AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		3

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. *(If applicble)*
P00205	See Block 16C		

6. ISSUED BY	CODE	7. ADMINISTERED BY *(If other than Item 6)*	CODE
DLA TROOP SUPPORT DIRECTORATE OF SUBSISTENCE, FTAD 700 ROBBINS AVE, BLDG PHILADELPHIA, PA 19111	SPM300		

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

CODE DB096 FACILITY CODE

(X) ☐ 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED *(SEE ITEM 11)*

(X) ☒ 10A. MODIFICATION OF CONTRACT/ORDER NO. SPM300-12-D-3481

10B. DATED *(SEE ITEM 13)* 1/5/12

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 amendment; (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 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.
☐	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES *(such as changes in paying office, appropriation date, etc.)* SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103 (b)
☒	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: FAR 43.103(a)3 & 52.208-9 Contractor Use of Mandatory Sources of Supply
☐	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.)*

Effective immediately, contract SPM300-12-D-3481 is hereby modified to incorporate the changes as outlined on pages 2 and 3 of this modification.

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)*
D. PATRICK MALTOR, CEO	TINA FREDERICO

15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)	09-Dec-13	FREDERICO.TINA.M.1228971827 Digitally signed by FREDERICO.TINA.M.1228971827 DN: c=US, o=U.S. Government, ou=DoD, ou=PKI, ou=DLA, cn=FREDERICO.TINA.M.1228971827 Date: 2013.12.10 14:07:32 -05'00' *(Signature of Contracting Officer)*	12/10/13

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THEODOR WILLE INTERTRADE (TWI)
Modification P00205

This modification addresses procedures for updating the DLA Troop Support Subsistence Prime Vendor catalogs for the Subsistence Prime Vendor Ability One Mandatory Procurement List (MPL). Procedures are as follows:

A. All changes to the DLA Troop Support Subsistence Prime Vendor Ability One MPL will be made on the DLA Troop Support Subsistence Ability One webpage.

B. The DLA Troop Support Subsistence Prime Vendor Ability One MPL webpages will be updated for the following changes in: prices, ordering information, contractor locations, items (additions and deletions), Ability One approved contractors and/or purchase exceptions.

C. There is a general Ability One Program website within the DLA Troop Support Subsistence web, and within the general Ability One Program website there are two websites, one for food items and one for non-food items. The web sites are:

General website:
http://www.troopsupport.dla.mil/subs/pv/manprod/index.asp

Food items website:
http://www.troopsupport.dla.mil/subs/pv/manprod/man_prod.pdf

Non-food items website:
http://www.troopsupport.dla.mil/subs/pv/manprod/man_prod_nonfood.pdf

D. Prime Vendor contractors will be notified via e-mail. The e-mail notification will identify the changes to the MPL and alert the Prime Vendor contractors to check the DLA Troop Support Subsistence Ability One Program webpage. Additionally changes to the MPL will be bolded for easy identification. Prime Vendor contractors shall confirm receipt of this e-mail notification.

E. DLA Troop Support Subsistence Prime Vendors are required to expeditiously catalog the mandatory products and remove any commercial equivalent product with "essentially the same" product characteristics. For CONUS Prime Vendors, if the removal and replacement will take longer than 30 days after notification by the Contracting Officer, the Prime Vendor must provide the Contracting Officer with details for the delay. For OCONUS Prime Vendors, within 30 days of notification by the Contracting Officer the OCONUS Prime Vendor must provide the Contracting Officer with current details of issues (outstanding orders, product in the 'pipeline, etc.) and provide the date when the catalogs will be updated. Contracting Officers will notify the Subsistence Ability One Team.

F. Any other commercial equivalent product with "essentially the same" product characteristics cannot be sold to the DLA Troop Support customers under this contract. The contractor is not authorized to submit catalog changes containing other commercial equivalent products with "essentially the same" product characteristics as those items on the MPL.

The following criteria should be used in determining if a commercial product is "essentially the same" as an Ability One MPL item:

1. It has effectively the same form, fit and function.
2. The Ability One and commercial products may be used for the same purpose.
3. The Ability One and commercial products are relatively the same size and a change in size will not affect the use or performance.

DPM

4. The appearance, color, texture, or other characteristic of the Ability One product and commercial product are not significantly different from one another.

The only potential exception to this requirement is identified in paragraph G below.

G. If the Prime Vendor is requested to carry items commercially equivalent to MPL items but with unique packaging requirements provided by the supplier but not currently provided by the MPL source, the Prime Vendor must notify the Contracting Officer. Contracting Officers will notify the Subsistence Ability One Team.

H. Payments shall be made directly to the MPL designated source.

I. Monthly MPL Compliance Reports are issued for each active Prime Vendor catalog. The monthly MPL Compliance Reports are sent to each Prime Vendor for each of their catalogs and to each administering Contracting Officer. These reports are to be reviewed to ensure active catalogs include the MPL items. Prime Vendor contractors will be notified of non compliances.

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