

**AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT**

1. Contract ID Code  
Firm Fixed Price

Page 1 Of 5

2. Amendment/Modification No. 02	3. Effective Date 2013NOV15	4. Requisition/Purchase Req No. SEE SCHEDULE	5. Project No. (If applicable)
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6. Issued By U.S. ARMY CONTRACTING COMMAND PAMELA TAIARIOL WARREN, MICHIGAN 48397-5000 HTTP://CONTRACTING.TACOM.ARMY.MIL  EMAIL: PAMELA.TAIARIOL@US.ARMY.MIL	Code W56HZV	7. Administered By (If other than Item 6) DCMA ATLANTA 2300 LAKE PARK DRIVE, SUITE 300 SMYRNA GA 30080	Code S1103A
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8. Name And Address Of Contractor (No., Street, City, County, State and Zip Code)  JCB INC. 2000 BAMFORD BLVD POOLER, GA 31322-9504	<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-13-D-0096/0001
	<input type="checkbox"/>	10B. Dated (See Item 13) 2013APR25
Code OJKF0	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: AB NET DECREASE: -\$532,623.00

**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 checked="" type="checkbox"/>	C. This Supplemental Agreement Is Entered Into Pursuant To Authority Of:	43.103(a)(3)
<input type="checkbox"/>	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) TRISH PIERCE TRISH.PIERCE@US.ARMY.MIL (586)282-8128	
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 2013NOV15

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

PIIN/SIIN W56HZV-13-D-0096/0001

MOD/AMD 02

**Name of Offeror or Contractor:** JCB INC.

## SECTION A - SUPPLEMENTAL INFORMATION

Buyer Name: PAMELA TAIARIOL  
Buyer Office Symbol/Telephone Number: CCTA-HBF-C/(586)282-3523  
Type of Contract: Firm Fixed Price  
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. Modification 02 to Delivery Order 0001 under Contract W56HZV-13-D-0096 is in accordance with FAR 49.603-7, a supplemental agreement that modifies the contract to reflect a no-cost settlement agreement with respect to the Notice of Termination dated 12 September 2013 (REF #D0096-13-080) and revised 16 September 2013 (REF #D0096-13-085).
2. The parties agree as follows:
  - a. The terminated portion of the delivery order is as follows: CLIN 0002AA is de-obligated by \$532,623.00, reducing the total amount on CLIN 0002AA from \$2,990,883.00 to \$2,458,260.00
    1. Item: Field Service Representatives (FSR) in Afghanistan
    2. Description: FSRs support the U.S. Army's fleet of High Mobility Engineer Excavators Type I (HMEE-I) while this equipment is deployed in Kuwait and Afghanistan
    3. Quantity terminated: Two FSRs as of 16 October 2013. The revised period of performance for the two FSRs is 29 April 2013 through 15 October 2013.
    4. Unit and total price of terminated items: Daily rate of \$1,365.70 x 2 FSRs X 195 days = \$532,623.00.
  - b. The Contractor unconditionally waives any charges against the Government arising under the terminated portion of the contract or by reason of its termination, including, without limitation, all obligations of the Government to make further payments or to carry out any further undertakings under the terminated portion of the contract. The government acknowledges that the Contractor has no obligation to perform further work or services or to make further deliveries under the terminated portion of the contract. Nothing in this paragraph affects any other covenants, terms, or conditions of the contract.
3. Update Narrative B001 on CLIN 0002AA as follows:
  - a. Reduce the number of FSRs by two (2), from six (6) to four (4), with a period of performance starting on 29 April 2013 to 28 April 2014.
  - b. Revise the period of performance end date for the two (2) remaining FSRs from 28 April 2014 to 15 October 2013.
4. As a result of this Modification 02, the total dollar value of Delivery Order 0001 is reduced by \$532,623.00 from \$5,896,821.45 to \$5,364,198.45.
5. All other terms and conditions of Delivery Order 0001 remain unchanged and in full force and effect.

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

CONTINUATION SHEET

Reference No. of Document Being Continued  
 PIIN/SIIN W56HZV-13-D-0096/0001 MOD/AMD 02

Name of Offeror or Contractor: JCB INC.

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT									
0002AA	<p>SECTION B - SUPPLIES OR SERVICES AND PRICES/COSTS</p> <p><u>FSR-SOUTHWEST ASIA-AFGHANISTAN</u></p> <p>GENERIC NAME DESCRIPTION: HMEE-I FSR Spt in Af                      CLIN CONTRACT TYPE:                      Firm Fixed Price                      PRON: EH3M0061EH PRON AMD: 02 ACRN: AB</p> <p>CLIN 0002AA is IAW Scope of Work Section C.2.3.                      Daily rate for FSR in SWA/Afghanistan is \$1,365.70</p> <p>-----</p> <p>For Period of Performance 29 April 2013 to 28 April 2014:</p> <p>Period of Performance is 365 Days:                      29 April 2013 to 28 April 2014</p> <p>(1) One LO = 365 days                      (4) Four FSRs x \$1,365.70 x 365 = \$1,993,922.00</p> <p>-----</p> <p>For Period of Performance 29 April 2013 to 15 October 2013:</p> <p>Period of Performance is 170 Days:                      29 April 2013 to 15 October 2013</p> <p>(1) One LO = 170 days                      (2) Two FSRs x \$1,365.70 x 170 = \$464,338.00</p> <p>-----</p> <p>TOTAL CLIN AMOUNT:                      \$1,993,922.00                      + \$464,338.00                      -----                      \$2,458,260.00</p> <p>FOB Point = Destination</p> <p>(End of narrative B001)</p> <p><u>Inspection and Acceptance</u>                      INSPECTION: Destination ACCEPTANCE: Destination</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>28-APR-2014</td> </tr> </table>	DLVR SCH		PERF COMPL	<u>REL CD</u>	<u>QUANTITY</u>	<u>DATE</u>	001	1	28-APR-2014	1	LO		\$ 2,458,260.00
DLVR SCH		PERF COMPL												
<u>REL CD</u>	<u>QUANTITY</u>	<u>DATE</u>												
001	1	28-APR-2014												

**CONTINUATION SHEET**

**Reference No. of Document Being Continued**  
**PIIN/SIIN** W56HZV-13-D-0096/0001 **MOD/AMD** 02

**Name of Offeror or Contractor:** JCB INC.

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
	\$ 2,458,260.00				

**CONTINUATION SHEET**

**Reference No. of Document Being Continued**

**PIIN/SIIN** W56HZV-13-D-0096/0001 **MOD/AMD** 02

**Name of Offeror or Contractor:** JCB 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>
0002AA	EH3M0061EH	2	S.0009002.2.5	AB \$	2,990,883.00 \$	-532,623.00 \$	2,458,260.00
					NET CHANGE \$	-532,623.00	

<u>ACRN</u>	<u>ACCOUNTING CLASSIFICATION</u>	<u>INCREASE/ DECREASE</u>
AB	021 201320132020 A60EE 13735BVFRE 2540 L033606544 S.0009002.2.5	021001 \$ -532,623.00
		NET CHANGE \$ -532,623.00

	<u>PRIOR AMOUNT OF AWARD</u>	<u>INCREASE/DECREASE AMOUNT</u>	<u>CUMULATIVE OBLIG AMT</u>
NET CHANGE FOR AWARD:	\$ 5,896,821.45	\$ -532,623.00	\$ 5,364,198.45

LINE	<u>ACRN</u>	<u>EDI/SFIS ACCOUNTING CLASSIFICATION</u>		
0002AA	AB	021 201320132020 A60EE 13735BVFRE	2540 L033606544 S.0009002.2.5	021001