

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. Contract ID Code
Firm Fixed Price

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2. Amendment/Modification No. 04	3. Effective Date 2013OCT17	4. Requisition/Purchase Req No. SEE SCHEDULE	5. Project No. (If applicable)
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6. Issued By U.S. ARMY CONTRACTING COMMAND VIVIEN FIELDS WARREN, MICHIGAN 48397-5000 HTTP://CONTRACTING.TACOM.ARMY.MIL EMAIL: VIVIEN.FIELDS@US.ARMY.MIL	Code W56HZV	7. Administered By (If other than Item 6) DCMA ORLANDO 3555 MAGUIRE BLVD ORLANDO, FL 32803-3726	Code S1002A
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8. Name And Address Of Contractor (No., Street, City, County, State and Zip Code) PINES AUTOMOTIVE, INC. 3150 W PROSPECT RD STE 320 FORT LAUDERDALE, FL 33309-2588	<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-11-D-0094/0001
	<input type="checkbox"/>	10B. Dated (See Item 13) 2011MAR21
Code 3B0Y2	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)

ACRN: AA NET DECREASE: -\$30,592.35

**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 type="checkbox"/>	C. This Supplemental Agreement Is Entered Into Pursuant To Authority Of:	
<input checked="" type="checkbox"/>	D. Other (Specify type of modification and authority)	FAR 52-249-8 Default

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) HOWARD J. LEWIS HOWARD.J.LEWIS12.CIV@MAIL.MIL (586)282-1766
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 2013OCT17

CONTINUATION SHEET**Reference No. of Document Being Continued****Page 2 of 4**

PIIN/SIIN W56HZV-11-D-0094/0001

MOD/AMD 04

Name of Offeror or Contractor: PINES AUTOMOTIVE, INC.

SECTION A - SUPPLEMENTAL INFORMATION

Buyer Name: VIVIEN FIELDS
Buyer Office Symbol/Telephone Number: CCTA-AHR-B/(586)282-2655
Type of Contract: Firm Fixed Price
Kind of Contract: Supply Contracts and Priced Orders
Type of Business: Other Small Business Performing in U.S.
Surveillance Criticality Designator: B

*** End of Narrative A0000 ***

Contract: W56HZV-11-D-0094
Delivery Order: 0001
Previous Obligated Amount: \$30,592.35
Amount of this Action: (\$30,592.35)
Revised Amount: \$ 0.00

NOTICE OF TERMINATION

1. Pines Automotive, Inc. (Pines Automotive) is hereby notified that delivery order W56HZV-11-D-0094 0001 is terminated in accordance with clause 52.249-8 entitled Default (Fixed Price Supply and Service).
2. Pines Automotive is in default due to its failure to deliver 1 each First Article Test Report and 255 each, Plunger, Quick Release NSN 5340-01-531-3270, Part Number 11581695 per the terms of contract W56HZV-11-D-0094 and delivery order W56HZV-11-D-0094/0001.
3. Pines Automotive failed to provide an acceptable reason to the Contracting Officer for their inability to perform under the contract. Their failure to provide an acceptable reason for not performing under the contract is construed as an admission that no fault outside of their own exists for non performance.
4. Pines Automotive is hereby instructed that its rights to proceed further with the performance of this delivery order are terminated. Immediately stop all work, terminate all subcontracts, and order no further supplies or equipment. Provide similar instructions to all subcontractors and suppliers.
5. The supplies terminated may be purchased against Pine Automotive's account and Pine Automotive will be held for any excess costs.
6. The Contracting Officer hereby determines that Pines Automotive's failure to perform is inexcusable. The Notice of Termination for Default letter dated 17 October 2013 constitutes the Contracting Officer's final decision that Pines Automotive is in default.
7. The Government reserves all rights and remedies provided by law under the contract, in addition to charging excess costs.
8. Pines Automotive has the right to appeal this decision under the Disputes Clause of the contract.
9. As a result of this termination, the total delivery order value is decreased by \$30,592.35 from \$30,592.35 to \$0.00.
10. The amount obligated on CLIN 0001AB is decreased by \$30,592.35 from \$30,592.35 to \$0.00.
11. The Production Quantity on CLIN 0001AB is decreased by 255 each from 255 each to 0 each.
12. Except as provided herein, all terms and conditions of delivery order W55HZV-11-D-0094 remain unchanged and in full force and effect.

*** END OF NARRATIVE A0005 ***

CONTINUATION SHEET

Reference No. of Document Being Continued
PIIN/SIIN W56HZV-11-D-0094/0001 MOD/AMD 04

Name of Offeror or Contractor: PINES AUTOMOTIVE, INC.

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
	SECTION B - SUPPLIES OR SERVICES AND PRICES/COSTS				
0001AA	<u>DELETED</u>				
0001AB	<u>DELETED</u>				
0002	<u>DELETED</u> (Deleted narrative B001)				

CONTINUATION SHEET

Reference No. of Document Being Continued

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PIIN/SIIN W56HZV-11-D-0094/0001 **MOD/AMD** 04

Name of Offeror or Contractor: PINES AUTOMOTIVE, INC.

SECTION G - CONTRACT ADMINISTRATION DATA

LINE	PRON/ AMS CD/ MIPR/ <u>ITEM</u>	OBLG <u>STAT</u>	JO NO/ <u>ACCT ASSIGN</u>	<u>ACRN</u>	<u>PRIOR AMOUNT</u>	<u>INCREASE/ DECREASE</u>	<u>CUMULATIVE AMOUNT</u>
0001AB	M101R403M1 SM2B1100000	2		AA \$	30,592.35 \$	-30,592.35 \$	0.00
					NET CHANGE \$	-30,592.35	

<u>ACRN</u>	<u>ACCOUNTING CLASSIFICATION</u>				<u>INCREASE/ DECREASE</u>
AA	97 X4930AC9D 6D	26FB	S20113	W56HZV	\$ -30,592.35
					NET CHANGE \$ -30,592.35

	<u>PRIOR AMOUNT OF AWARD</u>	<u>INCREASE/DECREASE AMOUNT</u>	<u>CUMULATIVE OBLIG AMT</u>
NET CHANGE FOR AWARD:	\$ 30,592.35	\$ -30,592.35	\$ 0.00

LINE	<u>ITEM</u>	<u>ACRN</u>	<u>EDI/SFIS ACCOUNTING CLASSIFICATION</u>		
0001AB	AA	97	0X0X4930AC9D	S20113	6D0000SM2B110000026FB S20113 W56HZV