

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE 1 OF 3
2. AMENDMENT/MODIFICATION NO. M095	3. EFFECTIVE DATE August 10th, 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).			
X	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: Clause H-19 Modification Authority, Clause I-120 changes		
	D. OTHER (Specify type of modification and authority)		
E. IMPORTANT: Contractor <u>X</u> is not, <u> </u> is required to sign this document and return <u> </u> copies to the issuing office.			
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) The purpose of the Modification is to correct an error made in M-072. The EPA fine was stated as \$160,000.00 and is to be edited to reflect the amount of the actual fine \$165,000.00. Funding for the PCI Post-Go Live shall be reduced by \$5,000.00 to \$1,179,000.00 to offset this change. The unearned fee shall be retained by the Contractor and utilized in accordance with the instructions set forth on page 2 of this Modification. 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) Homer Williamson, Contracting Officer U.S. Department of Energy/NNSA	
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA By (Signature of Contracting Officer)	16C. DATE SIGNED 8/19/09

1. The FY 2008 unearned fee in the amount of \$16,083,934 has been allocated below by project/activity and corresponding funding level. The Contractor is hereby authorized to draw-down from the payments cleared financial arrangement and the 211009 liability account the unearned fee in the amount of \$16,083,934. The unearned fee amount of \$16,083,934 shall be applied to the following high priority indirect activities/projects:

Activity/Project	Estimated Cost (\$000)
B321C Beryllium Cleanup	\$200
ESPC	\$1,000
Maintenance Reinvestment and Site Cleanup	\$5,400
Integrated Safety Management (ISM)	\$1,002
HSPD-12	\$280
Trunk Radio / Lab Pager Upgrade	\$300
Blue Network	\$443
Asbestos Tile Removal (B361/B255/B151)	\$435
Hazardous Tree Removal	\$256
ESH Equipment	\$237
Network Upgrades / Server Virtualization	\$604
Network / Server Cabling	\$333
PCI Post-Go Live	\$1,179
Non-Qualified Pension Plans	\$850
EPA Fine	\$165
Water Conservation	\$3,400
TOTAL	\$16,084

2. The Contractor shall segregate all costs for these projects and activities and provide quarterly cost performance and activity reports not later than 15 days after the end of each quarter through completion.

3. For the EPA fine, the Contractor shall immediately remit to the U.S. Environmental Protection Agency (EPA) on behalf of the Department of Energy payment in the amount of \$165,000 either by check or electronic transfer using the following applicable instructions:

If payment is made by check, the check should be made payable to the U.S. EPA Hazardous Substance Superfund. Instructions for electronic submission of your payment are below. The check and accompanying transmittal letter should clearly reference the identity of the Site (i.e., Lawrence Livermore National Laboratory Main Site) and the fact that the payment is a stipulated penalty, and should be sent to:

U. S. Environmental Protection Agency
 Superfund Payments
 Cincinnati Finance Center
 P.O. Box 979076
 St. Louis, MO 63197-9000

or, for overnight delivery, to:

U.S. Bank
 1005 Convention Plaza
 Mail Station SL-MO-C2GL
 St. Louis, MO 63101
 Contact: Natalie Pearson
 (314) 418-4087

For electronic funds transfers, please send to the following address:

Federal Reserve Bank of New York
ABA = 021030004
Account = 68010727
SWIFT address = FRNYUS33
33 Liberty Street
New York, NY 10045

Field Tag 4200 of the Fedwire message should read "D 68010727 Environmental Protection Agency "

Please send a copy of the check and transmittal letter to the Livermore Site Office Contracting Officer and to Steve Berninger at:

U. S. Environmental Protection Agency, Region IX
75 Hawthorne Street, (ORC-3)
San Francisco, CA 94105
(415) 972-3909

4. For the Non-Qualified Pension Plans, the Contractor shall comply with forthcoming direction from the Contracting Officer.
5. All other terms and conditions remain unchanged.