

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. Contract ID Code
Firm Fixed Price

Page 1 Of 3

2. Amendment/Modification No. P00047	3. Effective Date 2013AUG28	4. Requisition/Purchase Req No. SEE SCHEDULE	5. Project No. (If applicable)
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6. Issued By U.S. ARMY CONTRACTING COMMAND THOMAS C. ZAVERA WARREN, MICHIGAN 48397-5000 HTTP://CONTRACTING.TACOM.ARMY.MIL EMAIL: THOMAS.C.ZAVERA@US.ARMY.MIL	Code W56HZV	7. Administered By (If other than Item 6) DCMA PHILADELPHIA 700 ROBBINS AVENUE, BLDG 4-A P.O. BOX 11427 PHILADELPHIA PA 19111-0427	Code S3915A
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8. Name And Address Of Contractor (No., Street, City, County, State and Zip Code) BAE SYSTEMS LAND & ARMAMENTS L.P. 1100 BAIRS RD YORK, PA 17408-8975	<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. W56HZV-09-C-0408
	<input type="checkbox"/>	10B. Dated (See Item 13) 2009MAR31
Code 06085	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)

NO CHANGE TO OBLIGATION DATA

**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 checked="" type="checkbox"/>	C. This Supplemental Agreement Is Entered Into Pursuant To Authority Of:	Mutual Agreement
<input type="checkbox"/>	D. Other (Specify type of modification and authority)	

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) LISA M. JONES LISA.M.JONES3@US.ARMY.MIL (586)282-6973		
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 2013AUG28

CONTINUATION SHEET	Reference No. of Document Being Continued	Page 2 of 3
	PIIN/SIIN W56HZV-09-C-0408 MOD/AMD P00047	
Name of Offeror or Contractor: BAE SYSTEMS LAND & ARMAMENTS L.P.		

SECTION A - SUPPLEMENTAL INFORMATION

Buyer Name: THOMAS C. ZAVELA
 Buyer Office Symbol/Telephone Number: CCTA-AHP-A/(586)282-4870
 Type of Contract: Firm Fixed Price
 Kind of Contract: Supply Contracts and Priced Orders
 Type of Business: Large Business Performing in U.S.
 Surveillance Criticality Designator: B
 Weapon System: Recovery Vehicle, M51/M74/M88
 Contract Expiration Date: 2014SEP30

*** End of Narrative A0000 ***

CONTRACT: W56HZV-09-0408
 MODIFICATION: P00047
 Prepared by: TZ

Previous Contract Amount: \$455,988,896.64
 Amt of this Modification: \$ 0.00
 Total Contract Amount: \$455,988,896.64

1. The purpose of this modification P00047 is to:

- a. Extend the conditional acceptance previously authorized by Modifications P00040 and P00043 of this contract due to the Auxiliary Power Unit (APU) Assembly (Part Number 12367093) non-conformance.
- b. Conditionally accept vehicles on this contract due to lack of Vision Block (12357798-2) due to incomplete First Article Test (FAT).

2. APU Conditional Acceptance

Vehicles scheduled to be delivered under SLINs 0015AA, 0015AD, 0015AE for August through September 2013 will be conditionally accepted with the APU nonconformance.

- a. Upon completion of the testing specified in the contractor's test plan (which was submitted in accordance with Paragraph 3b of Modification P00040) the contractor shall provide a written report containing the results of the testing and a recommendation not later than 30 September 2013.
- b. The withhold remains \$32,400 per vehicle, as required under Paragraph 2b of Modification P00040.

3. Vision Block Conditional Acceptance

a. This modification authorizes conditional acceptance of vehicles scheduled to be delivered from August 2013 to October 2013 under CLINs 0015AA, 0015AD, 0015AE and 0016AA that lack Vision Block P/N 12357798-2 due to an incomplete First Article Test (FAT). The withhold amount for any conditionally accepted vehicle is \$9,500 per vehicle. The withholding amount will be released upon DCMA verification of installation of a conforming Vision Block and FIR items completed.

b. CORRECTIVE ACTION PLAN - Upon completion of the FAT, Contractor shall provide a plan with schedule to install conforming Vision Blocks into all conditionally accepted vehicles.

c. The funds withheld will be released to the contractor upon:

- 1) A schedule for correcting the Vision Blocks is approved and modified into the contract; and
- 2) Verification by the ACO that the conditionally accepted vehicles were corrected.

d. The conditionally accepted vehicles will remain at BAE-York for an extended length of time while the Vision Block issue is resolved, unless otherwise directed by the USG. While the conditionally accepted vehicles remain at BAE-York, the contractor shall perform Cyclic maintenance on the vehicles as specified in the M88A2 FIR Appendix A M88A2 Storage and Maintenance Plan, at contractor expense until Vision Block installation, testing, and DCMA validation is completed.

e. This action will be executed entirely at the contractors expense without any equitable adjustment to any Government contract.

f. This conditional acceptance does not constitute a waiver by the Government of any rights, contractual, statutory or otherwise relating to any matter involving the production or delivery of these parts and does not waive any claims by the United States Government

CONTINUATION SHEET	Reference No. of Document Being Continued PIIN/SIIN W56HZV-09-C-0408 MOD/AMD P00047	Page 3 of 3
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Name of Offeror or Contractor: BAE SYSTEMS LAND & ARMAMENTS L.P.

for fraud, false claims, or any other conduct on the part of any party which may be actionable under law. Specifically, this conditional acceptance does not waive any rights by the Government for any vehicle delivered under this contract that is found to contain this condition in the future.

- 4. As a result of this Modification P00047, the total amount against W56HZV-09-C-0408 remains unchanged.
- 5. All other contract terms and conditions remain in full force and effect.

*** END OF NARRATIVE A0051 ***