

**MODIFICATION NO. M106**

CONTRACTOR AND ADDRESS: Brookhaven Science Associates, LLC  
Brookhaven National Laboratory  
Upton, NY 11973

MODIFICATION FOR: Extension of the term of the contract for an  
additional 90 days.

THIS MODIFICATION, effective the 5<sup>th</sup> day of January 2004, by and between the UNITED STATES OF AMERICA (hereinafter referred to as "Government"), as represented by the UNITED STATES DEPARTMENT OF ENERGY (hereinafter referred to as "DOE"), and BROOKHAVEN SCIENCE ASSOCIATED, LLC (hereinafter referred to as the "Contractor"),

WITNESSETH THAT:

WHEREAS, the Government and the Contractor entered into Contract No. DE-AC02-8CH10886 on the 5<sup>th</sup> day of January 1998, for the operation of the Brookhaven National Laboratory; and

WHEREAS, said contract has been modified previously, and the Government desires to unilaterally modify said contract further, as hereinafter provided; and

WHEREAS, this modification is authorized by law, including 41 U.S.C.252(C)(15), P.L. 95-91 and other applicable law;

NOW, THEREFORE, said contract, as modified previously, is hereby further modified as follows:

**CLAUSES H.21 AND H.22 – “OPTION TO EXTEND THE TERM OF THE CONTRACT” AND  
“OPTION”**

In accordance with Clauses H.21 and H.22, the Department of Energy is exercising its unilateral right to extend the term of this performance-based management contract an additional 90 days. Therefore this modification revises the first sentence of Clause I.55 to read as follows:

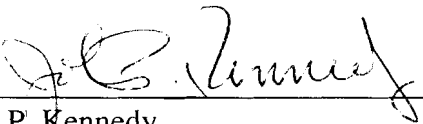
“This contract shall continue until April 3, 2004, unless sooner terminated in accordance with the provisions which follow:.....”

Additionally, the date “April 3, 2004” is substituted for the date “January 4, 2004” in Clause F.1-Period of Performance.

This modification to exercise the Option affirms and preserves the Department of Energy’s rights to exercise additional options in the future of at least 90 days increments, consistent with Clause H.22


IN WITNESS WHEREFOF, the Department of Energy has executed this document.

**UNITED STATES OF AMERICA  
DEPARTMENT OF ENERGY**

BY:   
John P. Kennedy  
Head of Contracting Activity

Date: 12/24/03

**Acknowledgement of Receipt**

BY:   
Praveen Chaudhari

Date: 1/05/04