

To: Legacy Critique

From: Mark A. Million

Date: September 23, 2009

Please scan the attached document (Modification 266), 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

September 23, 2009

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

Dear Mr. Frietze:

CONTRACT NO. DE-AC05-00OR22725 - MODIFICATION NO. 266

A fully executed copy of the subject contract modification is enclosed for your retention. This modification is issued to obligate American Recovery and Reinvestment Act (Recovery Act) of 2009 funds in the amount of \$5,064,000 to the contract for Nuclear Physics projects entitled "R&D on Alternative Isotope Production Techniques (2005280)" and "Enhanced Utilization of Isotope Facilities (2005230)". The total amount of funds obligated under this contract since its inception is increased by \$5,064,000 from \$9,831,586,776.57 to \$9,836,650,776.57.

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 2	
2 AMENDMENT/MODIFICATION NO 266	3 EFFECTIVE DATE See Block 16C	4 REQUISITION/PURCHASE REQ NO. 09SC006741	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-BATTELLE, LLC Attn: Michael J. Freitze, Director Prime Contract Administration Post Office Box 2008 OAK RIDGE TN 37831-6231		(x) 9A AMENDMENT OF SOLICITATION NO
		9B DATED (SEE ITEM 11)
		X 10A MODIFICATION OF CONTRACT/ORDER NO DE-AC05-00OR22725
		10B DATED (SEE ITEM 11) 10/18/1999
CODE 099114287	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) See Page 2.	Net Increase:	\$5,064,000.00
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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. 111-5, and P.L. 95-91

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 4180::TAS

See Page 2.

FOB: Destination

Period of Performance: 04/01/2000 to 03/31/2010

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	15C DATE SIGNED	16B UNITED STATES OF AMERICA <i>Mark A. Million</i> (Signature of Contracting Officer)	16C DATE SIGNED 09/23/2009
<small>(Signature of person authorized to sign)</small>		<small>(Signature of Contracting Officer)</small>	

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV 10-83)
Prescribed by GSA
FAR (48 CFR) 53.243

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 in the amount of \$4,117,000 to the contract for Revision No. 1 to the Work Authorization for the project entitled “Nuclear Physics – R&D on Alternative Isotope Production Techniques (2005280)” and \$947,000 for Revision No. 4 to the Work Authorization for the project entitled “Nuclear Physics – Enhanced Utilization of Isotope Facilities (2005230)”.
- B. Accordingly, pursuant to Section I Contract Clause – DEAR 970.5232-4 entitled “Obligation of Funds,” additional funds in the amount of \$5,064,000 are hereby obligated in support of Recovery Act activities. The total amount of funds obligated under this contract since its inception is increased from \$9,831,586,776.57 to \$9,836,650,776.57.
- 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. ST/OR41/9/ARRA-4 (Revision 1) (Attachment 1A)	Nuclear Physics – R&D on Alternative Isotope Production Techniques (2005280)
WA No. ST/OR41/9/ARRA-3 (Revision No. 04) (Attachment 1B)	Nuclear Physics – Enhanced Utilization of Isotope Facilities (2005230)
(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 1A

WORK AUTHORIZATION

**U.S. DEPARTMENT OF ENERGY
CONTRACT WORK AUTHORIZATION
AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009: 89-X-4180**

1a. Project Title: Nuclear Physics – R&D on Alternative Isotope Production Techniques (2005280)		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: Director, Office of Science	
6. 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: Jeffrey Binder Telephone No.: 865-576-3879	
8. Work Authorization Number: ST/OR41/9/ARRA-4		9. Revision Number: 01	
10. Funds Authorized (\$ in thousands). B&R Code: ST Previous: \$0 Change: +\$4,117 Current: \$4,117*			
11. Performance Period Covered by Funds From: 2/17/09 To: 09/30/10		12. Work Start Date: 10/2009	13. Expected Completion Date: 09/2011
14. Statement of Work (See attached) 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.50 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 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. <u>Specific Recovery Act Statement of Work:</u> The following funding is provided for awards made under FOA 09-14, R&D on Alternative Isotope Production Techniques. \$1,000,000 in OPE funding and \$1,000,000 in EQU funding is provided under ST-50-01-03 for FWP #ERST005 entitled "Integration of Centrifuge and Electromagnetic Separation for Preparation of Stable Isotopes." The Principal Investigator is Peter J. Todd. The project period is October 2009 to October 2011. \$1,000,000 in OPE funding is provided under ST-50-01-03 for FWP #ERST004 entitled "Ionic Liquids as Solvents for Improved Production of Radioisotopes." The Principal Investigator is Huimin Luo. The project period is October 2009 to October 2011. \$1,117,000 in OPE funding is provided under ST-50-01-03 for FWP #ERST001 entitled "Production Of Thorium-229 in a Proton Accelerator." The Principal Investigator is Marc A. Garland. The project period is October 2009 to October 2011. 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.			

* Includes OPE funding \$3,117,000, EQU funding \$1,000,000.

Continuation of WAS – R&D on Alternative Isotope Production Techniques (2005280)

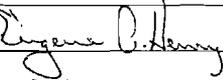
15. Reporting Requirements (Status reports, scientific and technical information or similar):

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:



Date: 9/9/09

17. DOE Field Organization Official:

Name (typed): John Mason

Signature:



Date: 9/10/09

18. Contractor's Authorized Representative: CRM

Name (typed): Michelle V. Buchanan

Signature:



Date: 9/14/09

19. DOE Contracting Officer (or delegated representative):

Name (typed): MARK A. MILLION

Signature:



Date: 9/14/09

**ATTACHMENT A – CONTRACTOR RECOVERY ACT PERFORMANCE REQUIREMENTS
R&D on Alternative Isotope Production Techniques (2005280)**

Section A: Contractor Recovery Act Schedule or Milestone Requirements

1Q FY10

- Initiate research and development for all awards under Isotope Production and Development for Research and Applications (FWP #s ERST001, ERST004, and ERST005).

2Q FY10

- Report on first quarter progress due.

Progress reports are due each quarter through project completion.

Section B: Contractor Recovery Act Performance Outcomes and Measures

- Perform research and development according to proposals, consistent with approved budgets.

Federal Program Director will verify research and development performance through quarterly progress reports, and conference calls as needed.

Section C: Contractor Recovery Act Deliverables

- Quarterly progress reports on the activities conducted for each research and development project.
- Final report on each research and development project (FWP #s ERST001, ERST004, and ERST005).

ATTACHMENT 1B

WORK AUTHORIZATION

**U.S. DEPARTMENT OF ENERGY
CONTRACT WORK AUTHORIZATION
AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009: 89-X-4180**

1a. Project Title: Nuclear Physics – Enhanced Utilization of Isotope Facilities (2005230)		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 Secretariat Officer: Director, Office of Science	
6. 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: Jeffrey Binder Telephone No.: 865-576-3879	
8. Work Authorization Number: ST/OR419/ARRA-3		9. Revision Number: 04	
10. Funds Authorized (\$ in thousands). B&R Code: ST Previous: \$3,900 Change: \$947 Current: \$4,847*			
11. Performance Period Covered by Funds. From: 2/17/09 To: 09/30/10		12. Work Start Date: 10/2009	13. Expected Completion Date: 10/2011
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.50 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>In addition to the funds previously provided for this Recovery Act project, an additional \$947,000 in OPE funding is provided under ST-60-01-03 for the production of Actinium-227 by recovery and purification from Actinium-Beryllium neutron sources. The Principal Investigator is Miting Du. The project period is October 2009 – October 2011.</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 OPE funding \$2,447,000 and EQU funding \$2,400,000.

Continuation of WAS - Enhanced Utilization of Isotope Facilities (2005230)

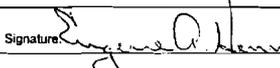
15. Reporting Requirements (Status reports, scientific and technical information or similar):

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:



Date: 9/8/09

17. DOE Field Organization Official.

Name (typed): John ~~Man~~

Signature:

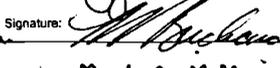


Date: 9/14/09

18. Contractor's Authorized Representative.

Name (typed): ~~CR Moore~~
Mitchell H. Buchanan

Signature:

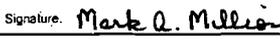


Date: 9/14/09

19. DOE Contracting Officer (or delegated representative).

Name (typed): MARK A. MILLION

Signature:



Date: 9/14/09

ATTACHMENT A – CONTRACTOR RECOVERY ACT PERFORMANCE REQUIREMENTS
Enhanced Utilization of Isotope Facilities (2005230)

Section A: Contractor Recovery Act Schedule or Milestone Requirements

1Q FY10:

- Initiate production effort.

2Q FY10

- Report on first quarter progress due.

Progress report due each quarter through project completion.

Section B: Contractor Recovery Act Performance Outcomes and Measures

- Perform production effort according to **agreed task schedule consistent with approved budget.**

Prior to start of work, Federal Program Director will approve task schedule.

Federal Program Director will verify project performance through quarterly progress reports and conference calls as needed.

Section C: Contractor Recovery Act Deliverables

- Quarterly progress reports on the activities conducted.
- Final report on production effort.

ATTACHMENT 2

FINANCIAL PLAN REPORT

Financial Plan Report - Detail

OR22725 - UT-BATTELLE (RECOVERY ACT - 89X4180)

Rpt Entity	Fund Code	Leg FT	Legacy Program	Legacy B&R	Obj. Class	Local Use	Project	WFO	Legacy Order Number	Beginning Uncosted Obs	Previous	BA Change	Revised	Total Available
470002	02302	VQ	2720715	ST5001030	25400	0000000	2005280	0000000		0.00	0.00	3,117,000.00	3,117,000.00	3,117,000.00
AY 2009 - ST/OR418/ARRA-4														
470002	02302	VQ	2720715	ST5001030	31003	0000000	2005280	0000000		0.00	0.00	1,000,000.00	1,000,000.00	1,000,000.00
AY 2009 - ST/OR418/ARRA-4														
470002	02302	VQ	2720719	ST6001030	25400	0000000	2005230	0000000		6.00	1,500,000.00	947,000.00	2,447,000.00	2,447,000.00
AY 2009 - Work Authorization ST/OR418/ARRA-3														
470002	02302	VQ	2720719	ST6001030	31003	0000000	2005230	0000000		0.00	2,400,000.00	0.00	2,400,000.00	2,400,000.00
AY 2009 - Work Authorization ST/OR418/ARRA-3														
Total for Program Parent/Control Point: ST00000000										0.00	3,900,000.00	5,064,000.00	8,964,000.00	8,964,000.00
Total for Fund Type: VQ										0.00	3,900,000.00	5,064,000.00	8,964,000.00	8,964,000.00
Total for Recipient Code: OR										0.00	3,900,000.00	5,064,000.00	8,964,000.00	8,964,000.00
Total for Reporting Entity: 470002										0.00	3,900,000.00	5,064,000.00	8,964,000.00	8,964,000.00
Total for OR22725 - UT-BATTELLE (RECOVERY ACT - 89X4180)										0.00	3,900,000.00	5,064,000.00	8,964,000.00	8,964,000.00

Financial Plan Number 2

Fiscal Year 2009

Contract Modification Number 266

Fiscal Month 12

Rpt Entry OR OR3 OR4 - Oak Ridge National Lab. X-10. UT-Battelle

Financial Plan Report - Detail

Site OR

Page 2 of 2
Report RFP0001

OR22725 - UT-BATTELLE (RECOVERY ACT - 89X4180)

Report Generated on September 21, 2009 at 08:59:40
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<u>Agency</u>	<u>Obligation Change Amount</u>
Total Appropriated Funds (Program 40):	0.00
Total DOE and Non-Appropriated Funds:	5,064,000.00
Grand Total:	5,064,000.00
Total Non-Appropriated Funds:	0.00
