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	PIIN/SIIN W56HZV-07-D-M112/0266 MOD/AMD 91	
Name of Offeror or Contractor: GM GDLS DEFENSE GROUP, L.L.C.		

SECTION A - SUPPLEMENTAL INFORMATION

Buyer Name: SHANNON ZEMKE
 Buyer Office Symbol/Telephone Number: CCTA-AIP-A/(586)282-2130
 Type of Contract: Firm Fixed Price
 Kind of Contract: Service Contracts
 Type of Business: Large Business Performing in U.S.
 Surveillance Criticality Designator: B
 Weapon System: Miscellaneous Combat Vehicles

*** End of Narrative A0000 ***

1. This Modification 91 to Delivery Order 0266 under Requirements Contract W56HZV-07-D-M112 is a supplemental agreement.
2. The purpose of this modification is to authorize conditional acceptance of 17 NBCRVs.
3. Conditional Acceptance. The conditional acceptance terms and conditions specified in Modifications 17, 26, 46, 48, 56, 60, 66, 75 and 83 are hereby augmented. Except as stated below, all other terms and conditions of Modifications 17, 26, 46, 48, 56, 60, 66, 75 and 83 remain in effect.
 3. Conditional Acceptance Agreement.
 - a. The conditional acceptance of NBCRV vehicles is contingent upon full compliance with the terms and conditions of this modification. Failure to meet any requirement contained herein, or failure to comply with any milestone identified in this modification, any retrofit or corrective action requirements or any other condition of the modification, may upon PCO review be grounds for revoking this modification and may end the conditional acceptance agreement.
 - b. Furthermore, the Contracting Officer may suspend this vehicle conditional acceptance agreement based on the Contractor's failure to comply with other Stryker Program contractual agreements.
 4. Part Shortages. Any part shortage not covered under this modification requires Procuring Contracting Officers approval. The contractor shall install the part shortages and test/inspect to the applicable FIR paragraph at Anniston prior to shipment. The Contractor reserves its right to an equitable adjustment in the event the cost to install GFM in the field costs more than installation in the production facility. The DD 250 must be annotated for any GFM/CFM shortages or any GFM/CFM present, but overpacked in lieu of installed.
 5. NBCRV vehicles scheduled may be conditionally accepted under the following conditions:
 - a. Vehicles may be conditionally accepted with nonconforming Oil Coalescing Filter (Part Number LS1077151), missing the pop-up pressure indicator.
 - b. The total number of NBCRVs that are authorized for conditional acceptance under this action is 17. This 17 quantity includes deliveres scheduled for August and September 2013 only.
 - c. The Contractor shall provide a Corrective Action Plan (CAP)/retrofit plan and schedule no later than 13 September 2013.
 - d. The contractor shall also provide a Field Service Bulletin no later than 13 September 2013 detailing inspection and maintenance of nonconforming Oil Coalescing Filters until they can be retrofitted with the correct configuration.
 - e. The Contractor shall complete the above items at no additional cost to the Government. The Contractor shall charge any associated costs related to these efforts to the applicable Stryker Program firm-fixed price production Delivery Order (0036, 0046, 0256 or 0266) under Contract W56HZV-07-D-M112.
6. Vehicle Price Withhold.
 - a. Oil Coalescing Filter (Part Number LS1121200), new part that is identified as a conforming part with the pop-up pressure indicator.
 - i. A price withhold of \$70,272 (inclusive of \$64,896 for material) is established for the next August vehicle (NBCRV141) as a retroactive withhold for 63 previously vehicles accepted across Delivery Orders 0036, 0046, 0256 and 0266 (NBCRV77-current production) plus this current vehicle, for a total of 64 vehicles.
 - ii. A price withhold of \$1098 (inclusive of \$1014 for material) is established for each additional NBCRV Stryker vehicle

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delivered, upto 17 total vehicles, containing non-conforming Oil Coalescing Filter (Part Number LS1077151), and with conforming Oil Coalescing Filter (Part Number LS1121200) not installed.

iii. Each vehicle DD 250 shall be annotated with rationale for the withhold and the amount of the withhold.

iv. The Contractor shall install conforming Oil Coalescing Filter (Part Number LS1121200) at no additional cost to the Government. The Contractor shall charge any associated costs related to these efforts to the applicable Stryker Program firm-fixed price production Delivery Order (0036, 0046, 0256 or 0266) under Contract W56HZV-07-D-M112.

7. Withhold Recovery. The Contractor may invoice for any vehicle price withhold presented in the above paragraph, as referenced on the DD 250 for each vehicle, in the following manner:

a. The Contractor may invoice for 100% of the material value when the Contractor certifies and the Government verifies that replacement parts/material are available for vehicle application.

b. The Contractor may invoice for any vehicle price withhold when the vehicle installation/retrofit has been completed and verified with an ECAR signed by an authorized Government representative.

c. The Contractor shall verify that the efforts were performed at no additional cost to the Government, and any costs associated with the effort were charged to the applicable Stryker Program firm-fixed price production Delivery Order (0036, 0046, 0256 or 0266) under Contract W56HZV-07-D-M112.

8. As a result of this Modification 91, the total price of Delivery Order 0266 is neither increased nor decreased. Except as specifically stated above, all other terms and conditions of Delivery Order 0266 remain unchanged and in full force and effect.

*** END OF NARRATIVE A0093 ***