

EXCEPTION TO SF 30, APPROVED BY NARS 5/79			
<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>		1. CONTRACT ID CODE	PAGE 1 OF 3
2. AMENDMENT/MODIFICATION NO. A097	3. EFFECTIVE DATE August 20, 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	
		10B. DATED (SEE ITEM 13) May 8, 2007	
CODE	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 work authorization and funding.			
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 8/21/09	16B. UNITED STATES OF AMERICA By	16C. DATE SIGNED 8/20/09
(Signature of person authorized to sign)		(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 \$3,515,744,227.32 through modification M096."

The funds obligated by this action represent a net funding change of \$1,287,000.00 with no change to the Transition Period estimated cost and funds, an increase of \$1,287,000.00 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 \$3,517,031,227.32 consisting of \$13,836,279.00 for the Transition Period, \$3,377,995,259.57 in Operating/Capital/Reimbursable funds, and \$125,199,688.75 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, 1/12<sup>th</sup> 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. Three percent of the maximum Available Performance Incentive Fee amount is \$11,476,620.00. 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, the maximum Available Fixed Fee collected from Reimbursable work. The maximum Available Fixed Fee from Reimbursable work is \$8,300,000.00. 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.

M. J. ...  
8/20/2009

Date: 08/19/2009  
Ronna G. Promani Site Office Contracting Officer  
 Cc: Janis M. Parenti Site Office Business Manager  
 From: Kathy Carrillo BRMD Designated Funds Certifying Official  
Adrian Astorga BRMD Analyst (Phone # : 505 845-5085)

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

TAS

	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 <sup>1</sup>	C001009	C001009
B&R/STARS Program <sup>1</sup>	2923749	2923755
PRN/Local Use Value	0000000	0000000
Project Code	2005270	2005270
Cost Center	0	0
Dollar Amount	\$695,000	\$592,000

Comments

These funds will be provided on the next local AFP released scheduled for August 20, 2009. Any requests for redistribution of these funds from the intended purpose and/or site must be requested 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. *ARRA KB/DSSD/9/ARRA-2*)

Include in Performance Measures (if not provide reason)

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.