

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. Contract ID Code
Firm Fixed Price

Page 1 Of 5

2. Amendment/Modification No.

P00050

3. Effective Date

2013NOV25

4. Requisition/Purchase Req No.

SEE SCHEDULE

5. Project No. (If applicable)

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

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

9A. Amendment Of Solicitation No.

9B. Dated (See Item 11)

10A. Modification Of Contract/Order No.

W56HZV-09-C-0408

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.

- A. This Change Order is Issued Pursuant To:** _____ **The Changes Set Forth In Item 14 Are Made In**
The Contract/Order No. In Item 10A.
- 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).**
- C. This Supplemental Agreement Is Entered Into Pursuant To Authority Of:** 52.243-1 Changes Firm Fixed Price
- 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/Offendor (Signature of person authorized to sign)	15C. Date Signed	16B. United States Of America By _____ /SIGNED/ (Signature of Contracting Officer)	16C. Date Signed 2013NOV25

CONTINUATION SHEET	Reference No. of Document Being Continued	Page 2 of 5
	PIIN/SIIN W56HZV-09-C-0408 MOD/AMD P00050	
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: System Acquisition Contracts
 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: P00050
 Prepared by: TZ

Previous Contract Amount: \$456,011,938.68
 Amt of this Modification: \$ 0.00
 Total Contract Amount: \$456,011,938.68

1. The purpose of this bilateral modification P00050 to contract W56HZV-09-C-0408 is to:

- a. Incorporate the approved Request for Waiver/Deviation (DD1694) GSD-0408-W-019 to allow the Auxiliary Power Unit (APU) P/N 12367093 drive chain substitution.
- b. Extend the Vision Block conditional acceptance authorized by Modification P00047.
- c. Conditionally accept vehicles H0722 - H0740 scheduled to be delivered in November 2013 and December 2013, due to GFM BII shortages specified below. The heavy roadwheel configuration is a suitable replacement for the lightweight configuration. Contractor is authorized to utilize excess DVEs from U.S. Army inventory at BAE York.
- d. To revise the delivery schedule for the Op Mod Kits, CLIN 0031AB from 30 November 2013 to 31 March 2014.

2. APU Waiver Approval

Waiver/Deviation (DD1694) GSD-0408-W-019 is hereby approved and incorporated into this contract and is added to Attachment 0006 Approved Requests for Deviation. The Contractor shall perform a Root Cause Analysis on APU Failures in accordance with BAE Systems Plan submitted on 06 November 2013 (and revised on 21 November 2013), as consideration for the incorporation of the RFW specified above. The Contractor shall provide the root cause findings, validation report and a recommended path forward for Government concurrence not later than 01 April 2014.

3. Previous Modifications P00040, P00043, P00047 and P00051 withheld \$32,400 per vehicle for the APU non-conformance which is now resolved with the incorporation of RFW GSD-0408-W-019. These funds may be released by the ACO upon installation of the substitute chain specified by the RFW and FIR items completed. When requesting release of the withholds, the contractor shall provide a matrix to the ACO containing the vehicle serial number and a Government quality stamp or verification signature and date showing that the approved substitute hardware or conforming hardware was installed.

4. Vision Block Conditional Acceptance

a. This modification authorizes conditional acceptance of vehicles scheduled to be delivered from November 2013 to February 2014 under CLINs 0015AA, 0016AA and 0032AA 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.

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Name of Offeror or Contractor: BAE SYSTEMS LAND & ARMAMENTS L.P.

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.

Contractor shall provide a list of vehicles on which they are performing cyclic maintenance due to conditional acceptance, upon DCMA request at no cost to the Government.

e. This action will be executed entirely at the contractor's 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 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.

5. GFM BII Conditional Acceptance

a. Vehicles H0722 - H0740 scheduled to be delivered in November 2013 and December 2013 are conditionally accepted without the following GFM BII items:

APRON (8415-00-234-9254),
SHACKLE (4030-00-377-1389),
FIRST AID KIT (11677011),
BINDER (11677003),
SHORT PADLOCK SETS (5340-00-682-1505),
EXTERIOR LIGHTING KIT (12543900),
EXOTHERMIC CUTTER (12478096),
SHORT TRACK PADS (8705914),
INCOMPLETE END-CONNECTOR KITS (4).

b. Upon receipt of the missing items of GFM, BAE Systems will install the material on all conditionally accepted vehicles at no additional cost to the government. Contractor shall package these GFM BII items into BII sets within 45 days of receipt of material.

6. The Delivery Schedule for the M88A2 Op Mod Kits, CLIN 0031AB is revised from 30 November 2013 to 31 March 2014.

7. As a result of this Modification P00050 the total amount against W56HZV-09-C-0408 remains unchanged.

8. All other contract terms and conditions remain in full force and effect.

*** END OF NARRATIVE A0055 ***

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Name of Offeror or Contractor: BAE SYSTEMS LAND & ARMAMENTS L.P.

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT																		
	SECTION B - SUPPLIES OR SERVICES AND PRICES/COSTS																						
0031	Grp C Oper Mod Kit M NSN: 9999-99-999-9999																						
0031AB	<p><u>PRODUCTION QUANTITY</u></p> <p>GENERIC NAME DESCRIPTION: Grp C Oper Mod Kit M CLIN CONTRACT TYPE: Firm Fixed Price PRON: JM1M1006JM PRON AMD: 03 ACRN: AL AMS CD: 31205129015 PSC: 9999</p> <p><u>Packaging and Marking</u></p> <p><u>Inspection and Acceptance</u> INSPECTION: Origin ACCEPTANCE: Origin</p> <p><u>Deliveries or Performance</u> DOC SUPPL <table border="0"> <tr> <td><u>REL CD</u></td> <td><u>MILSTRIP</u></td> <td><u>ADDR</u></td> <td><u>SIG CD</u></td> <td><u>MARK FOR</u></td> <td><u>TP CD</u></td> </tr> <tr> <td>001</td> <td>W56HZV1017D078</td> <td>CK0TR3</td> <td>J</td> <td></td> <td>3</td> </tr> </table> <table border="0"> <tr> <td><u>DEL REL CD</u></td> <td><u>QUANTITY</u></td> <td><u>DEL DATE</u></td> </tr> <tr> <td>001</td> <td>1</td> <td>31-MAR-2014</td> </tr> </table> <p>FOB POINT: Origin</p> <p>SHIP TO: (CK0TR3) XR BAE SYSTEMS LAND & ARMAMENTS, L. 1100 BAIRS RD YORK, PA, 17408-8975</p> </p>	<u>REL CD</u>	<u>MILSTRIP</u>	<u>ADDR</u>	<u>SIG CD</u>	<u>MARK FOR</u>	<u>TP CD</u>	001	W56HZV1017D078	CK0TR3	J		3	<u>DEL REL CD</u>	<u>QUANTITY</u>	<u>DEL DATE</u>	001	1	31-MAR-2014	1	LO	\$ 527,415.92000	\$ 527,415.92
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MOD/AMD P00050

Name of Offeror or Contractor: BAE SYSTEMS LAND & ARMAMENTS L.P.

SECTION J - LIST OF ATTACHMENTS

<u>List of</u> <u>Addenda</u>	<u>Title</u>	<u>Date</u>	<u>Number</u> <u>of Pages</u>	<u>Transmitted By</u>
Attachment 0006	APPROVED REQUESTS FOR DEVIATION			

APPROVED REQUESTS FOR DEVIATION

GSD-0408-W-019