BATTEN ENERGY ALLIANCE, LLC  
Attn: Lisa A. Sehlke  
P.O. BOX 1625  
IDAHO FALLS ID 834150001  

CODE 152020629  
FACILITY CODE  

THE ABOVE NUMBERED SOLICITATION IS AMENDED AS SET FORTH IN ITEM 14. THE HOUR AND DATE SPECIFIED FOR RECEIPT OF OFFERS IS EXTENDED.

Failure to 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 13, 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 ACKNOWLEDGMENT 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.

THE PURPOSE OF THIS MODIFICATION IS TO INCORPORATE CLAUSE CHANGES TO SECTIONS E, G & I OF THE SUBJECT CONTRACT, IN ACCORDANCE WITH DOE POLICY FLASH 2009-75 ENTITLED "UPDATE TO THE DEPARTMENT OF ENERGY (DOE) IMPLEMENTATION GUIDE FOR THE AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) OF 2009."

Continued...

Lisa A. Sehlke  
(Signature of person authorized to sign)  

Suzette M. Olson  
(Signature of Contracting Officer)  

10/29/09  
10/30/09  

STANDARD FORM 30 (REV. 10-83)  
Prepared by GSA  
FAR (48 CFR) 52.243
<table>
<thead>
<tr>
<th>ITEM NO. (A)</th>
<th>SUPPLIES/SERVICES (B)</th>
<th>QUANTITY (C)</th>
<th>UNIT (D)</th>
<th>UNIT PRICE (E)</th>
<th>AMOUNT (F)</th>
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See attached continuation sheets for the detailed description of the changes to be incorporated.

Subj to Retent: N

Period of Performance: 11/09/2004 to 09/30/2014
The purpose of this modification is to update Part I Section E, G and Part II Section I, to incorporate changes for the American Recovery and Reinvestment Act of 2009.

Part I Section E, Inspection and Acceptance, the following clause is added which is applicable only to the Recovery Act work:

E.6 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.

Part I Section G, Contract Administration Data, the following Clauses are added which are applicable only to the Recovery Act work:

G. 8: Submission of monthly cost reports for Recovery Act Work

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.

G.9 Indirect Charges

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 Battelle Energy Alliance, LLC 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 Battelle Energy Alliance, LLC.

(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.

Part II Section I, Contract Clauses, I.43, DEAR 970.5232-3, Accounts, Records, and Inspection (Dec 2000), Paragraph (h) (1) is deleted and replaced with the following:

“(h) Comptroller General

(1) The Comptroller General of the United States, or an authorized representative, shall have access to and the right to examine any of the contractor’s or subcontractor’s directly pertinent records involving transactions related to this contract or a subcontract hereunder and to interview any current employee regarding such transactions.”

All other Terms and Conditions remain unchanged