

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. Contract ID Code
Firm Fixed Price

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2. Amendment/Modification No. P00059	3. Effective Date 2014JAN31	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:	52.243 Changes - Firm Fixed Price
<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 2014JAN31

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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: P00059
 Prepared by: TZ

Previous Contract Amount: \$456,131,692.68
 Amt of this Modification: \$ 0.00
 Total Contract Amount: \$456,131,692.68

1. The purpose of this bilateral modification P00059 to contract W56HZV-09-C-0408 is to:

a. Add Request for Waiver (RFW) 0408-W-011R1, Cold Start Mod, is incorporated by reference into Attachment 0006 APPROVED REQUESTS FOR DEVIATION.

b. Intermittent Warning Light Conditional Acceptance:

Intermittent Warning Light Conditional Acceptance Vehicles scheduled to be delivered under SLIN 0016AA final two vehicles, and SLIN 0032AA for January 2014 (4 Vehicles) will be conditionally accepted a low RPM flashing Intermittent Warning Light.

2. Intermittent Warning Light Conditional Acceptance

a. This modification authorizes conditional acceptance of vehicles scheduled to be delivered in January 2014 under SLIN 0032AA, and the last two vehicles to be delivered in January 2014 under SLIN 0016AA that have an Intermittent Warning Light issue.

The withhold amount for any conditionally accepted vehicle is \$2,730 per vehicle. The withholding amount will be released upon DCMA verification of installation and testing of a USG approved Corrective Action Plan to the Intermittent Warning Light issue.

b. CORRECTIVE ACTION PLAN - The Contractor shall provide a Root Cause Analysis and Decision Brief Path Forward no later than 18 February 2014. Upon approval of a corrective action plan, Contractor shall provide matrix of all affected vehicles and a plan with schedule to install the Intermittent Warning Light corrective action into all conditionally accepted vehicles. The contractor shall also incorporate the corrective action on any vehicles reported through the QDR process that exhibits the intermittent warning light issue.

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

- 1) A schedule for correcting the Intermittent Warning Light issue 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 intermittent warning light 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 the corrective action for the Intermittent Warning Light issue is implemented, 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

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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.

- 3. As a result of this Modification P00059 the total amount against W56HZV-09-C-0408 remains unchanged.
- 4. All other contract terms and conditions remain in full force and effect.

*** END OF NARRATIVE A0063 ***