

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. Contract ID Code
Cost Plus Fixed Fee

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2. Amendment/Modification No. P00010	3. Effective Date 2013AUG20	4. Requisition/Purchase Req No. SEE SCHEDULE	5. Project No. (If applicable)
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6. Issued By U.S. ARMY CONTRACTING COMMAND PATRICK RUOFF WARREN, MICHIGAN 48397-5000 HTTP://CONTRACTING.TACOM.ARMY.MIL EMAIL: PATRICK.RUOFF@US.ARMY.MIL	Code W56HZV	7. Administered By (If other than Item 6) DCMA LATHROP P O BOX 232 700 EAST ROTH ROAD, BLDG 330 (LATHROP, CA) FRENCH CAMP CA 95231-0232	Code S0507A
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8. Name And Address Of Contractor (No., Street, City, County, State and Zip Code) ALTEX TECHNOLOGIES CORPORATION 244 SOBRANTE WAY SUNNYVALE, CA 94086-4807	<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-10-C-0348
	<input type="checkbox"/>	10B. Dated (See Item 13) 2010AUG20
Code 1FEH3	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 by both parties
<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) LYNN M. BYRNE LYNN.M.BYRNE@US.ARMY.MIL (586)282-6553		
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 2013AUG20

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PIIN/SIIN W56HZV-10-C-0348

MOD/AMD P00010

Name of Offeror or Contractor: ALTEX TECHNOLOGIES CORPORATION

SECTION A - SUPPLEMENTAL INFORMATION

Buyer Name: PATRICK RUOFF
Buyer Office Symbol/Telephone Number: CCTA-HCB-C/(586)282-6545
Type of Contract: Cost Plus Fixed Fee
Kind of Contract: Research and Development Contracts
Type of Business: Other Small Business Performing in U.S.
Surveillance Criticality Designator: C
Weapon System: No Identified Army Weapons Systems
Contract Expiration Date: 2013SEP30

*** End of Narrative A0000 ***

PROGRAM: JP8 Fuel Cell Auxiliary Power Unit (APU) System

PURPOSE OF MODIFICATION: Extend Period of Performance for Base Effort and Option Periods.

Previous Negotiated Value: \$5,525,430.00
This Action: \$ 00.00
Current Negotiated Value: \$5,525,430.00

Previous Obligated Amount: \$5,525,430.00
This Action: \$ 00.00
Current Obligated Amount: \$5,525,430.00

1. This is a bilateral modification.
2. The purpose of this modification P00010 is to do the following:
 - a. Extend the Period Of Performance for the Base Effort, CLIN 0001, by 3 months from 20 Aug 2013 to 20 Nov 2013.
 - b. Extend the Period of Performance for Option 1 - Section H.4.1.1, Option 2 - Section H.4.2.1, and Option 3 - Section H.4.3.1 from no later than 36 months after contract award to no later than 20 Nov 2013 contract award.
 - c. Extend the Performance completion date in Section F.5.1 from 36 months after date of contract award to 20 Nov 2013.
 - d. Extend the delivery date for the Draft Technical Report in Section F.5.4.1 from 35 months after contract award to 20 Oct 2013.
3. As a result of this Modification P00010, the value of this contract remains unchanged.
4. Except as provided herein, all other terms remain unchanged and in full force and effect.

*** END OF NARRATIVE A0010 ***

CONTINUATION SHEET

Reference No. of Document Being Continued
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Name of Offeror or Contractor: ALTEX TECHNOLOGIES CORPORATION

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT									
	<p>SECTION B - SUPPLIES OR SERVICES AND PRICES/COSTS</p>													
0001	<p><u>BAA TOPIC 21 BASE EFFORT</u></p> <p>GENERIC NAME DESCRIPTION: JP8 FUEL CELL APU SYSTEM CLIN CONTRACT TYPE: Cost Plus Fixed Fee</p> <p><u>Inspection and Acceptance</u> INSPECTION: Destination ACCEPTANCE: Destination</p> <p><u>Deliveries or Performance</u></p> <table border="0"> <tr> <td>DLVR SCH</td> <td></td> <td>PERF COMPL</td> </tr> <tr> <td><u>REL CD</u></td> <td><u>QUANTITY</u></td> <td><u>DATE</u></td> </tr> <tr> <td>001</td> <td>1</td> <td>20-NOV-2013</td> </tr> </table> <p style="text-align: right;">\$ 5,225,682.00</p>	DLVR SCH		PERF COMPL	<u>REL CD</u>	<u>QUANTITY</u>	<u>DATE</u>	001	1	20-NOV-2013	1	LO		\$ 5,225,682.00
DLVR SCH		PERF COMPL												
<u>REL CD</u>	<u>QUANTITY</u>	<u>DATE</u>												
001	1	20-NOV-2013												
000101	<p><u>BAA TOPIC 21 BASE EFFORT</u></p> <p>PRON: R302C105R3 PRON AMD: 04 ACRN: AA AMS CD: 622601H9100 (AMOUNT: \$ 775,000.00)</p>													
000102	<p><u>BAA TOPIC 21 BASE EFFORT</u></p> <p>PRON: R302C106R3 PRON AMD: 04 ACRN: AB AMS CD: 63300544100 (AMOUNT: \$ 1,100,000.00)</p>													
000103	<p><u>BAA TOPIC 21 BASE EFFORT</u></p> <p>PRON: R312C011R3 PRON AMD: 04 ACRN: AC AMS CD: 63300544100 (AMOUNT: \$ 2,327,000.00)</p>													
000104	<p><u>BAA TOPIC 21 BASE EFFORT</u></p> <p>PRON: R312C013R3 PRON AMD: 04 ACRN: AD AMS CD: 622601H9100 (AMOUNT: \$ 700,000.00)</p>													

CONTINUATION SHEET

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Name of Offeror or Contractor: ALTEX TECHNOLOGIES CORPORATION

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
000105	<p><u>BAA TOPIC 21 BASE EFFORT</u></p> <p>PRON: R302C416R3 PRON AMD: 01 ACRN: AB AMS CD: 63300553300 (AMOUNT: \$ 252,210.30)</p>				
000106	<p><u>BAA TOPIC 21 BASE EFFORT</u></p> <p>PRON: R322C038R3 PRON AMD: 02 ACRN: AE AMS CD: 622601H9100 (AMOUNT: \$ 71,471.70)</p>				

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SECTION F - DELIVERIES OR PERFORMANCE

F.4 DATA

F.4.1 The contractor shall submit all data items electronically in accordance with the Contract Data Requirements List (CDRL), (DD Form 1423), Exhibit A, to the following addresses:

Dan.Maslach@us.army.mil
Pamela.J.Thornton@us.army.mil
and
Michele.Vaughn@dcma.mil

F.4.2 All items called for in this contract that cannot be submitted electronically, shall be delivered FOB Destination to:

U.S. Army Tank-automotive and Armaments Command
ATTN: AMSRD-TAR-R, Bldg. 200D, MS 233, Mr. Dan Maslach
6501 E. 11 Mile Rd.
Warren, Michigan 48397-5000

F.5 Schedule:

F.5.1 Performance: All effort required under this contract, including delivery of the final technical report, shall be completed no later than 20 Nov 2013*.

F.5.2 Progress Reports: The contractor shall submit the first quarterly Contract Progress, Status & Management Report (Progress Report) 90 days after contract award date and every 90 days thereafter.

F.5.3 Annual Reports: The contractor shall submit the first Annual Report 12 months after contract award date and every 12 months thereafter.

F.5.4 Final Report:

F.5.4.1 The contractor shall deliver the draft technical report no later than 20 Oct 2013*. The COR will review and provide comments writing within 15 days after receipt of the draft.

F.5.4.2 The contractor shall deliver the final technical report within 15 days after receipt of COR comments.

F.6 Schedule - Option Requirements:

F.6.1 Option Performance

F.6.1.1 Option 1: If exercised by the Government, all effort required under Option 1, including delivery of the final technical report, shall be completed within 36 months after date of option exercise.

F.6.1.2 Option 2: If exercised by the Government, all effort required under Option 2, including delivery of the final technical report, shall be completed within 36 months after date of option exercise.

F.6.1.3 Option 3: If exercised by the Government, all effort required under Option 3, including delivery of the final technical report, shall be completed within 12 months after date of option exercise.

F.6.2 Option Progress Reports: The contractor shall continue to submit the quarterly Contract Progress, Status & Management Reports (Progress Reports) every 90 days throughout the performance of all options exercised.

F.6.3 Option Annual Reports: The contractor shall continue to submit the Annual Reports every 12 months throughout the performance of all options exercised.

F.6.6 Option Final Reports:

F.6.6.1 Option 1:

F.6.6.1.1 If exercised, the contractor shall deliver the Option 1 draft technical report within 35 months after contract award. The COR

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Name of Offeror or Contractor: ALTEX TECHNOLOGIES CORPORATION

will review and provide comments writing within 15 days after receipt of the draft.

F.6.6.1.2 The contractor shall deliver the Option 1 final technical report within 15 days after receipt of COR comments.

F.6.6.6.2 Option 2:

F.6.6.2.1 If exercised, the contractor shall deliver the Option 2 draft technical report within 35 months after contract award. The COR will review and provide comments writing within 15 days after receipt of the draft.

F.6.6.2.2 The contractor shall deliver the Option 2 final technical report within 15 days after receipt of COR comments.

F.6.6.3 Option 3:

F.6.6.3.1 If exercised, the contractor shall deliver the Option 3 draft technical report within 11 months after contract award. The COR will review and provide comments writing within 15 days after receipt of the draft.

F.6.6.3.2 The contractor shall deliver the Option 3 final technical report within 15 days after receipt of COR comments.

* Changed per Mod P00010

*** END OF NARRATIVE F0001 ***

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Name of Offeror or Contractor: ALTEX TECHNOLOGIES CORPORATION		

SECTION H - SPECIAL CONTRACT REQUIREMENTS

H.4 OPTION FOR ADDITIONAL TASKS. The Government reserves the right to unilaterally exercise any or all of the option tasks for the effort described in: Option 1 - Advance JP8 Fuel Cell APU System to TRL of 6, paragraphs C.2.2 through C.2.2.5.6; Option 2 - Design, build and demonstrate a modular JP8 fuel cell APU system, paragraphs C.2.3 through C.2.3.5; and Option 3 - Ruggedize the JP8 Fuel Cell APU, paragraphs C.2.4 through C.2.4.4. Individual options described in C.2.2, C.2.3 and C.2.4 may, at the Government's election, be exercised singly or in any combination, at any point or points during the option exercise period.

H.4.1 Option 1 - Advance JP8 Fuel Cell APU System to TRL of 6, as described in paragraphs C.2.2 through C.2.2.5.6

H.4.1.1 The Government shall have the unilateral right to exercise an option for the effort referenced in Section C., paragraphs C.2.2 through C.2.2.5.6. The Government may exercise this option at any time between 18 months after contract award but no later than 20 Nov 2013*. If exercised, the option effort will be awarded on a cost plus fixed basis as follows:

Estimated Cost: \$7,406,483.00
Fixed Fee: \$ 518,454.00
Total Amount: \$7,924,937.00

H.4.1.2 If exercised by the Government, the duration of performance for Option 1 shall be as specified in Section F.5.1.1, herein.

H.4.2 Option 2 - Design, build and demonstrate a Modular JP8 Fuel Cell APU System, as described in paragraphs C.2.3 through C.2.3.5:

H.4.2.1 The Government shall have the unilateral right to exercise an option for the effort referenced in Section C., paragraphs C.2.3 through C.2.3.5. The Government may exercise this option at any time between 18 months after contract award but no later than 20 Nov 2013*. If exercised, the option effort will be awarded on a cost plus fixed basis as follows:

Estimated Cost: \$4,863,996.00
Fixed Fee: \$ 340,480.00
Total Amount: \$5,204,476.00

H.4.2.2 If exercised by the Government, the duration of performance shall be as specified in Section F.5.1.2, herein.

H.4.3 Option 3 - Ruggedize the JP8 Fuel Cell APU system, as described in paragraphs C.2.4 through C.2.4.4:

H.4.3.1 The Government shall have the unilateral right to exercise an option for the effort referenced in Section C., paragraphs C.2.4 through C.2.4.4. The Government may exercise this option at any time between 18 months after contract award but no later than 20 Nov 2013*. If exercised, the option effort will be awarded on a cost plus fixed basis as follows:

Estimated Cost: \$ 280,138.00
Fixed Fee: \$ 19,610.00
Total Amount: \$ 299,748.00

H.4.3.2 If exercised by the Government, the duration of performance shall be as specified in Section F.5.1.3, herein.

* Changed Per Mod P00010

*** END OF NARRATIVE H0001 ***