

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE	PAGE OF PAGES 1   3
2. AMENDMENT/MODIFICATION NO. P00005	3. EFF. DATE 01/09/2008	4. REQUISITION/PURCHASE REQ. NO. 002D025607	5. PROJECT NO. (If applicable)	
6. ISSUED BY Department of Homeland Security Customs and Border Protection 1300 Pennsylvania Ave NW NP 1310 Washington DC 20229	CODE 7014	7. ADMINISTERED BY (If other than Item 6) Dept of Homeland Security Customs and Border Protection Office of Procurement - NP 1310 1300 Pennsylvania Ave. NW Washington DC 20229		

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and Zip Code) THE BOEING COMPANY  5301 BOLSA AVE.  HUNTINGTON BEACH CA 92647-2009  CODE 135025133 FACILITY CODE		9A. AMENDMENT OF SOLICITATION NO.
		9B. DATED (SEE ITEM 11)
		10A. MODIFICATION OF CONTRACT/ORDER NO. X HSBP1006D01353 / HSBP1006J13776
		10B. DATED (SEE ITEM 13) 10/20/2006

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 16, 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 ACKNOWLEDGEMENT 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)

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

<input type="checkbox"/>	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.
X	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (Such as changes in paying office, appropriation data, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103 (b).
<input type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
<input type="checkbox"/>	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor  is not  is required to sign this document and return \_\_\_\_\_ copies to issuing office.

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

This modification is issued pursuant to FAR Clause No. 52.243-1, Changes-Fixed Price (Aug 1987) Alternate II (APR 1984).

The Boeing Company (Contractor) and the CBP conducted a series of meetings in Tucson, AZ, wherein both parties agreed on what constituted Conditional Acceptance and that Contractor met the conditions for same. Notification of Conditional Acceptance was officially given to Contractor through CBP letter dated December 7, 2007.

In light of these discussions and recommendations, as reviewed by the CBP

Except as provided herein, all terms and conditions of the document referenced in item 9A or 10A, as herein changed, remains unchanged and in full force and effect.

(b) (6) (b) (6)	15A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Contracts Mgt. JEFFREY L. GWILLIAM	18A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) JEFFREY L. GWILLIAM
	15C. DATE SIGNED 1-11-08	18C. DATE SIGNED 01/11/08

NSN 7540-01-152-8070  
PREVIOUS EDITION UNUSABLE

(REV. 10-83)  
48 CFR) 53.243

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT - Continuation				1. CONTRACT ID CODE	
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14. DESCRIPTION OF AMENCMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

Contracts and Program Offices, and considering the outcome of the above mentioned meetings, this modification issues the following changes:

1. Item No. 3 on Modification P00004, change to read: "Acceptance should occur on or before January 15, 2008 provided that the contractor completes all outstanding deliverables by January 11, 2008 and the Government deems them acceptable."

2. Item No. 6 on Modification P00004, change to read: "Consideration for Extending Period of Performance: The parties have agreed after good faith negotiations that the amount of \$2,100,000 shall be due the Government in consideration for extending the period of performance through January 15, 2008. The subject amount shall be applied to the P28 Task Order or to the Contractor Maintenance Logistics Support (CMLC) Task Order for items and services to be determined by the Government. This supplemental agreement constitutes full and complete settlement for an extension to the period of performance only and the Government hereby releases Boeing from any and all liability under the task order for further expenses attributable to said schedule extension. Acceptance of this consideration does not constitute a waiver of any rights the Government has regarding performance of the contract to include the right to contract termination. The Contractor is still obligated to fully comply with all contract requirements during this extension of the period of performance."

3. Task Order, Page 2, Section A.1 Change to read: "Boeing will warrant products and services for one year from the date of conditional system acceptance of deliverable clusters or product groups (after installation and acceptance by CO/COTR - such as (b) (7)(E) mobile towers, (b) (7)(E) Rapid Response Transports, (b) (7)(E) mobile C 3 unit, etc.) for the Offeror's Proposed Task Order. Additionally, all terms of standard commercial warranty will be passed through from Boeing's vendors."

4. Task Order's Attachment 1 - Performance Work Statement (PWS):

4.a. Section 3.a Program Management (PWS Pg. 2): CDRLs B020 (Meeting Minutes) and B018 (Invoice Submission) have been deleted.

4.b. Section 4.a Deliverables List and Schedule Figure 4.a-1 (PWS Pg. 9) Products Deliverables List: On Deliverable Item "Mobile C 3 Units Consisting of ...: Change number in quantity column to (b) (7)(E) Re: Change in requirement brought forth by ECP Mod. P00002 wherein, as part of that effort, Boeing agreed to install all equipment on a fixed location instead of in (b) (7)(E) of the Mobile units.

4.c. Figure 4.a-3 (PWS Pg. 11) Contract Data Requirements List (CDRL): The following CDRLs have been officially deleted: B009 Risk Tracking, B019A Weekly

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14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)  
 Reports, B019B Monthly Reports, B019C Quarterly Reports, B018 Invoice Submission, B020 Meeting Minutes, B030 Final Design Plan (previously CDRL B029) and B045 OT&E Reports.

4.d. Appendix A, Quality Assurance Surveillance Plan (CDRL B004) was updated and accepted as of November 14, 2007 (Revision D). The following SOOs are hereby removed from the original QASP Document:

- a. Partnership
- b. Hubzone Small, Small Disadvantaged...Business Subcontracting
- c. Subcontracting Data
- d. Audits and Oversight
- e. Schedule cost

4.e. Attachment 2, Milestone Payment Plan: The Parties have agreed to incorporate a revised Milestone Payment Plan which contains the following events and payment values:

- a. Final Design Plan - (b) (4)
- b. ECP Complete - (b) (4)
- c. Complete COP FAT - (b) (4)
- d. Complete FAT Review - (b) (4)
- e. Conditional Acceptance - (b) (4)
- f. Acceptance - (b) (4)

All other terms and conditions remain unchanged.