

D C D

| | | | | |
|---|---|---|--------------------------------|-------------------|
| AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT | | | 1. CONTRACT ID CODE | PAGE 1 OF PAGES 2 |
| 2. AMENDMENT/MODIFICATION NO. 37 | 3. EFFECTIVE DATE See block 15c below. | 4. REQUISITION/PURCHASE REQ. NO. IRM96194 - 09/30/99 | 5. PROJECT NO. (If applicable) | |
| 6. ISSUED BY U.S. Nuclear Regulatory Commission Division of Contracts & Property Mgmt. Contract Management Branch No. 2 Mail Stop - T-7 12 Washington, DC 20555-0001 | CODE | 7. ADMINISTERED BY (If other than Item 6) | CODE | |

| | | |
|--|---------------|---|
| 8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) SBA/SYTEL, Inc. 6430 Rockledge Drive, STE. 400 Bethesda, MD 20817 Principal Investigator: James C. Kronz Phone No. (301) 770-0386 | (X) | 9A. AMENDMENT OF SOLICITATION NO. |
| | | 9B. DATED (SEE ITEM 11) |
| | | 10A. MODIFICATION OF CONTRACT/ORDER NO. Con# NRC-33-96-194 |
| | X | 10B. DATED (SEE ITEM 13) 04-08-1996 |
| CODE TIN:52-1542248 | 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 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.

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 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: |
| X | D. OTHER (Specify type of modification and authority) Bilateral G.2 Indirect Cost Rates-ALT. 2 (JAN 1993) |

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

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

See the attached continuation page.

| | | | |
|--|------------------------------|---|------------------------------|
| 15A. NAME AND TITLE OF CONTRACTOR/OFFEROR Judy L. Schaefer Director of Contracts | | 16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Donald A. King Contracting Officer | |
| 15B. CONTRACTOR/OFFEROR <i>Judy L. Schaefer</i> (Signature of person authorized to sign) | 15C. DATE SIGNED 11/15/99 | 16B. UNITED STATES OF AMERICA BY <i>Donald A. King</i> (Signature of Contracting Officer) | 16C. DATE SIGNED 11/15/99 |

PDR CONTR

DF02

The purpose of this modification is to: (1) accept Sytel, Inc. voluntary accounting change to combine labor overhead pool of division one and two, eliminate material and subcontract handling pools, and change the method by which Sytel will allocate general and administrative expenses from a value added base to the total cost input base; and (2) incorporate indirect cost billing rates for Fiscal Year 1999. This modification is based on Sytel's VP of Finance & Administration, Mr. Lee Loman's, letters dated March 31, 1999, and April 19, 1999, to the cognizant audit office requesting the government's review of its revised indirect rate structure and provisional indirect rate information for FY 1999, and Defense Contract Audit Agency Audit Reports number: 6221-99J15500207 dated August 18, 1999, 6221-99J17900201 dated August 19, 1999, and 6221-99J17740201 dated September 17, 1999. Accordingly, the contract is modified as follows:

Under Section G, Contract Administration Data, Subsection G.2, INDIRECT COST RATES - ALTERNATE 2 (JAN 1993) is deleted entirely and the following paragraphs are substituted in lieu thereof:

(a) For this contract, the ceiling amount reimbursable for indirect costs is as follows:

| <u>Category</u> | <u>Rate</u> | <u>Cost Base</u> | <u>Applicable Period</u> |
|--|-------------|---|--------------------------|
| Overhead -Contractor Site | 46.70% | Direct Labor | 4/08/96 - 12/31/98 |
| Combined Fringe and Sytel-Site Overhead | 46.70% | Direct Labor Salary Sytel Site | 1/01/99 -until revised |
| Overhead -NRC Site | 35.30% | Direct Labor | 4/08/96 - 12/31/98 |
| Combined Fringe and NRC-Site Overhead | 35.30% | Direct Labor Salary NRC-Site | 1/01/99 -until revised |
| G&A -Equipment/ Subcontractor | 2.30% | Direct equipment and Subcontract Costs | 4/08/96 - 12/31/98 |
| G&A -other | 9.90% | Total costs, apply equipment/ subcontract G&A | 4/08/96 - 12/31/98 |
| G&A | 6.13% | Total costs input excluding G&A expense | 1/01/99 -until revised |

NRC-33-96-194
SBA #0353-96-0-06041
Modification No. 37
Page 3 of 3

- (b) In the event that indirect rates developed by the cognizant audit activity on the basis of actual allowable costs are less than the ceiling rates, the rates established by the cognizant audits must apply. The Government shall not be obligated to pay any additional amounts for indirect costs above the ceiling rates set forth above for the applicable period.

A summary of obligations under this contract, from date of the award through this modification, is given below:

| | |
|-------------------------------------|-----------------|
| Total FY 96 obligations | \$ 7,185,877.40 |
| Total FY 97 obligations | \$ 6,816,453.00 |
| Total FY 98 obligations | \$ 5,964,494.00 |
| Total FY 99 obligations | \$ 7,807,720.15 |
| Cumulative Total of NRC Obligations | \$27,774,544.55 |

This modification does not obligate any funds.

All other terms and conditions of the contract, including the ceiling amount of \$29,777,678.01, remain the same.