

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE
Page
1 of 12

2. AMENDMENT/MODIFICATION NO. 0006
3. EFFECTIVE DATE 09/29/2007
4. REQUISITION/PURCHASE REQ. NO. See Lines
5. PROJECT NO. (If applicable)

6. ISSUED BY DOT/Maritime Administration, MAR-380
1200 New Jersey Ave., SE MAR380, W28-201
Washington, DC 20590
CODE 00091
7. ADMINISTERED BY (If other than Item 6) DOT/Maritime Administration, MAR-380
1200 New Jersey Ave., SE MAR380, W28-201
Washington, DC 20590
CODE 00091

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and Zip Code)
ABS Nautical Systems, LLC
16855 Northchase Dr
Houston, TX 77060-6008
9A. AMENDMENT OF SOLICITATION NO.
9B. DATED (SEE ITEM 11)
10A. MODIFICATION OF CONTRACT/ORDER NO. DTMA1C06001
10B. DATED (SEE ITEM 13) 12/21/2005
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.
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 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)
See Line Item Detail

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 ORDER 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:
 D. OTHER (Specify type of modification and authority)
Mutual agreement of parties and pursuant to 52.217-09 "Option to Extend the Term of the Contract".

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.)
(a.) This modification extends the period of performance for two additional (2) months from 30 September 2007 through 30 November 2007 at no additional cost to the government.
(b.) Effective 30 September 2007, extend the period of performance from 30 September 2007 through 30 November 2007 on CLIN 0002, 0002AA, 0002AB, 0002AC, 0002AD, 0002AE, 0003, and 0003AA.
(c.) The specific expiration date for the performance of this order is 30 November 2007. Remaining funding will be de-obligated after the expiration date.
(d.) The length of time this order will remain in full force and effect is from 1 October 2005 until 30 November 2007.
(e.) All references to option periods are deleted from the text of block 14 and from the contract line item descriptions as a correction to the previous Modification No. 0005.

CONTINUED IN SECTION A.

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)
Iris B. Cooper
15B. CONTRACTOR/OFFEROR
15C. DATE SIGNED
16B. United States of America
BY Iris B. Cooper
(Signature of person authorized to sign) (Signature of Contracting Officer)
16C. DATE SIGNED

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Total Funding: \$1,176,250.00

FYs	Fund	Budget Org	Sub	Object Class	Sub	Program	Cost Org	Sub	Proj/Job No.	Sub	Reporting Category
See Line Item(s)											
Division		Closed FYs		Cancelled Fund							

Line Item Number	Description	Delivery Date (Start date to End date)	Quantity	Unit of Issue	Unit Price	Total Cost
<i>THIS MODIFICATION EXTENDS THE PERIOD OF PERFORMANCE FOR AN ADDITIONAL TWO (2) MONTHS.</i>						
0001AB	RMS Consulting Services	(12/31/2005 to 12/31/2006)	0.00	DAY	\$0.00	\$0.00
	Change in Extended Description Additional 100 days of labor for option period at same daily rate of \$1,125.00. Extend the Period of Performance until 12/31/2006. Decrease CLIN 0001AB by <269.50> days from \$618,750.00 by <\$303,187.50> to \$315,562.50 so that these funds are available from 10/1/2006 through 9/20/2007. Modification No. 0006 deletes all reference to option periods from the contract line item descriptions as a correction to the previous Modification No. 0005.					
0001AC	Travel Expenses	(12/01/2005 to 09/30/2006)	0.00	EA	\$0.00	\$0.00
	Change in Extended Description Reimbursement at actual costs in accordance with Federal Travel Regulations. Decrease CLIN 0001AC from \$634,000.00 by <\$15,552.29> to \$18,447.71 so that these funds are available from 10/1/2006 through 9/20/2007. Modification No. 0006 deletes all reference to option periods from the contract line item descriptions as a correction to the previous Modification No. 0005.					
0001AD	Travel Expenses	(12/31/2005 to 12/31/2006)	0.00	EA	\$0.00	\$0.00
	Change in Extended Description Additional estimated travel costs for option period of \$21,000.00. Extend the Period of Performance until 12/31/2006. Decrease CLIN 0001AD from \$60,000.00 by <\$17,650.62> to \$42,349.38 so that these funds are available from 10/1/2006 through 9/20/2007. Modification No. 0006 deletes all reference to option periods from the contract line item descriptions as a correction to the previous Modification No. 0005.					
0001AE	Consulting Services	(09/01/2006 to 08/31/2007)	0.00	DAY	\$0.00	\$0.00
	Change in Extended Description To provide additional support at MARAD HQ to meet unanticipated and changing conditions. Working will be performed at MARAD HQ in Washington, DC. The professional support provided under this modification must be fully qualified in NS-5 operations. Decrease CLIN 0001AE by <210> days from \$157,500.00 by <\$157,500.00> to \$-0.00- so that these funds are available from 10/1/2006 through 9/20/2007. Modification No. 0006 deletes all reference to option periods from the contract line item descriptions as a correction to the previous Modification No. 0005.					

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Total Funding: \$1,176,250.00

FYs	Fund	Budget Org	Sub	Object Class	Sub	Program	Cost Org	Sub	Proj/Job No.	Sub	Reporting Category
See Line Item(s)											
Division		Closed FYs		Cancelled Fund							

Line Item Number	Description	Delivery Date (Start date to End date)	Quantity	Unit of Issue	Unit Price	Total Cost
0001AF	Travel Expenses	(09/01/2006 to 08/31/2007)	0.00	LOT	\$0.00	\$0.00
	Change in Extended Description To cover NS-5 TDY only in support of the 210 additional man-days of support. All travel will be performed in accordance with Federal Travel Regulations. Decrease CLIN 0001AF rom \$13,500.00 by <\$13,500.00> to \$-0.00 so that these funds are available from 10/1/2006 through 9/20/2007. Modification No. 0006 deletes all reference to option periods from the contract line item descriptions as a correction to the previous Modification No. 0005.					
0002	Additional RMS Support	(10/01/2006 to 11/30/2007)	0.00	N/A	\$0.00	\$0.00
	Change in Description, Extended Description, Performance Period Total Estimated Cost \$1,689,250.00 Current Funding Limitation \$1,089,250.00 Modification No. 0006 extends the period of performance from 30 September 2007 through 30 November 2007. Modification No. 0006 deletes all reference to option periods from the contract line item descriptions as a correction to the previous Modification No. 0005.					
0002AA	Consulting service	(12/31/2006 to 11/30/2007)	0.00	DAY	\$0.00	\$0.00
	Change in Description, Extended Description, Performance Period REFERENCE: Req. No. PROP0700068 Incorporate 269.50 days from CLIN 0001AB for Consulting Services into this CLIN 0002AA for Consulting Services. Modification No. 0005 provides an additional 140 days of labor at same daily rate of \$1,125.00. Modification No. 0005 extends the period of performance from 31 December 2006 through 30 September 2007. Modification No. 0006 extends the period of performance from 30 September 2007 through 30 November 2007. Modification No. 0006 deletes all reference to option periods from the contract line item descriptions as a correction to the previous Modification No. 0005.					
0002AB	Travel	(09/30/2006 to 11/30/2007)	0.00	EA	\$0.00	\$0.00
	Change in Description, Extended Description, Performance Period Modification No. 0005 extends the period of performance from 30 September 2006 through 30 September 2007. Incorporate \$15,552.29 days CLIN 0001AC for Travel Expenses into this CLIN 0002AB for Travel Expenses. Modification No. 0006 extends the period of performance from 30 September 2007 through 30 November 2007. Modification No. 0006 deletes all reference to option periods from the contract line item descriptions as a correction to the previous Modification No. 0005.					

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Total Funding: \$1,176,250.00

FYs	Fund	Budget Org	Sub	Object Class	Sub	Program	Cost Org	Sub	Proj/Job No.	Sub	Reporting Category
See Line Item(s)											
Division	Closed FYs		Cancelled Fund								

Line Item Number	Description	Delivery Date (Start date to End date)	Quantity	Unit of Issue	Unit Price	Total Cost
0002AC	Travel	(12/31/2006 to 11/30/2007)	0.00	EA	\$0.00	\$0.00
	Change in Description, Extended Description, Performance Period Modification No. 0005 extends the Period of Performance further from 31 December 2006 through 30 September 2007. Incorporate \$17,650.52 from CLIN 0001AD for Travel Expenses into this CLIN 0002AC for Travel Expenses. Modification No. 0006 extends the period of performance from 30 September 2007 through 30 November 2007. Modification No. 0006 deletes all reference to option periods from the contract line item descriptions as a correction to the previous Modification No. 0005.					
0002AD	Consulting Services	(08/31/2007 to 11/30/2007)	0.00	DAY	\$0.00	\$0.00
	Change in Description, Extended Description, Performance Period To provide additional support at MARAD HQ to meet unanticipated and changing conditions. Working will be performed at MARAD HQ in Washington, DC. The professional support provided under this modification must be fully qualified in NS-5 operations. Incorporate 210 days from CLIN 0001AE for Consulting Services into this CLIN 0002AD for Consulting Services. Modification No. 0005 extends the Period of Performance from 31 August 2007 further through 30 September 2007. Modification No. 0006 extends the period of performance from 30 September 2007 through 30 November 2007. Modification No. 0006 deletes all reference to option periods from the contract line item descriptions as a correction to the previous Modification No. 0005.					
0002AE	Travel	(08/31/2007 to 11/30/2007)	0.00	LOT	\$0.00	\$0.00
	Change in Description, Extended Description, Performance Period To cover NS-5 TDY only in support of the 210 additional man-days of support. All travel will be performed in accordance with Federal Travel Regulations. Modification No. 0005 extends the Period of Performance from 31 August 2007 further through 30 September 2007. Incorporate \$13,500.00 from CLIN 0001AF for Travel expenses into this CLIN 0002AE for Travel expenses. Modification No. 0006 extends the period of performance from 30 September 2007 through 30 November 2007. Modification No. 0006 deletes all reference to option periods from the contract line item descriptions as a correction to the previous Modification No. 0005.					
0003	Additional FSS Support	(07/20/2007 to 11/30/2007)	0.00	N/A	\$0.00	\$0.00
	Change in Description, Extended Description, Performance Period Total Estimated Cost \$90,000.00 Current Funding Limitation \$90,000.00 Modification No. 0006 extends the period of performance from 30 September 2007 through 30 November 2007. Modification No. 0006 deletes all reference to option periods from the contract line item descriptions as a correction to the previous Modification No. 0005.					

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Total Funding: \$1,176,250.00

FYs	Fund	Budget Org	Sub	Object Class	Sub	Program	Cost Org	Sub	Proj/Job No.	Sub	Reporting Category
See Line Item(s)											
Division Closed FYs Cancelled Fund											

Line Item Number	Description	Delivery Date (Start date to End date)	Quantity	Unit of Issue	Unit Price	Total Cost
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0003AA	FSS Consulting Services		0.00	DAY	\$0.00	\$0.00
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(07/20/2007 to 11/30/2007)

Change in Description, Extended Description, Performance Period

FSS Startup Costs - 80 Man Days

REFERENCE: Req. No. PROP0700068

Provide FSS RMS startup costs under CLIN 0003AA for 80 days of consulting services (@ \$1,025 per day) for NS5 programming and consulting services.

Period of performance for CLIN 0003AA is from 20 July 2007 through 30 September 2007.

Modification No. 0006 extends the period of performance for CLIN 0003AA from 30 September 2007 through 30 November 2007.

Modification No. 0006 deletes all reference to option periods from the contract line item descriptions as a correction to the previous Modification No. 0005.

Previous Total: \$1,176,250.00
Modification Total: \$0.00
Grand Total: \$1,176,250.00
(Includes Discounts)

cc: Mark Truffer; Jennifer Fallis; Iris Cooper; Frank Bajowski; Richard D. Weaver; Channing Jones; Gregory Noonan; Robert McLean; MARAD Obligations; Gerry Nielsen, ABS

Address Detail**Title**

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Shipping Addresses

Code	Detail
0001	Org: DOT/Maritime Administration, MAR-614 Addr: 1200 New Jersey Ave., SE MAR380, W28-201 Washington DC 20590 Attn: Richard H. Williams, Chief, Div. of Logistics Suppo Phone: (202) 366-5079 ext. Fax: () - ext.

Invoice Addresses

Code	Detail	Code	Detail
0001	Org: DOT/ Enterprise Services Center (ESC) OFO/FAA, Addr: MARAD A/P Branch, AMZ-150 PO Box 25710 Oklahoma City OK 73125 Attn: Tammy Curnett, Lead Accounting Technician Phone: (405) 954-2063 ext. Fax: (405) 954-9573 ext.	0002	Org: DOT/ Enterprise Services Center (ESC) OFO/FAA, Addr: MARAD A/P Branch, AMZ-150 PO Box 25710 Oklahoma City OK 73125 Attn: Christy Remington, Accounting Technician Phone: (405) 954-1693 ext. Fax: (405) 954-1270 ext.

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SECTION A -- SOLICITATION/CONTRACT FORM

A.1 SUMMARY OF CHANGES

The free form item 'Description of Amendment/Modification (continued from page 1)' has been added.

The free form item 'CONTRACT ADMINISTRATION DATA' has been edited.

Clause '52.217-09 - Option To Extend The Term Of The Contract' has been added.

A.2 DESCRIPTION OF AMENDMENT/MODIFICATION (CONTINUED FROM PAGE 1)

CONTINUED FROM BLOCK 14 (Page 1):

(f.) Section G is modified to reflect the new invoice requirements and physical addresses for correspondence.

(g.) Notwithstanding the previously estimated total, in performing this contract, the contractor is not authorized to make obligations or to incur cost in excess of \$1,176,250.00 without the prior written approval of Contracting Officer. The government will not be obligated to pay the contractor any amount in excess of the ceiling price of \$1,176,250.00 and ABS Nautical Systems exceeds the ceiling price of \$1,176,250.00 at its own risk.

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SECTION G -- CONTRACT ADMINISTRATION DATA

G.1 CONTRACT ADMINISTRATION DATA

G.1.1 GENERAL

Contract administration shall be as set forth below and in accordance with the terms and conditions of this Contract.

G.2 INVOICE REQUIREMENTS

a. Invoices shall be submitted to the following address:

REGULAR U.S. MAIL *

Maritime Administration (MARAD) Accounts Payable (A/P) Branch
AMZ-150
Post Office Box 25710
Oklahoma City, OK 73125

OVERNIGHT MAIL *

Maritime Administration (MARAD) Accounts Payable (A/P) Branch
AMZ-150
6500 South MacArthur Boulevard
Oklahoma City, OK 73169

ELECTRONIC MAIL *

All commercial vendors have the option to send invoices electronically. The invoices must be in Adobe PDF format. Vendors can submit electronic invoices at the following email address:

MARADInvoices@FAA.GOV

DUPLICATE COPIES *

Duplicate copies of invoices shall be submitted to the COTR at the same time they are delivered to AMZ-150.

INVOICE INQUIRIES *

For invoice inquiries, contact the following:

Maritime Administration (MARAD) Accounts Payable (A/P) Branch
Ms. Christy Remington
Accounts Payable, AMZ-160
Phone: (405) 954-1693
Fax: (405) 954-1270
Email: Christy.CTR.Remington@faa.gov

Maritime Administration (MARAD) Accounts Payable (A/P) Branch
Accounts Payable, AMZ-150
Ms. Tammy Curnett
Phone: (405) 954-2063
Email: Tammy.Curnett@faa.dot.gov

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b. In accordance with the Clause at FAR 52.232-32, Performance-Based Payments, to constitute a proper invoice, the invoice must include the following information and/or attached documentation:

- (1) The name and address of the Contractor;
- (2) The date of the request for performance-based payment;
- (3) The Contract number and/or other identifier of the contract or order under which the request is made;
- (4) Such information and documentation as is required by the contract's description of the basis for payment;
- (5) A certification by a Contractor official authorized to bind the Contractor, as set forth in the Clause at FAR 52.232-32(7)(m);
- (6) Name (where practicable), title, phone number, and complete mailing address of responsible official to whom payment is to be sent; and
- (7) Other substantiating documentation or information as required by the contract.

G.3 ELECTRONIC FUNDS TRANSFER (EFT) PAYMENT REQUIREMENTS

FAR 52.232-32 PAYMENT BY ELECTRONIC FUNDS TRANSFER (CCR), is included in this solicitation/contract. All Contractor payments will be made by EFT unless excepted or otherwise determined by the paying office designated in the contract.

The Contractor must initiate enrollment in EFT by contacting the paying office designated in the contract and requesting form SF 3881, Automated Clearing House (ACH) Vendor/Miscellaneous Payment Enrollment Plan. This form must be completed by the Contractor and their financial institution and returned to the paying office. The paying office will complete the process and notify the Contractor that EFT enrollment is complete. All payments under this contract will be held until the Contractor provides the required EFT enrollment information.

G.4 PAYMENTS

In accordance with FAR Clause 52.232-32 - Performance-Based Payments (February 2002), Section I.2 of this contract, the Contractor shall be paid according to the following milestones:

Phase I - Data Analysis, Planning, and Systems Analysis & Design

Phase II - System Development/Configuration, Preliminary Data Conversion

Phase III - Testing (Integration and User Acceptance)

Phase IV - Pilot, FOC (Full Operational Capability) Full Implementation, Final Data Conversion, Software Purchase and Licensing

The Contractor shall submit to the Contracting Officer's Technical Representative (COTR) documentation stating that all tasks have been accomplished and all deliverables received. Payment will be issued upon verification of completion.

G.5 TECHNICAL POINTS OF CONTACT

a. CONTRACTING OFFICER'S TECHNICAL REPRESENTATIVE (COTR)

The Government's technical point of contact (COTR) for this Contract is as follows: *

MR. CHANNING JONES
U.S. MARITIME ADMINISTRATION (MARAD)
DEPARTMENT OF TRANSPORTATION (DOT) HEADQUARTERS
SOUTH EAST FEDERAL CENTER
1200 NEW JERSEY AVENUE, S.E.
WEST BUILDING, 2ND FLOOR, MAR-610
SOUTH WEST WING, W25-308
WASHINGTON, DC 20590
Telephone: (202) 366-4447
E-Mail Address: channing.jones@dot.gov

The COTR is responsible for the technical aspects of the project and is technical liaison with the Contractor. The COTR is also responsible for the final inspection and acceptance of all deliverables, and such other responsibilities as may be specified in the contract/task orders.

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The COTR is not authorized to make any commitments or otherwise obligate the Government or authorize any changes that affect the contract price, terms or conditions. Any Contractor request for changes shall be referred to the Contracting Officer directly or through the COTR. No such changes shall be made without the expressed prior authorization of the Contracting Officer.

The COTR may be changed by the Government at any time, but notification of the change, including the name and address of the successor COTR, will be promptly provided to the Contractor by the Contracting Officer in writing.

The Contractor shall forward a copy of all invoices to the Contracting Officer's Technical Representative.

b. The Contractor's Primary Point of Contact shall be: *

Mr. Gerry Nielsen, Director of Operations
ABS Nautical Systems LLC
16855 Northchase Drive
Houston, Texas 77060-6008

Telephone: (281) 877-5734
Facsimile: (281) 877-5701
EMAIL: gnielsen@abs-ns.com

* Items revised by Modification No. 0006.

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SECTION I -- CONTRACT CLAUSES

I.1 52.217-09 OPTION TO EXTEND THE TERM OF THE CONTRACT MARCH
2000

(a) The Government may extend the term of this contract by written notice to the Contractor within THIRTY (30); provided that the Government gives the Contractor a preliminary written notice of its intent to extend at least SIXTY (60) days before the contract expires. The preliminary notice does not commit the Government to an extension.

(b) If the Government exercises this option, the extended contract shall be considered to include this option clause.

(c) The total duration of this contract, including the exercise of any options under this clause, shall not exceed TWENTY-SIX (26) MONTHS.

(End of clause)