

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. Contract ID Code
Firm Fixed Price

Page 1 Of 10

2. Amendment/Modification No. P00001	3. Effective Date 2013OCT15	4. Requisition/Purchase Req No. SEE SCHEDULE	5. Project No. (If applicable)
---	--------------------------------	---	--------------------------------

6. Issued By U.S. ARMY CONTRACTING COMMAND STEVE NETTER WARREN, MICHIGAN 48397-5000 HTTP://CONTRACTING.TACOM.ARMY.MIL EMAIL: STEVEN.NETTER@US.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
---	----------------	---	----------------

8. Name And Address Of Contractor (No., Street, City, County, State and Zip Code) HDT TACTICAL SYSTEMS, INC. 30525 AURORA RD SOLON, OH 44139-2739	<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-0120
	<input type="checkbox"/>	10B. Dated (See Item 13) 2013JUL11
Code 92878	Facility Code 8R360	

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.**

<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:	52.243-1
<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) DOROTHY Y. RIESE DEE.RIESE@US.ARMY.MIL (586)282-5258	
15B. Contractor/Offendor _____ (Signature of person authorized to sign)	15C. Date Signed	16B. United States Of America By _____ /SIGNED/ (Signature of Contracting Officer)	16C. Date Signed 2013OCT15

CONTINUATION SHEET	Reference No. of Document Being Continued	Page 2 of 10
	PIIN/SIIN W56HZV-13-D-0120 MOD/AMD P00001	
Name of Offeror or Contractor: HDT TACTICAL SYSTEMS, INC.		

SECTION A - SUPPLEMENTAL INFORMATION

Buyer Name: STEVE NETTER
 Buyer Office Symbol/Telephone Number: CCTA-ADT-A/(586)282-4467
 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: B
 Contract Expiration Date: 2018JUL10

*** End of Narrative A0000 ***

Contract: W56HZV-13-D-0120
 Modification Number: P00001
 Contract For: M98 Gas Filter, M98 Gas Particulate Filter Set

Previous Contract Amount: \$4,899,316.51
 Amount of this Action: \$0.00
 Current Contract Amount: \$4,899,316.51

1. The purpose of this bilateral Modification P00001 to Contract W56HZV-13-D-0120 is as follows:

a) To clarify the revised CK gas life values, as specified in TDPL 20120638, Section C, ENGINEERING EXCEPTIONS, para 4, pertaining to MIL-PRF-51527C, para 3.3.4.1, for the M98 Gas Particulate Filter Set (CLINs 0011-0016), apply to MIL-PRF-51525C, para 3.3.3.1(a)(b), for the M98 Gas Filter (CLINs 0021-0026) as well.

b) Section D clause, 52.211-4501, PACKAGING REQUIREMENTS (SPECIAL PACKAGING INSTRUCTIONS) - CLIN 0021-0025, P5-19-6368-30, is changed from 1 Nov 2012 to 1 Nov 2010.

c) Section E clause, 52.209-4512, FIRST ARTICLE TEST (CONTRACTOR TESTING), is revised as follows:

(1) Paragraph a., under "For CLIN 0016:" - The clause language is revised from "...19 Gas Particulate Filter Sets (MIL-PRF-51527) and seven unattached gaskets. TESTING AT A GOVERNMENT..." to "...19 Gas Particulate Filter Sets (MIL-PRF-51527). TESTING AT A GOVERNMENT..."

(2) Paragraph a., under "For CLIN 0026:" - The clause language is revised from "...listed in Tables I-II in PARA 4.2, MIL-PRF-52525. In addition, the FAT sample shall include seven (7) unattached gaskets (per material type) for chemical breakthrough testing." to "listed in Tables I-II in PARA 4.2, MIL-PRF-52525."

d) Section E clause, 52.246-4028, INSPECTION AND ACCEPTANCE POINTS: ORIGIN - The CAGE code for both the Inspection and Acceptance points is changed from 92878 to 8R360. 8R360 also appears as the Facility Code in Box 7, first page of contract, Standard Form 26.

e) Section I clause, 52.209-3, FIRST ARTICLE APPROVAL -- CONTRACTOR TESTING, is revised as follows:

(1) Paragraph (a), under "For CLIN 0016:" - The clause language is revised from "...19 Gas Particulate Filter Sets (MIL-PRF-51527) and seven unattached gaskets. TESTING AT A GOVERNMENT..." to "...19 Gas Particulate Filter Sets (MIL-PRF-51527). TESTING AT A GOVERNMENT..."

(2) Paragraph (a), under "For CLIN 0026:" - The clause language is revised from "...listed in Tables I-II in PARA 4.2, MIL-PRF-52525. In addition, the FAT sample shall include seven (7) unattached gaskets (per material type) for chemical breakthrough testing." to "listed in Tables I-II in PARA 4.2, MIL-PRF-52525."

(3) Paragraph (a), under "For CLIN 0016:" and "For CLIN 0026:", language referencing points of contacts for HG/GB testing is removed as follows:

NOTE: For HD/GB testing, contact information is as provided:

Brian MacIver
 Permeation and Analytical Solutions Branch
 5183 Blackhawk Rd, Bldg. E3300/112
 Aberdeen Proving Ground, MD 21010-5424
 mailto:brian.maciver@us.army.mil
 410-436-5919

CONTINUATION SHEET**Reference No. of Document Being Continued****Page 3 of 10****PIIN/SIIN** W56HZV-13-D-0120**MOD/AMD** P00001**Name of Offeror or Contractor:** HDT TACTICAL SYSTEMS, INC.**Alts:**

Michael Sheely
Permeation and Analytical Solutions Branch
5183 Blackhawk Rd, Bldg. E3300/112
Aberdeen Proving Ground, MD 21010-5424
mailto:Michael.v.sheely.civ@mail.mil
410-436-7870

Juan Cajigas
Permeation and Analytical Solutions Branch
5183 Blackhawk Rd, Bldg. E3300/112
Aberdeen Proving Ground, MD 21010-5424
mailto:Juan.c.cajigas.civ@mail.mil
410-436-8561

f) Incorporate the attached Notice of Revision (NOR) 980-0210-001, P/N 5-19-6410, PAD, CONTAINER, dated 12 Sep 2013.

See Attachment 0005 titled: NOTICE OF REVISION (NOR) 980-0210-001, and its approval.

2. The contractor shall follow the guidance provided by the attached Government approved document.
3. All other terms and conditions remain unchanged.

*** END OF NARRATIVE A0002 ***

CONTINUATION SHEET	Reference No. of Document Being Continued	Page 4 of 10
	PIIN/SIIN W56HZV-13-D-0120	MOD/AMD P00001

Name of Offeror or Contractor: HDT TACTICAL SYSTEMS, INC.

SECTION D - PACKAGING AND MARKING

<u>Status</u>	<u>Regulatory Cite</u>	<u>Title</u>	<u>Date</u>
D-1 CHANGED	52.211-4501 TACOM (RI)	PACKAGING REQUIREMENTS (SPECIAL PACKAGING INSTRUCTIONS)	DEC/2007

A. Military preservation, packing, and marking for the item identified above shall be accomplished in accordance with the specific requirements identified below, all the applicable requirements of, MIL-STD-2073-1, Revision D, Date 15 Dec 99 including Notice 1, dated 10 May 02 and the Special Packaging Instruction (SPI) contained in the TDP.

PRESERVATION: MILITARY
 LEVEL OF PACKING: B
 QUANTITY PER UNIT PACKAGE: 001

<u>CLIN</u>	<u>SPI NUMBER</u>
0011-0015	P5-19-6722, Dated 23 Aug 2012
0021-0025	P5-19-6368-30, Dated 1 Nov 2010

B. Unitization: Shipments of identical items going to the same destination shall be palletized if they have a total cubic displacement of 50 cubic feet or more unless skids or other forklift handling features are included on the containers. Pallet loads must be stable, and to the greatest extent possible, provide a level top for ease of stacking. A palletized load shall be of a size to allow for placement of two loads high and wide in a conveyance. The weight capacity of the pallet must be adequate for the load. The pallet shall be a 40 x 48 inch, 4-way entry pallet although variations may be permitted as dictated by the characteristics of the items being unitized. The load shall be contained in a manner that will permit safe handling during shipment and storage.

C. Marking: In addition to any special markings called out on the SPI;

C.1. All unit packages, intermediate packs, exterior shipping containers, and, as applicable, unitized loads shall be marked in accordance with MIL-STD-129, Revision P, Change Notice 4, dated 19 Sep 2007 including bar coding and a MSL label. The contractor is responsible for application of special markings as discussed in the Military Standard regardless of whether specified in the contract or not. Special markings include, but are not limited to, Shelf-life markings, structural markings, and transportation special handling markings. The marking of pilferable and sensitive materiel will not identify the nature of the materiel. Passive RFID tagging is required in all contracts that contain DFARS clause 252.211-7006. Contractors must check the solicitation and/or contract for this clause. For details and most recent information, see [://www.acq.osd.mil/log/rfid/index.htm](http://www.acq.osd.mil/log/rfid/index.htm) for the current DoD Suppliers Passive RFID Information Guide and Supplier Implementation Plan. If the item has Unique Item Identifier (UII) markings then the concatenated UII needs to be 2D bar coded and applied on the unit package, intermediate and exterior containers, and the palletized unit load.

D. Heat Treatment and Marking of Wood Packaging Materials: All non-manufactured wood used in packaging shall be heat treated to a core temperature of 56 degrees Celsius for a minimum of 30 minutes. The box/pallet manufacturer and the manufacturer of wood used as inner packaging shall be affiliated with an inspection agency accredited by the board of review of the American Lumber Standard Committee. The box/pallet manufacturer and the manufacturer of wood used as inner packaging shall ensure tractability to the original source of heat treatment. Each box/pallet shall be marked to show the conformance to the International Plant Protection Convention Standard. Boxes/pallets and any wood used as inner packaging made of non-manufactured wood shall be heat-treated. The quality mark shall be placed on both ends of the outer packaging, between the end cleats or end battens; on two sides of the pallet. Foreign manufacturers shall have the heat treatment of non-manufactured wood products verified in accordance with their National Plant Protection Organizations compliance program. In addition, wood used as dunnage for blocking and bracing, to include ISO containers, shall be ordered with ALSC certified marking for dunnage or the markings may be applied locally at two foot intervals.

E. This SPI has been validated and the method of preservation/packing has proven successful in meeting the needs of the military distribution system, including indeterminate storage and shipment throughout the world. Special instructions and/or tailoring of the SPI is detailed in the Supplemental Instructions below. A prototype package is required to validate the sizes and fit requirements of the SPI. Minor dimensional and size changes are acceptable provided contractor provides the PCO and ACO with notification 60 days prior to delivery. Any design changes or changes in the method of preservation that provide a cost savings without degrading the method of preservation or packing or affecting the serviceability of the item will be considered and responded to within 10 days of submission to PCO and ACO. Government reserves the right to require testing to validate alternate industrial preservation methods, materials, alternate blocking, bracing, cushioning, and packing.

F. Hazardous Materials (as applicable):

F.1. Hazardous Materials is defined as a substance, or waste which has been determined by the Secretary of Transportation to be capable of posing an unreasonable risk to health, safety, and property when transported in commerce and which has been so designated. (This includes all items listed as hazardous in Titles 29, 40 and 49 CFR and other applicable modal regulations effective at the time of shipment.)

F.2. Unless otherwise specified, packaging and marking for hazardous material shall comply with the requirements for the mode of

CONTINUATION SHEET	Reference No. of Document Being Continued PIIN/SIIN W56HZV-13-D-0120 MOD/AMD P00001	Page 5 of 10
Name of Offeror or Contractor: HDT TACTICAL SYSTEMS, INC.		

transport and the applicable performance packaging contained in the following documents:

- International Air Transport Association (IATA) Dangerous Goods Regulations
- International Maritime Dangerous Goods Code (IMDG)
- Code of Federal Regulations (CFR) Title 29, Title 40 and Title 49
- Joint Service Regulation AFJMAN24-204/TM38-250/NAVSUPPUB 505/MCO P4030.19/DLAM 4145.3 (for military air shipments).

F.3. If the shipment originates from outside the continental United States, the shipment shall be prepared in accordance with the United Nations Recommendations on the Transport of Dangerous Goods in a manner acceptable to the Competent Authority of the nation of origin and in accordance with regulations of all applicable carriers.

F.4. When applicable, a Product Material Safety Data Sheets (MSDS) is required to be included with every unit pack and intermediate container and shall be included with the packing list inside the sealed pouch attached to the outside of the package.

G. SUPPLEMENTAL INSTRUCTIONS: PLACE A RED X AND THE WORDSSHORT BOX ON THE FRONT OF ANY BOX THAT HAS A SHORT QUANTITY, THEN PLACE THAT BOX/BOXES WITH THE MARKINGS SHOWING ON THE TOP FRONT OF THE PALLET LOAD.

(DS6419)

(End of Clause)

CONTINUATION SHEET	Reference No. of Document Being Continued	Page 6 of 10
	PIIN/SIIN W56HZV-13-D-0120 MOD/AMD P00001	

Name of Offeror or Contractor: HDT TACTICAL SYSTEMS, INC.

SECTION E - INSPECTION AND ACCEPTANCE

<u>Status</u>	<u>Regulatory Cite</u>	<u>Title</u>	<u>Date</u>
---------------	------------------------	--------------	-------------

E-1 CHANGED	52.209-4512 TACOM (RI)	FIRST ARTICLE TEST (CONTRACTOR TESTING)	MAR/2008
-------------	---------------------------	---	----------

a. The first article shall be examined and tested in accordance with contract requirements, the item specification(s), Quality Assurance Provisions (QAPs) and all drawings listed in the Technical Data Package. The first article shall consist of:

For CLIN 0016:

First Article Test shall consist of 19 Gas Particulate Filter Sets (MIL-PRF-51527). TESTING AT A GOVERNMENT TEST FACILITY IS REQUIRED. FAT shall consist of inspection and testing of all requirements listed as Government tests in accordance with Tables II and III in Para 4.2, MIL-PRF-51527, most current version.

AGENT TESTING is required for the filter set. AGENT TESTING is required for the raw carbon used in the filter IAW MIL-DTL-32101 and TEST RESULTS MUST BE INCLUDED IN THE FAT REPORT.

NOTE: SEE PARA 6.3 FOR TEST FACILITIES. For the shock and vibration tests, the Navy has an available fixture. Contact information to establish a TEST SUPPORT AGREEMENT for its use is:

Naval Surface Warfare Center
Dahlgren Division CBR Protection and Integration Branch Z23
4045 Higley Road, Suite 347
Dahlgren, VA 22448-5162
Email: DLGR_NSWC_Z23@NAVY.MIL

A packaging FAT is required and shall consist of 19 packaged units and inspected accordance with (IAW) SPI P5-19-6722, Rev D, Dated 23 Aug 2012.

The contractor is responsible for all requirements required by the drawings and specifications regardless of who conducts the testing. The FAT report for both the Filter and Packaging shall be submitted through the local QAR to the Contracting Officer (PCO).

For CLIN 0026:

First Article Test (FAT) shall consist of 19 gas filters (pn 5-19-6368-30/MIL-PRF-51525). TESTING AT A GOVERNMENT TEST FACILITY IS REQUIRED. FAT shall consist of inspection and testing of all requirements (except for contractor requirements such as-interface checks, ID markings, and contractor leakage tests, and workmanship) listed in Tables I-II in PARA 4.2, MIL-PRF-51525.

AGENT TESTING is required IAW Table II, para 4.2, MIL-PRF-51525, tests results must be included. AGENT TESTING is required for the Gas Only Filter as well.

NOTE: SEE PARA 6.3 FOR TEST FACILITIES. For the shock and vibration tests, the Navy has an available fixture. Contact information to establish a TEST SUPPORT AGREEMENT for its use is:

Naval Surface Warfare Center
Dahlgren Division CBR Protection and Integration Branch Z23
4045 Higley Road, Suite 347
Dahlgren, VA 22448-5162
Email: DLGR_NSWC_Z23@NAVY.MIL

A packaging FAT is required and shall consist of 19 packaged units and inspected in accordance (IAW) with SPI P5-19-6368-30, See NOR 980-0183-004, DATED 23 AUG 10. The contractor is responsible for all requirements required by the drawings and specifications regardless of who conducts the testing. FAT report for both the filter and packaging shall be submitted through the local QAR to the Contracting Officer (PCO).

b. The first article shall be representative of items to be manufactured using the same processes and procedures and at the same facility as contract production. All parts and materials, including packaging and packing, shall be obtained from the same source of supply as will be used during regular production. All components, subassemblies, and assemblies in the first article sample shall have been produced by the Contractor (including subcontractors) using the technical data package applicable to this procurement.

c. The first article shall be inspected and tested by the contractor for all requirements of the drawing(s), the QAPs, and specification(s) referenced thereon, except for:

(1) Inspections and tests contained in material specifications provided that the required inspection and tests have been performed previously and certificates of conformance are submitted with the First Article Test Report.

(2) Inspections and tests for Military Standard (MS) components and parts provided that inspection and tests have been performed previously and certifications for the components and parts are submitted with the First Article Test Report.

Name of Offeror or Contractor: HDT TACTICAL SYSTEMS, INC.

(3) Corrosion resistance tests over 10 days in length provided that a test specimen or sample representing the same process has successfully passed the same test within 30 days prior to processing the first article, and results of the tests are submitted with the First Article Test Report.

(4) Life cycle tests over 10 days in length provided that the same or similar items manufactured using the same processes have successfully passed the same test within 1 year prior to processing the first article and results of the tests are submitted with the First Article Test Report.

(5) Onetime qualification tests, which are defined as a one-time on the drawing(s), provided that the same or similar item manufactured using the same processes has successfully passed the tests, and results of the test are on file at the contractor's facility and certifications are submitted with the First Article Test Report.

d. The Contractor shall provide to the Contracting Officer at least 15 calendar days advance notice of the scheduled date for final inspection and test of the first article. Those inspections which are of a destructive nature shall be performed upon additional sample parts selected from the same lot(s) or batch(es) from which the first article was selected.

e. A First Article Test Report shall be compiled by the contractor documenting the results of all inspections and tests (including supplier's and vendor's inspection records and certifications, when applicable). The First Article Test Report shall include actual inspection and test results to include all measurements, recorded test data, and certifications (if applicable) keyed to each drawing, specification and QAP requirement and identified by each individual QAP characteristic, drawing/specification characteristic and unlisted characteristic. Evidence of the QAR's verification will be provided. One copy of the First Article Test Report will be submitted through the Administrative Contracting Officer to the Contracting Officer.

f. Notwithstanding the provisions for waiver of first article, an additional first article sample or portion thereof, may be ordered by the Contracting Officer in writing when (i) a major change is made to the technical data, (ii) whenever there is a lapse in production for a period in excess of 90 days, or (iii) whenever a change occurs in place of performance, manufacturing process, material used, drawing, specification or source of supply. When conditions (i), (ii), or (iii) above occurs, the Contractor shall notify the Contracting Officer so that a determination can be made concerning the need for the additional first article sample or portion thereof, and instructions provided concerning the submission, inspection, and notification of results. Costs of the additional first article testing resulting from any of the causes listed herein that were instituted by the contractor and not due to changes directed by the Government shall be borne by the Contractor.

(ES6026) (End of Clause)

E-2 CHANGED 52.246-4028 INSPECTION AND ACCEPTANCE POINTS: ORIGIN NOV/2005
(TACOM)

The Government's inspection and acceptance of the supplies offered under this contract/purchase order shall take place at ORIGIN. Offeror must specify below the exact name, address, and CAGE of the facility where supplies to be furnished under this contract/purchase order will be available for inspection/acceptance.

INSPECTION POINT:	HDT Tactical Systems, Inc. (8R360)
	(Name) (CAGE)
	4080 Park Avenue Mansfield Ohio 44903
	(Address) (City) (State) (Zip)
ACCEPTANCE POINT:	HDT Tactical Systems, Inc. (8R360)
	(Name) (CAGE)
	4080 Park Avenue Mansfield Ohio 44903
	(Address) (City) (State) (Zip)

[End of Clause]

CONTINUATION SHEET**Reference No. of Document Being Continued****Page 8 of 10**

PIIN/SIIN W56HZV-13-D-0120

MOD/AMD P00001

Name of Offeror or Contractor: HDT TACTICAL SYSTEMS, INC.

SECTION I - CONTRACT CLAUSES

<u>Status</u>	<u>Regulatory Cite</u>	<u>Title</u>	<u>Date</u>
---------------	------------------------	--------------	-------------

I-1 CHANGED	52.209-3	FIRST ARTICLE APPROVAL -- CONTRACTOR TESTING (SEP 1989) -- ALTERNATE I (JAN 1997) AND ALTERNATE II (SEP 1989)	SEP/1989
-------------	----------	---	----------

(a) The Contractor shall test according to the following:

For CLIN 0016:

First Article Test shall consist of 19 Gas Particulate Filter Sets (MIL-PRF-51527). TESTING AT A GOVERNMENT TEST FACILITY IS REQUIRED. FAT shall consist of inspection and testing of all requirements listed as Government tests in accordance with Tables II and III in Para 4.2, MIL-PRF-51527, most current version. AGENT TESTING is required for the filter set. AGENT TESTING is required for the raw carbon used in the filter IAW MIL-DTL-32101 and TEST RESULTS MUST BE INCLUDED IN THE FAT REPORT.

NOTE: SEE PARA 6.3 FOR TEST FACILITIES. For the shock and vibration tests, the Navy has an available fixture. Contact information to establish a TEST SUPPORT AGREEMENT for its use is:

Naval Surface Warfare Center
Dahlgren Division CBR Protection and Integration Branch Z23
4045 Higley Road, Suite 347
Dahlgren, VA 22448-5162
Email: DLGR_NSWC_Z23@NAVY.MIL

A packaging FAT is required and shall consist of 19 packaged units and inspected accordance with (IAW) SPI P5-19-6722, Rev D, Dated 23 Aug 2012.

The contractor is responsible for all requirements required by the drawings and specifications regardless of who conducts the testing. The FAT report for both the Filter and Packaging shall be submitted through the local QAR to the Contracting Officer (PCO).

For CLIN 0026:

First Article Test (FAT) shall consist of 19 gas filters (pn 5-19-6368-30/MIL-PRF-51525). TESTING AT A GOVERNMENT TEST FACILITY IS REQUIRED. FAT shall consist of inspection and testing of all requirements (except for contractor requirements such as-interface checks, ID markings, and contractor leakage tests, and workmanship) listed in Tables I-II in PARA 4.2, MIL-PRF-51525.

AGENT TESTING is required IAW Table II, para 4.2, MIL-PRF-51525, tests results must be included. AGENT TESTING is required for the Gas Only Filter as well.

NOTE: SEE PARA 6.3 FOR TEST FACILITIES. For the shock and vibration tests, the Navy has an available fixture. Contact information to establish a TEST SUPPORT AGREEMENT for its use is:

Naval Surface Warfare Center
Dahlgren Division CBR Protection and Integration Branch Z23
4045 Higley Road, Suite 347
Dahlgren, VA 22448-5162
Email: DLGR_NSWC_Z23@NAVY.MIL

A packaging FAT is required and shall consist of 19 packaged units and inspected in accordance (IAW) with SPI P5-19-6368-30, See NOR 980-0183-004, DATED 23 AUG 10.

The contractor is responsible for all requirements required by the drawings and specifications regardless of who conducts the testing. FAT report for both the filter and packaging shall be submitted through the local QAR to the Contracting Officer (PCO).

At least 15 calendar days before the beginning of first article tests, the Contractor shall notify the Contracting Officer, in writing, of the time and location of the testing so that the Government may witness the tests.

(b) The Contractor shall submit the first article test report within 150 calendar days from the date of this contract to the Contracting Officer in electronic form marked First Article Test Report: Contract No. _____, Lot/Item No. _____. Within 30 calendar days after the Government receives the test report, the Contracting Officer shall notify the Contractor, in writing, of the conditional approval, approval, or disapproval of the first article. The notice of conditional approval or approval shall not relieve the Contractor from complying with all requirements of the specifications and all other terms and conditions of this contract. A notice of conditional approval shall state any further action required of the Contractor. A notice of disapproval shall cite reasons for the disapproval.

(c) If the first article is disapproved, the Contractor, upon Government request, shall repeat any or all first article tests. After each request for additional tests, the Contractor shall make any necessary changes, modifications, or repairs to the first article or select another first article for testing. All costs related to these tests are to be borne by the Contractor, including any and all costs for additional tests following a disapproval. The Contractor shall then conduct the tests and deliver another report to the Government under the terms and conditions and within the time specified by the Government. The Government shall take action on this report within the time specified in paragraph (b) above. The Government reserves the right to require an equitable adjustment of the

CONTINUATION SHEET	Reference No. of Document Being Continued	Page 9 of 10
	PIIN/SIIN W56HZV-13-D-0120	MOD/AMD P00001

Name of Offeror or Contractor: HDT TACTICAL SYSTEMS, INC.

contract price for any extension of the delivery schedule, or for any additional costs to the Government related to these tests.

- (d) If the Contractor fails to deliver any first article report on time, or the Contracting Officer disapproves any first article, the Contractor shall be deemed to have failed to make delivery within the meaning of the Default clause of this contract.
- (e) Unless otherwise provided in the contract, and if the approved first article is not consumed or destroyed in testing, the Contractor may deliver the approved first article as part of the contract quantity if it meets all contract requirements for acceptance.
- (f) If the Government does not act within the time specified in paragraph (b) or (c) above, the Contracting Officer shall, upon timely written request from the Contractor, equitably adjust under the changes clause of this contract the delivery or performance dates and/or the contract price, and any other contractual term affected by the delay.
- (g) Before first article approval, the Contracting Officer may, by written authorization, authorize the Contractor to acquire specific materials or components or to commence production to the extent essential to meet the delivery schedules. Until first article approval is granted, only costs for the first article and costs incurred under this authorization are allocable to this contract for
- (1) progress payments, or
 - (2) termination settlements if the contract is terminated for the convenience of the Government. If first article tests reveal deviations from contract requirements, the Contractor shall, at the location designated by the Government, make the required changes or replace all items produced under this contract at no change in the contract price.
- (h) The Government may waive the requirement for first article approval test where supplies identical or similar to those called for in the schedule have been previously furnished by the offeror/contractor and have been accepted by the Government. The offeror/contractor may request a waiver.
- (i) The Contractor shall produce both the first article and the production quantity at the same facility.

(End of Clause)

CONTINUATION SHEET**Reference No. of Document Being Continued****Page 10 of 10****PIIN/SIIN** W56HZV-13-D-0120**MOD/AMD** P00001**Name of Offeror or Contractor:** HDT TACTICAL SYSTEMS, INC.

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 0005	NOTICE OF REVISION (NOR) 980-0210-001 AND ITS APPROVAL	13-SEP-2013	004	EMAIL

PIIN/SIN W56HZV-13-D-0120
MOD/AMD P00001
ATT/EXH ID Attachment 0005
PAGE 1

Notice of Revision (NOR) 980-0210-001, PAD, CONTAINER, is incorporated by reference and is transmitted under separate cover.