

**AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT**

1. CONTRACT ID CODE  
Page  
1 of 6

2. AMENDMENT/MODIFICATION NO. 0004  
3. EFFECTIVE DATE 04/30/2010  
4. REQUISITION/PURCHASE REQ. NO. See Lines  
5. PROJECT NO. (If applicable)

6. ISSUED BY CODE 00092  
DOT/Maritime Administration, Atlantic Division Acquisition  
Office of Acquisition, MRG-7200,7737 Hampton Boulevard, Building 19, Suite 300  
Norfolk, VA 23505  
7. ADMINISTERED BY (If other than Item 6) CODE 00092  
DOT/Maritime Administration, Atlantic Division Acquisition  
Office of Acquisition, MRG-7200,7737 Hampton Boulevard, Building 19, Suite 300  
Norfolk, VA 23505

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and Zip Code)  
Acme Industrial, Inc.  
326-328 Front Street  
Staten Island, NY 10304-3838  
9A. AMENDMENT OF SOLICITATION NO.  
9B. DATED (SEE ITEM 11)  
(X) 10A. MODIFICATION OF CONTRACT/ORDER NO. DTMA2C10009  
(X) 10B. DATED (SEE ITEM 13)

CODE m 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;
  - (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.
<input type="checkbox"/>	
<input type="checkbox"/>	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).
<input checked="" type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: FAR 52.212-04 Contract Terms & Conditions - COMMERCIAL ITEMS (f) Excusable Delays
<input type="checkbox"/>	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.)**  
TS EMPIRE STATE

1. Pursuant to circumstances beyond the control and without the fault or negligence of the Contractor (ABS Regulatory delay), a time extension of 10 days is required to complete Emergent Supplemental Work.
2. Realign funds from CLIN 0013, Supplemental Materials to CLIN 0012, Supplemental Labor to cover mandatory repairs that must be fixed to meet safety requirements, as directed by American Bureau of Shipping (ABS) for the ship to pass certification. The Contractor shall "Renew/Replace" Nr. 4 Deep Tank Air Escape Piping.
3. As a result, the total contract price is increased by \$10,736.80 from \$577,595.00 to \$588,331.80.

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) Geoffrey D'Agostino	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Eileen M. Williams
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)	16B. United States of America BY Eileen M. Williams (Signature of Contracting Officer)
15C. DATE SIGNED April 30, 2010	16C. DATE SIGNED 04/30/2010

2. AMENDMENT/MODIFICATION NO. 0004	3. EFFECTIVE DATE 04/30/2010	4. REQUISITION/PURCHASE REQ. NO. See Lines	5. PROJECT NO. (If applicable)
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6. ISSUED BY DOT/Maritime Administration, Atlantic Division Acquisition Office of Acquisition, MRG-7200,7737 Hampton Boulevard, Building 19, Suite 300 Norfolk, VA 23505	CODE	00092	7. ADMINISTERED BY (If other than Item 6) DOT/Maritime Administration, Atlantic Division Acquisition Office of Acquisition, MRG-7200,7737 Hampton Boulevard, Building 19, Suite 300 Norfolk, VA 23505	CODE	00092
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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and Zip Code)  Acme Industrial, Inc. 326-328 Front Street Staten Island, NY 10304-3838		9A. AMENDMENT OF SOLICITATION NO.
		9B. DATED (SEE ITEM 11)
	(X)	10A. MODIFICATION OF CONTRACT/ORDER NO. DTMA2C10009
	(X)	10B. DATED (SEE ITEM 13)

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15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Eileen M. Williams
15B. CONTRACTOR/OFFEROR	16B. United States of America
15C. DATE SIGNED April 30, 2010	16C. DATE SIGNED 04/30/2010
(Signature of person authorized to sign)	BY _____ (Signature of Contracting Officer)

<b>Line Item Summary</b>	<b>Document Number</b> DTMA2C10009/0004	<b>Title</b> TSES Steel Package	<b>Page</b> 2 of 6
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Total Funding: \$588,331.80

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

<b>Line Item Number</b>	<b>Description</b>	<b>Delivery Date (Start date to End date)</b>	<b>Quantity</b>	<b>Unit of Issue</b>	<b>Unit Price</b>	<b>Total Cost</b>
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DUNS 155081300

0001	Shaft Alley Steel Repairs		0.00	JOB	\$0.00	\$0.00
		(03/13/2010 to 05/10/2010)				
	Change in Performance Period See Performance Work Statement (PWS), Section 5.2					

Ref Req No: PRSAR100241

0002	Miscellaneous Structural Steel Repairs		0.00	JOB	\$0.00	\$0.00
		(03/13/2010 to 05/10/2010)				
	Change in Performance Period See Performance Work Statement (PWS), Section 5.3					

Ref Req No: PRSAR100241

0003	Air Ejector Reducer Spool Piece Fabrication and Air Ejector Repair		0.00	JOB	\$0.00	\$0.00
		(03/13/2010 to 05/10/2010)				
	Change in Performance Period See Performance Work Statement (PWS), Section 5.4					

Ref Req No: PRSAR100241

0004	Mooring Rolling and Fixed Chock Repairs		0.00	JOB	\$0.00	\$0.00
		(03/13/2010 to 05/10/2010)				
	Change in Performance Period See Performance Work Statement (PWS), Section 5.5					

Ref Req No: PRSAR100241

0005	Forepeak Aft Bulkhead Crack Repair		0.00	JOB	\$0.00	\$0.00
		(03/13/2010 to 05/10/2010)				
	Change in Performance Period See Performance Work Statement (PWS), Section 5.6					

Ref Req No: PRSAR100241

<b>Line Item Summary</b>	<b>Document Number</b> DTMA2C10009/0004	<b>Title</b> TSES Steel Package	<b>Page</b> 3 of 6
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**Total Funding:** \$588,331.80

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

<b>Line Item Number</b>	<b>Description</b>	<b>Delivery Date (Start date to End date)</b>	<b>Quantity</b>	<b>Unit of Issue</b>	<b>Unit Price</b>	<b>Total Cost</b>
0006	Fast Rescue Boat Davit Hydraulic's Fish Plate Installation  Change in Performance Period  See Performance Work Statement (PWS), Section 5.7 Ref Req No: PRSAR100241	(03/13/2010 to 05/10/2010)	0.00	JOB	\$0.00	\$0.00
0007	Old House MSD System Vent Repair  Change in Performance Period  See Performance Work Statement (PWS), Section 5.8 Ref Req No: PRSAR100241	(03/13/2010 to 05/10/2010)	0.00	JOB	\$0.00	\$0.00
0008	138 Person Hold Overhead Steel Repair, 5.9  Change in Performance Period  See Performance Work Statement (PWS), Section 5.9 Ref Req No: PRSAR100241	(03/13/2010 to 05/10/2010)	0.00	JOB	\$0.00	\$0.00
0009	4 Aft Port Double Bottom Tank, 5.10  Change in Performance Period  See Performance Work Statement (PWS), Section 5.10 Ref Req No: PRSAR100241	(03/13/2010 to 05/10/2010)	0.00	JOB	\$0.00	\$0.00
0010	Aft Hawser Compartment Steel Repairs, 5.11  Change in Performance Period  See Performance Work Statement (PWS), Section 5.11 Ref Req No: PRSAR100241	(03/13/2010 to 05/10/2010)	0.00	JOB	\$0.00	\$0.00

<b>Line Item Summary</b>	<b>Document Number</b> DTMA2C10009/0004	<b>Title</b> TSES Steel Package	<b>Page</b> 4 of 6
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Total Funding: \$588,331.80

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
0011	Starboard Outboard Settler Steam Heat Return Piping, 5.12  Change in Performance Period  See Performance Work Statement (PWS), Section 5.12 Ref Req No: PRSAR100241	(03/13/2010 to 05/10/2010)	0.00	JOB	\$0.00	\$0.00
0012	Supplemental Labor, 5.13 (THIS IS A NOT TO EXCEED AMOUNT)  Change in Performance Period See Performance Work Statement (PWS) Section 5.13  The supplemental Labor Rate offered shall be a yardwide composite labor rate and include all management, supervision, overhead, G & A, freight, profit, overtime, quality assurance, delay and disruption, bonds, insurance, etc. The yardwide composite rate offered by the Contractor shall be binding during the entire period of this contract for all supplemental work which cannot be accurately described at this time. Under this CLIN, the Government "may" order up to the indicated quantity of man-hours to be performed by the Contractor at the contract yardwide composite rate for supplemental labor.  Authorization to proceed with supplemental labor work, IF REQUIRED, will be issued in writing by the COTR or Contracting Officer on a supplemental work authorization/Delivery Order, as defined in the Clause MCL-H-2, SUPPLEMENTAL WORK REQUESTS, solely at the option of the Maritime Administration.  FOR PROPOSAL PURPOSES, ALL OFFERORS ARE TO PRICE THE FOLLOWING:  QUANTITY (215) X Unit of Issue (ManHours) = TOTAL COST  650 Man hours X \$_(FILL IN THIS BLANK Here)_____ = the EXTENDED TOTAL COST.  (Please fill in the Extrened Total Cost shown in the right hand column).  (HOURS LISTED ARE ONLY AN ESTIMATE AND MAY NOT BE REQUIRED/ORDERED.) Ref Req No: PRSAR100241	(03/13/2010 to 05/10/2010)	0.00	MH	\$0.00	\$0.00
0013	Supplemental Material (THIS IS A NOT TO EXCEED AMOUNT)  Change in Extended Description, Performance Period See Performance Work Statement (PWS) Section 5.13  The allowance for supplemental material is for direct costs of materials or subcontracts only. All other costs are included in supplemental labor, contract line item 0009.  All work under this CLIN must be specifically authorized in writing by the COTR or Contracting Officer on a supplemental work authorization/delivery order as defined in the Clause MCL.H-2 SUPPLEMENTAL WORK REQUESTS. NOTE: COSTS LISTED ARE ONLY AN ESTIMATE AND MAY NOT BE REQUIRED/ORDERED. Ref Req No: PRSAR100241	(03/13/2010 to 05/10/2010)	0.00	JOB	\$0.00	\$0.00

<b>Line Item Summary</b>	<b>Document Number</b> DTMA2C10009/0004	<b>Title</b> TSES Steel Package	<b>Page</b> 5 of 6
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**Total Funding:** \$588,331.80

**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**

<b>Line Item Number</b>	<b>Description</b>	<b>Delivery Date (Start date to End date)</b>	<b>Quantity</b>	<b>Unit of Issue</b>	<b>Unit Price</b>	<b>Total Cost</b>
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0012AA	Supplemental Labor	(03/13/2010 to 05/10/2010)	1.00	JOB	\$10,736.80	\$10,736.80
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This is a New Line

Add \$10,736.80 to cover emergent work identified by ABS surveyor on Nr. 4 Deep Tank locked in ballast air escape piping issues.

**Funding Information:**

2010 - - X1750 - SMR 120 - SM - D107 - 0 - 0000 - 160000 -  
- - - - 25711 - 6100 - 6600 -  
10,736.80

**Previous Total:** \$577,595.00  
**Modification Total:** \$10,736.80  
**Grand Total:** \$588,331.80  
(Includes Discounts)

**Shipping Addresses**

<b>Code</b>	<b>Detail</b>
0001	<b>Org:</b> DOT/Maritime Administration, Atlantic Division Of <b>Addr:</b> EMPIRE STATE SUNY Maritime College 6 Pennyfield Avenue Bronx NY 10465 <b>Attn:</b> Thomas Dowd, Chief Engineer <b>Phone:</b> (718) 409-5590 ext. <b>Fax:</b> ( ) - ext.

**Invoice Addresses**

<b>Code</b>	<b>Detail</b>
0001	<b>Org:</b> USMMA A/P Branch, AMZ-160 <b>Addr:</b> USMMA A/P Branch, AMZ-160, PO Box 25710  Oklahoma City OK 73125 <b>Attn:</b> Justin Breeden, Accounting Technician <b>Phone:</b> (405) 954-2223 ext. <b>Fax:</b> (405) 954-9573 ext.