

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE OF PAGES 1 4
2. AMENDMENT/MODIFICATION NO. 088	3. EFFECTIVE DATE See Block 16C	4. REQUISITION/PURCHASE REQ. NO. 08FE000648	5. PROJECT NO. (If applicable)
6. ISSUED BY SPRO US 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 US 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)

N/A

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

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 Modification pursuant to the authority of Clauses H.8 Work Authorization System, I.90 DEAR 970.5204-2, I.93 DEAR 970.5215-1, and I.123 DEAR 970.5243-1.

A. Reference Section B., B.5 Contract Value:
The Contract Value is revised to update the Fiscal Year (FY) 2008 estimated costs to reflect Work Authorization Directive revisions issued through July 2008, and the FY 2008 Multi-Year Cost Reduction Fee column to include unearned
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.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
		Michael W. Waggoner	
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)	08/14/2008

CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED
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DYNMCDERMOTT PETROLEUM OPERATIONS COMPANY

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>performance fee available for additional costs reductions attained during the base period. As a result, the total contract value is increased by \$2,033,622 from \$1,171,301,303 to \$1,173,334,925. (Revised page B-3 attached)</p> <p>B. Reference Section C., Subsection C. 2 Work Requirements, Paragraph 2.0, Subparagraph 2.7.2. Quality Assurance: The following sentence has been deleted "Utilize the Malcolm Baldrige criteria as the basis for organizational improvements." The next sentence has been revised to remove the words "within the first year of operation or such other reasonable period of time." and is replaced with "and shall maintain the certification for the term of the contract." The following sentence has been added to the end of the paragraph "Establish a Contractor Assurance System (CAS) program in accordance with DOE Order 226.1A to identify and address program and performance deficiencies, opportunities for improvement, provide the means and requirements to report deficiencies to managers, implement corrective actions, and share lessons learned." (Revised page C-8 attached)</p> <p>C. Reference Section H. Special Contract Requirements: Section H has been revised to incorporate new Human Resource clauses, a new clause required by Acquisition Letter 2008-05 regarding implementation of Executive Order 13423, and to delete a clause as a result of change to the Federal Acquisition through Federal Acquisition Circular (FAC) 2005-25.</p> <p>Deleted: H.26 Electronic Subcontract Reporting System</p> <p>Added: H.27 Employee Compensation: Pay and Benefits DOE-H 1003 Labor Relations DOE-H 1004 No Third Party Beneficiaries DOE-H 1007 Post Contractor Responsibilities for Pension and Other Benefit Plans DOE-H 1041 Addition and Alterations to Implement Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management and it Implementing Instructions Continued ...</p>				

CONTINUATION SHEET

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	<p>(Revised Section H Table of Contents and pages H15 through H23 attached)</p> <p>(Note: The clause at H.13 Advance Understanding on Human Resources and Section J, Appendix A will be deleted upon approval of the Contractor Employee Compensation Plan required by Clause H. 27 above.)</p> <p>D. Reference Section I Contract Clauses: Contract Clauses have been revised to incorporate changes to the Federal Acquisition Regulations through Federal Acquisition Circular 2005-26 and clause modification required by Acquisition Letter (AL) 2008-05 as delineated below: (Revised Section I Table of Contents and page I-16 and I-17 attached)</p> <p>Updated Clauses (FACs 2008-25 and 26): I.15 FAR 52.219-9 Small Business Subcontracting (APR 08) I.17 FAR 52.219-25 Small Disadvantaged Business Participation Program Disadvantaged Status and Reporting (APR 08) I.52 FAR 52.225-13 Restrictions on Certain Foreign Purchases (JUN 08)</p> <p>New Clauses (AL 2008-05): DOE I 1002 Modification by DOE AL 2008-05 to FAR 52.223-5 DOE I 1003 Modification by DOE AL 2008-05 to FAR 52.223-10 DOE I 1004 Modification by DOE AL 2008-05 to DEAR 970.5223-2 DOE I 1005 Modification by DOE AL 2008-05 to DEAR 970.5223-5</p> <p>E. Reference Section J, APPENDIX F, List of Applicable DOE/SPRPMO Directives: The DOE/SPRPMO Directives List has been revised to incorporate the changes delineated below. (Revised list attached)</p> <p>Deleted: DOE P 142.1 Unclassified Foreign Visits and Assignments (07/14/99)</p> <p>Added/Updated: Continued ...</p>				

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ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
00001	<p>DOE O 150.1 Continuity Program (05/08/08) Change 1 (02/28/08) to DOE O 142.3 Unclassified Foreign Visits and Assignments Change 1 (05/08/08) to DOE O 580.1 DOE Property Management Program DOE M 441.1-1 Nuclear Material Packaging Manual (03/07/08) DOE O 221.1A Reporting Fraud, Waste, and Abuse to the Office of Inspector General (04/19/08) DOE O 430.2B Departmental Energy, Renewable Energy and Transportation Management (02/27/08) DOE O 450.1A Environmental Protection Program (06/04/08) DOE O 551.1C Official Foreign Travel (06/24/08)</p> <p>F. Reference Section J, APPENDIX J, Small Disadvantaged Business: Participation Targets: The targets have been updated to include the 5-year option period. (Revised list attached)</p> <p>Subj to Retent: N FOB: Destination</p> <p>Change Item 00001 to read as follows(amount shown is the total amount):</p> <p>FOR OFFICIAL USE ONLY MANAGEMENT OF OPERATION OF SPR</p> <p>Line item value is:\$1,173,334,925.00 Incrementally Funded Amount: \$683,633,720.00</p>			1,173,334,925.00	