

**AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT**

1. Contract ID Code  
Firm Fixed Price

Page 1 Of 8

2. Amendment/Modification No.

02

3. Effective Date

2013SEP09

4. Requisition/Purchase Req No.

SEE SCHEDULE

5. Project No. (If applicable)

6. Issued By

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

Code

W56HZV

7. Administered By (If other than Item 6)

DCMA DAYTON  
AREA C, BUILDING 30  
1725 VAN PATTON DRIVE  
WRIGHT-PATTERSON AFB, OH 45433-5302

Code

S3605A

EMAIL: JORDAN.M.VANDESTEENE@US.ARMY.MIL

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

LAIBE CORPORATION  
1414 BATES ST  
INDIANAPOLIS, IN 46201-3944

9A. Amendment Of Solicitation No.

9B. Dated (See Item 11)

10A. Modification Of Contract/Order No.

W56HZV-12-D-0075/0002

10B. Dated (See Item 13)

2012AUG24

Code 4N8X6

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)

**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) 43.103(a)

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)	
		TRISH PIERCE TRISH.PIERCE@US.ARMY.MIL (586)282-8128	
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)	2013SEP09

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

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PIIN/SIIN W56HZV-12-D-0075/0002

MOD/AMD 02

**Name of Offeror or Contractor:** LAIBE CORPORATION

## SECTION A - SUPPLEMENTAL INFORMATION

Buyer Name: JORDAN VANDESTEEENE  
Buyer Office Symbol/Telephone Number: CCTA-ADEC/(586)282-3530  
Type of Contract: Firm Fixed Price  
Kind of Contract: System Acquisition Contracts  
Type of Business: Other Small Business Performing in U.S.  
Surveillance Criticality Designator: C  
Weapon System: Excavation Equipment

\*\*\* End of Narrative A0000 \*\*\*

1. Modification 02 to Delivery Order 0002 under Contract W56HZV-12-D-0075 is a supplemental agreement that settles the settlement proposal resulting from the Notice of Partial Termination dated 19 February 2013.

2. The parties agree to the following:

a. The terminated portion of the delivery order is as follows: CLIN 0100AA is de-obligated by \$1,207,137.44 (inclusive of \$170,645.94 credited for storage during termination process), CLIN 0101AA is de-obligated by \$555,658.28 and CLIN 0104AA is de-obligated by \$29,025.73 reducing the total amount on CLIN 0100AA from \$5,988,162.00 to \$4,736,675.90, CLIN 0101AA from \$683,296.00 to \$127,637.72, and CLIN 0104AA from \$40,252.00 to \$11,226.27.

(i) Items: Production Water Well Drilling Rigs (WWDR), Authorized Stockage List (ASL), and Initial Service Package (ISP).

(ii) Description: WWDRs with supporting equipment

(iii) Quantity terminated: two WWDRs, two ASL, and two ISP.

(iv) Unit Price of items: 0100AA unit price of \$2,994,081.00, 0101AA unit price of \$341,648.00, 0104AA unit price of \$20,126.00.

(v) Total price of terminated items: \$1,791,821.45

b. The Contractor shall, within 10 days after receipt of the payment specified in this agreement, pay to each of its immediate subcontractors (or their respective assignees) the amounts to which they are entitled, after deducting any prior payments and, if the Contractor so elects, any amounts due and payable to the Contractor by those subcontractors.

c.

(i) The Government agrees to pay to the Contractor or its assignee, upon presentation of a proper invoice or voucher, the sum of \$4,939,458.55.

(ii) The net settlement of \$4,939,458.55 in subdivision 2(c)(i) of this section, is inclusive of sums previously paid, constitutes payment in full and complete settlement of the amount due the Contractor for the terminated portion of the delivery order.

(iii) Upon payment of the net settlement of \$4,939,458.55, all obligations of the Contractor to perform further work or services or to make further deliveries under the terminated portion of the delivery order and all obligations of the Government to take further payments or carry out other undertakings concerning the terminated portion of the delivery order shall cease; provided, that nothing in this agreement shall impair or affect any covenants, terms, or conditions of the delivery order relating to the completed or continued portion of this delivery order.

3. As a result of this settlement modification 02, \$1,791,821.45 is de-obligated from delivery order 0002, reducing the total delivery order amount from \$6,731,280.00 to \$4,939,458.55.

4. This settlement includes property to which the Government gains title. The property list is added to Section J at attachment 0001 "Terminated items list" dated 03 SEP 2013.

5. Government Property from this action referenced in attachment 0001 shall be sent to Defense Reutilization and Marketing Office (DRMO). Items sent to DRMO from this action shall not be physically sent to a turn-in location, instead, they shall be received in place at the contractor's facility.

6. All other terms and conditions of delivery order 0002 remain unchanged and in full force and effect.

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**CONTINUATION SHEET****Reference No. of Document Being Continued****Page 3 of 8****PIIN/SIIN** W56HZV-12-D-0075/0002**MOD/AMD** 02

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**Name of Offeror or Contractor:** LAIBE CORPORATION

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\*\*\* END OF NARRATIVE A0003 \*\*\*

Name of Offeror or Contractor: LAIBE CORPORATION

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
	SECTION B - SUPPLIES OR SERVICES AND PRICES/COSTS				
0100	WWDR SYSTEMS NSN: 9999-99-999-9999				
0100AA	<p><u>PRODUCTION WWDR</u></p> <p>GENERIC NAME DESCRIPTION: WWDR SYSTEMS                      CLIN CONTRACT TYPE:                          Firm Fixed Price                      PRON: J526F0962T    PRON AMD: 04    ACRN: AA                      AMS CD: UCF001                      PSC: 9999                      FMS COUNTRY/CASE: G6/UCF</p> <p>Partial Termination Settlement Amount:</p> <p>The contractor is authorized to invoice this CLIN 0100AA up to \$4,781,024.56 less any sums previously paid.</p> <p>-----</p> <p>Total CLIN settlement Amount:</p> <p>Work Completed: \$4,610,378.62                      +                      Termination related Storage: \$170,645.94                      -----                      \$4,781,024.56                      -----</p> <p>Total CLIN De-obligation:</p> <p>Original CLIN total: \$5,988,162.00                      -                      CLIN settlement amount:                      \$4,781,024.56                      -----                      \$1,207,137.44</p> <p style="text-align: center;">(End of narrative B001)</p> <p><u>Packaging and Marking</u></p> <p><u>Inspection and Acceptance</u>                      INSPECTION: Origin    ACCEPTANCE: Origin</p>	2	EA	\$ ** N/A **	\$ 4,781,024.56
0101	ASL NSN: 9999-99-999-9999				

CONTINUATION SHEET

Reference No. of Document Being Continued  
 PIIN/SIIN W56HZV-12-D-0075/0002 MOD/AMD 02

Name of Offeror or Contractor: LAIBE CORPORATION

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0101AA	<p><u>AUTHORIZED STOCKAGE LIST</u></p> <p>GENERIC NAME DESCRIPTION: ASL                      CLIN CONTRACT TYPE:                          Firm Fixed Price                      PRON: J526F0992T    PRON AMD: 04    ACRN: AB                      AMS CD: UCF002                      PSC: 3820                      FMS COUNTRY/CASE: G6/UCF</p> <p>Partial Termination Settlement Amount:</p> <p>The contractor is authorized to invoice this CLIN 0101AA up to \$127,637.72 less any sums previously paid.</p> <p>-----</p> <p>Total CLIN settlement Amount:</p> <p>Work Completed: \$127,637.72</p> <p>-----</p> <p>Total CLIN De-obligation:</p> <p>Original CLIN total: \$683,296.00                      -                      CLIN settlement amount:                      \$127,637.72                      -----                      \$555,658.28</p> <p style="text-align: center;">(End of narrative B001)</p> <p><u>Packaging and Marking</u></p> <p><u>Inspection and Acceptance</u>                      INSPECTION: Origin    ACCEPTANCE: Origin</p>	2	EA	\$ ** N/A **	\$ 127,637.72
0104	<p>ISP                      NSN: 9999-99-999-9999</p>				
0104AA	<p><u>INITIAL SERVICE PACKAGE</u></p> <p>GENERIC NAME DESCRIPTION: ISP                      CLIN CONTRACT TYPE:                          Firm Fixed Price                      PRON: J526F0972T    PRON AMD: 03    ACRN: AD                      AMS CD: UCF004                      PSC: 3820                      FMS COUNTRY/CASE: G6/UCF</p>	2	EA	\$ ** N/A **	\$ 11,226.27

CONTINUATION SHEET

Reference No. of Document Being Continued  
 PIIN/SIIN W56HZV-12-D-0075/0002 MOD/AMD 02

Name of Offeror or Contractor: LAIBE CORPORATION

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
	<p>Partial Termination Settlement Amount:</p> <p>The contractor is authorized to invoice this CLIN 0104AA up to \$11,226.27 less any sums previously paid.</p> <p>-----</p> <p>Total CLIN settlement Amount:</p> <p>Work Completed: \$11,226.27</p> <p>-----</p> <p>Total CLIN De-obligation:</p> <p>Original CLIN total: \$40,252.00</p> <p>-</p> <p>CLIN settlement amount:</p> <p>\$11,226.27</p> <p>-----</p> <p>\$29,025.73</p> <p style="text-align: center;">(End of narrative B001)</p> <p><u>Packaging and Marking</u></p> <p><u>Inspection and Acceptance</u></p> <p>INSPECTION: Origin      ACCEPTANCE: Origin</p>				

**CONTINUATION SHEET**

**Reference No. of Document Being Continued**

**PIIN/SIIN** W56HZV-12-D-0075/0002 **MOD/AMD** 02

**Name of Offeror or Contractor:** LAIBE CORPORATION

SECTION G - CONTRACT ADMINISTRATION DATA

LINE	PRON/ AMS CD/ MIPR/ <u>ITEM</u>	OBLG <u>STAT</u>	JO NO/ <u>ACCT ASSIGN</u>	ACRN	PRIOR AMOUNT	INCREASE/ DECREASE	CUMULATIVE AMOUNT
0100AA	J526F0962T UCF001 J52UCF01EHG6	2	2SFFMT	AA \$	5,988,162.00 \$	-1,207,137.44 \$	4,781,024.56
0101AA	J526F0992T UCF002 J52UCF02EHG6	2	2SFFMS	AB \$	683,296.00 \$	-555,658.28 \$	127,637.72
0104AA	J526F0972T UCF004 J52UCF04EHG6	2	2SFFMQ	AD \$	40,252.00 \$	-29,025.73 \$	11,226.27
NET CHANGE						\$ -1,791,821.45	

ACRN	ACCOUNTING CLASSIFICATION	INCREASE/ DECREASE
AA	9711 X8242G601X6D1000UCF 00131E1G6S20113 W56HZV	\$ -1,207,137.44
AB	9711 X8242G601X6D1000UCF 00231E1G6S20113 W56HZV	\$ -555,658.28
AD	9711 X8242G601X6D1000UCF 00431E1G6S20113 W56HZV	\$ -29,025.73
NET CHANGE		\$ -1,791,821.45

NET CHANGE FOR AWARD:	PRIOR AMOUNT OF AWARD	INCREASE/DECREASE AMOUNT	CUMULATIVE OBLIG AMT
\$	6,731,280.00	\$ -1,791,821.45	\$ 4,939,458.55

LINE	ACRN	EDI/SFIS ACCOUNTING CLASSIFICATION	W56HZV
0100AA	AA	97110X0X8242G601 X6D1000UCF001 31E1J526F0962T 2SFFMT S20113	W56HZV
0101AA	AB	97110X0X8242G601 W56HZV X6D1000UCF002 31E1J526F0992T 2SFFMS S20113	
0104AA	AD	97110X0X8242G601 W56HZV X6D1000UCF004 31E1J526F0972T 2SFFMQ S20113	

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## 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 0001	ATTACHMENT 0001 - TERMINATED ITEMS LIST	03-SEP-2013	125	EMAIL