

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE PAGE OF PAGES
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2. AMENDMENT/MODIFICATION NO. P00001
 3. EFFECTIVE DATE See Block 16C
 4. REQUISITION/PURCHASE REQ. NO.
 5. PROJECT NO. (if applicable)

6. ISSUED BY CODE SPM300
 7. ADMINISTERED BY (if other than Item 6) CODE

DLA Troop Support
 Dir of Subsistence, Bldg. 6
 700 Robbins Avenue Phila, PA 19111-5092
 POC: Tina Frederico Phone: 215-737-4545

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)
 Theodor Wille Intertrade GmbH (TWI)
 Josef Eicher Strasse 14
 60437 Frankfurt-Kalbach, Germany

9A. AMENDMENT OF SOLICITATION NO.
 9B. DATED (SEE ITEM 11)
 10A. MODIFICATION OF CONTRACT/ORDER NO. SPM300-12-D-3481
 10B. DATED (SEE ITEM 13) 1/5/12

CODE DB096 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. Offeror 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 amendment; (b) By acknowledging receipt of this amendment on each copy of the offer 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 your 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 MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE

A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT NO. IN ITEM 10A. ORDER

B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE *(such as changes in paying office, change in date, etc)* SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103

C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY 52.212-4(c) Contract Terms and Conditions-Commercial Items (Jun 2010) and 52.215-6 Place of Performance (Oct 1997)

D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor is not, is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

See page 2-3 for details. All other terms and conditions remain the same.

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) PATRICK MALCOR, CEO		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) TINA FREDERICO	
15B. CONTRACTOR'S SIGNATURE <i>(Signature of person authorized to sign)</i>		16B. UNITED STATES OF AMERICA <i>(Signature of Contracting Officer)</i>	
15C. DATE SIGNED 31 Feb 2012		16C. DATE SIGNED 2/28/12	

THEODOR WILLE INTERTRADE (TWI)
Modification P00001

1. The subject contract is hereby modified to incorporate the supplemental agreement between the parties for costs and conditions pertaining to the distribution of Fresh Fruits and Vegetables (FF&V) for Zone I - Northern Europe. TWI will track demands, place orders, maintain supplier relationships, negotiate pricing, source, procure, pack, and distribute FF&V to its Northern Europe customers.

The following distribution price category is hereby added to the contract:

Base Period (30 Months)

Category Number	Category Description	UOM	Dist. Price
76	Fresh Fruits and Vegetables (FF&V; Includes Unlimited Tri-Walls) (Zone I)	LB	

Option Period 1 (18 Months)

Category Number	Category Description	UOM	Dist. Price
76	Fresh Fruits and Vegetables (FF&V; Includes Unlimited Tri-Walls) (Zone I)	LB	

Option Period 2 (18 Months)

Category Number	Category Description	UOM	Dist. Price
76	Fresh Fruits and Vegetables (FF&V; Includes Unlimited Tri-Walls) (Zone I)	LB	

The distribution price cited above is fixed and includes all handling, warehousing, packaging, and administration in the supply of FF&V items to DLA Troop Support and its customers.

For receipting and billing purposes, TWI will add the FF&V lines to each customer's regular STORES invoices which are signed by the customer at the time of delivery. This will confirm the number and type of FF&V receipted and billing will be completed through STORES as a regular order.

The terms and conditions of this Modification are applicable to all subcontractors of the Prime Vendor, and will be included in all its applicable subcontracts.

2. Supplies/Services and Prices, paragraph 10 Item Pricing and Catalog Changes, subparagraph B #3 is added:
3. For FF&V items, price changes may be made on a bi-weekly basis in accordance with 52.216-9065 Economic Price Adjustment - Actual Material Costs for Subsistence Product Price Business Model (NOV 2011) DLAD, Paragraph (c)(1)(iii). Paragraph 10 Item Pricing and Catalog Changes, subparagraph A will apply when multiple sources are used.
3. Addition of FF&V to this contract does not increase the total maximum ceiling on the contract.
4. FAR 52.212-5 Contract Terms and Conditions Required to Implement Statutes or Executive Orders - Commercial Items (Nov 2011), 52.216-9065 Economic Price Adjustment - Actual Material Costs for Subsistence Product Price Business Model (NOV 2011) DLAD, Paragraph (b)(3)(i)(A)(1) is changed to read: The product listed in categories 54 and 76.

5. The facilities below are added as Places of Performance:

Grundhofer GmbH
Jahann-Georg-Fahr-Anlage 1
60437 Frankfurt

Jofox BV
Postbus 38
2676 ZG Maasdijk The Netherlands

Sapros GmbH
Bostadt 37
Illafeld, Germany 74360

DPM

THEODOR WILLE INTERTRADE (TWI)
Modification P00001

Bunnfrucht
Fischezentrum
Josef-Elcher Str 10
60437 Frankfurt am Main

Florette*
Soleco SAS
Mikroforum Ring 1
55234 Wendelsheim

*For distribution services only; does not include any manufacturing or packing of product

6. Supplies/Services and Prices, paragraph 10 Item Pricing and Catalog Changes, subparagraph A is revised as follows:
Product prices must be reflective of the PV's last receipt price (the price of the stock most recently received into the OCONUS inventory).
7. Contract Administration Data, paragraph 2 Invoicing, subparagraph A, the number of invoice/delivery tickets that accompanies each shipment is changed to two (2), an original plus one.
8. Deliveries and Performance, paragraph 1 Terms of Indefinite Quantity Contract, subparagraph C, is changed to read: 52.216-9065 Economic Price Adjustment - Actual Material Costs for Subsistence Product Price Business Model (NOV 2011) DLAD, as specified in this solicitation.
9. Supplies/Services and Prices, paragraph 10 Item Pricing and Catalog Changes, subparagraph A, the date of 52.216-9065 is changed to (Nov 2011).

DPM