



**ARLINGTON COUNTY, VIRGINIA
AGREEMENT NO. 20-DES-ITB-235-9**

**CONTRACT EXTENSION
AMENDMENT NUMBER 4**

This **Amendment Number 4** is made on 3/3/2024 and amends Agreement Number **20-DES-ITB-235-9** ("Main Agreement") dated April 9, 2021, between **W. M. Schlosser Co., Inc.** ("Contractor") and the **County Board of Arlington County, Virginia** ("County").

The County and the Contractor agree to amend the Main Agreement as follows:

1. Contract Term:

The "Contract Term" covered by this Notice of Contract Extension is retroactively effective **October 1, 2022**, and expires **July 6, 2024**, subject to any modifications as provided for in the Contract Documents. Substantial Completion shall be achieved by May 7, 2024 followed by Final Completion on July 6, 2024.

This retroactive contract extension is to allow contract to remain active while work is ongoing. For those open PCOs that require an agreement of the parties to determine the path forward, the County and WMS have agreed to work together to come to an amicable result, realizing that any negotiations are intended to establish the amount of delay attributable to WMS performance as well as any delays outside of WMS's control. Any delay in providing documentation for negotiation **may** be the basis for establishing the dollar amount of liquidated damages to be deducted from future invoices.

2. General Conditions, G. Measurement and Payment, item 4.j. County Ordered Changes in Work:

By signing this Amendment No. 4, the Parties agree to the term as listed in Item #1 of this amendment. The term listed may be subject to change pending the agreement and/or the negotiation of outstanding and future Project Change Order's (PCO's). Such outstanding PCO's shall include those related time, work, and money. The Parties agree to work in good faith to come to agreement for all PCO's, therefore this amendment and extension of time does not waive the County's right to assess liquidated damages, according to Section 11. Liquidated Damages of the original Agreement. Similarly, WMS does not waive its right to seek additional compensation for extended contract performance and other related expenses.

All other terms and conditions of the Agreement remain in full force and effect.

WITNESS these signatures:

THE COUNTY BOARD OF ARLINGTON
COUNTY, VIRGINIA

W. M. SCHLOSSER CO., INC.

PRINT: DR. SHARON T. LEWIS
SIGNATURE: Dr. SHARON T. LEWIS
TITLE: Purchasing Agent
DATE: 3/3/2024

PRINT: Andrew Schlosser
SIGNATURE: Andrew Schlosser
TITLE: President
DATE: 2/29/2024