

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE
DE-AC52-06NA25396

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2. AMENDMENT/MODIFICATION NO. M053	3. EFFECTIVE DATE See Block 16 C	4. REQUISITION/PURCHASE REQ. NO. NA25396	5. PROJECT NO. (If applicable)
6. ISSUED BY U.S. Department of Energy National Nuclear Security Administration Manager, Los Alamos Site Office 528 35 th Street Los Alamos, NM 87544		7. ADMINISTERED BY (If other than Item 6)	
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, state, ZIP Code) Los Alamos National Security, LLC 4200 West Jemez Road Suite 400 Los Alamos, NM 87544		9A. AMENDMENT OF SOLICITATION NO.	9B. DATED (SEE ITEM 11)
CODE	FACILITY CODE	10A. MODIFICATION OF CONTRACT/ORDER NO. DE-AC52-06NA25396	10B. DATED (SEE ITEM 13) December 21, 2005

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 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 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.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS; IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

<input type="checkbox"/>	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"/>	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).
<input type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
<input checked="" type="checkbox"/>	D. OTHER (Specify type of modification and authority): Clause No. I.103 Changes (December 2000)

E. IMPORTANT: Contractor is required to sign this document and return 3 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 language contained in Section H Clause 12, Performance Based Management Section (b) (2) to change the annual self assessment to be submitted within ten working days instead of five days after the end of the appraisal period. Therefore H.12 is deleted in its entirety and substituted with the revised text as follows:

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Except as provided herein, all terms and conditions of the document referenced in Items 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print) Rueben M. Rafferty Prime Contract Chief Los Alamos National Security, LLC		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Caroline T. Crooks Contracting Officer Los Alamos Site Office	
15B. CONTRACTOR/OFFEROR BY <u>Rm Rafferty</u> (Signature of person authorized to sign)	15C. DATE SIGNED <u>9/9/08</u>	16B. UNITED STATES OF AMERICA BY <u>Caroline T. Crooks</u> (Signature of Contracting Officer)	16C. DATE SIGNED <u>9/11/08</u>

H-12 PERFORMANCE BASED MANAGEMENT

- (a) Performance-Based Management System. This Contract is a management and operating contract, which holds the Contractor accountable for performance. This Contract uses clearly defined standards of performance consisting of performance objectives and performance incentives as described in the Contract's Section H Clause entitled "Performance Incentives," and award term incentives as indicated in Contract's Section H Clause entitled "Award Term" with measures and targets for each area established on a fiscal year basis and incorporated into the Performance Evaluation Plan.
- (b) Performance Appraisal Process.
- (1) Performance Evaluation Plan.
- (i) A Performance Evaluation Plan shall be developed and finalized by the Contracting Officer, with Contractor input, prior to the scheduled start date of the appraisal period. The Performance Evaluation Plan shall document the process and associated performance objectives, performance incentives, award term incentives and associated measures and targets by which the Contractor's performance will be evaluated. The Parties will attempt to reach mutual agreement on performance objectives, performance incentives, award term incentives and associated measures and targets that reflect expected business, operational and technical performance tied to key end products and NNSA/DOE strategic goals and objectives. The NNSA Los Alamos Site Office Manager reserves the unilateral right to make the final decision on all performance objectives and performance incentives (including the associated measures and targets) used to evaluate Contractor performance. The NNSA Administrator reserves the unilateral right to make the final decision on all award term incentives (including the associated measures and targets) used to evaluate Contractor performance.
- (ii) Only the Contracting Officer may revise the Performance Evaluation Plan, consistent with the Contract's Statement of Work, during the appraisal period of performance. The Contracting Officer shall notify the Contractor:
- (I) Of such bilateral changes at least sixty calendar days prior to the end of the affected appraisal period;
- (II) Of such unilateral changes at least ninety calendar days prior to the end of the affected appraisal period and at least thirty calendar days prior to the effective date of the change; or

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(III) If such change, whether unilateral or bilateral, is urgent and high priority, at least thirty calendar days prior to the end of the appraisal period.

(2) Contractor Self-Assessment. An annual self-assessment will be prepared by the Contractor of its performance against each of the performance objectives and incentives contained in the Performance Evaluation Plan. The annual self assessment shall be submitted within ten-working days after the end of the appraisal period. The Contracting Officer will identify the structure and medium to be used by the Contractor in delivering its annual self-assessment.

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