

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE

PAGE OF PAGES

1 | 2

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|--|--|---|--|--|--|--|--|
| 2. AMENDMENT/MODIFICATION NO. A205 | | 3. EFFECTIVE DATE See block 16C | | 4. REQUISITION/PURCHASE REQ. NO. | | 5. PROJECT NO. (If applicable) | |
| 6. ISSUED BY U.S. Department of Energy Brookhaven Site Office 53 Bell Avenue, Building 464 Upton, NY 11974-5000 | | CODE | | 7. ADMINISTERED BY (If other than Item 6) Code | | | |
| 8. NAME AND ADDRESS OF CONTRACTOR (No. street, county, State and ZIP Code) Brookhaven Science Associates, LLC 25 Brookhaven Avenue Building 460 Upton, New York 11973-5000 | | | | <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> | | 9.A. AMENDMENT OF SOLICITATION NO. | |
| | | | | | | 9.B. DATED (SEE ITEM 11) | |
| | | | | | | 10.A. MODIFICATION OF Contract/Order NO. DE-AC02-98CH10886 | |
| | | | | | | 10.B. DATED (SEE ITEM 13) 01/05/1998 | |
| CODE N/A | | FACILITY CODE N/A | | | | | |

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 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)

All required accounting and appropriations data are included in the attached financial worksheet and Section C.6 of the contract.

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. |
| <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 type="checkbox"/> | C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: |
| <input checked="" type="checkbox"/> | D. OTHER (Specify type of modification and authority) Mutual agreement of the parties |

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 heading, including solicitation/contract subject matter where feasible.)

This Modification is issued to obligate American Recovery and Reinvestment Act of 2009 funds in the amount of \$50,000 under Treasury Accounting Symbol 89-09/10-0331. As a result, Section C.6, "Recovery Act Projects" has been amended to add funding for Energy Efficiency and Renewable Energy Project.

Furthermore, revise Clause I.104, "Obligation of Funds."

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|---|-------------------------------------|---|--------------------------------------|
| 15A. NAME AND TITLE OF SIGNER (Type or print) John Hauser Chief Financial Officer | | 16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Evelyn Landini Contracting Officer | |
| 15B. CONTRACTOR/OFFEROR | 15C. DATE SIGNED 6/6/2009 | 16B. UNITED STATES OF AMERICA | 16C. DATE SIGNED 6/10/2009 |
|  (Signature of person authorized to sign) | | BY  (Signature of Contracting Officer) | |

Said contract, as modified previously, is hereby further modified as follows:

- 1. Section C.6, Recovery Act Projects:** Replace the first page of this section with the revised attached page which establishes a fifth category of Recovery Act Projects for Energy Efficiency and Renewable Energy. This section is further revised to add Section C.6.5 which adds information and provisions specific to the individual Recovery Act Project Energy Efficiency and Renewable Energy and to correct the Work Authorization numbers for Section C.6.4 Nuclear Physics projects 1 and 2.
- 2. Clause I.104 - OBLIGATION OF FUNDS:** The first sentence of paragraph (a) is revised to read as follows: "The amount presently obligated by the Government with respect to this Contract is \$5,652,248,140.07."
- 3.** The following is a history of the change in the obligated amount since the last Modification that updated Clause I.104.

| | |
|----------------------------------|----------------------------|
| PRIOR OBLIGATION | \$ 5,652,198,140.07 |
| INCREASE IN MOD A205 ARRA | \$ <u>50,000.00</u> |
| CURRENT TOTAL OBLIGATION: | \$ 5,652,248,140.07 |

Attachments:

Financial Worksheet
Section C.6

- Section C.6.4 Nuclear Physics
- Section C.6.5 Energy Efficiency and Renewable Energy

C.6 – RECOVERY ACT PROJECTS

This section is created to identify individual Recovery Act Projects as follows:

1. Recovery Act Project Category 1: Basic Energy Sciences (BES)
 - National Synchrotron Light Source II (NSLS-II)

2. Recovery Act Project Category 2: Science Laboratories Infrastructure (SLI)
 - Roofing
 - Mechanical & Electrical Upgrades
 - Chemistry Bldg Fire safety Corrections
 - Interdisciplinary Science Building

3. Recovery Act Project Category 3: Environmental Management (EM)
 - Accelerated cleanup of Surplus Nuclear Facilities

4. Recovery Act Project 4: Nuclear Physics (NP)
 - PHENIX Silicon Vertex MIE
 - PHENIX Forward Vertex Detector MIE

5. Recovery Act Project 5: Energy Efficiency and Renewable Energy (EERE)
 - Federal Lab Support for Recovery Act Transactions ARRA FY09

**C.6.4 – Recovery Act Project Category 4:
 Nuclear Physics**

- A. This modification obligates American Recovery and Reinvestment Act of 2009 funds in the amount of \$2,025,000.00 for projects listed below.
- B. Clause I.104 DEAR 970.5232-4 “Obligation of Funds” has been adjusted accordingly.
- C. The specific work funded by this modification is as follows:

4. Nuclear Physics

Section A: Statement of Work

1. PHENIX Silicon Vertex MIE (\$0.225M)

These funds are provided under KB-02-01-02-1 EQU to advance funding for equipment purchases for the PHENIX Silicon Vertex Tracker MIE (71RD) project., including data acquisition crates for front-end modules for strip detectors; data collection modules, and installation fixtures and external cooling system.

The specific Contractor Recovery Act Statement of Work, Milestones, Outcomes and Measures, and Deliverables funded by this modification are identified in the following referenced Work Authorization:

| Work Authorization Number | Work Authorization Title |
|--|---|
| KB/CH13/9/ARRA-1 Project Code 2005200 | Nuclear Physics - PHENIX Silicon Vertex MIE |

4. Nuclear Physics

Section A: Statement of Work

2. PHENIX Forward Vertex Detector MIE (\$1.8M)

These funds are provided under KB-02-01-02-1 EQU to advance funding for the purchasing of two silicon endcaps for the PHENIX Forward Vertex Detector MIE (82SF)

The specific Contractor Recovery Act Statement of Work, Milestones, Outcomes and Measures, and Deliverables funded by this modification are identified in the following referenced Work Authorization:

| Work Authorization Number | Work Authorization Title |
|--|---|
| KB/CH13/9/ARRA-2 Project Code 2005210 | Nuclear Physics - Forward Vertex Detector MIE |

- D. The work described in this modification shall be performed using funds obligated under this contract, which have been appropriated under the Recovery Act of 2009, Pub. L. 111- 5, and as such, is subject to the special statutory conditions and the additional contractual terms and conditions that are listed in paragraph E below and the changes made to Sections E and G of the contract pertaining to the Recovery Act. The funds obligated hereunder shall only be used to accomplish the work as set forth in paragraph C. above and may not be used for any other purpose without the prior written consent of the Contracting Officer.

- E. The Contractor shall complete all Recovery Act Work funded by this modification in accordance with Recovery Act requirements, including the required completion dates specified therein, and by the completion date identified in the approved work authorization for the activity.

**C.6.5 – Recovery Act Project Category 5:
Energy Efficiency and Renewable Energy**

- A. This modification obligates American Recovery and Reinvestment Act of 2009 funds in the amount of \$50,000.00 for projects listed below.
- B. Clause I.104 DEAR 970.5232-4 “Obligation of Funds” has been adjusted accordingly.
- C. The specific work funded by this modification is as follows:

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|---|---|
| 5. Energy Efficiency and Renewable Energy (EERE) | |
| Section A: <u>Statement of Work</u> | |
| 1. <u>Federal Lab Support for Recovery Act Transactions (\$50K)</u> | |
| These funds are for Management and Oversight (Program Direction) to enable the Laboratory to provide project management and technical staff assistance to applicants of DOE’s Office of Energy Efficiency and Renewable Energy. | |
| <i>The specific Contractor Recovery Act Statement of Work, Milestones, Outcomes and Measures, and Deliverables funded by this modification are identified in the following referenced Work Authorization:</i> | |
| Work Authorization Number | Work Authorization Title |
| 480004-20476-09 Project Code 2004040 | Federal Lab Support Recovery Act Transactions FY09 |

- D. The work described in this modification shall be performed using funds obligated under this contract, which have been appropriated under the Recovery Act of 2009, Pub. L. 111- 5, and as such, is subject to the special statutory conditions and the additional contractual terms and conditions that are listed in paragraph E below and the changes made to Sections E and G of the contract pertaining to the Recovery Act. The funds obligated hereunder shall only be used to accomplish the work as set forth in paragraph C. above and may not be used for any other purpose without the prior written consent of the Contracting Officer.
- E. The Contractor shall complete all Recovery Act Work funded by this modification in accordance with Recovery Act requirements, including the required completion dates specified therein, and by the completion date identified in the approved work authorization for the activity.