

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>				1. CONTRACT ID CODE	PAGE 1 OF 2 PAGES
2. AMENDMENT/MODIFICATION NO. <b>M055</b>	3. EFFECTIVE DATE See Block 16 C	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (if applicable)		
6. ISSUED BY U.S. Department of Energy National Nuclear Security Administration Manager, Los Alamos Site Office 3747 West Jemez Road, Building 1410, TA-43 Los Alamos, NM 87544		CODE	7. ADMINISTERED BY (if other than Item 6) CODE		
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, state, ZIP Code)  <b>Los Alamos National Security, LLC 4200 West Jemez Road Suite 400 Los Alamos, NM 87544</b>			9A. AMENDMENT OF SOLICITATION NO.	9B. DATED (SEE ITEM 11)	
CODE			FACILITY CODE	10A. MODIFICATION OF CONTRACT/ORDER NO. <b>DE-AC52-06NA25396</b>	
				10B. DATED (SEE ITEM 13) <b>December 21, 2005</b>	

**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.**

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:
D. OTHER (Specify type of modification and authority): <b>X Clause No. I.103 Changes (December 2000)</b>
E. IMPORTANT: Contractor is required to sign this document and return <u>3</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 add the Davis-Bacon Act provisions.**

Continued on Page 2.

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) <b>Rueben M. Rafferty, Office Director Prime Contract Management Office Los Alamos National Security, LLC</b>		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) <b>Caroline T. Crooks, Contracting Officer Los Alamos Site Office</b> <i>ROBERT M. POOLE</i>	
15B. CONTRACTOR/OFFEROR BY <i>R M Rafferty</i> (Signature of person authorized to sign)	15C. DATE SIGNED <i>8/07/08</i>	16B. UNITED STATES OF AMERICA BY <i>Robert M. Poole</i> (Signature of Contracting Officer)	16C. DATE SIGNED <i>10/18/2008</i>

Los Alamos National Security, LLC  
Contract No. DE-AC52-06NA25396  
Modification No. M055  
Page 2 of 2

- A. Clause H-35 is modified to add paragraph (c) as follows:

**H-35 ADDITIONAL LABOR REQUIREMENTS**

- (a) The Contractor and the Contracting Officer will develop a procedure whereby NNSA will determine if the Davis-Bacon Act is applicable to particular subcontracts. The Contractor shall conduct payroll and job-site audits and conduct investigations of complaints as authorized by NNSA on all Davis-Bacon activity, including any subcontracts, as may be necessary to determine compliance with the Davis-Bacon Act. Where violations are found, the Contractor shall report them to the Contracting Officer. The Contracting Officer may require that the Contractor assist in the determination of the amount of restitution and withholding of funds from a subcontractor so that sufficient funds are withheld to provide restitution for back wages due for workers inappropriately classified and paid, fringe benefits owed, overtime payments due, and liquidated damages assessed. The Contractor shall furnish a Davis-Bacon Semi-Annual Enforcement Report to NNSA by April 21<sup>st</sup> and October 21<sup>st</sup> each year.
- (b) The Contractor shall notify the Contracting Officer of any complaints and significant labor standards violations whether caused by the Contractor or subcontractors. The Contractor shall assist NNSA and or/the Department of Labor in the investigation of any alleged violations or disputes involving Federal labor standards.
- (c) When appropriate the Contractor may perform direct construction using direct hire employees. Requirements for the work are covered by the Davis-Bacon Act as prescribed in Section I of this contract.

- B. The following clauses are added by reference to Section I:

I-138 FAR 52.222-6 DAVIS-BACON ACT (JUL 2005)  
I-139 FAR 52.222-7 WITHHOLDING OF FUNDS (FEB 1988)  
I-140 FAR 52.222-8 PAYROLLS AND BASIC RECORDS (FEB 1988)  
I-141 FAR 52.222-9 APPRENTICES AND TRAINEES (JUL 2005)  
I-142 FAR 52.222-10 COMPLIANCE WITH COPELAND ACT REQUIREMENTS  
(FEB 1988)  
I-143 FAR 52.222-11 SUBCONTRACTS (LABOR STANDARDS) (JUL 2005)  
I-144 FAR 52.222-12 CONTRACT TERMINATION-DEBARMENT (FEB 1988)  
I-145 FAR 52.222-13 COMPLIANCE WITH DAVIS-BACON AND RELATED ACT  
REGULATIONS (FEB 1988)  
I-146 FAR 52.222-14 DISPUTES CONCERNING LABOR STANDARDS (FEB 1988)  
I-147 FAR 52.222-15 CERTIFICATION OF ELIGIBILITY (FEB 1988)  
I-148 FAR 52.222-16 APPROVAL OF WAGES

*MB*  
*8/2/08*