

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. Contract ID Code
Firm Fixed Price

Page 1 Of 7

| | | | |
|---|--------------------------------|---|--------------------------------|
| 2. Amendment/Modification No. P00001 | 3. Effective Date 2014MAR28 | 4. Requisition/Purchase Req No. SEE SCHEDULE | 5. Project No. (If applicable) |
|---|--------------------------------|---|--------------------------------|

| | | | |
|--|----------------|---|----------------|
| 6. Issued By U.S. ARMY CONTRACTING COMMAND ROCHELLE ROSS WARREN, MICHIGAN 48397-5000 HTTP://CONTRACTING.TACOM.ARMY.MIL EMAIL: ROCHELLE.ROSS@US.ARMY.MIL | Code W56HZV | 7. Administered By (If other than Item 6) DCMA GARDEN CITY 605 STEWART AVENUE GARDEN CITY, NY 11530-4761 | Code S3309A |
|--|----------------|---|----------------|

| | | |
|---|-------------------------------------|---|
| 8. Name And Address Of Contractor (No., Street, City, County, State and Zip Code) WASHINGTON FOUNDRIES INC. 1434 VIAN AVE HEWLETT, NY 11557-1423 | <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-14-D-0029 |
| | <input type="checkbox"/> | 10B. Dated (See Item 13) 2014FEB21 |
| Code 1PW66 | 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) Payment will be made by Electronic Funds Transfer
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 checked="" type="checkbox"/> | A. This Change Order is Issued Pursuant To: 52.243-1(a)(2) 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 type="checkbox"/> | C. This Supplemental Agreement Is Entered Into Pursuant To Authority Of: | |
| <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) SHANARI N. GOOLSBY NARI.GOOLSBY@US.ARMY.MIL (586)282-8056 | | |
| 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 2014MAR28 |

CONTINUATION SHEET**Reference No. of Document Being Continued****Page 2 of 7**

PIIN/SIIN W56HZV-14-D-0029

MOD/AMD P00001

Name of Offeror or Contractor: WASHINGTON FOUNDRIES INC.

SECTION A - SUPPLEMENTAL INFORMATION

Buyer Name: ROCHELLE ROSS
Buyer Office Symbol/Telephone Number: CCTA-AHL-B/(586)282-7311
Type of Contract: Firm Fixed Price
Kind of Contract: Supply Contracts and Priced Orders
Type of Business: Other Small Business Performing in U.S.
Surveillance Criticality Designator: B
Contract Expiration Date: 2019FEB28

*** End of Narrative A0000 ***

1. In accordance with FAR 52.243-1(a)(2), the purpose of this modification is to change the Packaging Requirements for the contract.

2. As a result, the following changes have been made:

(a) Section B, Supplies or Services and Prices/Cost:

(i) Change the Level of Packing on all CLINs from "Level Packing, B" to "Level Packing, A":

CLIN 0011
CLIN 0012
CLIN 0013
CLIN 0014
CLIN 0015

(b) Section D, Packaging and Marking:

(i) Delete Clause 52.211-4516 Packaging Requirements (Selective Group Packaging Requirements)

(ii) Add Clause 52.211-4515 Packaging Requirement (Special Packaging Instructions)

3. All other terms and conditions remain unchanged.

*** END OF NARRATIVE A0003 ***

CONTINUATION SHEET

Reference No. of Document Being Continued
 PIIN/SIIN W56HZV-14-D-0029 MOD/AMD P00001

Name of Offeror or Contractor: WASHINGTON FOUNDRIES INC.

| ITEM NO | SUPPLIES/SERVICES | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|---------|---|----------|------|--------------|--------|
| 0011 | <p>SECTION B - SUPPLIES OR SERVICES AND PRICES/COSTS</p> <p><u>FIRST ORDERING YEAR</u></p> <p>NSN: 6140-01-582-5710 COMMODITY NAME: BATTERY, STORAGE PSC: 6140 CLIN CONTRACT TYPE: Firm Fixed Price FSCM: 19207 PART NR: 31A925XLW</p> <p><u>Packaging and Marking</u> PACKAGING/PACKING/SPECIFICATIONS: SEE PACKAGING REQUIREMENTS CLAUSE 52.211-4515 LEVEL PRESERVATION: Military LEVEL PACKING: A</p> <p><u>Inspection and Acceptance</u> INSPECTION: Origin ACCEPTANCE: Origin</p> <p>FOB POINT: Origin</p> | | | \$ 199.00000 | |
| 0012 | <p><u>SECOND ORDERING YEAR</u></p> <p>NSN: 6140-01-582-5710 COMMODITY NAME: BATTERY, STORAGE PSC: 6140 CLIN CONTRACT TYPE: Firm Fixed Price FSCM: 19207 PART NR: 31A925XLW</p> <p><u>Packaging and Marking</u> PACKAGING/PACKING/SPECIFICATIONS: SEE PACKAGING REQUIREMENTS CLAUSE 52.211-4515 LEVEL PRESERVATION: Military LEVEL PACKING: A</p> <p><u>Inspection and Acceptance</u> INSPECTION: Origin ACCEPTANCE: Origin</p> <p>FOB POINT: Origin</p> | | | \$ 199.00000 | |
| 0013 | <p><u>THIRD ORDERING YEAR</u></p> | | | \$ 215.00000 | |

CONTINUATION SHEET

Reference No. of Document Being Continued
 PIIN/SIIN W56HZV-14-D-0029 MOD/AMD P00001

Name of Offeror or Contractor: WASHINGTON FOUNDRIES INC.

| ITEM NO | SUPPLIES/SERVICES | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|---------|---|----------|------|--------------|--------|
| 0014 | <p>NSN: 6140-01-582-5710 COMMODITY NAME: BATTERY, STORAGE PSC: 6140 CLIN CONTRACT TYPE: Firm Fixed Price FSCM: 19207 PART NR: 31A925XLW</p> <p><u>Packaging and Marking</u> PACKAGING/PACKING/SPECIFICATIONS: SEE PACKAGING REQUIREMENTS CLAUSE 52.211-4515 LEVEL PRESERVATION: Military LEVEL PACKING: A</p> <p><u>Inspection and Acceptance</u> INSPECTION: Origin ACCEPTANCE: Origin</p> <p>FOB POINT: Origin</p> <p><u>FOURTH ORDERING YEAR</u></p> | | | \$ 215.00000 | |
| 0015 | <p>NSN: 6140-01-582-5710 COMMODITY NAME: BATTERY, STORAGE PSC: 6140 CLIN CONTRACT TYPE: Firm Fixed Price FSCM: 19207 PART NR: 31A925XLW</p> <p><u>Packaging and Marking</u> PACKAGING/PACKING/SPECIFICATIONS: SEE PACKAGING REQUIREMENTS CLAUSE 52.211-4515 LEVEL PRESERVATION: Military LEVEL PACKING: A</p> <p><u>Inspection and Acceptance</u> INSPECTION: Origin ACCEPTANCE: Origin</p> <p>FOB POINT: Origin</p> <p><u>FIFTH ORDERING YEAR</u></p> | | | \$ 215.00000 | |

CONTINUATION SHEET

Reference No. of Document Being Continued
PIIN/SIIN W56HZV-14-D-0029 MOD/AMD P00001

Name of Offeror or Contractor: WASHINGTON FOUNDRIES INC.

| ITEM NO | SUPPLIES/SERVICES | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|---------|--|----------|------|------------|--------|
| | <p><u>Packaging and Marking</u> PACKAGING/PACKING/SPECIFICATIONS: SEE PACKAGING REQUIREMENTS CLAUSE 52.211-4515 LEVEL PRESERVATION: Military LEVEL PACKING: A</p> <p><u>Inspection and Acceptance</u> INSPECTION: Origin ACCEPTANCE: Origin</p> <p>FOB POINT: Origin</p> | | | | |

CONTINUATION SHEET**Reference No. of Document Being Continued****Page 6 of 7**

PIIN/SIIN W56HZV-14-D-0029

MOD/AMD P00001

Name of Offeror or Contractor: WASHINGTON FOUNDRIES INC.

SECTION D - PACKAGING AND MARKING

| <u>Status</u> | <u>Regulatory Cite</u> | <u>Title</u> | <u>Date</u> |
|------------------------|------------------------|---|-------------|
| D-1 CHANGED (TACOM) | 52.211-4515 | PACKAGING REQUIREMENTS (SPECIAL PACKAGING INSTRUCTIONS) | FEB/2012 |

(a) Military preservation, packing, and marking for this contract/order shall be accomplished in accordance with the specific requirements identified below, all the applicable requirements of, MIL-STD-2073-1, Revision D, Dated 15 Dec 1999 and Notice 1, dated 10 May 2002, and the Special Packaging Instruction, see below.

- (1) LEVEL OF PRESERVATION: Military
- (2) LEVEL OF PACKING: -A-
- (3) QUANTITY PER UNIT PACKAGE: -001-
- (4) SPECIAL PACKAGING INSTRUCTION NUMBER. -AK15825710-
 - (a) REVISION -4-
 - (b) DATE OF REVISION -AS LISTED ON SPI-

(c) THE REQUIRED SPECIAL PACKAGING INSTRUCTION (SPI) IS AVAILABLE ON THE WEB AT THE FOLLOWING URL: <https://www.tacom.army.mil/ilsc/tdps/phst/SPI/06/97/40.pdf>

(Note: You must have the Adobe Acrobat reader installed on your PC to view the SPI. See the Army Contracting Command - Warren (DTA) web site (<http://contracting.tacom.army.mil/faq.htm>) for information on obtaining the latest version of the reader. If you're experiencing problems opening the Special Packaging Instructions in Adobe .PDF images using Internet Explorer, try the following: Go to "Tools," then "Internet Options." Click on the "Advanced" tab. Scroll down to the "Security" section. Uncheck "Do not save encrypted pages to disk." Click "Apply." Click "OK.")

(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 preferred pallet is 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:

(1) In addition to any special markings called out on the SPI, 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 Military Shipment Label (MSL). The contractor is responsible for application of special markings as discussed in the Military Standard regardless of whether specified in the contract/order 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 <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 (WPM): Boxes/pallets and any wood used as inner packaging made of non-manufactured wood shall be heat-treated. All WPM shall be constructed from heat treated (treated to 56 degrees Celsius -core temperature- for 30 minutes) lumber and certified by an accredited agency accredited by the ALSC in accordance with Wood Packaging Material Policy and Wood Packaging Material Enforcement Regulations (see URL: <http://www.alsc.org>). The box/pallet manufacturer and the manufacturer of wood used as inner packaging shall ensure traceability to the original source of heat treatment. Marking: Each box/pallet shall be marked to show the conformance to the International Plant Protection Convention Standard. The quality mark shall be placed on both ends of the outer packaging, between the end cleats or end battens. Pallet markings shall be applied to the stringer or block on diagonally opposite sides and ends of the pallet and be contrasting and clearly visible. All dunnage used in configuring and/or securing the load shall also comply with https://www.ippc.int/servlet/BinaryDownloaderServlet/133703_ISPM15_2002_with_Ann.pdf?filename=1152091663986_ISPM_15_2002_with_Annex1_2006_E.pdf&refID=133703 and be marked with an ALSC approved dunnage stamp, marked at two foot intervals (in the case of dunnage shorter than

| | | |
|---------------------------|--|--------------------|
| CONTINUATION SHEET | Reference No. of Document Being Continued | Page 7 of 7 |
| | PIIN/SIIN W56HZV-14-D-0029 | MOD/AMD P00001 |

Name of Offeror or Contractor: WASHINGTON FOUNDRIES INC.

2 feet, each piece must still have the mark present). Foreign manufacturers shall have the heat treatment and marking of non-manufactured wood products verified in accordance with their National Plant Protection Organizations compliance program.

(e) Hazardous Materials (As applicable):

(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.)

(2) Unless otherwise specified, packaging and marking for hazardous material shall comply with the requirements herein for the mode of 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(I)/TM38-250/NAVSUPPUB 505/MCO P4030.19(I)/DLAM 4145.3(I) (for military air shipments).

(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. 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.

(f) 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.

(g) SUPPLEMENTAL INSTRUCTIONS: -ALSO, SHELF LIFE MARKINGS PER MIL-STD-129 FOR A 60 MONTH, TYPE II EXTENDIBLE SHELF LIFE ARE REQUIRED.

Distribution Data Report data is not required.

Unit Package Weight (lbs):84.9

Unit Package Cube (cubic feet): 0.994

Unit Package Size (length x width x depth inched): 15.6 x 9.1 x 12.1

[End of Clause]