

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. Contract ID Code
Firm-Fixed-Price

Page 1 Of 11

2. Amendment/Modification No. 0001	3. Effective Date 2013MAR19	4. Requisition/Purchase Req No. SEE SCHEDULE	5. Project No. (If applicable)
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6. Issued By U.S. ARMY CONTRACTING COMMAND MICHAEL W. WILSON WARREN, MICHIGAN 48397-5000 HTTP://CONTRACTING.TACOM.ARMY.MIL EMAIL: MICHAEL.W.WILSON3@US.ARMY.MIL	Code W56HZV	7. Administered By (If other than Item 6)	Code
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8. Name And Address Of Contractor (No., Street, City, County, State and Zip Code)	<input checked="" type="checkbox"/>	9A. Amendment Of Solicitation No. W56HZV-13-R-0112
		9B. Dated (See Item 11) 2013FEB28
	<input type="checkbox"/>	10A. Modification Of Contract/Order No.
		10B. Dated (See Item 13)
Code	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. 2013APR11

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 2 signed 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)

**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 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)	
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

CONTINUATION SHEET	Reference No. of Document Being Continued	Page 2 of 11
	PIIN/SIIN W56HZV-13-R-0112	MOD/AMD 0001

Name of Offeror or Contractor:

SECTION A - SUPPLEMENTAL INFORMATION

The purpose of this Amendment 0001 to Solicitation W56HZV-13-R-0112 is to do the following:

1. Revise section C language as follows:

From: C.1 END ITEMS

The U.S. military requires a High Mobility Engineer Excavator, referred to as a HMEE Type I (HMEE-I). The HMEE-I is a vehicle with the capability to dig material and load material into a military vehicle, perform precision excavation, travel at convoy speeds of 40 mph and is air transportable. The HMEE-I must be capable of operating on and off road. The HMEE-I and all vehicular attachments shall be built to meet the Government's requirements in accordance with Attachment 001-Purchase Description.

To: C.1 END ITEMS

The U.S. military requires a High Mobility Engineer Excavator, referred to as a HMEE Type I (HMEE-I). The HMEE-I is a vehicle with the capability to dig material and load material into a military vehicle, perform precision excavation, travel at convoy speeds of 40 mph and is air transportable. The HMEE-I must be capable of operating on and off road. The HMEE-I shall be built in these configurations:

- Production Vehicle without Armor B-Kit or Arctic Kit
- Production Vehicle with Armor B-Kit (installed)
- Production Vehicle with Arctic Kit (installed)
- Production Vehicle with Armor B-Kit and Arctic Kit (installed)

These configurations and all vehicular attachments shall be built to meet the Government's requirements in accordance with Attachment 0001 - Purchase Description.

Remove C.1.1. Language becomes part of C.1.

Add: C.2.3 The contractor shall overpack an Initial Service Package (ISP) with each vehicle so the Government can properly maintain the vehicle. The ISP shall consist of all service parts and items required to meet warranty service requirements and perform the first scheduled maintenance. The contractor shall mark each item with the nomenclature and part number to ensure the correct application.

Add: C.2.4 The contractor shall overpack one Operator's Manual with each vehicle.

Correct C.6.2 subparagraph numbering

From:

a., b., c., a., b.

To:

a., b., c., d., e.

Replace C.7 in its entirety:

From:

C.7 VEHICLE HAND-OFF

C.7.1 The contractor shall activate the vehicle warranty at time of Government Acceptance FOB ORIGIN.

C.7.2 The contractor, upon award of a delivery order, shall be responsible to hand-off equipment deliverable under this contract to each gaining unit. When not directed by delivery order to hand off the equipment to the gaining unit, the Government fielding team will be responsible for hand-off. The hand-off effort includes:

- a. Re-assembly of the vehicle to a fully operational configuration if the vehicle is shipped with any components removed. All tools and equipment required to complete the re-assembly shall be the contractor's responsibility.
- b. Technical Publications and Initial Service Packages shall be inventoried when shipped with the vehicle.
- c. Provide one-hour familiarization for no more than six people from the receiving unit on first machine delivered. Familiarization consists of operator start-up, operating and shut down procedures, safe operations, and daily and weekly service locations and checks. This allows the unit to move vehicles from delivery location to the training location.

To:

C.7 VEHICLE HAND-OFF

C.7.1 The contractor shall activate the vehicle warranty at time of Government receipt FOB ORIGIN.

CONTINUATION SHEET	Reference No. of Document Being Continued	Page 3 of 11
	PIIN/SIIN W56HZV-13-R-0112	MOD/AMD 0001

Name of Offeror or Contractor:

C.7.2 The contractor, upon award of a delivery order, shall be responsible to deprocess equipment deliverable under this contract to each gaining unit. When not directed by delivery order to deprocess the equipment to the gaining unit, the Government fielding team will be responsible for deprocessing. The contractor shall:

- a. Re-assemble the vehicle to a fully operational configuration if the vehicle is shipped with any components removed. All tools and equipment required to complete the re-assembly shall be the contractor's responsibility.
- b. Inventory of any material shipped with the vehicle, e.g., technical publications, special tools, initial service packages. (The inventory may be done concurrently with the unit's inventory.)
- c. Provide one-hour familiarization to 6 -8 people from the receiving unit on first machine delivered so they can safely move the vehicle until full training is conducted. Familiarization includes operator start-up, operating and shut down procedures, safe operations, and daily and weekly service locations and checks.
- d. Notification of the warranty, which includes discussing with the unit the terms and details of warranty administration, and pointing out the warranty information included in the TMs.

C.7.2.1 If travel is required by the contractor, travel costs will be negotiated no later than 30 days in advance of a delivery order calling out deprocessing, on a firm-fixed-price basis and in accordance with Joint Travel Regulations (JTR) prior to delivery order award.

From: C.9.2 The location of each class shall be determined at the time of delivery order issuance. If travel is required by the contractor, it shall be proposed and negotiated in accordance with Joint Travel Regulations (JTR) prior to delivery order award.

To: C.9.2 The location of each class shall be determined at the time of delivery order issuance. If travel is required by the contractor, travel costs will be negotiated no later than 30 days in advance of a delivery order calling out training classes, on a firm-fixed-price basis and in accordance with Joint Travel Regulations (JTR) prior to delivery order award.

From: C.10.1 Commercial Warranty Requirement. The Contractor shall include a copy of any applicable standard commercial warranty, with applicable pass through warranties, inside each HMEE I delivered to the Government. The warranty period shall not begin until handoff of the machine has been made to the receiving unit.

To: C.10.1 Commercial Warranty Requirement. The Contractor shall include a copy of any applicable standard commercial warranty, with applicable pass through warranties, inside each HMEE I delivered to the Government. The warranty period shall commence on the date of Government receipt as specified in the delivery order.

2. Revise CDRL A008. Student Attendance Report

3. Revise FAR CLAUSE 52.216-21(f)Requirements

From: (f) Any order issued during the effective period of this contract and not completed within that period shall be completed by the Contractor within the time specified in the order. The contract shall govern the Contractors and Governments rights and obligations with respect to that order to the same extent as if the order were completed during the contracts effective period; provided, that the Contractor shall not be required to make any deliveries under this contract after 4 1/2 years after contract award.

TO: (f) Any order issued during the effective period of this contract and not completed within that period shall be completed by the Contractor within the time specified in the order. The contract shall govern the Contractors and Governments rights and obligations with respect to that order to the same extent as if the order were completed during the contracts effective period; provided, that the Contractor shall not be required to make any deliveries under this contract after 180 days after contract expiration.

4. Revise Attachment 0005 to remove Basic Issue Items and Component End Items as separate CLINs and to add Handoff and Deprocessing as separate CLINs.

5. Add narrative A0003 indicating this effort is sole-source.

6. Amend the solicitation closing date from 01 April 2013 to 11 April 2013.

7. All other terms and conditions of Solicitation W56HZV-13-R-0112 remain unchanged and in full force and effect.

CONTINUATION SHEET	Reference No. of Document Being Continued PIIN/SIIN W56HZV-13-R-0112 MOD/AMD 0001	Page 4 of 11
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Name of Offeror or Contractor:

*** END OF NARRATIVE A0002 ***

The award under solicitation W56HZV-13-R-0112 is to be a sole-source award to JCB, Inc., in accordance with FAR 6.302-1(a)(2)(ii). Proposals are not solicited from any other offeror. The solicitation and award process will be done using FAR Part 15 procedures.

*** END OF NARRATIVE A0003 ***

Name of Offeror or Contractor:

SECTION C - DESCRIPTION/SPECIFICATIONS/WORK STATEMENT

C.1 END ITEMS

The U.S. military requires a High Mobility Engineer Excavator, referred to as a HMEE Type I (HMEE-I). The HMEE-I is a vehicle with the capability to dig material and load material into a military vehicle, perform precision excavation, travel at convoy speeds of 40 mph and is air transportable. The HMEE-I must be capable of operating on and off road. The HMEE-I shall be built in these configurations:

Production Vehicle without Armor B-Kit or Arctic Kit
Production Vehicle with Armor B-Kit (installed)
Production Vehicle with Arctic Kit (installed)
Production Vehicle with Armor B-Kit and Arctic Kit (installed)

These configurations and all vehicular attachments below shall be built to meet the Government's requirements in accordance with Attachment 0001 - Purchase Description.

Multi Function Bucket
General Purpose Bucket
Sandbagger
Forklift
Sweeper
Plow
Backhoe
Rock/Ripper Bucket
Auger
Tamper/Compactor
Rock Breaker
Arctic Cold Weather Kit
Armor B-Kit

The Special Purpose Kit (SPK) is a combination of the sweeper, auger and forklift attachments.

C.2 THE CONTRACTOR SHALL OVER PACK THE FOLLOWING ITEMS WITH EACH VEHICLE:

C.2.1. Basic Issue Items (BII) are listed in Attachment 0002- COEI & BII Lists and shall be separately packaged and stored for transportation.

C.2.2. Component End Items (COEI) are listed in Attachment 0002 COEI & BII Lists and shall be separately packaged and stored for transportation

C.2.3 The contractor shall overpack an Initial Service Package (ISP) with each vehicle so the Government can properly maintain the vehicle. The ISP shall consist of all service parts and items required to meet warranty service requirements and perform the first scheduled maintenance. The contractor shall mark each item with the nomenclature and part number to ensure the correct application.

C.2.4 The contractor shall overpack one Operator's Manual with each vehicle.

C.3 DATA REQUIREMENTS

C.3.1. All data items appear in Section C. The contractor shall prepare each data submittal as described in the Data Item Descriptions (DID) and the Contract Data Requirements List (CDRL).

C.3.2. Data Items shall be submitted in English

C.3.3. The contractor shall send the data submittals via e-mail.

C.4 MEETINGS (CDRL A001)

C.4.1 Start of Work (SOW) Meeting. The contractor shall attend a one day Start of Work meeting in Warren, MI, hosted by the Government, within 30 days after contract award. The purpose of this conference is to review the statement of work and the program schedule to assure a mutual understanding of the requirements. The Government and contractor will agree to the date of the start of work conference and the agenda not later than 15 days after contract award.

C.4.2 Integrated Product Team (IPT). Joint Government and contractor IPTs shall be formed and shall consist of individuals with the

CONTINUATION SHEET	Reference No. of Document Being Continued	Page 6 of 11
	PIIN/SIIN W56HZV-13-R-0112	MOD/AMD 0001

Name of Offeror or Contractor:

expertise for coordinating and monitoring schedules, associated costs and contract performance. The first IPT will be held concurrently with the Start of Work meeting; subsequent IPTs shall be conducted via teleconference once every three months unless canceled by the Government. When meetings are at the Contractor's facility, the Contractor shall ensure the following are available for the Government's use: production or other required versions of the HMEE Type I needed for viewing; technical, logistics or other documentation (including drawings, computer data bases, publications, and other data); and computer resources. The contractor shall prepare minutes in accordance with (IAW) CDRL A001-Meeting Minutes.

C.5 Configuration Management (CDRLs A002 & A003)

C.5.1 Configuration Baseline. The contractor shall be responsible for maintaining configuration control of the products delivered under this contract. This baseline shall identify and formally document the functional and physical characteristics of the HMEE-I. The documentation shall be made available for Government review upon request following establishment of the baseline.

C.5.2 Engineering Changes - Contractor Initiated. The contractor shall submit requests for Government approval of changes to the configuration baseline to the Procuring Contracting Officer (PCO) at least 60 calendar days before the proposed application date. The request for change shall include the information on CDRL A002-Engineering Change Proposals (ECPs).

C.5.2.1 Government Review

The Government may require the contractor to perform additional tests to verify acceptability of any proposed change. The contractor shall perform the tests at no additional cost to the Government. Further, any production or delivery delays caused by additional testing and inspection will not be the basis for an excusable delay as defined in FAR clause 52.248-8 Default Fixed Price Supply and Service.

C.5.2.2 Responsibility for Data

Within 90 calendar days of any configuration change, the contractor shall submit, at no cost to the Government, revisions to all affected contractual data deliverables.

C.5.2.3 Configuration Change Report

The contractor shall maintain a record of configuration changes and shall submit a report summarizing all changes (whether or not change affects form, fit or function) made to date in accordance with CDRL A003-Hardware Configuration Report.

C.5.2.4 Responsibility for the Cost of Changes

The responsibility for the cost of changes is as follows:

- a. This is a firm-fixed-price contract. There will be no price increases as a result of a contractor initiated configuration change.
- b. The Government is not responsible for additional testing or software costs associated with any contractor initiated configuration change.
- c. When a change results in reduced contractor costs, the Government may, at the sole discretion of the PCO, require an equitable downward adjustment to the contract price.
- d. The Government is not liable for any costs the contractor may incur, due to delay in contract performance, as a result of any of the contractor's requests for change.

C.5.3 Engineering Changes Government Initiated

In the event the Government desires a change to the end item configuration, the PCO will request, in writing, a proposal from the contractor.

C.5.4 Definitions

The following are definitions of Form, Fit, and Function:

Form: The item fits and functions in the same way as the item it replaces (interchangeable, substitutable) and may include components that are of different materials than the replaced components, but do not affect fit or function (interchangeable, substitutable). Replacement, repair, service or maintenance of the item is exactly the same as the item it replaces.

Fit: Item goes onto, into or is attached, to the equipment exactly as the item it replaces. No difference in mounting, interface or operation between replaced and replacing parts. There is an exact fit match.

Function: Item operates exactly as the item it replaces, with no functional difference between the old, replaced item and the new,

CONTINUATION SHEET	Reference No. of Document Being Continued	Page 7 of 11
	PIIN/SIIN W56HZV-13-R-0112	MOD/AMD 0001

Name of Offeror or Contractor:

replacing item. When appropriate, the replacing item shall be inspected, replaced, repaired or otherwise maintained in exactly the same method as the item it replaces.

C.6 PACKAGING DEVELOPMENT: The following paragraphs pertain only to ECPs submitted under this contract.

C.6.1 The contractor shall assess changes to engineering and logistic data for impact on packaging data, and shall provide packaging impact statements with engineering changes. For each change, the contractor shall determine if additional items require packaging data and if existing packaging data requires revision. If an ECP configuration change warrants a change that would impact the current packaging, then the packaging data shall be amended accordingly. To maintain the Equipment Preservations Data Sheet (EPDS), the contractor shall provide revision(s) for each approved design change affecting vehicle shipment configuration, weight, and transportability

C.6.2 The contractor shall, for items pertaining to the HMEE-I, develop and provide packaging data for all TACOM managed provisioned items (i.e., "P" coded items other than "PR" or "PZ"), logistics data for non-TACOM managed items, and maintain and update packaging data for each provisioned item. The contractor shall assess changes to engineering and logistic data for impact on packaging data, and shall provide packaging impact statements with engineering changes. The contractor shall provide facilities, equipment, materials, and access to the provisioned items for packaging development. The contractor shall include information for each of the items, which shall be provided concurrently with each packaging data submittal, so that the Government can determine the adequacy of the contractor prepared packaging analysis and data submittal. This consists of item drawings and data such as: Source, Maintenance, and Recoverability codes, Unit of Issue codes, Unit of Measure and Measurement Quantity, and copies of any applicable Material Safety Data Sheets.

a. Packaging/Logistics Data Entry. The Contractor shall develop, maintain and update packaging data IAW DI-ALSS-81529, Attachment 0003-LMI Data Worksheet-Packaging Data Requirements, Attachment 0004 (LMI Packaging Data Transaction Format), and CDRL A004-Packaging Data Products. LMI data is required IAW MIL-PRF- 49506 and will provide for the entry of information to the computer data base known as the TACOM Packaging Data File. The TACOM approved Packaging Data Entry shall be submitted electronically IAW CDRL A004 in an ASCII delimited text format using commas as delimiters. Quotation marks may be used as text qualifiers but are not required.

b. Special Packaging Instructions (SPI). The Contractor shall develop a SPI for each TACOM managed item. The TACOM managed items are expected to be mainly, but not exclusively, comprised of reparable items, and would include items such as those being considered as National Maintenance Work Requirement (NMWR) candidate items. Packaging processes and materials shall be described for cleaning, drying, preserving, unit, intermediate (as applicable), and exterior packing, marking, and unitization. Figures and narrative data shall be developed to describe the form, fit, and function of packaging in sufficient detail for production. The format and content of SPI shall be IAW DI-PACK-80121B and CDRL A005-SPI.

c. Validation Testing of Preservation Processing and Packaging. The Contractor shall validate packaging for each item IAW appendix F of MIL-STD-2073-1D (Standard Practice for Military Packaging), DI-MISC-80711A, and CDRL A006-Packaging Test Reports. The test report shall be provided concurrently with the SPI submittal, and shall include photographic records of package and testing.

C.6.3 Equipment Preservation Data Sheet. (CDRL A007)

d. The contractor shall develop and submit Shipment and Storage Instructions processing as described in MIL-STD-3003. When the data is finalized and approved, the contractor shall incorporate the data into the appropriate technical manual. The contractor shall provide instructions for drive-on/drive-off shipment, and for temporary outside storage of up to 90 days such that exercising or maintenance would not need to be conducted (Level B), and for up to 2 years outside storage (Level A). The contractor shall consider disassembly procedures to meet clearance requirements for land, air, and sea shipment and to assure economical transportations. Packaging Requirements for Basic Issue Items (BII), Components of End Item (COEI), Initial Service Package (ISP), and kits required to be packaged that are shipped with the vehicle, shall be developed by the contractor. The contractor shall designate stowage locations and securement provisions. Stowage provisions shall not interfere with lifting, tie down or other transportation handling. To maintain the Equipment Preservations Data Sheet (EPDS), the contractor shall provide revision(s) for each approved design change affecting vehicle shipment configuration, weight, and transportability. The format and content of CDRL A007-EPDS shall be in accordance with DI-PACK-81581.

e. The contractor shall validate only the level B procedures in the EPDS and shall submit a cost proposal to validate the Level A procedures when requested by the Government. Validation for EPDS procedures shall verify the adequacy of the preservation, packaging, packing and stowage of BII/COEI, the preservation procedures for shipment and storage, and the exercising requirements of vehicles in storage for six or more months. The Government will verify and witness the contractor validation.

C.7 VEHICLE HAND-OFF

C.7.1 The contractor shall activate the vehicle warranty at time of Government receipt FOB ORIGIN.

C.7.2 The contractor, upon award of a delivery order, shall be responsible to deprocess equipment deliverable under this contract to each gaining unit. When not directed by delivery order to deprocess the equipment to the gaining unit, the Government fielding team will be responsible for deprocessing. The contractor shall:

a. Re-assemble the vehicle to a fully operational configuration if the vehicle is shipped with any components removed. All tools and equipment required to complete the re-assembly shall be the contractor's responsibility.

Name of Offeror or Contractor:

b. Inventory of any material shipped with the vehicle, e.g., technical publications, special tools, initial service packages. (The inventory may be done concurrently with the unit's inventory.)

c. Provide one-hour familiarization to 6 -8 people from the receiving unit on first machine delivered so they can safely move the vehicle until full training is conducted. Familiarization includes operator start-up, operating and shut down procedures, safe operations, and daily and weekly service locations and checks.

d. Notification of the warranty, which includes discussing with the unit the terms and details of warranty administration, and pointing out the warranty information included in the TMs.

C.7.2.1 If travel is required by the contractor, travel costs will be negotiated no later than 30 days in advance of a delivery order calling out deprocessing, on a firm-fixed-price basis and in accordance with Joint Travel Regulations (JTR) prior to delivery order award.

C.8 EQUIPMENT CONTROL RECORD (DA FORM 2408-9)

The contractor shall prepare a DA Form 2408-9, Equipment Control Records (Government furnished form) for each vehicle it delivers. The contractor shall prepare the form in accordance with the instructions in paragraph 5-7 c (3) Acceptance and registration of DA PAM 750-8, dated 25 Feb 05, to report acceptance of the HMEE-I into the U.S. Army inventory. The contractor shall have the Defense Contract Management Command (DCMC) Quality Assurance Representative (QAR) complete blocks 22 and 23 as the person accepting the item into the Army inventory. After the DCMC QAR completes blocks 22 and 23, the contractor shall distribute the DA Form 2408-9 as follows:

a. Submit the control copy (copy # 1) within five working days to:

Director

U.S. Army Materiel Command's Logistic Support Activity

ATTN: AMXLS-MR

Redstone Arsenal, AL 35898-7466

b. Submit the National maintenance Point (NMP) copy (copy #2) within five working days to: Commander

U.S. Army Tank-automotive and Armaments Command

ATTN: AMSTA-LC-CJCB, MS326

6501 East 11 Mile Rd. Warren, MI 48397-5000

a. Place Log Book copy (copy # 3) in a dry, protected location, secured in the operator station, and shipped with each vehicle.

C9. TRAINING COURSES (CDRL A008)

C.9.1 Four types of training courses shall be performed and delivered for the HMEE-I as follows:

a. Operator and Operator Maintenance

The course shall be 40 hours in duration, and shall consist of no more than 30% classroom instruction and no less than 70% hands on instruction. There shall be a class size of no more than 12 students per class. This course shall be conducted in accordance with the training materials provided as Government Furnished Information - Attachment 0006.

b. Operator and Operator Maintenance with armor

The operator and operator maintenance course for the B Kit armor shall be for 24 hours in duration. There shall be a class size of no more than 12 students per class. This course shall be conducted in accordance with the training materials provided as Government Furnished Information - Attachment 0007.

c. Field Level Maintenance

The course shall be 80 hours in duration, and shall consist of no more than 30% classroom instruction and no less than 70% hands-on instruction. There shall be a class size of no more than 10 students. This course shall be conducted in accordance with the training materials provided as Government Furnished Information - Attachment 0008.

d. Field Level Maintenance with armor

The maintainer course for the B Kit armor shall be for 40 hours in duration. There shall be a class size of no more than 10 students. This course shall be conducted in accordance with the training materials provided as Government Furnished Information - Attachment 0009.

For each of the above training courses, a student must achieve a grade of 70% or better on a written test.

C.9.2 The location of each class shall be determined at the time of delivery order issuance. If travel is required by the contractor, travel costs will be negotiated no later than 30 days in advance of a delivery order calling out training classes, on a firm-fixed-price basis and in accordance with Joint Travel Regulations (JTR) prior to delivery order award.

CONTINUATION SHEET	Reference No. of Document Being Continued PIIN/SIIN W56HZV-13-R-0112 MOD/AMD 0001	Page 9 of 11
---------------------------	-----------------------------------------------------------------------------------------------------------	----------------------------

Name of Offeror or Contractor:

C.9.3 Upon completion of each class, the contractor shall complete and deliver a report IAW CDRL A008-Training Course Completion Report.

C.10 WARRANTY

C.10.1 Commercial Warranty Requirement. The Contractor shall include a copy of any applicable standard commercial warranty, with applicable pass through warranties, inside each HMEE I delivered to the Government. The warranty period shall commence on the date of Government receipt as specified in the delivery order.

C.10.1.1 The Commercial Warranty shall cover Engineering Change Proposals (ECPs) that are added to the base configuration of the vehicle.

C.10.2 Warranty Report. The Contractor shall submit a report reflecting all of the warranty claims processed on each vehicle within the appropriate reporting period in accordance with CDRL A009-Warranty Report.

*** END OF NARRATIVE C0002 ***

CONTINUATION SHEET	Reference No. of Document Being Continued	Page 10 of 11
	PIIN/SIIN W56HZV-13-R-0112	MOD/AMD 0001

Name of Offeror or Contractor:

SECTION I - CONTRACT CLAUSES

<u>Status</u>	<u>Regulatory Cite</u>	<u>Title</u>	<u>Date</u>
I-1 CHANGED	52.216-21	REQUIREMENTS	OCT/1995

(a) This is a requirements contract for the supplies or services specified, and effective for the period stated, in the Schedule. The quantities of supplies or services specified in the Schedule are estimates only and are not purchased by this contract. Except as this contract may otherwise provide, if the Governments requirements do not result in orders in the quantities described as estimated or maximum in the Schedule, that fact shall not constitute the basis for an equitable price adjustment.

(b) Delivery or performance shall be made only as authorized by orders issued in accordance with the Ordering clause. Subject to any limitations in the Order Limitations clause or elsewhere in this contract, the Contractor shall furnish to the Government all supplies or services specified in the Schedule and called for by orders issued in accordance with the Ordering clause. The Government may issue orders requiring delivery to multiple destinations or performance at multiple locations.

(c) The estimated quantities are not the total requirements of the Government activity specified in the Schedule, but are estimates of requirements in excess of the quantities that the activity may itself furnish within its own capabilities. Except as this contract otherwise provides, the Government shall order from the Contractor all of that activitys requirements for supplies and services specified in the Schedule that exceed the quantities that the activity may furnish within its own capabilities.

(d) The Government is not required to purchase from the Contractor requirements in excess of any limit on total orders under this contract.

(e) If the Government urgently requires delivery of any quantity of an item before the earliest date that delivery may be specified under this contract, and if the Contractor will not accept an order providing for the accelerated delivery, the Government may acquire the urgently required goods or services from another source.

(f) Any order issued during the effective period of this contract and not completed within that period shall be completed by the Contractor within the time specified in the order. The contract shall govern the Contractors and Governments rights and obligations with respect to that order to the same extent as if the order were completed during the contracts effective period; provided, that the Contractor shall not be required to make any deliveries under this contract after 180 days after contract expiration.

(End of Clause)

CONTINUATION SHEET

Reference No. of Document Being Continued

Page 11 of 11

PIIN/SIIN W56HZV-13-R-0112

MOD/AMD 0001

Name of Offeror or Contractor:

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 0010	CONTRACT DATA REQUIREMENTS LIST	13-FEB-2013	009	

CONTRACT DATA REQUIREMENTS LIST

Form Approval OMB No. 0704-0188

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A. CONTRACT LINE ITEM NO. 9000 B. EXHIBIT: A C. CATEGORY: Other
D. SYSTEM/ITEM: High Mobility Engineer Excavator E. CONTRACT/PR NO.: W56HZV-13-R-0112 F. CONTRACTOR: JCB

1. DATA ITEM NO. A001 2. TITLE OF DATA ITEM: Conference Minutes
3. SUBTITLE: Meeting Minutes 4. AUTHORITY (Dt of Acq Document No.) DI-ADMN-81250A
5. CONTRACT REFERENCE: C.4.2 6. REQUIRING OFFICE: PM-CE/MHE
7. DD250 REQ: LT 8. APP CODE: A
9. DIST. STATEMENT REQUIRED: 10. FREQUENCY: As Required
11. AS OF DATE: As Required 12. DATE OF FIRST SUB: See Block 16
13. DATE OF SUBS.SUB: See Block 16
14. DISTRIBUTION

A. ADDRESSEES	B. COPIES:	DRAFT	REPRO
SAM			1
APM			1

15. TOTAL: 2

16. REMARKS:

BLOCKS 12 & 13: THE CONTRACTOR SHALL DELIVER DRAFT MEETING MINUTES FOR GOVERNMENT APPROVAL WITHIN FIVE WORKING DAYS AFTER EACH MEETING WITH THE GOVERNMENT. THE GOVERNMENT WILL PROVIDE COMMENTS OR APPROVAL WITHIN TEN WORKING DAYS AFTER RECEIPT OF THE MINUTES. THE CONTRACTOR SHALL DELIVER FINAL MINUTES TWO WORKING DAYS AFTER RECEIPT OF GOVERNMENT COMMENTS.

REPRO = ELECTRONIC DELIVERY

E-MAIL ADDRESSES:

SFAE-CSS-FP-C (SAM): Vincent.j.hutchins.civ@mail.mil
SFAE-CSS-FP-C (APM): Kerry.b.riese.civ@mail.mil

G. PREPARED BY/TITLE/OFFICE: Joan Masty I. APPROVED BY/TITLE/OFFICE: Kerry Riese
H. DATE: 15 OCT 2012 J. DATE: 22 JAN 2013

CONTRACT DATA REQUIREMENTS LIST

Form Approval OMB No. 0704-0188

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A. CONTRACT LINE ITEM NO. 9000 B. EXHIBIT: A C. CATEGORY: Other
D. SYSTEM/ITEM: HMEE Type I E. CONTRACT/PR NO.: W56HZV-13-R-0112 F. CONTRACTOR: JCB

1. DATA ITEM NO. A002 2. TITLE OF DATA ITEM: ENGINEERING CHANGE PROPOSAL (ECP)
3. SUBTITLE: ECP 4. AUTHORITY (Dt of Acq Document No.) DI-MISC-80557
5. CONTRACT REFERENCE: C.5.2 6. REQUIRING OFFICE: RDTA-DP
7. DD250 REQ: DD 8. APP CODE: A
9. DIST. STATEMENT REQUIRED: A 10. FREQUENCY: As Required
11. AS OF DATE: 12. DATE OF FIRST SUB: See Block 16
13. DATE OF SUBS.SUB: See Block 16
14. DISTRIBUTION

A. ADDRESSEES	B. COPIES:	DRAFT	REPRO
SAM	1		1
APM	1		1
15. TOTAL:	2		2

16. REMARKS:

BLK 9 DISTRIBUTION STATEMENT B: Distribution authorized to US Government agencies and their contractors due to potential proprietary information. Other requests for this document shall be referred to PM CE/MHE, ATTN: SFAE-CSS-FP-C, Warren, MI 48397-5000.

The Government will review the ECP within 30 calendar days for completeness and acceptability for dispositioning. Technical review and determination of approval/disapproval will be conducted by the Government following procedures in MIL-HDBK-61A, Configuration Control. Each request for change shall contain the following information:

- a. Rationale to support the necessity of making the change;
- b. All test results, planned testing or other information to show acceptability;
- c. Identification of the affected parts and assemblies (old part number, new part number, vendor CAGE code, and Additional Reference Number (vendor part number) and supporting data to evaluate the proposed changes, such as drawings, sketches, calculations and other data necessary to define the change you are proposing;
- d. Identification of any impact to manuals, operation or maintenance procedures, repair parts, packaging data, special tools and test measurement and diagnostic equipment;
- e. All proposed decreases in contract price; and,
- f. Identification, by serial number, of the systems affected.
- g. Requirement for retrofit of already produced systems

REPRO = ELECTRONIC DELIVERY

E-MAIL ADDRESSES:

SFAE-CSS-FP-C (SAM): Vincent.j.hutchins.civ@mail.mil
SFAE-CSS-FP-C (APM): Kerry.b.riese.civ@mail.mil

*No WAWF submission is required. Price should be included in price of production vehicle

G. PREPARED BY/TITLE/OFFICE: Linda Skidmore I. APPROVED BY/TITLE/OFFICE: Kerry Riese
H. DATE: 23 JAN 2013 J. DATE: 23 JAN 2013

CONTRACT DATA REQUIREMENTS LIST

Form Approval OMB No. 0704-0188

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A. CONTRACT LINE ITEM NO. 9000 B. EXHIBIT: A C. CATEGORY:
D. SYSTEM/ITEM: High Mobility Engineer Excavator E. CONTRACT/PR NO.: W56HZV-13-R-0112 F. CONTRACTOR: JCB

1. DATA ITEM NO. A003 2. TITLE OF DATA ITEM: Configuration Status Accounting Information
3. SUBTITLE: Hardware Configuration Report 4. AUTHORITY (Dt of Acq Document No.) DI-CMAN-812353A
5. CONTRACT REFERENCE: C.5.1 6. REQUIRING OFFICE: AMSRD-TAR-E/CE
7. DD250 REQ: LT 8. APP CODE:
9. DIST. STATEMENT REQUIRED: 10. FREQUENCY: As Required
11. AS OF DATE: See Block 16 12. DATE OF FIRST SUB: See Block 16
13. DATE OF SUBS.SUB: See Block 16
14. DISTRIBUTION

A. ADDRESSEES B. COPIES: DRAFT REPRO

AMSRD-TAR-E/CE	1
SFAE-CSS-FP-C	1
AMSTA-LC-CJCB	2

15. TOTAL: 4

16. REMARKS:

The contractor shall submit a report, of all requested configuration changes at least 60 days prior to the proposed application date. Prior to making a form/fit/function change, the report shall submit requests for changes to the configuration baselines to the Contracting Officer at least 60 days before the proposed application date. The Government reserves the right to disapprove the change within 30 days of receipt of the request. Requests for a configuration change must include the following:

- (1) Rationale to support the necessity of making the change.
- (2) Any test results, planned testing, or other information on previous application of the change to show acceptability.
- (3) Identification of the affected parts and assemblies, drawings, sketches, calculations, and other data necessary to define the nature of the change the contractor is proposing.
- (4) Identification of any impact to manuals, maintenance procedures, repair parts stockage, special tools and test measurement and diagnostic equipment.
- (5) Any proposed decrease in contract price.

After making an approved change, the report shall include the old part number, the new part number, vendor CAGE code, and Additional Reference Number (vendor part number.)

REPRO = ELECTRONIC DELIVERY

E-MAIL ADDRESSES:

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AMSTA-LC-CJCB david.p.henderson.civ@mail.mil
AMSTA-LC-CJCB- Kenneth.s.harp2.civ@mail.mil

G. PREPARED BY/TITLE/OFFICE: Joan Masty I. APPROVED BY/TITLE/OFFICE: Kerry Riese
H. DATE: 15 OCT 2012 J. DATE: 22 JAN 2013

CONTRACT DATA REQUIREMENTS LIST

Form Approval OMB No. 0704-0188

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A. CONTRACT LINE ITEM NO. 9000 B. EXHIBIT: A C. CATEGORY: Other
D. SYSTEM/ITEM: High Mobility Engineer Excavator E. CONTRACT/PR NO.: W56HZV-13-R-0112 F. CONTRACTOR: JCB

1. DATA ITEM NO. A004 2. TITLE OF DATA ITEM: LOGISTICS MANAGEMENT INFORMATION (LMI) DATA PRODUCTS
3. SUBTITLE: PACKAGING DATA PRODUCTS 4. AUTHORITY (Dt of Acq Document No.) DI-SESS-81758
5. CONTRACT REFERENCE: C.6.2 6. REQUIRING OFFICE: AMSTA-LCL-MSP
7. DD250 REQ: LT 8. APP CODE: A
9. DIST. STATEMENT REQUIRED: A 10. FREQUENCY: As Required
11. AS OF DATE: 12. DATE OF FIRST SUB: See Block 16
13. DATE OF SUBS.SUB: See Block 16
14. DISTRIBUTION

A. ADDRESSEES	B. COPIES:	DRAFT	REPRO
SAM		1	1
APM		1	1

15. TOTAL: 2 2

16. REMARKS:

TAILORING: As clarified and tailored by Attachment 003-LMI Data Worksheet-Packaging Data Products and Attachment 004 LMI Packaging Data Transaction Format.

Block 12 Submit within 30 calendar days after each Provisioning Parts List (PPL) is approved. Government will review and determine the acceptance of each submission and notify the contractor within 30 calendar days of receipt.

Block 13 Subsequent submittals are due by the 25th of each month. Resubmit within 15 calendar days after receipt of Government comments.

Final data shall be submitted no later than 120 calendar days after final approved PPL.

Block 14 Submit electronically in a format that is readable and editable by the Government (currently MS Word Office) Repro copy = Electronic delivery CD ROM or email.

For Engineering changes and logistics changes, submit within 60 calendar days after approved change.

REPRO = ELECTRONIC DELIVERY

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APM: kerry.b.riese.civ@mail.mil
AMSTA-LCL-MSP: james.t.sarokin.civ@mail.mil

G. PREPARED BY/TITLE/OFFICE: Linda Skidmore I. APPROVED BY/TITLE/OFFICE: James Sarokin

H. DATE: 23 JAN 2013 J. DATE: 29 JAN 2013

CONTRACT DATA REQUIREMENTS LIST

Form Approval OMB No. 0704-0188

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A. CONTRACT LINE ITEM NO. 9000 B. EXHIBIT: A C. CATEGORY: Other
D. SYSTEM/ITEM: High Mobility Engineer Excavator E. CONTRACT/PR NO.: W56HZV-13-R-0112 F. CONTRACTOR: JCB

- | | |
|------------------------------------|-------------------------------------------------------------|
| 1. DATA ITEM NO. A005 | 2. TITLE OF DATA ITEM: SPECIAL PACKAGING INSTRUCTIONS (SPI) |
| 3. SUBTITLE: SPI | 4. AUTHORITY (Dt of Acq Document No.) DI-PACK-80121B |
| 5. CONTRACT REFERENCE: C.6.2 | 6. REQUIRING OFFICE: AMSTA-LCL-MSP |
| 7. DD250 REQ: LT | 8. APP CODE: A |
| 9. DIST. STATEMENT REQUIRED: A | 10. FREQUENCY: As Required |
| 11. AS OF DATE: See Block 16 | 12. DATE OF FIRST SUB: See Block 16 |
| 13. DATE OF SUBS.SUB: See Block 16 | |
| 14. DISTRIBUTION | |

A. ADDRESSEES	B. COPIES:	DRAFT	REPRO
SAM		1	1
APM		1	1
AMSTA-LCL-MSP		1	1
15. TOTAL:		3	3

16. REMARKS:

A Packaging Validation Test Report shall be submitted for each SPI component as an attachment to the Special Packaging Instruction.

Block 12 Submit within 30 calendar days after each PPL is approved. Government shall review and determine the acceptance of each submission and notify the contractor within 30 calendar days of receipt.

Block 13 Subsequent submittals are due by the 25th of each month. Resubmit within 15 calendar days after receipt of Government comments.

Final data shall be submitted no later than 120 calendar days after final approved PPL.

Block 14 Submit electronically in a format that is readable and editable by the Government (currently MS Word Office) Repro copy = Electronic delivery CD ROM or email.

For Engineering changes and logistics changes, submit within 60 calendar days after approved change.

REPRO = ELECTRONIC DELIVERY

E-MAIL ADDRESSES:

SAM: Vincent.j.hutchins.civ@mail.mil
APM: kerry.b.riese.civ@mail.mil
AMSTA-LCL-MSP: james.t.sarokin.civ@mail.mil

G. PREPARED BY/TITLE/OFFICE: Linda Skidmore I. APPROVED BY/TITLE/OFFICE: James Sarokin
H. DATE: 23 JAN 2013 J. DATE: 29 JAN 2013

CONTRACT DATA REQUIREMENTS LIST

Form Approval OMB No. 0704-0188

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A. CONTRACT LINE ITEM NO. 9000 B. EXHIBIT: A C. CATEGORY: Other
D. SYSTEM/ITEM: HMEE-I E. CONTRACT/PR NO.: W56HZV-13-R-0112 F. CONTRACTOR: JCB

- | | |
|-------------------------------------|---------------------------------------------------------|
| 1. DATA ITEM NO. A006 | 2. TITLE OF DATA ITEM: SCIENTIFIC and TECHNICAL REPORTS |
| 3. SUBTITLE: PACKAGING TEST REPORTS | 4. AUTHORITY (Dt of Acq Document No.) DI-MISC-80711A(T) |
| 5. CONTRACT REFERENCE: C.6.2 | 6. REQUIRING OFFICE: AMSTA-LCL-MSP |
| 7. DD250 REQ: DD | 8. APP CODE: A |
| 9. DIST. STATEMENT REQUIRED: A | 10. FREQUENCY: As Required |
| 11. AS OF DATE: See Block 16 | 12. DATE OF FIRST SUB: See Block 16 |
| 13. DATE OF SUBS.SUB: See Block 16 | |
| 14. DISTRIBUTION | |

A. ADDRESSEES	B. COPIES:	DRAFT	REG	REPRO
SAM		1		1
APM		1		1
AMSTA-LCL-MSP		1	1	
15. TOTAL:		3	1	2

16. REMARKS:

Tailoring: Delete paragraph 10.2. Contractor format is acceptable.

For design and logistics changes, the contractor shall submit Packaging Validation Test Reports. These reports include the Engine Preservation Validation Report for engine SPI, and shall be submitted concurrently with Packaging Instructions and Special Packaging Instructions.

REPRO = ELECTRONIC DELIVERY

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SAM: Vincent.j.hutchins.civ@mail.mil
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G. PREPARED BY/TITLE/OFFICE: Linda Skidmore I. APPROVED BY/TITLE/OFFICE: James Sarokin
H. DATE: 24 JAN 2013 J. DATE: 29 JAN 2013

CONTRACT DATA REQUIREMENTS LIST

Form Approval OMB No. 0704-0188

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A. CONTRACT LINE ITEM NO. 9000 B. EXHIBIT: A C. CATEGORY: Other
D. SYSTEM/ITEM: HMEE-I E. CONTRACT/PR NO.: W56HZV-13-R-0112 F. CONTRACTOR: JCB

- 1. DATA ITEM NO. A007 2. TITLE OF DATA ITEM: EQUIPMENT PRESERVATION DATA SHEETS
- 3. SUBTITLE: EPDS 4. AUTHORITY (Dt of Acq Document No.) DI-PACK-81581
- 5. CONTRACT REFERENCE: C.6.3 6. REQUIRING OFFICE: AMSTA-LCL-MSP
- 7. DD250 REQ: LT 8. APP CODE: A
- 9. DIST. STATEMENT REQUIRED: A 10. FREQUENCY: As Required
- 11. AS OF DATE: See Block 16 12. DATE OF FIRST SUB: See Block 16
- 13. DATE OF SUBS.SUB: See Block 16
- 14. DISTRIBUTION

A. ADDRESSEES	B. COPIES:	DRAFT	REG	REPRO
SAM		1		1
APM		1		1
AMSTA-LCL-MSP		1	1	
15. TOTAL:		3	1	2

16. REMARKS:

This CDRL only applies to ECPs that amend the baseline configuration.

For engineering and logistics changes, the contractor shall submit draft Equipment Preservation Data Sheet for the vehicle models that apply to this contract within 45 days after change. The Government will review and comment on the submittal and return it to the contractor within 15 days.

The contractor shall submit final Equipment Preservation Data Sheet for review and approval within 30 days after validation testing.

REPRO = ELECTRONIC DELIVERY

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APM: kerry.b.riese.civ@mail.mil
AMSTA-LCL-MSP: james.t.sarokin.civ@mail.mil

G. PREPARED BY/TITLE/OFFICE: Linda Skidmore I. APPROVED BY/TITLE/OFFICE: James Sarokin
H. DATE: 24 JAN 2013 J. DATE: 29 JAN 2013

CONTRACT DATA REQUIREMENTS LIST

Form Approval OMB No. 0704-0188

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A. CONTRACT LINE ITEM NO. 9000 B. EXHIBIT: A C. CATEGORY: Other
 D. SYSTEM/ITEM: HMEE-I E. CONTRACT/PR NO.: W56HZV-13-R-0112 F. CONTRACTOR: JCB

- | | |
|------------------------------------------------|--------------------------------------------------------|
| 1. DATA ITEM NO. A008 | 2. TITLE OF DATA ITEM: Student Attendance Report |
| 3. SUBTITLE: Training Course Completion Report | 4. AUTHORITY (Dt of Acq Document No.) DI-SESS-81639(T) |
| 5. CONTRACT REFERENCE: C.9.3 | 6. REQUIRING OFFICE: AMSTA-LC |
| 7. DD250 REQ: LT | 8. APP CODE: A |
| 9. DIST. STATEMENT REQUIRED: | 10. FREQUENCY: PER CLASS |
| 11. AS OF DATE: See Block 16 | 12. DATE OF FIRST SUB: See Block 16 |
| 13. DATE OF SUBS.SUB: See Block 16 | |
| 14. DISTRIBUTION | |

A. ADDRESSEES	B. COPIES:	DRAFT	REG	REPRO
AMSTA-LC				1
SFAE-CSS-FP-C				1
15. TOTAL:				2

16. REMARKS:

*Submit by E MAIL, a list of students in attendance on the morning of the first day of training. The Government will provide Certificates of Training for your presentation to each student at the end of class. The Government will provide course critiques for you to administer at the end of each class, for each student in attendance of training.

**Submit the completed course critique within 10 days after each class is completed. Government will provide a student roster for your administration.

***Submit the completed student roster within 10 days after each class is completed.

Repro = electronic copy delivery to email:

Repro = electronic copy delivery to email:
 SFAE-CSS-FP-C Vincent.j.hutchins.civ@mail.mil
 AMSTA-LC William.f.siffin.civ@mail.mil

G. PREPARED BY/TITLE/OFFICE: Linda Skidmore I. APPROVED BY/TITLE/OFFICE: Vince Hutchins
 H. DATE: 12 March 2013 J. DATE: 12 March 2013

CONTRACT DATA REQUIREMENTS LIST

Form Approval OMB No. 0704-0188

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A. CONTRACT LINE ITEM NO. 9000 B. EXHIBIT: A C. CATEGORY: Other
D. SYSTEM/ITEM: HMEE-I E. CONTRACT/PR NO.: W56HZV-13-R-0112 F. CONTRACTOR: JCB

1. DATA ITEM NO. A009 2. TITLE OF DATA ITEM: Warranty Performance Report
3. SUBTITLE: Warranty Report 4. AUTHORITY (Dt of Acq Document No.) DI-SESS-81639(T)
5. CONTRACT REFERENCE: C.10.2 6. REQUIRING OFFICE: AMSRD-TAR-E/CE
7. DD250 REQ: LT 8. APP CODE:
9. DIST. STATEMENT REQUIRED: 10. FREQUENCY: As Required
11. AS OF DATE: See Block 16 12. DATE OF FIRST SUB: See Block 16
13. DATE OF SUBS.SUB: See Block 16
14. DISTRIBUTION

A. ADDRESSEES	B. COPIES:	DRAFT	REG	REPRO
AMSRD-TAR-E/CE				1
SFAE-CSS-FP-C				1
AMSTA-LC-CJCB				2

15. TOTAL: 4

16. REMARKS:

Tailoring: Para 2.1.2 delete paras f, g, j, n, and p. Para 2.1.2.o delete from contract award to the end of the reporting period.
Para 2.1.6: Delete from contract award to the end date. Delete para 2.2 in its entirety.

The contractor shall submit this report via email once a month. The report shall include the number of operating hours on the vehicle at the time of fault, the warranty implementation date, vehicle serial number, shipping address and DODAAC. The first report is due 45 days after fielding. Subsequent reports are due 45 days after each fielding.

REPRO = ELECTRONIC DELIVERY

E-MAIL ADDRESSES:

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AMSTA-LC-CJCB david.p.henderson.civ@mail.mil
AMSTA-LC-CJCB- Kenneth.s.harp2.civ@mail.mil

G. PREPARED BY/TITLE/OFFICE: Linda Skidmore I. APPROVED BY/TITLE/OFFICE: Kerry Riese
H. DATE: 24 JAN 2013 J. DATE: 22 JAN 2013