

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE

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2. AMENDMENT/MODIFICATION NO. A221	3. EFFECTIVE DATE See block 16C	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
6. ISSUED BY CODE U.S. Department of Energy Brookhaven Site Office 53 Bell Avenue, Building 464 Upton, NY 11974-5000		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	(✓)	9.A. AMENDMENT OF SOLICITATION NO.
		9.B. DATED (SEE ITEM 11)
	X	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:
X	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 \$8,355,000 under Treasury Accounting Symbol 89-09/10-0335. As a result, Section C.6, "Recovery Act Projects" has been amended to increase funding for Environmental Management Projects – Accelerated Cleanup of Surplus Nuclear Facilities.

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

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	16B. UNITED STATES OF AMERICA
15C. DATE SIGNED 9/16/09	16C. DATE SIGNED 9/16/2009
(Signature of person authorized to sign)	BY <i>Evelyn Landini</i> (Signature of Contracting Officer)

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

- 1. Section C.6.3, Recovery Act Projects Category 3:** Replace the pages of this Section with the attached revised pages which increase funding to the Environmental Management Project entitled Accelerated Cleanup of Surplus Nuclear Facilities.
- 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 **\$5,715,976,999.82.**"
- 3.** The following is a history of the change in the obligated amount since the last Modification that updated Clause I.104.

PRIOR OBLIGATION A220	\$ 5,707,621,999.82
INCREASE IN MOD A221 ARRA	\$ <u>8,355,000.00</u>
CURRENT TOTAL OBLIGATION:	\$ 5,715,976,999.82

Attachments:

Financial Worksheet

Section C.6.3 – Environmental Management Projects – Accelerated Cleanup of Nuclear Facilities and Contaminated Areas

**C.6.3 – Recovery Act Project Category 3:
 Environmental Management (EM)
 Accelerated Cleanup of Surplus Nuclear Facilities**

- A. This modification increases the obligation of American Recovery and Reinvestment Act of 2009 funds by \$8,355,000.00 from \$34,000,000.00 to a revised total of \$42,355,000.00 for the EM project activities 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:

3. Environmental Management Projects (\$34M + \$8.355M = TEC \$42.355M)	
<p>Section A: <i>Statement of Work:</i> <i>This project accelerates cleanup of nuclear facilities and contamination areas for completion in 2011. Specific accomplishments include:</i></p> <ul style="list-style-type: none"> • <i>Removal of contaminated soil from the former Hazardous Waste Management Facility perimeter area</i> • <i>Demolition of the High Flux Beam Reactor stack and fan house, and isolation of Building 750</i> • <i>Removal of the A/B waste lines</i> • <i>Removal of the Brookhaven Graphite Research Reactor graphite pile</i> <p><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></p>	
Work Authorization Number	Work Authorization Title
FY09 – EM BNL ARRA Rev EM-0001-9 Project Code 2002010	Accelerated Cleanup of Surplus Nuclear Facilities

- 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. 1115, and as such, is subject to the special statutory conditions and the additional contractual terms and conditions that are listed in paragraphs E through G 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.
- F. ACCELERATED WORK: The Contractor shall submit to the CO a revised project baseline that clearly identifies the changes to the baseline due to the acceleration of work to include a detailed description of accelerated work, a budget of estimated costs for the accelerated work, and a schedule for the performance of this work within 60 days of this modification.
- G. FUNDING CONSTRAINT: Brookhaven Science Associates (BSA) is to begin work immediately. However, BSA is authorized to incur costs **not to exceed 30% (\$10.2M)** of the initial funding placed on the contract for Recovery Act. The Contractor shall notify the Contracting Officer 45 calendar days prior to costing 30% of the initial funding placed on the contract for Recovery Act. Once DOE has decided whether or not the Recovery Act work should continue, the Contracting Officer shall either notify the Contractor by letter authorizing the Contractor to proceed or will notify the Contractor in sufficient time to allow orderly succession of work.