

AMENDMENT/MODIFICATION NO. Five (5)	3. EFFECTIVE DATE See Block 15C	4. REQUISITION/PURCHASE REQ. NO. ADMIN RPPA - 8/31/04	5. PROJECT NO. (if applicable)
ISSUED BY U.S. Nuclear Regulatory Commission Division of Contracts Two White Flint North Mail Stop T-7-I-2 Washington DC 20555		7. ADMINISTERED BY (if other than Item 6)	

NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) Duns Number: 967266479 Kelly & DeWitt, Incorporated ATTN: Mr. Edward I. Kelly President 5524 Charlcote Road Bethesda MD 20817	(X)	9A. AMENDMENT OF SOLICITATION NO.
		9B. DATED (SEE ITEM 11)
		10A. MODIFICATION OF CONTRACT/ORDER NO. NRC-33-03-321
	X	10B. DATED (SEE ITEM 13) 12-20-2002

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 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 of 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.

2. ACCOUNTING AND APPROPRIATION DATA (if required) N/A

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

(X)	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) Mutual Agreement of the Parties

IMPORTANT: Contractor is not, is required to sign this document and return 2 copies to the issuing office.

4. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The subject order is modified as described in Page 2 of this document.

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.

3A. NAME AND TITLE OF SIGNER (Type or print) Edward I. Kelly President	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Sharon D. Stewart Contracting Officer
3B. CONTRACTOR/OFFEROR Edward I. Kelly (Signature of person authorized to sign)	16B. UNITED STATES OF AMERICA BY Sharon D. Stewart (Signature of Contracting Officer)
15C. DATE SIGNED 8/10/04	16C. DATE SIGNED 8/31/04

The purpose of this modification is to incorporate the following clause 52.232-19, "Availability of Funds for the Next Fiscal Year" into the contract. Accordingly, Section C of the contract, is modified to include the subject clause in full text as follows:

"C.9 52.232-19 Availability of Funds for the Next Fiscal Year (Apr 1984)

Funds are not presently available for performance under this contract beyond 12/18/04. The Government's obligation for performance of this contract beyond that date is contingent upon the availability of appropriated funds from which payment for contract purposes can be made. No legal liability on the part of the Government for any payment may arise for performance under this contract beyond 09/30/04, until funds are made available to the Contracting Officer for performance and until the Contractor receives notice of availability, to be confirmed in writing by the Contracting Officer.

(End of clause)"

All other terms and conditions of the subject contract remain unchanged.