

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

BPA NO.

1. CONTRACT ID CODE

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2. AMENDMENT/MODIFICATION NO. M003

3. EFFECTIVE DATE

4. REQUISITION/PURCHASE REQ. NO. ADM-06-450

5. PROJECT NO.(if applicable)

6. ISSUED BY CODE 3100 U.S. Nuclear Regulatory Commission Div. of Contracts Attn: James Leedom Mail Stop T-7-I-2 Washington, DC 20555

7. ADMINISTERED BY (If other than Item 6) CODE 3100 U.S. Nuclear Regulatory Commission Div. of Contracts Mail Stop T-7-I-2 Washington, DC 20555

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

ERGOGENESIS, LLC

1 BODYBILT PL

NAVASOTA TX 778683713

CODE 124632725

FACILITY CODE

(X)

9A. AMENDMENT OF SOLICITATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO. GS29F0119C DR-10-06-450 Modification No. 3

X

10B. DATED (SEE ITEM 13) 05-29-2007

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 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) 74015-5A1303 D2336 3121 x0200 Obligate: \$12,000.00 DUNS# 124632725 FFS# ADM-06-450

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: Exercise Option 52.217-9 X D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor [x] is not, [] is required to sign this document and return 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: Exercise option year two (2) and provide incremental funding in the amount of \$12,000.00.

See page two (2) for details.

All other terms and conditions remain the same.

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) 16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Jeffrey L. McDermott Contracting Officer 15B. CONTRACTOR/OFFEROR 15C. DATE SIGNED 16B. UNITED STATES OF AMERICA BY [Signature] (Signature of Contracting Officer) 16C. DATE SIGNED 6/2/07

The purpose of this modification is to exercise option year two (2) and provide incremental funding in the amount of \$12,000.00.

1. Option period two (2) is hereby exercised, extending the period of performance to 9/30/2008. FAR 52.217-9 applies.
2. The contract ceiling amount is hereby increased by \$81,779.50 from \$145,559.00 to \$227,338.50.

Section A.2 Paragraph (a) is hereby modified to:

“The total estimated amount of this contract for the products/services ordered, delivered, and accepted under this contract is \$227,338.50 (10/01/2007 through 9/30/2008). The Contracting Officer may unilaterally increase this amount as necessary for orders to be placed with the contractor during the contract period provided such orders are within any maximum ordering limitation prescribed under this contract.”

3. Funding is hereby obligated in the amount of \$12,000.00. Funds are increased by \$12,000.00 from \$15,000.00 to \$27,000.00.

Section A.2 Paragraph (b) Sentence (1) is hereby modified to:

“The amount presently obligated with respect to this contract is \$27,000.00”

A summary of obligations under this contract, from the date of award through the date of this action is provided:

| | |
|--------------------------------------|-------------|
| FY2006 Obligations: | \$ 3,000.00 |
| FY2007 Obligations: | \$24,000.00 |
| Cumulative Total of NRC Obligations: | \$27,000.00 |

This modification obligates fiscal year 2007 funds in the amount of \$12,000.00.

All other terms and conditions remain the same.