

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. Contract ID Code
Firm Fixed Price

Page 1 Of 5

2. Amendment/Modification No.

04

3. Effective Date

2013NOV25

4. Requisition/Purchase Req No.

SEE SCHEDULE

5. Project No. (If applicable)

6. Issued By

U.S. ARMY CONTRACTING COMMAND
EMILY S. SCHULTE
WARREN, MICHIGAN 48397-5000
HTTP://CONTRACTING.TACOM.ARMY.MIL

EMAIL: EMILY.SCHULTE@US.ARMY.MIL

Code

W56HZV

7. Administered By (If other than Item 6)

DCMA DENVER
DENVER FEDERAL CENTER, BUILDING 16
P.O. BOX 25586
DENVER CO 80225-0586

Code

S0602A

8. Name And Address Of Contractor (No., Street, City, County, State and Zip Code)

ACTION TARGET INC.
3411 S MOUNTAIN VISTA PKWY
PROVO, UT 84606-5563

9A. Amendment Of Solicitation No.

9B. Dated (See Item 11)

10A. Modification Of Contract/Order No.

W56HZV-11-D-0147/0021

10B. Dated (See Item 13)

2012SEP14

Code ON2W7

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)

SEE SECTION G (IF APPLICABLE)

Payment will be made by Electronic Funds Transfer

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:** _____
- D. Other (Specify type of modification and authority)** _____
Termination for Default with No Definitization Required

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)

LAWRENCE R. ELLENA
LARRY.ELLENA@US.ARMY.MIL (586)282-6952

15B. Contractor/Offeror

15C. Date Signed

16B. United States Of America

16C. Date Signed

(Signature of person authorized to sign)

By _____ /SIGNED/
(Signature of Contracting Officer)

2013NOV25

NSN 7540-01-152-8070

30-105-02

STANDARD FORM 30 (REV. 10-83)

PREVIOUS EDITIONS UNUSABLE

Prescribed by GSA FAR (48 CFR) 53.243

CONTINUATION SHEET**Reference No. of Document Being Continued**

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PIIN/SIIN W56HZV-11-D-0147/0021 MOD/AMD 04

Name of Offeror or Contractor: ACTION TARGET INC.

SECTION A - SUPPLEMENTAL INFORMATION

Buyer Name: EMILY S. SCHULTE
Buyer Office Symbol/Telephone Number: CCTA-ADS-B/(586)282-6278
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: C

*** End of Narrative A0000 ***

Notice of Termination for Default: You are hereby notified that Contract W56HZV-11-D-0147, Delivery Order 0021, dated September 14, 2012, is terminated pursuant to clause 52.249-8 entitled "Default (Fixed Price Supply and Services)", listed in section I-60 of the base contract.

Such termination is effective immediately.

The acts or omissions constituting the default consist of failure to timely deliver the following and these items are hereby terminated:

CLIN	NOUN	PRON	QTY	UNIT PRICE	TOTAL PRICE
0001AA	HW SIT	1E2BF307EH	017	\$ 3,600	\$ 61,200
0003AA	HW MIT	1E2BF307EH	017	\$ 11,000	\$ 187,000
0003AB	HW MIT	1E3BF307EH	008	\$ 11,000	\$ 88,000
0010AE	TRACR-COMP RCC	1E2BF307EH	001	\$ 4,605	\$ 4,605
0016AA	Med Converter	1E2BF307EH	002	\$ 485	\$ 970
0016AB	Med Converter	1E2BF307EH	032	\$ 1,050	\$ 33,600
0033AA	Shipping	1E2BF307EH	001	\$ 5,200	\$ 5,200
0034AA	Installation	1E2BF307EH	001	\$ 2,550	\$ 97,468
0034AA	Installation	1E3BF307EH	001	\$ 2,550	\$ 20,400
0035AA	Site Visit	1E2BF307EH	001	\$ 4,242	\$ 4,242
0037AA	IMS	1E2BF307EH	021	\$ 760	\$ 15,960
0037AC	IMK2T	1E2BF307EH	021	\$ 130	\$ 2,730

TOTAL: \$ 521,375

This notice of termination constitutes a decision pursuant to the Disputes clause of the contract and the Settlement Agreement reached between Action Target, Inc. and the Government with final approval date of October 07, 2013. The contractor is in default as here before specified, and the failure listed is not due to causes beyond the control of the Contractor but are within the fault or negligence of the Contractor.

This is the final decision of the Contracting Officer.

As a result of this Modification 04, the quantities to be delivered under this Contract are reduced to ZERO and the total amount of W56HZV-11-D-0147, Delivery Order 0021 is decreased by \$521,375.00 from \$521,375.00 to zero.

*** END OF NARRATIVE A0005 ***

CONTINUATION SHEET

Reference No. of Document Being Continued
PIIN/SIIN W56HZV-11-D-0147/0021 **MOD/AMD** 04

Name of Offeror or Contractor: ACTION TARGET INC.

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
	SECTION B - SUPPLIES OR SERVICES AND PRICES/COSTS				
0001AA	<u>DELETED</u>				
0003AA	<u>DELETED</u>				
0003AB	<u>DELETED</u>				
0010AE	<u>DELETED</u>				
0016AA	<u>DELETED</u>				
0016AB	<u>DELETED</u>				
0033AA	<u>DELETED</u>				
0034AA	<u>DELETED</u>				
0034AB	<u>DELETED</u>				
0035AA	<u>DELETED</u>				
0037AA	<u>DELETED</u>				
0037AC	<u>DELETED</u>				

CONTINUATION SHEET

Reference No. of Document Being Continued

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PIIN/SIIN W56HZV-11-D-0147/0021

MOD/AMD 04

Name of Offeror or Contractor: ACTION TARGET INC.

SECTION G - CONTRACT ADMINISTRATION DATA

LINE	PRON/ AMS CD/ MIPR/ <u>ITEM</u> <u>GFEB</u> <u>ATA</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>
0001AA	1E2BF307EH 53702062179	2	19T307	AA \$	61,200.00 \$	-61,200.00 \$	0.00
0003AA	1E2BF307EH 53702062179	2	19T307	AA \$	187,000.00 \$	-187,000.00 \$	0.00
0003AB	1E3BF307EH	2	S.0009192.3.49	AB \$	88,000.00 \$	-88,000.00 \$	0.00
0010AE	1E2BF307EH 53702062179	2	19T307	AA \$	4,605.00 \$	-4,605.00 \$	0.00
0016AA	1E2BF307EH 53702062179	2	19T307	AA \$	970.00 \$	-970.00 \$	0.00
0016AB	1E2BF307EH 53702062179	2	19T307	AA \$	33,600.00 \$	-33,600.00 \$	0.00
0033AA	1E2BF307EH 53702062179	2	19T307	AA \$	5,200.00 \$	-5,200.00 \$	0.00
0034AA	1E2BF307EH 53702062179	2	19T307	AA \$	97,468.00 \$	-97,468.00 \$	0.00
0034AB	1E3BF307EH	2	S.0009192.3.49	AB \$	20,400.00 \$	-20,400.00 \$	0.00
0035AA	1E2BF307EH 53702062179	2	19T307	AA \$	4,242.00 \$	-4,242.00 \$	0.00
0037AA	1E2BF307EH 53702062179	2	19T307	AA \$	15,960.00 \$	-15,960.00 \$	0.00
0037AC	1E2BF307EH 53702062179	2	19T307	AA \$	2,730.00 \$	-2,730.00 \$	0.00
					NET CHANGE \$	-521,375.00	

<u>ACRN</u>	<u>ACCOUNTING CLASSIFICATION</u>	<u>INCREASE/ DECREASE</u>
AA	21 12035000011E1E04P53702031E1 S20113 W56HZV	\$ -412,975.00
AB	021 201120132035 A5XJT NA0105AVSRM 3101 L032716645 S.0009192.3.49	\$ -108,400.00
NET CHANGE \$		-521,375.00

CONTINUATION SHEET

Reference No. of Document Being Continued

PIIN/SIIN W56HZV-11-D-0147/0021 **MOD/AMD** 04

Name of Offeror or Contractor: ACTION TARGET INC.

		<u>PRIOR AMOUNT</u>		<u>INCREASE/DECREASE</u>		<u>CUMULATIVE</u>
		<u>OF AWARD</u>		<u>AMOUNT</u>		<u>OBLIG AMT</u>
NET CHANGE FOR AWARD:	\$	521,375.00	\$	-521,375.00	\$	0.00

LINE								
<u>ITEM</u>	<u>ACRN</u>	<u>EDI/SFIS</u>	<u>ACCOUNTING CLASSIFICATION</u>					
0001AA	AA	21	111320350000	W56HZV	11E1E045370206217931E11E2BF307EH	19T307	S20113	
0003AA	AA	21	111320350000	W56HZV	11E1E045370206217931E11E2BF307EH	19T307	S20113	
0003AB	AB	021	201120132035	A5XJT	NA0105AVSRM	3101 L032716645 S.0009192.3.49		021001
0010AE	AA	21	111320350000	W56HZV	11E1E045370206217931E11E2BF307EH	19T307	S20113	
0016AA	AA	21	111320350000	W56HZV	11E1E045370206217931E11E2BF307EH	19T307	S20113	
0016AB	AA	21	111320350000	W56HZV	11E1E045370206217931E11E2BF307EH	19T307	S20113	
0033AA	AA	21	111320350000	W56HZV	11E1E045370206217931E11E2BF307EH	19T307	S20113	
0034AA	AA	21	111320350000	W56HZV	11E1E045370206217931E11E2BF307EH	19T307	S20113	
0034AB	AB	021	201120132035	A5XJT	NA0105AVSRM	3101 L032716645 S.0009192.3.49		021001
0035AA	AA	21	111320350000	W56HZV	11E1E045370206217931E11E2BF307EH	19T307	S20113	
0037AA	AA	21	111320350000	W56HZV	11E1E045370206217931E11E2BF307EH	19T307	S20113	
0037AC	AA	21	111320350000	W56HZV	11E1E045370206217931E11E2BF307EH	19T307	S20113	