

**AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT**

1. Contract ID Code  
Cost No Fee

Page 1 Of 5

2. Amendment/Modification No.

P00002

3. Effective Date

2013OCT08

4. Requisition/Purchase Req No.

SEE SCHEDULE

5. Project No. (If applicable)

6. Issued By

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

Code

W56HZV

7. Administered By (If other than Item 6)

DCMA AMERICAS (CANADA)  
275 BANK STREET, SUITE 200  
OTTAWA, ONTARIO K2P 2L6

Code

SCN01A

EMAIL: MICHAEL.BRUSATE@US.ARMY.MIL

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

CANADIAN COMMERCIAL CORPORATION  
50 OCONNOR STREET  
SUITE 1100  
OTTAWA, CA  
CANADA K1A 0S6

9A. Amendment Of Solicitation No.

9B. Dated (See Item 11)

10A. Modification Of Contract/Order No.

W56HZV-13-C-0231

10B. Dated (See Item 13)

2013JUN24

Code 98247

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.

- 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: \_\_\_\_\_  
Mutual Agreement Between Parties
- 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. DURBIN LISA.M.DURBIN@US.ARMY.MIL (586)282-9164	
15B. Contractor/Offendor	15C. Date Signed	16B. United States Of America	16C. Date Signed
_____ (Signature of person authorized to sign)		By _____ /SIGNED/ (Signature of Contracting Officer)	2013OCT08

**CONTINUATION SHEET****Reference No. of Document Being Continued****Page 2 of 5**

PIIN/SIIN W56HZV-13-C-0231

MOD/AMD P00002

**Name of Offeror or Contractor:** CANADIAN COMMERCIAL CORPORATION

## SECTION A - SUPPLEMENTAL INFORMATION

Buyer Name: MICHAEL BRUSATE  
Buyer Office Symbol/Telephone Number: CCTA-AIM-A/(586)282-9018  
Type of Contract: Cost No Fee  
Kind of Contract: Supply Contracts and Priced Orders  
Type of Business: Large Business Performing in U.S.  
Surveillance Criticality Designator: C  
Weapon System: No Identified Army Weapons Systems

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

1. This Bilateral Modification P00002, to Contract W56HZV-13-C-0231 is being awarded out of sequence before P00001.
2. The purpose of this Modification is to change the part number on the Long Lead Material Item, to extend the Termination Liability Schedule in Section H through January 2014, and add the DD254.
3. The following changes are being executed under this Modification:
  - a) Section B, CLIN 0001, Transfer Case Assembly part number is hereby changed from 10650900-011 PEW to 10699522-001PW.
  - b) Section H, H.1.2, Transfer Case Assembly part number is hereby changed from 10650900-011 PEW to 10699522-001PW.
  - c) Section H, H.1.5, Termination Liability Schedule, the following months and Termination Liability are added:

<u>MONTH/YEAR</u>	<u>TERMINATION LIABILITY (CUMULATIVE)</u>
November 2013	\$1,804,423.00
December 2013	\$1,804,423.00
January 2014	\$1,804,423.00
  - d) Section J, Attachments, the following attachments are being updated to reflect the part number change.  
Attachment 0001 Hazardous Materials List & MSDS  
Attachment 0002 Assertion of Intellectual Property Restrictions  
Attachment 0003 RFD List
  - e) Section J, Attachments, Attachment 0010, DD254, is added.
4. As a result of this modification, the total contract value remains unchanged.
5. All other terms and conditions of this contract, except those addressed by this modification, remain unchanged and in full force and effect.

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

CONTINUATION SHEET

Reference No. of Document Being Continued  
 PIIN/SIIN W56HZV-13-C-0231 MOD/AMD P00002

Name of Offeror or Contractor: CANADIAN COMMERCIAL CORPORATION

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0001	<p>SECTION B - SUPPLIES OR SERVICES AND PRICES/COSTS</p> <p><u>LONG LEAD MATERIAL</u></p> <p>GENERIC NAME DESCRIPTION: LONG LEAD MATERIAL                      CLIN CONTRACT TYPE:                      Cost No Fee</p> <p>PRON: T121T4024K PRON AMD: 01 ACRN: AA                      CUSTOMER ORDER NO: M9545012MPR2EU0</p> <p><u>Long Lead-time Items</u></p> <p>The contractor is hereby authorized to procure the necessary components and part numbers to support the following long lead-time items:</p> <p>(13) Powerpack, P/N 10682739-011</p> <p>(11) Transfer Case Assembly, P/N 10699522-001PW</p> <p>Reference Section H for Termination Liability Clause.</p> <p>CLIN changed by Modification P00002.</p> <p>(End of narrative B001)</p> <p><u>Inspection and Acceptance</u>                      INSPECTION: Origin ACCEPTANCE: Origin</p>	1	LO		\$ 1,532,103.84

**Name of Offeror or Contractor:** CANADIAN COMMERCIAL CORPORATION

SECTION H - SPECIAL CONTRACT REQUIREMENTS

H.1 CONTRACT FUNDING AND TERMINATION LIABILITY SCHEDULE FOR CLIN 0001 and 0002

H.1.1 Funds in the total amount of \$1,804,423.00 are presently allotted for performance of CLIN 0001 and 0002, on a cost reimbursable, no fee basis. The contractor agrees that the amount provided herein is sufficient to enable the contractor to initiate the acquisition of long lead-time material in support of the development of the Mobility and Obsolescence (MOB) kit.

H.1.2 The purpose of awarding a cost-no-fee contract is to enable the parties to enter into an order within the necessary material lead times to support the development of the MOB kits. Although this contract is cost-no-fee, the parties agree that the fee negotiated for the MOB Integration effort shall be calculated on a cost base that includes the following long lead-time materials:

- (13) Powerpack, P/N 10682739-011
- (11) Transfer Case Assembly, P/N 10699522-001PW

This provision does not mandate any specific fee, but acknowledges that the allowable and allocable material costs will be included during the MOB Integration effort fee negotiations.

H.1.3 In the event that a change in configuration results in the purchase of excess material or material that does not meet the current configuration, the contractor shall be entitled to an equitable adjustment for cancellation/pack/ship costs, as well as the cost of procuring material to comply with the new configuration and schedule.

H.1.4 In any event, including termination, the Government's liability for CLIN 0001 and 0002 shall be limited in accordance with FAR clause 52.232-20 - Limitation of Cost. Pursuant to this Clause, notification shall be provided when the contractor will exceed 75% of the total estimated cost.

H.1.5 TERMINATION LIABILITY SCHEDULE: In the event of termination, the maximum amount the Government will be responsible for is as follows:

<u>MONTH/YEAR</u>	<u>TERMINATION LIABILITY (CUMULATIVE)</u>
June	\$704,373.09
July	\$1,197,718.87
August	\$1,465,096.54
September	\$1,652,456.17
October	\$1,804,423.00
November 2013	\$1,804,423.00
December 2013	\$1,804,423.00
January 2014	\$1,804,423.00

H.1.6 The long lead-time materials identified in CLIN 0001 and 0002 shall be considered Contractor Acquired Property (CAP) for purposes of this contract as the Government anticipates consuming them during the performance of the follow-on MOB Integration effort. As such, the Government does not intend to accept the long lead-time materials identified in CLIN 0001 and 0002 as separate deliverables under this contract. Instead, the Government intends to accept the lead-time materials identified in CLIN 0001 and 0002 as part of the final MOB Integration effort.

\*\*\* END OF NARRATIVE H0001 \*\*\*

**CONTINUATION SHEET****Reference No. of Document Being Continued****Page 5 of 5****PIIN/SIIN** W56HZV-13-C-0231**MOD/AMD** P00002**Name of Offeror or Contractor:** CANADIAN COMMERCIAL CORPORATION

## SECTION J - LIST OF ATTACHMENTS

<u>List of Addenda</u>	<u>Title</u>	<u>Date</u>	<u>Number of Pages</u>	<u>Transmitted By</u>
Attachment 0001	HAZARDOUS MATERIALS LIST & MSDS	06-AUG-2013	039	EMAIL
Attachment 0002	ASSERTION OF INTELLECTUAL PROPERTY RESTRICTIONS	29-JUL-2013	010	EMAIL
Attachment 0003	RFD LIST	21-JUN-2013	001	
Attachment 0010	DD254	23-SEP-2013	010	EMAIL

RFD  
Attachment 0003  
W56HZV-13-C-0231  
24 June 2013-Change with award

REQUESTS FOR DEVIATIONS

<u>Added By</u>	<u>Original No.</u>	<u>Approval Date</u>	<u>Description</u>	<u>Effectivity</u>
Award	W-GDLS-000135	24 June 2013	Procurement of Power Pack and Transfer Case with components Containing Hexavalent Chromium.	See RFD.
P00002	W-GDLS-000135R1	Add with award	Procurement of Power Pack and Transfer Case with components Containing Hexavalent Chromium. Transfer Case P/N change to 10699522-001PW.	See RFD.

**PIIN/SIIN** W56HZV-13-C-0231  
**MOD/AMD** P00002  
**ATT/EXH ID** Attachment 0010  
**PAGE** 1