

To: Legacy Critique

From: Mark A. Million

Please scan the attached document (Modification 248), file in Sonar, and provide electronic copies to the following personnel:

Powell, Brenda G.; Shamblin, Diana Faye; Williams, Rhonda J.; Moore, Johnny O; Carter, Lisa B; Philipp, George J; Branton, M G; Kass, M J; Davis, Carolyn Marie; Lowery, Mary K.; Albaugh, Wayne H; Crow, Mary Lou; Fietze, Michael J; Mann, Deborah U; Solmonson, Debra Kay; jonescr@oro.doe.gov; Wilsonjn@oro.doe.gov; Johnsonmd@oro.doe.gov; and Million, Mark A.

If you have any questions, please call me at 576-4523.



Department of Energy

Oak Ridge Office
P.O. Box 2001
Oak Ridge, Tennessee 37831

August 26, 2009

Mr. Michael J. Fietze, Director
Prime Contract Administration
UT-Battelle, LLC
P.O. Box 2008
Oak Ridge, TN 37831-6262

Dear Mr. Fietze:

CONTRACT NO. DE-AC05-00OR22725 - MODIFICATION NO. 248

A fully executed copy of the subject contract modification is enclosed for your retention. This modification obligates American Recovery and Reinvestment Act of 2009 funding in the amount of \$250,000 to the Work Authorization for the project entitled "Nuclear Physics – Enhanced AIP Funding at NP User Facilities (2005220)". The total amount of funds obligated under this contract since its inception is increased from \$9,741,285,123.55 to \$9,741,535,123.55.

If you have any questions, please contact me at 576-4523.

Sincerely,

A handwritten signature in black ink that reads "Mark A. Million".

Mark A. Million
Contracting Officer

Enclosure

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE OF PAGES 1 3
2. AMENDMENT/MODIFICATION NO. 248	3. EFFECTIVE DATE See Block 16C	4. REQUISITION/PURCHASE REQ. NO. 09SC006359	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) UT-BATTËLLE, LLC Attn: Michael J. Freitze, Director Prime Contract Administration Post Office Box 2008 OAK RIDGE TN 37831-6231		(x)	9A. AMENDMENT OF SOLICITATION NO.
CODE 099114287		FACILITY CODE	9B. DATED (SEE ITEM 11)
		x	10A. MODIFICATION OF CONTRACT/ORDER NO. DE-AC05-00OR22725
			10B. DATED (SEE ITEM 11) 10/18/1999

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)
 See Page 3. Net Increase: \$250,000.00

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

CHECK ONE	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).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) 970.5232-4 OBLIGATION OF FUNDS (DEC 2000), P.L. 95-91, and P.L. 111-5

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 0227::TAS

See Page 3.

Note: Information reflected on Page 2 is not relevant to this modification and may not be accurate. Please disregard Page 2.

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) Mark A. Million	
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA Mark A. Million (Signature of Contracting Officer)	16C. DATE SIGNED 8/26/09

CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED
DE-AC05-00OR22725/248

PAGE	OF
2	3

NAME OF OFFEROR OR CONTRACTOR
UT-BATTELLE, LLC

ITEM NO (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
00001	FOB: Destination Period of Performance: 04/01/2000 to 03/31/2010 Change Item 00001 to read as follows (amount shown is the total amount): MANAGEMENT AND OPERATION OF THE OAK RIDGE NATIONAL LABORATORY Incrementally Funded Amount: \$9,350,187,201.92				

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 2 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 Revision No. 01 to the Work Authorization for the project entitled “Nuclear Physics – Enhanced AIP Funding at NP User Facilities (2005220)”.
- B. Accordingly, pursuant to Section I Contract Clause – DEAR 970.5232-4 entitled “Obligation of Funds,” additional funds in the amount of \$250,000 are hereby obligated in support of Recovery Act activities. The total amount of funds obligated under this contract since its inception is increased from \$9,741,285,123.55 to \$9,741,535,123.55.
- 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(s):

Work Authorization Number	Work Authorization Title
WA No. KB/OR41/9/ARRA-2 (Revision No. 01) (Attachment 1)	Nuclear Physics – Enhanced AIP Funding at NP User Facilities (2005220)
(Numbers from Block 8 of the Work Authorizations)	

- 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 section E below and previous contract modifications related to the Recovery Act. The funds obligated hereunder shall only be used to accomplish the work as set forth in section 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. All other terms and conditions remain unchanged.

ATTACHMENT 1

WORK AUTHORIZATION

**U.S. DEPARTMENT OF ENERGY
CONTRACT WORK AUTHORIZATION
AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009: 89-09/10-0227**

1a. Project Title: Nuclear Physics – Enhanced AIP funding at NP user facilities (2005220)		1b. Work Proposal Number (if applicable): Various	
2. Headquarters Program Point of Contact. Name: Eugene Henry Organization Code: SC-26 Telephone No.: (301) 903-3613			
3. Headquarters Budget Point of Contact. Name: Andrea Conrad Organization Code: SC-41 Telephone No.: (301) 903-3310			
4. Responsible Program: Nuclear Physics		5. Responsible Secretarial Officer: Under Secretary for Science	
8. Responsible Field Organization: Oak Ridge Office			
7a. Site and Facility Management Contractor: UT-Battelle LLC – Oak Ridge National Laboratory		7b. Contractor Point of Contact. Name: B. Alan Tatum Telephone No.: 865-574-4759	
8. Work Authorization Number: KB/OR41/9/ARRA-2		9. Revision Number: 01	
10. Funds Authorized (\$ in thousands). B&R Code: KB Previous: \$2,250 Change: +\$250 Current: \$2,500*			
11. Performance Period Covered by Funds. From: 2/17/09 To: 09/30/10		12. Work Start Date: 05/2009	13. Expected Completion Date: 02/2013
14. Statement of Work (See attached) <p>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 within, in particular contract provision H.999 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.</p> <p>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 NP will be applied as necessary to ensure that all NP activities are conducted safely and in an environmentally conscientious manner. Only work conducted in this way will be supported.</p> <p><u>Specific Recovery Act Statement of Work:</u></p> <p>\$250,000 in AIP funding (previously held in risk reserve) is currently provided under KB-04-02-01-1 to refurbish the Oak Ridge Isochronous Cyclotron (ORIC) at HRIBF, bringing the total to \$2,500,000. Specifically, this funding is provided to improve the facility operation and reliability of HRIBF.</p> <p>Attachment A, Contractor Recovery Act Performance Requirements, identifies the Contractor Recovery Act Schedule Milestones, Performance Measures, and Outcomes and Deliverables for this Work Authorization. The contractor's performance against the identified requirements in Attachment A will be evaluated under the Office of Science laboratory appraisal process.</p>			

* Includes AIP funding \$2,500,000.

Continuation of WAS - Enhanced AIP funding at NP user facilities (2005220)

15. Reporting Requirements (Status reports, scientific and technical information or similar):

The recipient of funding in this 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): Eugene A. Henry

Signature: Eugene A. Henry

Date: 7/31/09

17. DOE Field Organization Official.

Name (typed): John [unclear]

Signature: [unclear]

Date: 8/13/09

18. Contractor's Authorized Representative.

Name (typed):

Signature: Dana Chmelenski

Date: 17 Aug 2009

19. DOE Contracting Officer (or delegated representative).

Name (typed): MARK A. MILLION

Signature: Mark A. Million

Date: 8/10/09

**ATTACHMENT A – CONTRACTOR RECOVERY ACT PERFORMANCE REQUIREMENTS
Enhanced AIP funding at NP user facilities (2005220)**

Section A:	<u>Contractor Recovery Act Schedule or Milestone Requirements</u>
4Q FY09:	Begin RF Refurbishment Begin Beamline Upgrade Begin Extraction System Enhancement Begin Target Handling System Refurbishment Begin Main Field Power Supply
1Q FY10:	Begin HVAC Stack Monitors
2Q FY10:	Begin Vacuum System
2Q FY11:	Complete Target Handling System Refurbishment
4Q FY11:	Complete HVAC Stack Monitors
2Q FY12:	Complete Main Field Power Supply
4Q FY12:	Complete Vacuum System
1Q FY13:	Complete RF Refurbishment
2Q FY13:	Complete Extraction System Enhancement Complete Beamline Upgrade Project Complete
Section B:	<u>Contractor Recovery Act Performance Outcomes and Measures</u>
	<ul style="list-style-type: none">▪ Complete project within 10% of planned cost and schedule.
Section C:	<u>Contractor Recovery Act Deliverables</u>
	<ul style="list-style-type: none">▪ Refurbished Oak Ridge Isochronous Cyclotron (ORIC) at HRIBF.

ATTACHMENT 2

FINANCIAL PLAN REPORT

Financial Plan Report - Detail

OR22725 - UT-BATTELLE (RECOVERY ACT - 8909/100227)

Rpt Entity	Fund Code	Leg FT	Program	Legacy B&R	Obj. Class	Local Use	Project	WFO	Legacy Order Number	Beginning Uncosted Obs	Previous	BA Change	Revised	Total Available
470002	06199	WO	2924133	39KG01000P	32001	0472988	2005370	0000000		0.00	60,568,000.00	0.00	60,568,000.00	60,568,000.00
<i>AY 2009 - Work Authorization Number KG/OR41/9; Appropriation Symbol: 8909/100227</i>														
Total for Program Parent/Control Point: 39KG01000PRN08SC71000										0.00	60,568,000.00	0.00	60,568,000.00	60,568,000.00
470002	06199	WO	2923627	AT5502000	25400	0000000	2005290	0000000		0.00	144,000.00	0.00	144,000.00	144,000.00
<i>AY 2009 - Work authorization number: AT/OR41/9/ARRA-1; Appropriation Symbol: 8909/100227</i>														
Total for Program Parent/Control Point: AT00000000										0.00	144,000.00	0.00	144,000.00	144,000.00
470002	06199	WO	2923755	KB0401022	31001	0470023	2005190	0000000		0.00	600,000.00	0.00	600,000.00	600,000.00
<i>AY 2009 - Work Authorization Number KB/OR41/9/ARRA-1; MIE 41NM; Appropriation Symbol: 8909/100227</i>														
470002	06199	WO	2924157	KB0402011	32003	0473116	2005220	0000000		0.00	2,250,000.00	250,000.00	2,500,000.00	2,500,000.00
<i>AY 2009 - KB/OR41/9/ARRA-2; Appropriation Symbol 8909/100227</i>														
Total for Program Parent/Control Point: KB00000000										0.00	2,850,000.00	250,000.00	3,100,000.00	3,100,000.00
470002	06199	WO	2924021	KC020401D	31003	0000000	2005040	0000000		0.00	5,785,000.00	0.00	5,785,000.00	5,785,000.00
<i>AY 2009 - Work Authorization Number KC/OR41/9/ARRA-1; Appropriation Symbol: 8909/100227</i>														
Total for Program Parent/Control Point: KC02000000										0.00	5,785,000.00	0.00	5,785,000.00	5,785,000.00
470002	06199	WO	2924024	KG0900000	32002	0473068	2005380	0000000		0.00	10,000,000.00	0.00	10,000,000.00	10,000,000.00
<i>AY 2009 - Work Authorization Number KG/OR41/9; Appropriation Symbol: 8909/100227</i>														
Total for Program Parent/Control Point: KG09000000										0.00	10,000,000.00	0.00	10,000,000.00	10,000,000.00
470002	06199	WO	2924139	KJ0502000	31003	0473121	2005087	0000000		0.00	19,900,000.00	0.00	19,900,000.00	19,900,000.00
<i>AY 2009 - Work authorization KJ/OR41/9/ARRA-1 Appropriation Symbol: 8909/100227</i>														
Total for Program Parent/Control Point: KJ00000000										0.00	19,900,000.00	0.00	19,900,000.00	19,900,000.00
470002	06199	WO	2924112	KP1501021	25400	0000000	2005115	0000000		0.00	2,130,585.00	0.00	2,130,585.00	2,130,585.00
<i>AY 2009 - Work Authorization Number KP/OR41/9/ARRA-2; Appropriation Symbol: 8909/100227</i>														
470002	06199	WO	2924112	KP1501021	31003	0000000	2005115	0000000		0.00	1,057,415.00	0.00	1,057,415.00	1,057,415.00
<i>AY 2009 - Work Authorization Number KP/OR41/9/ARRA-2; Appropriation Symbol: 8909/100227</i>														
470002	06199	WO	2924113	KP1501022	25400	0000000	2005095	0000000		0.00	425,000.00	0.00	425,000.00	425,000.00
<i>AY 2009 - Work Authorization Number: KP/OR41/9/ARRA-1; Appropriation Symbol: 8909/100227</i>														
470002	06199	WO	2924113	KP1501022	31003	0000000	2005095	0000000		0.00	4,937,000.00	0.00	4,937,000.00	4,937,000.00
<i>AY 2009 - Work Authorization Number: KP/OR41/9/ARRA-1; Appropriation Symbol: 8909/100227</i>														
Total for Program Parent/Control Point: KP15000000										0.00	8,550,000.00	0.00	8,550,000.00	8,550,000.00
Total for Fund Type: WO										0.00	107,797,000.00	250,000.00	108,047,000.00	108,047,000.00
Total for Recipient Code: OR										0.00	107,797,000.00	250,000.00	108,047,000.00	108,047,000.00
Total for Reporting Entity: 470002														
Total for OR22725 - UT-BATTELLE (RECOVERY ACT - 8909/100227)										0.00	107,797,000.00	250,000.00	108,047,000.00	108,047,000.00

Financial Plan Number: 9
Contract Modification Number: 248
Rpt Entity: OR OR3/OR4 - Oak Ridge National Lab, X-10, UT-Batelle

Fiscal Year: 2009
Fiscal Month: 11

Financial Plan Report - Detail

Site: OR

Page 2 of 2
Report: RFP0001

OR22725 - UT-BATTELLE (RECOVERY ACT - 8909/100227)

Report Generated on: August 21, 2009 at 11:33:40 AM

Agency	Obligation Change Amount
Total Appropriated Funds (Program 40):	0.00
Total DOE and Non-Appropriated Funds:	250,000.00
Grand Total:	250,000.00
Total Non-Appropriated Funds:	0.00
