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| AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT | | 1. CONTRACT ID CODE | PAGE OF PAGES |
| | | | 1 2 |
| 2. AMENDMENT/MODIFICATION NO. 096 | 3. EFFECTIVE DATE See Block 16C | 4. REQUISITION/PURCHASE REQ. NO. 09FE007030 | 5. PROJECT NO. (If applicable) |
| 6. ISSUED BY SPRO U.S. Department of Energy SPRO 900 Commerce Road East US 492 New Orleans LA 70123 | CODE 01601 | 7. ADMINISTERED BY (If other than Item 6) SPRO U.S. Department of Energy SPRO 900 Commerce Road East US 492 New Orleans LA 70123 | CODE 01601 |
| 8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) DYNMCDERMOTT PETROLEUM OPERATIONS COMPANY Attn: RANDY SUTTON 850 S CLEARVIEW PKWY NEW ORLEANS LA 701233401 | | (x) 9A. AMENDMENT OF SOLICITATION NO. | |
| | | 9B. DATED (SEE ITEM 11) | |
| | | X 10A. MODIFICATION OF CONTRACT/ORDER NO. DE-AC96-03PO92207 | |
| | | 10B. DATED (SEE ITEM 11) 01/28/2003 | |
| CODE 801931486 | 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 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) Net Increase: \$27,433,000.00

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

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| CHECK ONE | 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. |
| | 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). |
| X | C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: Various Clauses delineated below and Mutual Agreement of the Parties |
| | D. OTHER (Specify type of modification and authority) |

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 headings, including solicitation/contract subject matter where feasible.)

Bilateral Modificaiton pursuant to the authority of Clauses H-8 - Work Authorization, I.90 DEAR 970.5204-2 Laws, Regulations, and DOE/SPRPMO Directives, I.113 - DEAR 970.5232-2 Payment and Advances, and I.115 - DEAR 970.5232-4 Obligation of Funds.

A. Reference Section B., B.3 - Obligation of Funds:

The amount of funds obligated under this contract in accordance with the clause entitled

Continued ...

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.

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| 15A. NAME AND TITLE OF SIGNER (Type or print) | | 16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) | |
| | | Kelly M. Gele | |
| 15B. CONTRACTOR/OFFEROR | 15C. DATE SIGNED | 16B. UNITED STATES OF AMERICA | 16C. DATE SIGNED |
| _____ (Signature of person authorized to sign) | | Signature on File _____ (Signature of Contracting Officer) | 08/06/2009 |

CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED
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NAME OF OFFEROR OR CONTRACTOR

DYNMCDERMOTT PETROLEUM OPERATIONS COMPANY

| ITEM NO. (A) | SUPPLIES/SERVICES (B) | QUANTITY (C) | UNIT (D) | UNIT PRICE (E) | AMOUNT (F) |
|-----------------|---|-----------------|-------------|-------------------|---------------|
| | <p>"Obligation of Funds" is increased by \$27,433,000 from \$793,486,720 to \$820,919,720. This is to provide incremental funding to cover estimated reservations through November 2009.</p> <p>B. Reference Section B., B.5 - Contract Value: The contract value is revised to update the fiscal year 2009 estimated costs to reflect Work Authorization Directive revisions issued through July 2009. As a result, the total contract value is increased by \$5,247,162 from \$1,193,749,994 to \$1,198,997,156. (See revised page B-3 attached)</p> <p>C. Reference Modification 088, Item C: The Note regarding Clause H.13 - Advance Understanding on Human Resources and Section J, Appendix A is no longer valid. Both the clause and the Appendix A will remain in the contract.</p> <p>D. Reference Section I Contract Clauses: Contract Clauses have been revised to incorporate changes to the Federal Acquisition Regulations for Federal Acquisition Circulars 2005-31 through 2005-35 and revise a DOE Acquisition Regulation as required by Acquisition Letter (AL) 2000-09. (Revised Section I Table of Contents and pages *I-3, I-4 and I-6 attached)</p> <p>Updated Clauses: I.65 FAR 52.244-6 Subcontracts for Commercial Items (MAR 2009) I.114 DEAR 970.5232-3 Accounts, Records, and Inspection (JUN 2007) as amended by Acquisition Letter 2009-09 (JUN 2009)</p> <p>*Page I-3 is being revised to correct the effective dates of clause I.55 and I.57. Subj to Retent: N FOB: Destination Period of Performance: 04/01/2003 to 03/31/2013</p> | | | | |