MODIFICATION NO. M085

CONTRACTOR AND ADDRESS:	Brookhaven Science Associates, LLC Brookhaven National Laboratory Upton, NY 11973
MODIFICATION FOR:	Extension of the term of the contract for one additional year beyond the base period.

THIS MODIFICATION, effective the 4th day of October 2002, by and between the UNITED STATES OF AMERICA (hereinafter referred to as the "Government"), as represented by the UNITED STATES DEPARTMENT OF ENERGY (hereinafter referred to as "DOE"), and BROOKHAVEN SCIENCE ASSOCIATES, LLC (hereinafter referred to as the "Contractor"),

WITNESSETH THAT:

WHEREAS, the Government and the Contractor entered into Contract No. DE-AC02-98CH10886 on the 5th day of January 1998, for the operation of the Brookhaven National Laboratory; and

WHEREAS, said contract has been modified previously, and the Government desires to unilaterally modify said contract further, as hereinafter provided; and

WHEREAS, this modification is authorized by law, including 41 U.S.C. 252(c)(15), P.L. 95-91 and other applicable law;

NOW, THEREFORE, said contract, as modified previously, is hereby further modified as follows:

ARTICLES 135 AND 137 – "OPTION TO EXTEND THE TERM OF THE CONTRACT" AND "OPTION"

In accordance with Articles 135 and 137, the Department of Energy is exercising its unilateral right to extend the term of this performance-based management contract one additional year. Therefore this modification revises the first sentence of Article 12 to read as follows:

> "This contract shall continue until **January 4, 2004**, unless sooner terminated in accordance with the provisions which follow:....."

This modification to exercise the Option affirms and preserves the Department of Energy's rights to exercise additional options in the future of at least one year increments, consistent with Article 137.

IN WITNESS WHEREOF, the Department of Energy has executed this document.

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

BY: MEGunn

Marvin E. Gunn, Jr.
Head of the Contracting Activity

DATE: 10/04/02

Acknowledgement of Receipt

BY: Peter Paul

Peter Paul, President
Brookhaven Science Associates, LLC

DATE: 10/12/02