

**AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT**

1. Contract ID Code  
Firm Fixed Price

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2. Amendment/Modification No. P00001	3. Effective Date 2014DEC05	4. Requisition/Purchase Req No. SEE SCHEDULE	5. Project No. (If applicable)
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6. Issued By DLA LAND WARREN JAMAL BROOKS WARREN, MI 48397-5000 HTTP://CONTRACTING.TACOM.ARMY.MIL  EMAIL: JAMAL.M.BROOKS.CIV@MAIL.MIL	Code SPRDL1	7. Administered By (If other than Item 6) DCMA TWIN CITIES 5600 WEST AMERICAN BOULEVARD SUITE 600 BLOOMINGTON MN 55401	Code S2401A
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8. Name And Address Of Contractor (No., Street, City, County, State and Zip Code)  AMERICAN DEFENSE INDUSTRIES, INC. 6400 GATEWAY DR GRAND FORKS, ND 58203-1016	<input type="checkbox"/>	9A. Amendment Of Solicitation No.
	<input type="checkbox"/>	9B. Dated (See Item 11)
	<input checked="" type="checkbox"/>	10A. Modification Of Contract/Order No. SPRDL1-13-C-0101
	<input type="checkbox"/>	10B. Dated (See Item 13) 2013JUN19
Code 3YEZ1	Facility Code	

**11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS**

The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers

is extended,  is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing items 8 and 15, and returning \_\_\_\_\_ copies of the amendments; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. **FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER.** If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

**12. Accounting And Appropriation Data (If required)**

ACRN: AA NET DECREASE: -\$86,328.00

**13. THIS ITEM ONLY APPLIES TO MODIFICATIONS OF CONTRACTS/ORDERS  
It Modifies The Contract/Order No. As Described In Item 14.**

<input type="checkbox"/>	A. This Change Order is Issued Pursuant To: The Contract/Order No. In Item 10A.	The Changes Set Forth In Item 14 Are Made In
<input type="checkbox"/>	B. The Above Numbered Contract/Order Is Modified To Reflect The Administrative Changes (such as changes in paying office, appropriation data, etc.) Set Forth In Item 14, Pursuant To The Authority of FAR 43.103(b).	
<input type="checkbox"/>	C. This Supplemental Agreement Is Entered Into Pursuant To Authority Of:	
<input checked="" type="checkbox"/>	D. Other (Specify type of modification and authority)	52.249-8 Termination for Default

**E. IMPORTANT:** Contractor  is not,  is required to sign this document and return \_\_\_\_\_ copies to the Issuing Office.

**14. Description Of Amendment/Modification (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)**

SEE SECOND PAGE FOR DESCRIPTION

Except as provided herein, all terms and conditions of the document referenced in item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. Name And Title Of Signer (Type or print)	16A. Name And Title Of Contracting Officer (Type or print) MICHAEL BISSIG MICHAEL.J.BISSIG.CIV@MAIL.MIL (586)282-3151		
15B. Contractor/Offeror  (Signature of person authorized to sign)	15C. Date Signed	16B. United States Of America By _____ /SIGNED/ (Signature of Contracting Officer)	16C. Date Signed 2014DEC05

<b>CONTINUATION SHEET</b>	<b>Reference No. of Document Being Continued</b>	<b>Page 2 of 5</b>
	PIIN/SIIN SPRDL1-13-C-0101	MOD/AMD P00001
<b>Name of Offeror or Contractor:</b> AMERICAN DEFENSE INDUSTRIES, INC.		

SECTION A - SUPPLEMENTAL INFORMATION

Buyer Name: JAMAL BROOKS  
 Buyer Office Symbol/Telephone Number: ZGA/(586)282-3171  
 Type of Contract: Firm Fixed Price  
 Kind of Contract: Supply Contracts and Priced Orders  
 Type of Business: Other Small Business Performing in U.S.  
 Surveillance Criticality Designator: C

\*\*\* End of Narrative A0000 \*\*\*

Modification P00001 to SPRDL1-13-C-0101

CONTRACT FOR:	Shipping and Storage
PRIOR CONTRACT AMOUNT:	\$123,497.00
AMOUNT DELIVERED TO DATE:	\$37,169.00
AMOUNT OF THIS MODIFICATION:	(\$86,328.00)
NEW CONTRACT AMOUNT:	-0-

- Contract SPRDL1-13-C-0101 entered into by and between the UNITED STATES OF AMERICA (hereinafter called the "Government", represented by the Contracting Officer executing this document, and American Defense Industries, Incorporated (hereinafter called the "Contractor") under date of 2013JUNE19 is hereby terminated.
- Such termination (in accordance with clause entitled, "Default", (FAR 52.249-8) of Contract SPRDL1-13-C-0101) will be effective immediately upon receipt of this notice of termination.
- The acts or omissions constituting the default consist of failure to comply with the requirement of the clause entitled, "Delivery Schedule" (52.242-4022) found in Contract SPRDL1-13-C-0101.
- Said failure constitutes breach of the Contract and is proper for default of Contract SPRDL1-13-C-0101. The right of the Contractor to proceed further with performance of current and future delivery orders against Contract SPRDL1-13-C-0101 is terminated.
- This Notice of Termination constitutes a decision pursuant to the "Disputes" clause of Contract SPRDL1-13-C-0101 that the Contractor is in default, as hereby specified, and that the failure enumerated is not due to causes beyond the control of the Contractor but are within the fault or negligence of the Contractor. As such, the Contracting Officer finds and determines as a final decision that the Contractor's failure to perform is not excusable.
- This is the final decision of the Contracting Officer. This decision may be appealed to the Armed Services Board of Contract Appeals (ASBCA).
- If you decide to make such an appeal, you must mail or otherwise furnish written notice thereof to the ASBCA within ninety (90) days from the date you received this decision. A copy thereof shall be furnished to the Contracting Officer from whose decision the appeal is taken. The notice shall indicate that an appeal is intended, shall reference this decision and identify the Contract by number.
- If any dispute resulting from the decision hereinabove set forth involves an amount which is Fifty Thousand Dollars (\$50,000.00) or less, there is available at the sole election of the Contractor an Optional Accelerated Procedure of the Board (Rule 12). In order to invoke such a procedure, the Contractor must request that an appeal be processed under Rule 12.
- If any dispute resulting from the decision hereinabove set forth involves an amount not in excess of One Hundred Thousand Dollars (\$100,000.00), there is also available at the sole election of the Contractor an Optional Accelerated Procedure of the Board (Rule 12). In order to invoke such a procedure, the Contractor must request that an appeal be processed under Rule 12.
- Instead of appealing to ASBCA, you may bring an action directly in the U.S. Court of Federal Claims (except as provided in the Contract Disputes Act of 1978, 41 USC 603 regarding Maritime Contracts) within twelve (12) months of the date you receive this decision.

\*\*\* END OF NARRATIVE A0003 \*\*\*

CONTINUATION SHEET

Reference No. of Document Being Continued  
 PIIN/SIIN SPRDL1-13-C-0101 MOD/AMD P00001

Name of Offeror or Contractor: AMERICAN DEFENSE INDUSTRIES, INC.

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
	SECTION B - SUPPLIES OR SERVICES AND PRICES/COSTS				
0001	SHIPPING AND STORAG NSN: 8145-01-599-6329 Mfr CAGE: 19207 Mfr Part Number: 12504455				
0001AA	<p><u>Production Quantity</u></p> <p>COMMODITY NAME: SHIPPING AND STORAG                      CLIN CONTRACT TYPE:                          Firm Fixed Price                      PRON: EH27E155EH PRON AMD: 02 ACRN: AA                      AMS CD: SM2B1100000                      PSC: 8145</p> <p><u>Description/Specs./Work Statement</u>                      TOP DRAWING NR: TDP_12504455                      DATE: 20-JAN-2012</p> <p><u>Packaging and Marking</u>                      PACKAGING/PACKING/SPECIFICATIONS:                          SEE PACKAGING CLAUSE FOR DETAILS                      LEVEL PRESERVATION: Commercial                      LEVEL PACKING: Commercial</p> <p><u>Inspection and Acceptance</u>                      INSPECTION: Origin ACCEPTANCE: Origin</p> <p><u>Deliveries or Performance</u>                      DOC SUPPL  <u>REL CD MILSTRIP ADDR SIG CD MARK FOR TP CD</u>                      001 W56HZV2013T841 W25G1U J 2  <u>DEL REL CD QUANTITY DEL DATE</u>                      001 31 16-DEC-2013</p> <p>FOB POINT: Origin</p> <p>SHIP TO:                      (W25G1U) SR W1BG DLA DISTRIBUTION                      DDSP NEW CUMBERLAND FACILITY                      2001 NORMANDY DRIVE DOOR 113 TO 134                      NEW CUMBERLAND, PA, 17070-5002</p>	31	EA	\$ 1,199.00000	\$ 37,169.00



**CONTINUATION SHEET**

**Reference No. of Document Being Continued**

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**PIIN/SIIN** SPRDL1-13-C-0101

**MOD/AMD** P00001

**Name of Offeror or Contractor:** AMERICAN DEFENSE INDUSTRIES, INC.

SECTION G - CONTRACT ADMINISTRATION DATA

LINE	PRON/ AMS CD/ MIPR/ <u>ITEM</u>	OBLG <u>STAT</u>	JO NO/ <u>ACCT ASSIGN</u>	<u>ACRN</u>	<u>PRIOR AMOUNT</u>	<u>INCREASE/ DECREASE</u>	<u>CUMULATIVE AMOUNT</u>
0001AA	EH27E155EH SM2B1100000	2		AA	\$ 123,497.00	\$ -86,328.00	37,169.00
					NET CHANGE	\$ -86,328.00	

<u>ACRN</u>	<u>ACCOUNTING CLASSIFICATION</u>				<u>INCREASE/ DECREASE</u>
AA	97 X4930AC9D 6D	26KB	S20113	W56HZV	\$ -86,328.00
					NET CHANGE \$ -86,328.00

	<u>PRIOR AMOUNT OF AWARD</u>	<u>INCREASE/DECREASE AMOUNT</u>	<u>CUMULATIVE OBLIG AMT</u>
NET CHANGE FOR AWARD:	\$ 123,497.00	\$ -86,328.00	\$ 37,169.00

LINE	<u>ITEM</u>	<u>ACRN</u>	<u>EDI/SFIS ACCOUNTING CLASSIFICATION</u>		
0001AA	AA	97	0X0X4930AC9D	S20113	6D0000SM2B110000026KB S20113 W56HZV