

EXHIBIT 10

PRICE ADJUSTMENT FOR FUEL

VIRGINIA DEPARTMENT OF TRANSPORTATION SPECIAL PROVISION FOR OPTIONAL ADJUSTMENT FOR FUEL DESIGN-BUILD PROJECTS

In the event the Design-Builder elects to seek price adjustment for fuel items designated in the Price Proposal, such items will be subject to price adjustment as set forth herein. Other items will not be adjusted, except as otherwise specified in the contract.

The Design-Builder shall submit its monthly Application for Payment with an adjustment up or down as appropriate for cost changes in fuel used on specific items of Work identified in this provision. The optional fuel item listing eligible for fuel adjustment is provided by the Department at this website:

www.virginiadot.org/business/const/resource.asp.

The listing on the web site also includes the corresponding fuel factor for each item. The fuel usage factor for each item is considered inclusive of all fuel usage.

To be eligible for fuel adjustment under this provision, the Design-Builder shall clearly identify in the Schedule of Values those pay items and the associated quantities to which it chooses to have fuel adjustment applied. Items the Design-Builder claims in its Application for Payment for fuel adjustments must be properly designated to be considered for adjustment. Items not properly designated or left out of the Design-Builder's Schedule of Values shall not be considered for adjustment.

The monthly index price to be used in the administration of this provision will be calculated by the Department from the diesel fuel prices published by the U.S. Department of Energy, Energy Information Administration on highway diesel prices, for the Lower Atlantic region. The monthly index price will be the price for diesel fuel calculated by averaging each of the weekly posted prices for that particular month.

For the purposes of this provision, the base index price (the "Base Index Price") will be calculated using the data from the month preceding the receipt of bids. The Base Index Price will be posted by the Department at the beginning of the month for all bids received during that month.

The applied index price (the "Current Index Price") will be posted by the Department and will be calculated using the data from the month preceding the particular Application for Payment.

The current monthly quantity for eligible items of Work selected by the Design-Builder for fuel adjustment will be multiplied by the appropriate fuel factor to determine the gallons of fuel to be cost-adjusted. The amount of adjustment per gallon will be the net difference between the Base Index Price and the Current Index Price. Computation for adjustment will be made as follows:

$$S = (E - B) QF$$

Where; S = Monetary amount of the adjustment (plus or minus)

B = Base index price

E = Current index price

Q = Quantity of individual units of Work

F = Appropriate fuel factor

Adjustments will not be made for Work performed beyond the original contract time limit unless the original time limit has been changed by an executed Work Order.

If new pay items are added to this contract by Work Order and they are listed in the Department's master listing of eligible items, the Work Order must indicate which of these individual items will be cost-adjusted; otherwise, those items will not be cost-adjusted. If applicable, designating which new pay items will be added for fuel adjustment must be determined during development of the Work Order and clearly shown on the Work Order form. The Base Index Price on any new eligible pay items added by Work Order will be the Base Index Price as of the date such new eligible pay items are added to the scope of the contract. The Current Index Price for any new eligible pay items added by Work Order will be the index price posted for the month preceding the Application for Payment pursuant to which the Work Order is paid.

When quantities differ between the last monthly application of payment prepared upon final acceptance and the final application of payment, adjustment will be made using the appropriate Current Index Price for the period in which that specific item of Work was last performed.

In the event any of the Base Index Prices in this contract increase more than one hundred percent (100%) (*i.e.*, fuel prices double), the Department will review each affected item of Work and give the Design-Builder written notice if Work is to stop on any affected item of Work. The Department reserves the right to reduce, eliminate, or renegotiate the price for remaining portions of affected items of Work.

Any amounts resulting from fuel adjustment will not be included in the total cost of Work for determination of progress.

☒ I elect to use this provision

☐ I elect not to use this provision

Date: February 8th, 2019

Signature: _____

Design-builder: Hampton Roads Connector Partners JV

Vendor No.: _____

PRICE ADJUSTMENT FOR ELIGIBLE FUEL ITEMS ON DESIGN-BUILD PROJECTS

Must be supplied with Price Proposal for Department Participation

DATE FOR RECEIPT OF PRICE PROPOSAL: FEBRUARY 8th, 2019

Item Number	Item Description	Quantity	Unit
10416	LIQUID ASPHALT	213,905	GAL
10061	ASPHALT-STAB.OPEN-GRADED MATERIAL	12,700	TON
10652	SMA-12.5	43,500	TON
10654	SMA-19.0	48,900	TON
10612	BM-25	100,800	TON
	FRICTION COURSE	50,250	SY
	SELECT MATERIAL	362,988	TON
	ARMOR STONE	319,470	TON
	R.C.C CONCRETE	117,720	CY
10013	CEMENT TREATED AGG	134,310	TON
26117	DRY RIPRAP	413148	TON
24410	DEMO OF PAVEMENT	261,450	SY
	1500 PSI CONCRETE	29,555	CY
	2000 PSI CONCRETE	5,178	CY
65013	CLASS A3 CONCRETE	9,474	CY
65014	CLASS A4 CONCRETE	318,591	CY
	5000 PSI CONCRETE	4,161	CY
	6000 PSI CONCRETE	15,386	CY
00120	REGULAR EXCAVATION	127,167	CY
00150	EMBANKMENT	91,100	CY
00211	PIPE EXCAVATION	18,898	CY
	STRUCTURAL EXCAVATION	385,975	CY
	TUNNEL EXCAVATION	977,500	CY