



Department of Energy

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

October 1, 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. 280

A fully executed copy of the subject contract modification is enclosed for your retention. This modification reflects the definitization of negotiations on the proposal entitled "Demolition of the 2000 Complex Facilities Project at the Oak Ridge National Laboratory" dated June 2, 2009.

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. 280	3. EFFECTIVE DATE See Block 16C	4. REQUISITION/PURCHASE REQ. NO.	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)
CODE 099114287	FACILITY CODE	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)

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) Clause H-51, Clause I.152, P.L. 111-5, and P.L. 95-91

E. IMPORTANT: Contractor is not, is required to sign this document and return 2 copies to the issuing office.

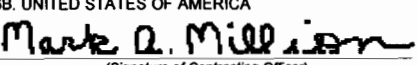
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

Subj to Retent: N
Recovery TAS::89 0335::TAS

See Page 2.

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 (Signature of person authorized to sign)	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA  (Signature of Contracting Officer)	16C. DATE SIGNED 09/30/2009

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X	D. OTHER (Specify type of modification and authority) Clause H-51, Clause I.152, P.L. 111-5, and P.L. 95-91

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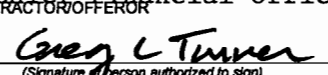
Subj to Retent: N

Recovery TAS::89 0335::TAS

See Page 2.

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) Greg Turner Chief Financial Officer	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 9/30/09
16B. UNITED STATES OF AMERICA (Signature of Contracting Officer)	16C. DATE SIGNED

This modification is issued to reflect definitization of negotiations on the Contractor's proposal entitled "Demolition of the 2000 Complex Facilities Project at the Oak Ridge National Laboratory" dated June 2, 2009. In accordance with the "Changes" clause in the contract, DOE and the Contractor mutually agree that this work represents a material increase in the level of the Contractor's management effort under the contract; therefore, the Contractor is due an equitable fee for such additional services. The total estimated cost agreed to by the parties during negotiations, including fee but exclusive of management reserve, is \$10,580,236.

Therefore, the contract is modified as follows:

1. The second paragraph of clause **B-2, Fixed Fee**, is deleted in its entirety and replaced as follows:

"No fixed fee deemed applicable under Recovery Act work shall be paid to the Contractor prior to definitization of contract modification(s) reflecting negotiated results of said Recovery Act work. After execution of the definitization contract modification(s), fixed fee provided under Recovery Act work shall be paid in accordance with the "Payments and Advances" clause in Section I of the contract. The fixed fee amounts agreed to by DOE and the Contractor are as follows: 1) \$400,000 for WA No. FD/04019/OR/41 and 2) \$378,000 for WA No. FE/01019/OR/41."

2. All other terms and conditions other than those specified in this modification remain unchanged.

CONTRACTOR'S STATEMENT OF RELEASE: In consideration of the modification agreed to herein as complete equitable adjustment for the Contractor's Proposal entitled "Demolition of the 2000 Complex Facilities Project at the Oak Ridge National Laboratory" dated June 2, 2009, the Contractor hereby releases the Government from any and all liability for further equitable adjustments in fixed fee attributable to such facts or circumstances giving rise to the Proposal.