

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE 1	OF	PAGES 4
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2. AMENDMENT/MODIFICATION NO. M1140	3. EFFECTIVE DATE (M/D/Y) (See Block 16C)	4. REQUISITION/PURCHASE REQ. NO. N/A	5. PROJECT NO. (If applicable)
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6. ISSUED BY CODE U.S. Department of Energy Pacific Northwest Site Office Post Office Box 350 Richland, WA 99352	7. ADMINISTERED BY (If other than Item 6) CODE
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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP code)  Battelle Memorial Institute Pacific Northwest Division Richland, Benton County, WA 99352 DUNS # 032987476	<input type="checkbox"/>	9A. AMENDMENT OF SOLICITATION NO.
	<input type="checkbox"/>	9B. DATED (SEE ITEM 11)
	<input checked="" type="checkbox"/>	10A. MODIFICATION OF CONTRACT/ ORDER NO. DE-AC05-76RL01830
	<input checked="" type="checkbox"/>	10B. DATED (SEE ITEM 13) December 30, 1964
CODE	FACILITY CODE	

11. THIS ITEM 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 DATE AND HOUR 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 amendment and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS SET FORTH 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.
<input type="checkbox"/>	
<input type="checkbox"/>	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO AUTHORITY OF FAR 43.103(b).
<input checked="" type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO THE AUTHORITY OF: The mutual agreement of the parties for work within the scope of the contract
<input type="checkbox"/>	D. OTHER (Specify type of modification and authority)

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.)

This bilateral contract modification incorporates changes to Part I, Section C, Section H, Part III, Section J, Appendix A, and Part III Section J, Appendix D. (See Continuation Pages for the purpose of this modification.)

15A. NAME AND TITLE OF SIGNER (Type or print) Dana M. Storms Prime Contract Manager		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Ryan M. Kilbury Contracting Officer	
15B. CONTRACTOR/OFFEROR  (Signature of person authorized to sign)	15C. DATE SIGNED 11/30/2017	16B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer)	16C. DATE SIGNED 11-30-17

## **1.0 Purpose of Modification:**

The Department of Energy (DOE), Office of Science (SC), Pacific Northwest Site Office (PNSO) is modifying the Contract to update Section H and Section J to the most current form as described in this modification. The contract shall be amended as described in this modification to accomplish the following:

1. Revise Part I, Section C – Descriptions/Specification/Work Statement, C-3 Performance Expectations, Objectives, and Measures to capture minor change to Expectations to Program and Project Management for the Acquisition of Capital Assets.
2. Revise Part I, Section H – Special Contract Requirements to update Clause H-31 Employee Compensation and Benefits to update the contractual requirements per DOE Acquisition Letter AL-2018-02.
3. Revise Part III, Section J – List of Attachments, Appendix A – Advance Understanding on Human Resources Cost to update the contractual requirements per DOE Acquisition Letter AL-2018-02.
4. Revise Part III, Section J – List of Attachments, Appendix D – List of DOE Applicable Directives & External Requirements to capture minor change to DOE Order 413.3B.

## **2.0 Description of Modification:**

1. Revise Part I, Section C – Descriptions/Specifications/Work Statement, C-3 Performance Expectations, Objectives, and Measures, 3.1.6 Expectations for Program and Project Management for the Acquisition of Capital Assets, last paragraph to read as follows:

“For all capital asset projects with a Total Project Cost (TPC) equal to or greater than \$50 million, the Contractor shall comply with the requirements as set forth in DOE Order 413.3B Contract Requirements Document (CRD). [M1140]

2. Revise Part I, Section H – Special Contract Requirements, Clause H-31 Employee Compensation: Pay and Benefits, Para. (d) Pension and Other Benefit Programs, Subpara. (3) (B) to read as follows:

“An Employee Benefits Cost Study Comparison, annually for each benefit tier that analyzes the Contractor’s employee benefits cost for Employees as a percent of payroll and compares it with the cost as a percent of payroll, including geographic factor adjustments, reported by the U.S. Department of Labor’s

Bureau of Labor Statistics or other Contracting Officer approved broad based national survey.” [M1140]

3. Revise Part I, Section H – Special Contract Requirements, Clause H-31 Employee Compensation: Pay and Benefits, Para. (d) Pension and Other Benefit Programs, Subpara. (5) to read as follows:

“When the benefits cost as a percent of payroll exceeds the comparator group by more than five percent, when and if required by the Contracting Officer, the Contractor shall submit an analysis of the specific plan costs that result in or contribute to the percent of payroll exceeding the costs of the comparator group and submit a corrective action plan if directed by the Contracting Officer.”  
[M1140]

4. Revise Part I, Section H – Special Contract Requirements, Clause H-31 Employee Compensation: Pay and Benefits Para. (d) Pension and Other Benefit Programs, Subpara. (6) to read as follows:

“Within two years, or longer period as agreed to between the Contractor and the Contracting Officer, of the Contracting Officer acceptance of the Contractor's corrective action plan, the Contractor shall align employee benefit programs with the benefit value and the cost as a percent of payroll in accordance with its corrective action plan.” [M1140]

5. Revise Part I, Section H – Special Contract Requirements, Clause H-31 Employee Compensation: Pay and Benefits Para. (i) Changes to Pension Plans, Subpara. (2) to read as follows:

“Contractors shall submit new benefit plans and changes to plan design or funding methodology with justification to the Contracting Officer for approval, as applicable [see (d)(1) above.] The justification must:

- (A) Demonstrate the effect of the plan changes on the Contract net benefit value or percent of payroll benefit costs;
- (B) Provide the dollar estimate of savings or costs; and,
- (C) Provide the basis of determining the estimated savings or cost.”

[M1140]

6. Delete in its entirety Part III, Section J, Appendix A – Advance Understanding on Human Resources Cost and replace with Part III, Section J, Appendix A – Advance Understanding on Human Resources Cost that is attached to this modification and incorporated herein by reference.

7. Revise Part III, Section J - List of Attachments, Appendix D - List of Applicable DOE Directives & External Requirements as follows:

Replace:

CRD O 413.3B, Chg. 3 (Page. Chg.) Program and Project Management for the  
Acquisition of Capital Assets

Replace with:

CRD O 413.3B, Chg. 4 (Min. Chg.) Program and Project Management for the  
Acquisition of Capital Assets

8. This modification results in no further changes to the Contract.

**(End of Contract Modification)**

**[M1140]**