

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

BPA NO. 1. CONTRACT ID CODE PAGE 1 OF PAGES 5

2. AMENDMENT/MODIFICATION NO. M001
 3. EFFECTIVE DATE See Block 16C
 4. REQUISITION/PURCHASE REQ. NO. 33-09-396M001
 5. PROJECT NO. (If applicable)

6. ISSUED BY CODE U.S. Nuclear Regulatory Commission
 Division of Contracts
 Attn: Valerie Whipple
 Contract Management Branch No. 3
 Washington DC 20555-0001
 7. ADMINISTERED BY (If other than Item 6) CODE U.S. Nuclear Regulatory Commission
 Div of Contracts
 Mail Stop TWB - 01-B10M
 Washington, DC 20555-0001

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) (X)
 BUSINESSGENETICS
 9605 S. KINGSTON COURT, STE. 290
 ENGLEWOOD, CO. 80112-6020
 9A. AMENDMENT OF SOLICITATION NO.
 9B. DATED (SEE ITEM 11)
 10A. MODIFICATION OF CONTRACT/ORDER NO. GS-10F-0238S; NRC-DR-33-09-396
 10B. DATED (SEE ITEM 13) 09-30-2009
 CODE DU FACILITY CODE

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.

(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 data, 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:
 X Mutual Agreement of Both Parties
 D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor is not, 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 PAGE 2 FOR MODIFICATION DETAILS

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) Dawn Horace, Controller
 16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Valerie M. Whipple, Contracting Officer
 15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign) Dawn Horace
 15C. DATE SIGNED 1/7/2010
 16B. UNITED STATES OF AMERICA (Signature of Contracting Officer) Valerie M. Whipple
 16C. DATE SIGNED 1/7/10

NSN 7540-01-152-8070

STANDARD FORM 30 (REV. 10-83)

TEMPLATE - ADM001

SUNSI REVIEW COMPLETE

JAN 8 2010

ADM002

The purpose of this modification is to add travel for the Contractor to provide training locally and to increase the total delivery order amount to allow for this travel. Accordingly, the following changes are made.

1. Section B.1. Price/Cost Schedule is deleted in its entirety and replaced with the following (revision highlighted).

B.1 PRICE/COST SCHEDULE

BASE YEAR (9/30/2009-9/29/2010)

ITEM NO.	DESCRIPTION OF SUPPLIES/SVCS	QTY	UNIT PRICE	UNIT	AMOUNT
1.	BUSINESSGENETICS (Tasks 1-5 for 1 student with 1 xBML Software license)	1.00	LOT	\$16,697.00	\$16,697.00
2.	BUSINESSGENETICS (Tasks 1-5 for 1 student with 1 xBML Software license)	1.00	LOT	\$16,697.00	\$16,697.00
3.	BUSINESSGENETICS (Tasks 1-5 for 1 student with 1 xBML Software license)	1.00	LOT	\$16,697.00	\$16,697.00
4.	BUSINESSGENETICS (Tasks 1-5 for 1 student with 1 xBML Software license)	1.00	LOT	\$16,697.00	\$16,697.00
5.	BUSINESSGENETICS (Tasks 1-5 for 1 student with 1 xBML Software license)	1.00	LOT	\$16,697.00	\$16,697.00
6.	BUSINESSGENETICS (Tasks 1-5 for 1 student with 1 xBML Software license)	1.00	LOT	\$16,697.00	\$16,697.00

	QTY	PRICE	
7. xBML Business Improvement Reports	1	\$ 453	
Maintenance and Support, xBML Business Improvement Reports	1	\$ 96	
8. xBML Business Requirements Auto-Generator			
Medium Edition - 20 users	1	\$ 38,084	
Small Edition - 10 users	1	\$ 21,762	
Individual License	1	\$ 2,267	
9. Maintenance and Support, xBML Business Requirements Auto-Generator			
Medium Edition - 20 users	1	\$ 8,040	
Small Edition - 10 users	1	\$ 4,594	
Individual License	1	\$ 479	
10. Training	1		
Business Modeling using xBML for Subject Matter Experts	1	\$ 50	
Hard copy course materials*		\$ 135	
11. Not-to-Exceed Travel	6	\$2,000	\$12,000

*open market

****NOTE: Items 1-6 and 10 (with the exception of the open market item) are from GS-10F-0238S and GS-35F-0355V; Items 7-9 are from GS-35F-0355V.**

TOTAL-----\$188,142.00

OPTION YEAR ONE (9/30/2010-9/29/2011)

ITEM DESCRIPTION OF NO. SUPPLIES/SVCS	QTY	UNIT PRICE	UNIT	AMOUNT
1. BUSINESSGENETICS (Tasks 1-5 for 1 student with 1 xBML Software license)	1.00	LOT	\$16,697.00	\$16,697.00
2. BUSINESSGENETICS (Tasks 1-5 for 1 student with 1 xBML Software license)	1.00	LOT	\$16,697.00	\$16,697.00
3. BUSINESSGENETICS (Tasks 1-5 for 1 student with 1 xBML Software license)	1.00	LOT	\$16,697.00	\$16,697.00
4. BUSINESSGENETICS (Tasks 1-5 for 1 student with 1 xBML Software license)	1.00	LOT	\$16,697.00	\$16,697.00
5. BUSINESSGENETICS (Tasks 1-5 for 1 student with 1 xBML Software license)	1.00	LOT	\$16,697.00	\$16,697.00
6. BUSINESSGENETICS (Tasks 1-5 for 1 student with 1 xBML Software license)	1.00	LOT	\$16,697.00	\$16,697.00
7. xBML Business Improvement Reports			<u>QTY</u>	<u>PRICE</u>
Maintenance and Support, xBML Business Improvement Reports			1	\$ 453
8. xBML Business Requirements Auto-Generator				
Medium Edition - 20 users			1	\$ 38,084
Small Edition - 10 users			1	\$ 21,762
Individual License			1	\$ 2,267
9. Maintenance and Support, xBML Business Requirements Auto-Generator				
Medium Edition - 20 users			1	\$ 8,040
Small Edition - 10 users			1	\$ 4,594
Individual License			1	\$ 479
10. Training			1	
Business Modeling using xBML for Subject Matter Experts			1	\$ 50
Hard copy course materials*				\$ 135
11. Not-to-Exceed Travel			2	\$2,000

*open market

****NOTE: Items 1-6 and 10 (with the exception of the open market item) are from GS-10F-0238S and GS-35F-0355V; Items 7-9 are from GS-35F-0355V.**

TOTAL-----\$180,142.00

OPTION YEAR 2(9/30/2011-9/29/2012)

ITEM DESCRIPTION OF NO. SUPPLIES/SVCS	QTY	UNIT PRICE	UNIT	AMOUNT
1. BUSINESSGENETICS (Tasks 1-5 for 1 student with 1 xBML Software license)	1.00	LOT	\$16,697.00	\$16,697.00
2. BUSINESSGENETICS (Tasks 1-5 for 1 student with 1 xBML Software license)	1.00	LOT	\$16,697.00	\$16,697.00
3. BUSINESSGENETICS (Tasks 1-5 for 1 student with 1 xBML Software license)	1.00	LOT	\$16,697.00	\$16,697.00
4. BUSINESSGENETICS (Tasks 1-5 for 1 student with 1 xBML Software license)	1.00	LOT	\$16,697.00	\$16,697.00
5. BUSINESSGENETICS (Tasks 1-5 for 1 student with 1 xBML Software license)	1.00	LOT	\$16,697.00	\$16,697.00
6. BUSINESSGENETICS (Tasks 1-5 for 1 student with 1 xBML Software license)	1.00	LOT	\$16,697.00	\$16,697.00

	QTY	PRICE	
7. xBML Business Improvement Reports	1	\$ 453	
Maintenance and Support, xBML Business Improvement Reports	1	\$ 96	
8. xBML Business Requirements Auto-Generator			
Medium Edition - 20 users	1	\$ 38,084	
Small Edition - 10 users	1	\$ 21,762	
Individual License	1	\$ 2,267	
9. Maintenance and Support, xBML Business Requirements Auto-Generator			
Medium Edition - 20 users	1	\$ 8,040	
Small Edition - 10 users	1	\$ 4,594	
Individual License	1	\$ 479	
10. Training	1		
Business Modeling using xBML for Subject Matter Experts	1	\$ 50	
Hard copy course materials*		\$ 135	
11. Not-to-Exceed Travel	2	\$2,000	\$4,000

*open market

**NOTE: Items 1-6 and 10 (with the exception of the open market item) are from GS-10F-0238S and GS-35F-0355V; Items 7-9 are from GS-35F-0355V.

TOTAL-----\$180,142.00

TOTAL ESTIMATED CEILING AMOUNT-----\$548,426.00

2. Section B.3 CONSIDERATION AND OBLIGATION— ALTERNATE 1 is revised to increase the Maximum Ordering Limitation (MOL). Paragraph (a) is hereby deleted in its entirety and replaced with the following:

(a) The Maximum Ordering Limitation (MOL) for products and services order, delivered and accepted under this contract is **\$188,142.00**. The Maximum Ordering Limitation (MOL) for products and services order, delivered and accepted under this contract if all options are exercised is **\$548,426.00**. The Contracting Officer may place delivery orders with the contractor during the contract period provided the aggregate amount of such orders does not exceed the MOL.

3. Section C.4 52.216-19 ORDER LIMITATIONS, is revised to reflect the increased MOL. Paragraph (b) is deleted in its entirety and replaced with the following:

(b) Maximum order. The Contractor is not obligated to honor--

(1) Any order for a single item in excess of one \$176,142 (increased to \$528,426 if all options exercised);

(2) Any order for a combination of items in excess of \$176,142 (increased to \$528,426 if all options exercised); or

4. Section C is modified to incorporate C.18. 2052.215-77 TRAVEL APPROVALS AND REIMBURSEMENT (OCT 1999), as follows:

C.18. 2052.215-77 TRAVEL APPROVALS AND REIMBURSEMENT (OCT 1999)

(a) All foreign travel must be approved in advance by the NRC on NRC Form 445, Request for Approval of Official Foreign Travel, and must be in compliance with FAR 52.247-63 Preference for U.S. Flag Air Carriers. The contractor shall submit NRC Form 445 to the NRC no later than 30 days before beginning travel.

(b) The contractor must receive written approval from the NRC Project Officer before taking travel that was unanticipated in the Schedule (i.e., travel not contemplated in the Statement of Work, or changes to specific travel identified in the Statement of Work).

(c) The contractor will be reimbursed only for those travel costs incurred that are directly related to this contract and are allowable subject to the limitations prescribed in FAR 31.205-46.

(d) It is the responsibility of the contractor to notify the contracting officer in accordance with the Limitations of Cost clause of this contract when, at any time, the contractor learns that travel expenses will cause the contractor to exceed the estimated costs specified in the Schedule.

(e) Reasonable travel costs for research and related activities performed at State and nonprofit institutions, in accordance with Section 12 of Pub. L. 100-679, shall be charged in accordance with the contractor's institutional policy to the degree that the limitations of Office of Management and Budget (OMB) guidance are not exceeded. Applicable guidance documents include OMB Circular A-87, Cost Principles for State and Local Governments; OMB Circular A-122, Cost Principles for Nonprofit Organizations; and OMB Circular A-21, Cost Principles for Educational Institutions.

All other terms and conditions under this contract remain unchanged.