

EXCEPTION TO SF 30, APPROVED BY NARS 5/79

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| AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT | | 1. CONTRACT ID CODE | PAGE 1 OF 2 |
| 2. AMENDMENT/MODIFICATION NO. A084 | 3. EFFECTIVE DATE July 7th, 2009 | 4. REQUISITION/PURCHASE REQ. NO. NA27344 | 5. PROJECT NO. (If applicable) |
| 6. ISSUED BY U.S. Department of Energy/NNSA SC M&O Contract Support Division P.O. Box 5400 Albuquerque, NM 87185-5400 | CODE | 7. ADMINISTERED BY (If other than Item 6) U.S. Department of Energy/NNSA Livermore Site Office M/S L-293 7000 East Avenue Livermore, CA 94550 | |
| 8. NAME AND ADDRESS OF CONTRACTOR (No., street, country, State, and ZIP Code) Lawrence Livermore National Security, LLC Lawrence Livermore National Laboratory M/S L-294 7000 East Avenue Livermore, CA 94550 | | 9A. AMENDMENT OF SOLICITATION NO. | |
| | | 9B. DATED (SEE ITEM 11) | |
| | | X 10A. MODIFICATION OF CONTRACT/ ORDER NO. DE-AC52-07NA27344 | |
| CODE | | 10B. DATED (SEE ITEM 13) May 8, 2007 | |
| FACILITY CODE | | | |
| 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 25, 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) see attached | | | |
| 13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS , IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14. | | | |
| A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN CONTRACT/ORDER NO. IN ITEM 10A. | | | |
| 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). | | | |
| C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: | | | |
| X D. OTHER (Specify type of modification and authority) Modification pursuant to Contract Clause I.112, DEAR 970.5232-4 OBLIGATION OF FUNDS (DEC 2000), American Recovery and Reinvestment Act, Pub. L. 111-5, (Recovery Act) | | | |
| E. IMPORTANT: Contractor _X_ is not, ___ is required to sign this document and return _____ copies to the issuing office. | | | |
| 14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) See attached Funding Summary Sheet. | | | |
| Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect. | | | |
| 15A. NAME AND TITLE OF SIGNER (Type or print) | | 16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Ronna Promani, Contracting Officer U.S. Department of Energy/NNSA | |
| 15B. CONTRACTOR/OFFEROR | 15C. DATE SIGNED 7/9/09 | 16B. UNITED STATES OF AMERICA | 16C. DATE SIGNED 7/8/09 |
| (Signature of person authorized to sign) | | By (Signature of Contracting Officer) | |

The first sentence of Paragraph (a), Clause I-112, is revised to read as follows: "(a) The amount presently obligated by the Government with respect to this contract is \$3,478,013,205.45 through modification M-083."

The funds obligated by this action represent a net funding change of \$728,000.00 with no change to the Transition Period estimated cost and funds, an increase of \$728,000.00 in Operating/Capital/Reimbursable funds, and an increase of \$0.00 in Plant Construction. The total amount now obligated by the Government with respect to this Contract is \$3,478,741,205.45 consisting of \$13,836,279.00 for the Transition Period, \$3,300,903,931.71 in Operating/Capital/Reimbursable funds, and \$125,463,535.31 in Plant Construction.

In accordance with Clauses B-2 and I-112, the Contractor is authorized for the period of October 1, 2008 to September 30, 2009 to withdraw on a monthly basis and on the last day of each month, 1/12th of the annual Fixed Fee. The annual Fixed Fee amount is \$13,662,651.00. Additionally, the Contractor is authorized for the period of October 1, 2008 to September 30, 2009 to withdraw on a monthly basis and on the last day of each month, provisional performance incentive fee payments to 3% of the maximum Available Performance Incentive Fee. The maximum Available Performance Incentive Fee amount is \$31,879,518.00. Finally, the Contractor is authorized for the period of October 1, 2008 to September 30, 2009 to withdraw on a monthly basis and on the last day of each month and the Fixed Fee collected from Reimbursable work. The Transition Period was performed on a cost reimbursement no fee basis for the period of May 9, 2007 to September 30, 2007.

The funding change shall be distributed into the budget categories as shown on the attached Supplemental Approved Funding Program. Payment for costs incurred during the Transition Period will be authorized and reimbursed, in the accounting and appropriation data specified in Clause B-2(h), by the Contracting Officer for invoices submitted by the Contractor.

Re: 7-2-09 A-084

7/7/09

Date: 7-1-2009
 To: Ronna G. Promani Site Office Contracting Officer
 Cc: Janis M. Parenti Site Office Business Manager
Kathy Carrillo BRMD Designated Funds Certifying Official
David Hatrup BRMD Analyst (Phone # : 505 845 5301)

Subject: Supplemental Approved Funding Program (AFP) – Fund Certification for Science, Recovery Act

The following allotment is certified available for obligation and will be reflected in the next regularly scheduled AFP.

- Non-Full Funding Situation (i.e... Continuing Resolution)
- Full Funding Situation

| | Funds Source #1 | Funds Source #2 |
|--------------------------------|-----------------|-----------------|
| Reporting Entity | 100038 | 100038 |
| CID | NA27344 | NA27344 |
| Appropriation | 8909/100227 | 8909/100227 |
| Fund Type/Code | 06199 | 06199 |
| B&R Control/OCL ¹ | C000840 | C000840 |
| B&R/STARS Program ¹ | 2923627 | 2923627 |
| PRN/Local Use Value | 0000000 | 0100003 |
| Project Code | 2005290 | 2005290 |
| Cost Center | 0 | 0 |
| Dollar Amount | \$328,000 | \$400,000 |

Comments

These funds are anticipated to be provided on the next Local AFP release scheduled for July 9, 2009. Costs against these funds cannot be submitted until July. Any requests for redistributions of these funds from the intended purpose and/or site must be requested and approved in writing from the Headquarters Program contact with a cc: to BRMD Management (Kevin Goetz, Pecolia Sharts-Meadows and Debbie Jones).
 * Further guidance to follow on Program Task and HQ Contact.

Include in Performance Measures (if not provide reason)

New funding for Recovery Act

1. For Non-Full Funding situations the breakdown to reporting levels B&R9/STARS Program value should be provided to BRMD Analyst prior to next regularly schedule AFP.