

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE OF PAGES
			1 5
2. AMENDMENT/MODIFICATION NO. 065	3. EFFECTIVE DATE See Block 16C	4. REQUISITION/PURCHASE REQ. NO. 09SC003069	5. PROJECT NO. (If applicable)
6. ISSUED BY Oak Ridge U.S. Department of Energy P.O. Box 2001 Oak Ridge TN 37831	CODE 00518	7. ADMINISTERED BY (If other than Item 6) Oak Ridge U.S. Department of Energy P.O. Box 2001 Oak Ridge TN 37831	CODE 00518
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) OAK RIDGE ASSOCIATED UNIVERSITIES, INC. P.O. BOX 117 OAK RIDGE TN 37830-6218		(x) 9A. AMENDMENT OF SOLICITATION NO.	
		9B. DATED (SEE ITEM 11)	
		x 10A. MODIFICATION OF CONTRACT/ORDER NO. DE-AC05-06OR23100	
		10B. DATED (SEE ITEM 11) 12/21/2005	
CODE 041152224	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: \$753,000.00

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

CHECK ONE X	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. Clause I.72, P.L. 95-91, and P.L.111-5
	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).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor is not, is required to sign this document and return 0 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

Subj to Retent: N

Recovery TAS::89 0253

See Page 3.

Page 2 is for information only and does not represent any changes other than those detailed in Pages 3-5.

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)	
		Mary L. Crow	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
_____ (Signature of person authorized to sign)		_____ (Signature of Contracting Officer)	06/05/2009

CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED
DE-AC05-06OR23100/065

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NAME OF OFFEROR OR CONTRACTOR
OAK RIDGE ASSOCIATED UNIVERSITIES, INC.

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
00001	FOB: Destination Period of Performance: 01/01/2006 to 12/31/2010 Change Item 00001 to read as follows (amount shown is the total amount): TECHNICAL SERVICES TO MANAGE AND DIRECT THE PROGRAMS OF ORISE Line item value is: \$746,872,723.00 Incrementally Funded Amount: \$667,003,207.83				746,872,723.00

Block 12 “ACCOUNTING AND APPROPRIATIONS DATA,” continued.**Funds Obligated for Recovery Act Projects:**

All required accounting and appropriations data, including the Treasury Accounting Symbol and Fund Code is hereby provided as Attachment 1 to this modification.

Block 14 “DESCRIPTION OF AMENDMENT/MODIFICATION,” continued.

- A. This modification is issued to obligate American Recovery and Reinvestment Act (Recovery Act) of 2009 funds for the purpose of technical support for independent characterization and verification of projects performed under the American Recovery and Reinvestment Act (ARRA).
- B. Funds in the amount of \$753,000.00 are hereby obligated in support of Recovery Act activities. Clause B.4 Obligation of Funds paragraph (a) is revised as follows:

“Pursuant to the clause in Section I, FAR 52.232-22 entitled “Limitation of Funds,” total funds in the amount of \$667,003,207.83 are obligated herewith and made available for payment of allowable costs and maximum fee to be incurred from the effective date of this contract through the period estimated to end December 31, 2010.”

- C. The specific Contractor Recovery Act Statement of Work, Milestones, Outcomes and Measures, and Deliverables funded by this modification are identified in the following referenced Work Authorization (provided as Attachment 2 to this modification):

Work Authorization Number	Work Authorization Title
FD/04019/OR/36	Characterization, Verification and Technical Support to ORO Environmental Management in support of the Defense ARRA Work at Oak Ridge National Laboratory (Project Code 2002101)

- D. The work described in this modification shall be performed using funds obligated under this contract, which have been appropriated under the Recovery Act of 2009, (Pub. L. 111-5), and as such, is subject to the special statutory conditions and the additional contractual terms and conditions that are listed in paragraphs E through G below. The funds obligated hereunder shall only be used to accomplish the work as set forth in paragraph C. above and may not be used for any other purpose without the prior written consent of the Contracting Officer.
- E. The Contractor shall complete all Recovery Act Work funded by this modification in accordance with Recovery Act requirements, including the required completion dates specified therein, and by the completion date identified in the approved work authorization for the activity.

- F. Section E, Clause E.2 Acceptance, is amended to add the following paragraph which is applicable only to the Recovery Act work:

Certification – In order for the Contracting Officer to accept any products or services funded by the Recovery Act, the Contractor shall certify that the items were delivered and/or work was performed for a purpose authorized under the Recovery Act.

- G. Section G, Contract Administration Data, is amended as follows:

Clause G.5, Cost Reporting Requirements Involving Recovery Act Project Work, is hereby incorporated into the contract (applicable only to Recovery Act work):

G.5 Cost Reporting Requirements Involving Recovery Act Project Work (APR 2009)

The following reporting procedure will apply to submission of monthly cost reports for Recovery Act work specified in the work scope baseline.

- (a) The Contractor will separately identify costs that pertain to the Recovery Act work. The Contractor will provide a monthly report that identifies the total amount drawn on the letter of credit. The contractor shall submit a monthly report that separates and identifies Recovery Act costs associated with each appropriation at the Recovery Act program and project levels.**
- (b) The Contractor shall certify in each monthly report that the costs included in the report for Recovery Act work were incurred only to accomplish the Recovery Act work in accordance with the work scope.**

Clause G.6, Indirect Charges Involving Recovery Act Project Work, is hereby incorporated into the contract (applicable only to the Recovery Act work):

G.6 Indirect Charges Involving Recovery Act Project Work (APR 2009)

In accordance with the general principles of the Recovery Act the Contractor must take the following steps to minimize the impacts of indirect costs and enhance transparency and accountability of project:

- (a) Clearly identify the estimated full cost of projects to include total direct and indirect costs, indirect costs rates, and adjust existing indirect cost rate to account for the material infusion of funds provided in the Recovery Act;**
- (b) Exempt funds from contract cost base for distributing Laboratory Directed Research and Development or similar funds taxing programs;**
- (c) Ensure all funds transferred by Oak Ridge Associated Universities are completed using the Approved Funding Program process described in Chapter 12 of the Accounting Handbook; and**

- (d) The Federal Administrative Charge (FAC) of three percent is waived on reimbursable work funded by the Recovery Act and performed by Departmental Federal offices or Oak Ridge Associated Universities.
- (e) In all cases listed above and otherwise, the Contractor shall develop and maintain prudent management and good business practices regarding their indirect rate structure as it applies to Recovery Act funding.

H. Section H, Special Contract Requirements, is amended by incorporating Clause H.40, Modification Definitization, into the contract:

H.40 Modification Definitization

(a) The Contractor agrees to begin promptly negotiating with the Contracting Officer the terms of a definitive modification for the Recovery Act work directed under this modification.

(b) The schedule for definitizing this modification is as follows:

<u>Action</u>	<u>Date</u>
Contractor submits technical, cost, and fee proposal	30 days after effective date of this modification
Commence negotiations	150 days after effective date of this modification
Mutual agreement on definitization of Recovery Act work	175 days after effective date of this modification
Contractor submits certificate of current cost or pricing data	175 days after effective date of this modification
Execute definitization contract modification	180 days after effective date of this modification

(c) If agreement on a definitive modification is not reached by the target date in paragraph (b) of this section, or within any extension of it granted by the Contracting Officer, the Contracting Officer may, with the approval of the head of the contracting activity, determine a reasonable price or fee in accordance with Subpart 15.4 and Part 31 of the FAR, subject to Contractor appeal as provided in the Disputes clause.

I. All other terms and conditions remain unchanged.

(End of Standard Form 30)

Financial Plan Number: 1

Fiscal Year: 2009

Contract Modification Number: 065

Fiscal Month: 09

Rpt Entity: OR Oak Ridge Associated Universities

Financial Plan Report - Detail

Site: OR

Page 1 of 1

Report: RFP0001

OR23100 - ORISE (RECOVERY ACT - 8909/100253)

Report Generated on: June 4, 2009 at 01:15:24 PM

Rpt Entity	Fund Code	Leg FT	Program	Legacy B&R	Obj. Class	Local Use	Project	WFO	Legacy Order Number	Beginning Uncosted Obs	BA			Total Available
											Previous	Change	Revised	
470009	06049	EZ	1111376	FD0412000	25400	0473055	2002101	0000000		0.00	0.00	753,000.00	753,000.00	753,000.00
<i>AY 2009 - Funding Authorization dated 4/20/2009, Appropriation 89-09/10-0253 Defense Environmental Cleanup, Project Code 2002101.</i>														
Total for Program Parent/Control Point: FD0412000										0.00	0.00	753,000.00	753,000.00	753,000.00
Total for Fund Type: EZ										0.00	0.00	753,000.00	753,000.00	753,000.00
Total for Recipient Code: OR										0.00	0.00	753,000.00	753,000.00	753,000.00
Total for Reporting Entity: 470009										0.00	0.00	753,000.00	753,000.00	753,000.00
Total for OR23100 - ORISE (RECOVERY ACT - 8909/100253)										0.00	0.00	753,000.00	753,000.00	753,000.00

**U. S. DEPARTMENT OF ENERGY
CONTRACT WORK AUTHORIZATION
DEFENSE**

1a. Project Title: Characterization, Verification and Technical Support to ORO Environmental Management in support of the Defense ARRA Work at Oak Ridge National Laboratory (Project Code 2002101)	1b. Work Proposal Number (if applicable): NA	
2. ORO EM Program Point of Contract.		
Name: J. T. Howell Organization Code: EM-90 Telephone No. 865 574 3981		
3. ORO Budget Point of Contract.		
Name: T. T. Blaine Organization Code: FM-72 Telephone No. 865 576-5150		
4. Responsible Program: EM	5. Responsible Secretarial Officer: Assistant Manager for Environmental Management	
6. Responsible Field Organization: Oak Ridge Office		
7a. Site and Facility Management Contractor: Oak Ridge Institute for Science and Education Oak Ridge Associated Universities	7b. Contractor Point of Contact. Name S. J. Roberts Telephone No: 865 241 8893	
8. Work Authorization Number: FD/04019/OR/36	9. Revision Number:* 0	
10. Funding Authorized (\$ in thousands).		
Budget and Reporting Code: Previous: \$0 Change: \$753,000 Current: \$753,000 FD041200		
11. Performance Period Covered by Funds.	12. Work Start Date:	13. Expected Completion Date:
From: 6/2/09 To: 9/30/2011	6/2009	9/2011
14. Statement of Work: This Work Authorization is issued for the sole purpose of authorizing work in support of the American Recovery and Reinvestment Act of 2009, (Pub. L. 111-5) (Recovery Act). All contract terms and conditions apply to the work identified herein, in particular contract provision H.39 applies. The work described in this work authorization shall be performed using funds obligated under the contract, appropriated under the Recovery Act and as such is subject to special statutory conditions.		
The Office of Science (SC) is committed to conducting all work authorized herein, in a manner that ensures protection of the workers, the public, and the environment. Protecting the workers, the public, and the environment is a direct and individual responsibility of all SC managers and SC-supported contractors. Funds provided by ORO EM to SC contractors will be applied as necessary to ensure that all supported activities are conducted safely and in an environmentally conscientious manner. Only work conducted in this manner will be supported.		
<u>Specific Recovery Act Statement of Work:</u>		

Numerous facilities located at Oak Ridge National Laboratory (ORNL) have been identified as structures for decontamination and demolition (D&D) due to the condition of the buildings and their continued degradation. The Integrated Facilities Disposition Project (IFDP) Critical Decision (CD)-1 document provides the available information pertaining to each facility's physical condition and extent of contamination. For many buildings, this information is insufficient to prepare a well-defined cleanup solicitation or waste profiles for the disposition of generated waste. The Oak Ridge Institute for Science and Education will provide technical support to the Department of Energy Oak Ridge Office (ORO) of Environmental Management (EM) to plan and implement independent facility characterization and verification. In addition ORISE will provide technical support on other EM activities planned for ORNL and funded through the Defense portion of ARRA. This support includes:

- Reviewing data and identifying data gaps in existing characterization of the buildings included in this effort
- Develop characterization Data Quality Objectives
- Providing facility characterization and verification activities and related radiological and non-radiological surveys, including sampling and sample analysis
- Develop Waste Profiles and Waste Handling Plans for disposal of the waste and building debris
- Verification of contractor's implementation of their characterization program
- Provide Technical support to DOE as requested

Specific activities on each facility/subproject will be as directed by the DOE EM task manager

The scope of work to be supported by this work authorization is as follows:

1. Bethel Valley Isotope Facilities (Building 3026 Demolition – Hot Cells)
 1. Provide technical support to DOE as requested
2. ORNL Small Facilities Completion Demolition
 1. Perform waste characterization survey/sampling
 2. Develop waste handling plans (WHPs) and waste profiles
 3. Provide technical support to DOE as requested
3. Corehole 8 Remediation
 1. Perform independent verification surveys/sampling to validate as-left condition
 2. Provide technical support to DOE as requested
4. Bethel Valley Burial Grounds (Cap SWSA 1 and 3)
 1. Perform independent verification surveys/sampling to validate as-left condition
 2. Provide technical support to DOE as requested
5. Bethel Valley Groundwater Early Actions (Pump and Treat)
 1. Perform independent verification surveys/sampling to validate as-left condition
 2. Provide technical support to DOE as requested
6. Melton Valley Sentinel Wells
 1. Provide technical support to DOE as requested
7. Bethel Valley Isotope Facilities (Building 3038 Legacy Material Removal and Demolition Preparation)
 1. Provide technical support to DOE as requested

15. Reporting Requirements (Status reports, scientific and technical information or similar): The recipient of funding in the Work Authorization is responsible for meeting all reporting requirements established by the Department of Energy for activities funded by the American Recovery and Reinvestment Act of 2009.		
16. Work Authorization Program Official		
Name (typed): J. T. Howell	Signature: <i>J. J. Howell</i>	Date: 6/2/09
17. DOE Field Organization Official:		
Name (typed): Michele G. Branton	Signature: <i>M. G. Branton</i>	Date: 6/2/09
18. Contractor's Authorized Representative.		
Name (typed): Sarah Roberts	Signature: <i>Sarah Roberts</i>	Date: 6/2/09
19. DOE Contracting Officer (or delegated representative).		
Name (typed): Mary Lou Crow	Signature: <i>Mary Lou Crow</i>	Date: 6/2/09
* The revision number will consist of a 2-digit program identifier, 4-digit sequential number, and the last digit of the fiscal year.		

ATTACHMENT A – CONTRACTOR RECOVERY ACT PERFORMANCE REQUIREMENTS

Section A: Contractor Recovery Act Schedule or Milestone Requirement	
Milestone Tasks for all Defense Funded Projects (11 facilities) (Incorporates Characterization, Verification, and Technical Support activity)	Estimated Delivery Date for completion
Assumed Y-12 Landfill Disposal Pathway (3 Facilities)	
Preliminary Scoping Surveys Complete	6/29/09
Field Site Surveys and Sampling Complete	7/24/09
Waste Handling Plans (WHP) drafts Complete	9/2/09
Waste Profile (WP) drafts Complete	9/30/09
Assumed EMWMF, Y-12 Landfill, or other Disposal Pathway (8 Facilities)	
Preliminary Scoping Surveys Complete	8/18/09
Field Site Surveys and Sampling Complete	9/3/09
Waste Handling Plans (WHP) drafts Complete	12/1/09
Waste Profile (WP) drafts Complete	1/15/10
Section B: Contractor Recovery Act Performance Outcomes and Measures	
Complete Characterization and Independent Verification of contractor programs according to schedule	

Section C: Contractor Recovery Act Deliverables

1. Waste handling Plans and Waste Profiles for all facilities as identified in the SOW and requested/verified by the DOE EM task manager.
2. Independent Verification reports for those facilities as identified in the SOW and requested by DOE EM task manager

Section D: Funding Amounts by Subproject

1. ORNL Small Facilities Completion Demolition: \$753 K (80% of total)