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	PIIN/SIIN DAAE20-03-D-0074/0001 MOD/AMD 06	

Name of Offeror or Contractor: RYAN METAL PRODUCTS INC

SECTION A - SUPPLEMENTAL INFORMATION

1. The purpose of this administrative modification, issued under contract DAAE20-03-D-0074, delivery orders 0001 and 0002, is to document the settlement on the First Article Test claim submitted by the contractor. The Government's liability to the contractor for the First Article Test is determined to be \$48,150.00. The contractor hereby agrees that the Government's responsibility, obligation, or liability to reimburse or pay the contractor for costs incurred as a result of or relating to the First Article Test, shall be \$48,150.00. Thus, the contractor agrees that a complete accord and satisfaction and full and general release is herein provided for an amount of \$48,150.00 for any and all costs, claims, causes of actions and/or equitable adjustments relating to or arising from the First Article Testing.

2. Further, the contractor agrees that the amount of \$48,150.00 covers any and all other claims and/or potential claims against the United States, its political subdivision, its officers, agents, and employees, arising out of or relating to the contract including but, not limited to all claims for costs; expenses, attorney fees, compensatory damages, and exemplary damages.

3. The following background information is provided:

- a. Description for Purchase (DFP-404), Shop Set, Spare Parts Storage: Field Maintenance, September 9, 2002
- b. Contract DAAE20-03-D-0074 and Delivery Order 0001 awarded to Ryan Metals Products Inc. on February 24, 2003
- c. Delivery Order 0002 awarded on March 18, 2003
- d. Test Report, DFP 404, Stor-Loc, May 6, 2003
- e. Test Report, Vibration Testing on Two Sets of Three Modular Drawer Systems for Stor-Loc, Wyle Job No. 48446, Wyle Laboratories, May 9, 2003
- f. Letter, TACOM-RI, July 7, 2003, Notice of Termination for Cause
- g. Memorandum/Claim, Ryan Metals Products Inc., July 22, 2003
- h. Letter, TACOMORI, July 29, 2003, Subject: Contract DAAE20-03-D-0074, Including Delivery Orders 0001 and 0002 for Storage Cabinets, FATR Costs. (Denial of Claim)
- i. Letter, ASBCA Falls Church, Virginia; October 3, 2003, Appeal No. 54350

4. The contractor warrants and represents that no other action or suit with respect to this contract are pending or will be filed in or submitted to any other court, administrative agency, or legislative body.

5. The Attachment 0001 is the signed settlement agreement letter.

6. The contractor is authorized to submit an invoice in the amount of \$48,150.00 for immediate payment to DFAS Columbus Center in Columbus, Ohio.

*** END OF NARRATIVE A 007 ***

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SECTION G - CONTRACT ADMINISTRATION DATA

LINE	PRON/ AMS CD/ <u>ITEM</u> <u>MIPR</u>	ACRN	OBLG STAT/ <u>JOB ORD NO</u>		<u>PRIOR AMOUNT</u>		<u>INCREASE/DECREASE</u> <u>AMOUNT</u>		<u>CUMULATIVE</u> <u>AMOUNT</u>
0001AA	M11H1321M1 53459562149 A1197149M101	AA	1 1CT321	\$	48,150.00	\$	-48,150.00	\$	0.00
0001AB	M11H1321M1 53459562149 A1197149M101	AA	2 1CT321	\$	0.00	\$	48,150.00	\$	48,150.00
					NET CHANGE	\$	0.00		

<u>SERVICE</u> <u>NAME</u>	<u>NET CHANGE</u> <u>BY ACRN</u>	<u>ACCOUNTING CLASSIFICATION</u>			<u>ACCOUNTING</u> <u>STATION</u>	<u>INCREASE/DECREASE</u> <u>AMOUNT</u>
Army	AA	21	12035000016D6D02P53459526FB	S11116	W52H09	\$ 0.00
						NET CHANGE \$ 0.00

		<u>PRIOR AMOUNT</u> <u>OF AWARD</u>		<u>INCREASE/DECREASE</u> <u>AMOUNT</u>		<u>CUMULATIVE</u> <u>OBLIG AMT</u>
NET CHANGE FOR AWARD:	\$	48,150.00	\$	0.00	\$	48,150.00

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MOD/AMD 06

Name of Offeror or Contractor: RYAN METAL PRODUCTS INC

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 001	SIGNED SETTLEMENT AGREEMENT	28-OCT-2003	002	