and incorporated herein.

B. Modification of Contract Price.

The following summarizes the increase in the Contract Price for the above-described additional services performed by Motorola:

Description	Price
Fork Mountain – Additional Site Work	\$181,341.00
Subscribers – Removal and Relocation	\$296,755.00
Grand Total For This Modification #20	\$478,096.00

2. Contract Price Adjustments.

Original Contract Value:	\$329,673,699.00
Amount of Previous Modifications numbered 1 through 9 and 12 through 19	\$7,999,194.49
Amount of Modification numbered 10	Pending
Contract Modification numbers 21 and 22	207,200.00
Contract Modification number 23	(436,794.00)
This Modification #20:	\$478,096.00
New Contract Value:	\$337,921,395.49

3. Completion Date Adjustments.

None.

4. Milestone Payments.

In accordance with this Modification #20, the following Milestone Payments are added to the Contract:

MONTH AND QUARTER	MILESTONE NAME	CONTRACT MILESTONE	MILESTONE AS OF MODIFICATION NO. 20
Q3'07	Completion of work as described in this Modification #20	N/A	\$478,096.00
MODIFICATION #20 TOTAL			\$478,096.00

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 #20 and the provisions of the Contract, the provisions of this Modification #20 will prevail.

ALL OTHER TERMS AND CONDITIONS OF THE CONTRACT REMAIN UNCHANGED AND SHALL REMAIN IN FULL FORCE.

PERSONS SIGNING THIS CONTRACT MODIFICATION ARE AUTHORIZED REPRESENTATIVES OF EACH PARTY TO THIS CONTRACT AND ACKNOWLEDGE THAT EACH PARTY AGREES TO BE BOUND BY THE TERMS AND CONDITIONS OF THIS CONTRACT MODIFICATION.

MOTOROLA, INC.

COMMONWEALTH OF VIRGINIA

Department of State Police

BY: (Signature on File)
Mark McNulty
MSSI Vice President

BY: (Signature on File)
Colonel W. Steven Flaherty
Superintendent

DATE: March 6, 2008

DATE: March 14, 2008

Reviewed by: (Signature on File)
Michael Archbold
Motorola Project Manager

BY: (Signature on File)
Patricia T. Trent, CPPB, VCO
Procurement and Contract Officer

DATE: March 10, 2008

DATE: March 10, 2008

Attachment A

Fork Mountain Site – Additional Costs

- 1 ***De-mobilize and remobilize equipment and materials to the site*** \$14,111
All equipment was removed in the fall and brought back to the site in May
- 2 ***Change in shelter pad size from 11'8 x 34' to 13'6 a 40*** \$8,530
additional excavation, backfill, formwork reinforcing steel and concrete
- 3 ***Rock removal at Tower foundation*** \$35,078
Rock was encountered at the surface, which was not depicted in the geo report (4.5-5ft)
No breaking of rock was included in our cost or shown on drawings.
Price includes excavator and hydraulic breaker, mobilizing equipment to site and backhoe to remove rock and labor
- | | | |
|-------|-----|-------------------|
| labor | 120 | hrs straight time |
| | 93 | hrs overtime |
- Equipment Excavator (in)
 Hydraulic breaker (in)
 Backhoe (in)
fuel and maintenance
- 4 ***Rock removal at Propane pad and shelter foundation*** \$27,364
Rock was encountered at the surface
No breaking of rock was included in our cost or shown on drawings.
Price includes excavator and hydraulic breaker, mobilizing equipment to site and backhoe to remove rock and labor.
- | | | |
|-------|-----|-------------------|
| labor | 120 | hrs straight time |
| | 57 | hrs overtime |
- Equipment Excavator (out)
 Hydraulic breaker (out)
 Backhoe
 Drum roller (In and Out)
fuel and maintenance
- 5 ***Tower Pier height change*** \$4,307
This is for additional concrete and steel.
This was due to the fact that portions of the granite we were not able to remove pick up and delivery of additional steel.
- 6 ***Tower Pad reinforcing steel changes*** \$2,765
Additional reinforcing steel at pad, revised dowels at piers and additional circular ties.
Price includes material delivery and transportation to the top of the mountain.

7	<p>Additional fill required due to revised finish grades</p> <p><i>The offsite fill on the site was increased by 300 cu yards due to the increase in elevation of this site.</i></p> <p><i>This was due to the fact that portions of the granite were not able to be removed and the site was raised almost 12 inches</i></p>	\$15,353
8	<p>Increases in Material and Fuel Costs since July 2005 :</p> <p><i>Because of the dramatic increases in fuel, we were billed an additional 6-9% on each load 3000 tons of material were brought to the site - because of road conditions 150 trips were required to complete the effort</i></p> <p>Concrete (fuel and concrete cost increases on 200 cu yards of concrete) \$11,564</p> <p>Increase in Fuel Costs - \$4,025</p> <p>Increase in Material Costs - \$7,539</p> <p>Steel (fuel costs and material increases) no charge</p> <p>Offsite fill (Increase in fuel and material costs on 2000 cu yards of material) \$22,770</p> <p>Increase in Fuel Costs - \$15,879</p> <p>Increase in Material Costs - \$6,891</p> <p>access road and compound Stone (fuel costs and material increases) no charge</p>	
9	<p>Replace Grounding plates</p> <p><i>Replaced the ground plates specified on the drawings with plates that were requested by STARS</i></p> <p><i>cost of plates only and labor to replace</i> \$14,789</p> <p><i>trenching or backfill is <u>NOT INCLUDED</u> (this cost alone was \$11,250)</i></p>	
10	<p>Provide electrician to wire 6 PDU transectors</p> <p style="text-align: right;">18 straight time</p> <p style="text-align: right;">18 overtime</p>	\$4,399
11	<p>100kva Temporary Generator</p> <p>8/24/06-9/19/06</p> <p>include fuel, maintenance, install and connection fees</p> <p>875 gallons of fuel</p>	\$20,311
		Total Site Increase \$181,341

Attachment B

**Subscriber Count and
Costs for Removal and Relocation of Subscribers**

Costs as Outlined on Contract Price Pages - Appendix 24B		
	Subscriber Removals	Subscriber Relocations
Qty Per Vehicle	4	2
Cost	\$387	\$193
Cost Per Unit	\$96.75	\$96.50

Of of Units Completed Thru 7/27/2007	2,771	297
Total Cost to Complete	\$268,094	\$28,661
		\$296,755