

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE	PAGE OF PAGES 1 3
2. AMENDMENT/MODIFICATION NO. M003	3. EFFECTIVE DATE See block 16 c	4. REQUISITION/PURCHASE REQ. NO. No PR		5. PROJECT NO. (if applicable)
ISSUED BY EMCBC - Carlsbad U.S. Department of Energy Carlsbad Field Office P.O. Box 3090 Carlsbad, NM 88221-3345	CODE XCAO	7. ADMINISTERED BY (if other than item 6) Vicki Diane Snow (575)234-7452		CODE
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) Portage, Inc. 1075 S. Utah Ave. Suite 200 Idaho Falls, ID 83402-3325			(X)	9A. AMENDMENT OF SOLICITATION NO.
				9B. DATED (SEE ITEM 11)
			X	10A. MODIFICATION OF CONTRACT/ORDER NO. GSA Contract GS-10F0353M DOE Task Order DE-DT0001674
				10B. DATED (SEE ITEM 13) July 2, 2010
CODE	FACILITY CODE			
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS				
<p>_____ 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.</p> <p>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:</p> <p>(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 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.</p>				
12. ACCOUNTING AND APPROPRIATION DATA (if required) Not a funding action.				
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.				
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).				
XX C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: FAR 52.212-4 (c) Changes				
D. OTHER (Specify type of modification and authority)				
E. IMPORTANT: Contractor _____ is not, <u>X</u> is required to sign this document and return <u>2</u> copies to the issuing office.				
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) The purpose of this modification is to revise the terms and conditions of the Task Order in Section 16 of Attachment 2 - Clauses. The revision will incorporate new reporting requirements for first-tier subcontractors receiving \$25,000 or more of American Recovery and Reinvestment Act funding. Accordingly, Attachment 2 of the contract is revised by replacing FAR Clause 52.204-11 dated March 2009 with FAR Clause 52.204-11 dated July 2010. See pages 2-3. 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) TED CHRISTENSEN, CONTRACTS MANAGER		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Vicki D. Snow, Contracting Officer		
Signature deleted see OMB M-06-15, "Safeguarding Personally Identifiable Information"		15C. DATE SIGNED 9/20/10	Signature deleted see OMB M-06-15, "Safeguarding Personally Identifiable Information"	
			16C. DATE SIGNED 9/22/10	

(1.) Section 16 found on page 13 of Attachment 2 – Clauses is revised to replace FAR Clause 52.204-11 American Recovery and Reinvestment Act – Reporting Requirements (March 2009) with FAR Clause 52.204-11 American Recovery and Reinvestment Act – Reporting Requirements. (July 2010). Page 13 is updated as follows:

16. Listing of Task Order Clauses Incorporated by Reference

In addition to the clauses of the GSA Schedule contract, the following contract clauses also apply and are hereby incorporated by reference.

Number	Date	Title
52.202-1	JUL 2004	Definitions (As modified by DEAR 952.202-1)
52.203-15	MAR 2009	Whistleblower Protections under the American Recovery and Reinvestment Act of 2009
52.204-11	JULY 2010	American Recovery and Reinvestment Act – Reporting Requirements
52.212-4	MAR 2009	Contract Terms and Conditions – Commercial Items, Alt. I (OCT 2008) (used for Time & Materials contract)
52.216-31	FEB 2007	Time-and-Materials/Labor-Hour Proposal Requirements – Commercial Item Acquisition
52.217-5	JUL 1990	Evaluation of Options
52.219.14	DEC 1996	Limitations on Subcontracting
52.222-54	JAN 2009	Employment Eligibility Verification
52.223-2	DEC 2007	Affirmative Procurement of Biobased Products under Service and Construction Contracts
52.223-15	DEC 2007	Energy Efficiency in Energy-Consuming Products
52.223-17	MAY 2008	Affirmative Procurement of EPA-designated Items in Service and Construction Contracts
52.232-22	APR 1984	Limitation of Funds
52.237-3	JAN 1991	Continuity of Services
52.243-3	SEP 2000	Changes - Time-and-Materials or Labor-Hours
52.243-6	APR 1984	Change Order Accounting (APR 1984)
52.245.1	JUN 2007	Government Property
52.245-9	JUN 2007	Use and Charges

(2.) The revised FAR Clause 52.204-11 (July 2010) is found with full text at:

https://www.acquisition.gov/Far/current/html/52_200_206.html

(3.) The following guidance was provided to Agency Reviewers in a memorandum dated August 9, 2010 from the Department of Energy’s (DOE) Assistant Director for Recovery Act Operations, Howard Dickenson. The guidance is associated with the Office of Management and Budget’s recent decision to allow DOE’s Recovery Act-funded contractors to report subcontract jobs into FederalReporting.gov.

From the October 2010 reporting period forward, Prime Contractors will be expected to report sub-contractor jobs as follows:

- *The Federal contractor will combine the jobs for itself and for its first-*

tier subcontractors and enter it in the "Number of Jobs" data field. There is no separate field in Federalreporting.gov for first-tier subcontractor jobs.

- *The formula for calculating subcontractor jobs is the same as for the prime contractor jobs: The number of hours worked and funded by the Recovery Act within the reporting quarter divided by the total quarterly hours in a full-time schedule.*
- *Include only hours worked on subcontracts with ARRA funds of \$25,000 or greater.*
- *Include only hours worked in the current reporting quarter. Prime contractors should NOT include historical hours or estimate the number of subcontractor jobs from previous quarters.*
- *The new FAR clause also removes the reporting exemption for Contractors who have not yet submitted an invoice. Prime Contractors should report during the designated reporting period regardless of their invoicing status.*