

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. Contract ID Code
Cost Plus Fixed Fee Page 1 Of 6

2. Amendment/Modification No. 01 3. Effective Date 2013SEP18 4. Requisition/Purchase Req No. SEE SCHEDULE 5. Project No. (If applicable)

6. Issued By Code W56HZV 7. Administered By (If other than Item 6) Code S3306A
 U.S. ARMY CONTRACTING COMMAND
 DANIEL POEHLING
 WARREN, MICHIGAN 48397-5000
 HTTP://CONTRACTING.TACOM.ARMY.MIL
 EMAIL: DANIEL.POEHLING@US.ARMY.MIL
 DCMA SYRACUSE
 615 ERIE BLVD., WEST
 SUITE 300
 SYRACUSE NY 13204-2408

8. Name And Address Of Contractor (No., Street, City, County, State and Zip Code)
 TECMOTIV (USA), INC.
 1500 JAMES AVE
 NIAGARA FALLS, NY 14305-1222
 9A. Amendment Of Solicitation No.
 9B. Dated (See Item 11)
 10A. Modification Of Contract/Order No.
 W56HZV-13-D-0019/0001
 10B. Dated (See Item 13)
 2013JUL16
 Code 0L7R7 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: BY MUTUAL AGREEMENT OF BOTH 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)
 DAVID A. HENDERSON
 DAVID.A.HENDERSON1@US.ARMY.MIL (586)282-7190
 15B. Contractor/Offendor 15C. Date Signed 16B. United States Of America 16C. Date Signed
 By _____ /SIGNED/ 2013SEP18
 (Signature of person authorized to sign) (Signature of Contracting Officer)

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

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PIIN/SIIN W56HZV-13-D-0019/0001 MOD/AMD 01

Name of Offeror or Contractor: TECMOTIV (USA), INC.

SECTION A - SUPPLEMENTAL INFORMATION

Buyer Name: DANIEL POEHLING
Buyer Office Symbol/Telephone Number: CCTA-AHL-B/(586)282-7312
Type of Contract: Cost Plus Fixed Fee
Kind of Contract: Service Contracts
Type of Business: Other Small Business Performing in U.S.
Surveillance Criticality Designator: C
Weapon System: Recovery Vehicle, M51/M74/M88

*** End of Narrative A0000 ***

Modification 01 to Delivery Order 0001 of Contract W56HZV-13-D-0019

CONTRACT AMOUNT: \$2,118,639.46

AMOUNT OF MODIFICATION 01: \$0

CURRENT CONTRACT AMOUNT: \$2,118,639.46

1. The purpose of Modification 01 to Delivery Order 0001 is to:

a. Revise the delivery schedule for CLINs 0011AA and 0021AA to reflect an appropriate lead time from the date of receipt of Government Furnished Property by the contractor for repair. The contractor, Tecmotiv, USA, on 22 Aug 2013 confirmed receipt all 14 each M88A2 diesel engines from the Government issued under Delivery Order 0001 for repair. The adjusted delivery schedules to CLINs 0011AA and 0021AA outlined in item #2 below were mutually agreed upon by the Government and the contractor. In addition, a Section G narrative is added to allow the contractor to separately invoice CLIN 0011AA for each Condition Assessment Report (CAR) (one CAR for each of the 14 engines to be repaired) accepted by the Contracting Officer's Representative (COR).

2. As a result of this modification, the following sections of Delivery Order 0001 are updated as follows:

a. Section B - Supplies and Services

1. CLIN 0011AA:

a. Delivery due date changed from 16 Sep 2013 to 25 Nov 2014.

b. Narrative B001 is updated as follows to include:

The first of 14 CARs is due 23 Oct 2013 with each subsequent CAR due every 30 days thereafter until the final CAR due date of 25 Nov 2014.

2. CLIN 0021AA: delivery due dates changed as follows:

- a. Del Rel Cd 001: from 14 Jan 2014 to 21 Jan 2014.
- b. Del Rel Cd 002: from 12 Feb 2014 to 20 Feb 2014.
- c. Del Rel Cd 003: from 17 Mar 2014 to 24 Mar 2014.
- d. Del Rel Cd 004: from 16 Apr 2014 to 23 Apr 2014.
- e. Del Rel Cd 005: from 16 May 2014 to 23 May 2014.
- f. Del Rel Cd 006: from 16 Jun 2014 to 23 Jun 2014.
- g. Del Rel Cd 007: from 16 Jul 2014 to 23 Jul 2014.
- h. Del Rel Cd 008: from 15 Aug 2014 to 22 Aug 2014.
- i. Del Rel Cd 009: from 15 Sep 2014 to 22 Sep 2014.
- j. Del Rel Cd 010: from 15 Oct 2014 to 22 Oct 2014.
- k. Del Rel Cd 011: from 14 Nov 2014 to 21 Nov 2014.
- l. Del Rel Cd 012: from 15 Dec 2014 to 22 Dec 2014.
- m. Del Rel Cd 013: from 14 Jan 2015 to 21 Jan 2015.
- n. Del Rel Cd 014: from 13 Feb 2015 to 20 Feb 2015.

b. Section G - Contract Administration Data

1. The following narrative is added allowing the contractor to separately invoice for each accepted CAR under CLIN 0011AA:

| | | |
|---------------------------|--|---------------------------|
| CONTINUATION SHEET | Reference No. of Document Being Continued PIIN/SIIN W56HZV-13-D-0019/0001 MOD/AMD 01 | Page 3 of 6 |
|---------------------------|--|---------------------------|

Name of Offeror or Contractor: TECMOTIV (USA), INC.

The contractor is authorized to invoice CLIN 0011AA in the amount of \$63,358.11 for each individual Condition Assessment Report (CAR) that is accepted by the Contracting Officer's Representative (COR). There will be 14 CAR reports, one for each engine to be repaired, submitted by the contractor throughout the performance period of Delivery Order 0001 totaling \$887,013.54.

3. As a result of this modification, total contract funding remains unchanged.
4. This modification constitutes the complete equitable adjustment for the matters covered by this modification. The contractor releases the Government from any and all liability under this contract for any equitable adjustment attributable to or related to the facts or circumstances giving rise to the changes in this Modification 01.
5. All other terms and conditions of the contract, except those addressed by this modification, remain unchanged and in full force and effect.

*** END OF NARRATIVE A0002 ***

CONTINUATION SHEET

Reference No. of Document Being Continued
 PIIN/SIIN W56HZV-13-D-0019/0001 MOD/AMD 01

Name of Offeror or Contractor: TECMOTIV (USA), INC.

| ITEM NO | SUPPLIES/SERVICES | QUANTITY | UNIT | UNIT PRICE | AMOUNT | | | | | | | | |
|---------------|--|-------------|------|-----------------|-----------------|-----------------|-------------|-----|---|-------------|---|----|---------------|
| | SECTION B - SUPPLIES OR SERVICES AND PRICES/COSTS | | | | | | | | | | | | |
| 0011 | Engine, Diesel | | | | | | | | | | | | |
| 0011AA | <p><u>INSPECTION QUANTITY</u></p> <p>GENERIC NAME DESCRIPTION: Engine, Diesel CLIN CONTRACT TYPE: Firm Fixed Price PRON: EH36L079EH PRON AMD: 03 ACRN: AA AMS CD: SM2B1100000</p> <p>CLIN 0011AA covers inspection, teardown analysis, and reporting applicable to 14 each (one lot) M88A2 Engines (NSN: 2815-01-414-6821) sent for repair at a fixed price of \$63,358.11 each, totaling \$887,013.54 for one lot. Refer to Exhibit A, Section J - Data Item No. A001, Condition Assessment Report (CAR) as described in SOW Section C.3.1.</p> <p>The first of 14 CARs is due 23 Oct 2013 with each subsequent CAR due every 30 days thereafter until the final CAR due date of 25 Nov 2014.</p> <p>(End of narrative B001)</p> <p><u>Inspection and Acceptance</u> INSPECTION: Origin ACCEPTANCE: Origin</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>25-NOV-2014</td> </tr> </table> <p>\$ 887,013.54</p> | DLVR SCH | | PERF COMPL | <u>REL CD</u> | <u>QUANTITY</u> | <u>DATE</u> | 001 | 1 | 25-NOV-2014 | 1 | LO | \$ 887,013.54 |
| DLVR SCH | | PERF COMPL | | | | | | | | | | | |
| <u>REL CD</u> | <u>QUANTITY</u> | <u>DATE</u> | | | | | | | | | | | |
| 001 | 1 | 25-NOV-2014 | | | | | | | | | | | |
| 0021 | ENGINE,DIESEL NSN: 2815-01-414-6821 | | | | | | | | | | | | |
| 0021AA | <p><u>REPAIR QUANTITY</u></p> <p>GENERIC NAME DESCRIPTION: ENGINE,DIESEL CLIN CONTRACT TYPE: Cost Plus Fixed Fee PRON: EH36L077EH PRON AMD: 02 ACRN: AA AMS CD: SM2B1100000 PSC: 2815</p> | 14 | EA | \$ 87,973.28000 | \$ 1,231,625.92 | | | | | | | | |

Name of Offeror or Contractor: TECMOTIV (USA), INC.

| ITEM NO | SUPPLIES/SERVICES | QUANTITY | UNIT | UNIT PRICE | AMOUNT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|-------------------|--|-------------------|-----------------|-----------------|--------|---|-------------|-----|---|-------------|-----|---|-------------|-----|---|-------------|-----|---|-------------|-----|---|-------------|-----|---|-------------|-----|---|-------------|-----|---|-------------|-----|---|-------------|-----|---|-------------|-----|---|-------------|-----|---|-------------|-----|---|-------------|--|--|--|--|
| | <p><u>Packaging and Marking</u> PACKAGING/PACKING/SPECIFICATIONS: SEE PACKAGING RQMTS CLAUSE 52.211-4515 UNIT PACK: 001 LEVEL PRESERVATION: Military LEVEL PACKING: A</p> <p><u>Inspection and Acceptance</u> INSPECTION: Origin ACCEPTANCE: Origin</p> <p><u>Deliveries or Performance</u> DOC SUPPL <u>REL CD MILSTRIP ADDR SIG CD MARK FOR TP CD</u> 001 W56HZV2355T640 W562RP J 2</p> <table border="1"> <thead> <tr> <th><u>DEL REL CD</u></th> <th><u>QUANTITY</u></th> <th><u>DEL DATE</u></th> </tr> </thead> <tbody> <tr><td>001</td><td>1</td><td>21-JAN-2014</td></tr> <tr><td>002</td><td>1</td><td>20-FEB-2014</td></tr> <tr><td>003</td><td>1</td><td>24-MAR-2014</td></tr> <tr><td>004</td><td>1</td><td>23-APR-2014</td></tr> <tr><td>005</td><td>1</td><td>23-MAY-2014</td></tr> <tr><td>006</td><td>1</td><td>23-JUN-2014</td></tr> <tr><td>007</td><td>1</td><td>23-JUL-2014</td></tr> <tr><td>008</td><td>1</td><td>22-AUG-2014</td></tr> <tr><td>009</td><td>1</td><td>22-SEP-2014</td></tr> <tr><td>010</td><td>1</td><td>22-OCT-2014</td></tr> <tr><td>011</td><td>1</td><td>21-NOV-2014</td></tr> <tr><td>012</td><td>1</td><td>22-DEC-2014</td></tr> <tr><td>013</td><td>1</td><td>21-JAN-2015</td></tr> <tr><td>014</td><td>1</td><td>20-FEB-2015</td></tr> </tbody> </table> <p>FOB POINT: Destination</p> <p>SHIP TO: (W562RP) SR W0LX ARMY GENERAL SUPPLY CENTRAL RECEIVING POINT 7 FRANKFORD AVE ANNISTON,AL,36201-4199</p> <p><u>CONTRACT/DELIVERY ORDER NUMBER</u> W56HZV-13-D-0019/0001</p> | <u>DEL REL CD</u> | <u>QUANTITY</u> | <u>DEL DATE</u> | 001 | 1 | 21-JAN-2014 | 002 | 1 | 20-FEB-2014 | 003 | 1 | 24-MAR-2014 | 004 | 1 | 23-APR-2014 | 005 | 1 | 23-MAY-2014 | 006 | 1 | 23-JUN-2014 | 007 | 1 | 23-JUL-2014 | 008 | 1 | 22-AUG-2014 | 009 | 1 | 22-SEP-2014 | 010 | 1 | 22-OCT-2014 | 011 | 1 | 21-NOV-2014 | 012 | 1 | 22-DEC-2014 | 013 | 1 | 21-JAN-2015 | 014 | 1 | 20-FEB-2015 | | | | |
| <u>DEL REL CD</u> | <u>QUANTITY</u> | <u>DEL DATE</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 001 | 1 | 21-JAN-2014 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 002 | 1 | 20-FEB-2014 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 003 | 1 | 24-MAR-2014 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 004 | 1 | 23-APR-2014 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 005 | 1 | 23-MAY-2014 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 006 | 1 | 23-JUN-2014 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 007 | 1 | 23-JUL-2014 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 008 | 1 | 22-AUG-2014 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 009 | 1 | 22-SEP-2014 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 010 | 1 | 22-OCT-2014 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 011 | 1 | 21-NOV-2014 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 012 | 1 | 22-DEC-2014 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 013 | 1 | 21-JAN-2015 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 014 | 1 | 20-FEB-2015 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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Name of Offeror or Contractor: TECMOTIV (USA), INC.

SECTION G - CONTRACT ADMINISTRATION DATA

The contractor is authorized to invoice CLIN 0011AA in the amount of \$63,358.11 for each individual Condition Assessment Report (CAR) that is accepted by the Contracting Officer's Representative (COR). There will be 14 CAR reports, one for each engine to be repaired, submitted by the contractor throughout the performance period of Delivery Order 0001 totaling \$887,013.54.

*** END OF NARRATIVE G0001 ***