

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

BPA NO. 1. CONTRACT ID CODE PAGE 1 OF PAGE 4

2. AMENDMENT/MODIFICATION NO. M001 3. EFFECTIVE DATE See Block 15c. 4. REQUISITION/PURCHASE REQ. NO. HR-08-718-002 5. PROJECT NO.(if applicable)

6. ISSUED BY U.S. Nuclear Regulatory Commission Div. of Contracts Attn: Jennifer A. DeFino, 301-492-3637 Mail Stop: TWB-01-B10M Washington, DC 20555 CODE 3100 7. ADMINISTERED BY (if other than item 6) U.S. Nuclear Regulatory Commission Div. of Contracts Mail Stop: TWB-01-B10M Washington, DC 20555 CODE 3100

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) PORTLAND CEMENT ASSOCIATION 5420 OLD ORCHARD RD BLDG A SKOKIE IL 600771053 CODE 054357256 FACILITY CODE 9. AMENDMENT OF SOLICITATION NO. 9B. DATED (SEE ITEM 11) 10A. MODIFICATION OF CONTRACT/ORDER NO. NRC-38-08-718 10B. DATED (SEE ITEM 13) 09-25-2008

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) N/A

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: Mutual Agreement of the Parties Level of Effort Increase/ Contract Ceiling Increase X D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor is not, X is required to sign this document and return 1 copies to the issuing office.

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

\*\*SEE PAGES TWO (2) THROUGH FOUR (4) FOR DESCRIPTION OF CONTRACT MODIFICATION.\*\*

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) BRIAN A. MCCARTHY PRESIDENT & CEO 15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign) 15C. DATE SIGNED 9/23/09 18A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Donald A. King Contracting Officer 18B. UNITED STATES OF AMERICA BY (Signature of Contracting Officer) 18C. DATE SIGNED 9/18/2009

NSN 7540-01-152-8070 PREVIOUS EDITION NOT USABLE

STANDARD FORM 30 (REV. 10-83) Prescribed by GSA - FAR (48 CFR) 53.243

TEMPLATE - ADM001

SUNSI REVIEW COMPLETE

SEP 24 2009

ADM002

The purpose of this contract modification is to: (1) revise CLINs 002, 003, 006, and 007 in Section B.3 PRICE/COST SCHEDULE to include one additional course in both the contract's base year and option year one and; 2) increase the unit price of CLIN 002b and 006b by \$182.62 to include additional student training materials; and 3) increase the contract ceiling by \$48,544.08 for the additional course and the additional training materials in the base year and by \$36,049.08 for the additional course and the additional student training materials in option year one, thereby increasing the total contract ceiling by \$84,593.16 from \$448,695.00 to \$533,288.16. Accordingly, the contract is hereby modified as follows:

1) Section B.3 PRICE/COST SCHEDULE is deleted in its entirety and replaced with the following:

**B.3 PRICE/COST SCHEDULE**

Base Year: September 30, 2008 through September 29, 2009						
CLIN	Type	Description of Services	Est. Qty.	Unit	Unit Price	Total
001	\$	"Concrete Technology and Codes" Course Development		DAY		
002		Delivery of "Concrete Technology and Codes" Course				
	\$	002a - Instructors to teach "Concrete Technology and Codes" Course		DAY		
	\$	002b - Student training materials for "Concrete Technology and Codes" Course		EA		
	\$	002c - Shipping materials and fees for student materials		EA		
	\$	002d - Class Reference Materials		EA		
003	\$	Final Report		EA		
004		Specialized Course Development and Presentation- **Task Order Basis**				
	&	004a - Professional Labor		HR		
	&	004b - Administrative Labor		HR		
	&	004c - Specialized Course Materials (Other Direct Cost)		LOT		
<b>BASE YEAR TOTAL</b>						<b>\$153,879.08</b>

Option Year One: September 30, 2009 through September 29, 2010						
CLIN	Type	Description of Services	Est. Qty.	Unit	Unit Price	Total
005	\$	Update of "Concrete Technology and Codes" Course Materials		DAY		
006		Delivery of "Concrete Technology and Codes" Course				
	\$	006a - Instructors to teach "Concrete Technology and Codes" Course		DAY		
	\$	006b - Student training materials for "Concrete Technology and Codes" Course		EA		
	\$	006c - Shipping materials and fees for student materials		EA		
007	\$	Final Report		EA		
008		Specialized Course Development and Presentation- **Task Order Basis**				
	&	008a - Professional Labor		HR		
	&	008b - Administrative Labor		HR		
	&	008c - Specialized Course Materials		LOT		

	(Other Direct Cost)				
<b>OPTION YEAR ONE TOTAL</b>					<b>\$121,889.08</b>

**Option Year Two: September 30, 2010 through September 29, 2011**

CLIN	Type	Task	Est. Qty.	Unit	Unit Price	Total
009	\$	Update of "Concrete Technology and Codes" Course Materials		EA		
010		Delivery of "Concrete Technology and Codes" Course				
	\$	010a - Instructors to teach "Concrete Technology and Codes" Course		EA		
	\$	010b - Student training materials for "Concrete Technology and Codes" Course		EA		
	\$	010c - Shipping materials and fees for student materials		EA		
011	\$	Final Report		EA		
012		Specialized Course Development and Presentation- **Task Order Basis**				
	&	012a - Professional Labor		HR		
	&	012b - Administrative Labor		HR		
	&	012c - Specialized Course Materials (Other Direct Cost)		LOT		
<b>OPTION YEAR TWO TOTAL</b>					<b>\$85,840.00</b>	

**Option Year Three: September 30, 2011 through September 29, 2012**

CLIN	Type	Task	Est. Qty.	Unit	Unit Price	Total
013	\$	Update of "Concrete Technology and Codes" Course Materials		EA		
014		Delivery of "Concrete Technology and Codes" Course				
	\$	014a - Instructors to teach "Concrete Technology and Codes" Course		EA		
	\$	014b - Student training materials for "Concrete Technology and Codes" Course		EA		
	\$	014c - Shipping materials and fees for student materials		EA		
015	\$	Final Report		EA		
016	&	Specialized Course Development and Presentation- **Task Order Basis**				
	&	016a - Professional Labor		HR		
	&	016b - Administrative Labor		HR		
	&	016c - Specialized Course Materials (Other Direct Cost)		LOT		
<b>OPTION YEAR THREE TOTAL</b>					<b>\$85,840.00</b>	

**Option Year Four: September 30, 2012 through September 29, 2013**

CLIN	Type	Task	Est. Qty.	Unit	Unit Price	Total
017	\$	Update of "Concrete Technology and Codes" Course Materials		EA		
018		Delivery of "Concrete Technology and Codes" Course				

	\$	018a - Instructors to teach "Concrete Technology and Codes" Course		EA		
	\$	018b - Student training materials for "Concrete Technology and Codes" Course		EA		
	\$	018c - Shipping materials and fees for student materials		EA		
019	\$	Final Report		EA		
020		Specialized Course Development and Presentation- **Task Order Basis**				
	&	020a - Professional Labor		HR		
	&	020b - Administrative Labor		HR		
	&	020c- Specialized Course Materials (Other Direct Cost)		LOT		
<b>OPTION YEAR FOUR TOTAL</b>						<b>\$85,840.00</b>

GRAND TOTAL ---

\$533,288.16

2) Section B.5, CONSIDERATION AND OBLIGATION-DELIVERY ORDERS is deleted in its entirety and replaced with the following:

"This clause applies to CLINs 001, 002, 003, 005, 006, 007, 009, 010, 011, 013, 014, 015, 017, 018 and 019 where fixed price delivery orders are issued by the NRC Project Officer for the Development and Presentation of the Courses.

(a) The total estimated amount of this contract (ceiling) for the products/services ordered, delivered, and accepted under this contract for CLINs 001, 002, and 003 is \$100,879.08. 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.

(b) The amount presently obligated with respect to this contract for CLINs 001, 002, and 003 is \$100,879.08. The Contracting Officer may issue orders for work up to the amount presently obligated. This obligated amount may be unilaterally increased from time to time by the Contracting Officer by written modification to this contract. The obligated amount shall, at no time, exceed the contract ceiling as specified in paragraph (a) above. When and if the amount(s) paid and payable to the Contractor hereunder shall equal the obligated amount, the Contractor shall not be obligated to continue performance of the work unless and until the Contracting Officer shall increase the amount obligated with respect to this contract. Any work undertaken by the Contractor in excess of the obligated amount specified above is done so at the Contractor's sole risk."

3) The base year ceiling is hereby increased by \$48,544.08 from \$105,335.00 to \$153,879.08 and option year one's ceiling is hereby increased by \$36,049.08 from \$85,840.00 to \$121,889.08. Therefore, the total contract ceiling is hereby increased by \$84,593.16 from \$448,695.00 to \$533,288.16.

All other terms and conditions of this contract remain unchanged.

A summary of obligations, from award date through the date of this action, is given below:

Total FY08 Obligations      \$105,335.00

Total NRC Obligations      \$105,335.00

This modification does not obligate any funds.