AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE OF PAGES
	1 | 1

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. *(If applicable)*
M033	See Block 16 C.	N/A	N/A

6. ISSUED BY CODE	7. ADMINISTERED BY *(If other than Item 6)* Code
U.S. Department of Energy Chicago Operations/Ames Site Office 9800 South Cass Avenue Argonne, IL 60439	**M033**

8. NAME AND ADDRESS OF CONTRACTOR *(No. street, county, State and ZIP Code)*	(✓)	9.A. AMENDMENT OF SOLICITATION NO.
Iowa State University of Science and Technology 1750 Beardshear Hall Ames, IA 50011-2038		9.B. DATED *(SEE ITEM 11)*
		10.A. MODIFICATION OF Contract/Order NO. DE-AC02-07CH11358
CODE N/A FACILITY CODE N/A		10.B. DATED *(SEE ITEM 13)* January 1, 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 ACKNOWLEDGEMENT 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).
X	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: Mutual Agreement of the Parties
	D. OTHER *(Specify type of modification and authority*

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 4 copies to the issuing office.

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

See Page No. 2 of this Modification.

15A. NAME AND TITLE OF SIGNER *(Type or print)*	16A. NAME AND TITLE OF CONTRACTING OFFICER *(Type or print)*
Warren R. Madden, Vice President for Business & Finance, Iowa State University	Thomas Harrison, Contracting Officer
15B. CONTRACTOR/OFFEROR 15C. DATE SIGNED	16B. UNITED STATES OF AMERICA 16C. DATE SIGNED
Warren R. Madden 10/7/08 *(Signature of person authorized to sign*	BY Thomas Harrison 10/16/2008 *(Signature of Contracting Officer)*

14. Description of Amendment/Modification:

Part I – Section H, Special Contract Requirements, Part I – Section H, Contract Clause, shall be incorporated into this contract as follows:

Adding Clause:

CLAUSE H.40- ADDITION AND ALTERATIONS TO IMPLEMENT EXECUTIVE ORDER 13423, STRENGTHENING FEDERAL ENVIRONMENTAL, ENERGY, AND TRANSPORTATION MANAGEMENT AND ITS IMPLEMENTING INSTRUCTIONS

This contract involves contractor operation of Government-owned facilities and/or vehicles and the provisions of Executive Order 13423 are applicable to the Contractor to the same extent they would be applicable if the Government were operating the facilities or vehicles. Information on the requirements of the Executive Order and its Implementing Instructions may be found at http://ofee.gov/Executive Order/Executive Order13423_main.asp. This requirement includes the Electronics Stewardship requirements of Implementing Instruction XII. When acquiring desktop or laptop computers and computer monitors, the Contractor shall acquire Electronic Product Environmental Assessment Tool registered products conforming to IEEE 1680-2006 Standard and ranked at least bronze, provided such products are life cycle cost efficient and meet applicable performance requirements. Information on EPEAT-registered computer products is available at www.epeat.net.

Part II – Section I, Contract Clauses, shall be updated and incorporated into this contract in accordance with DOE Acquisition Letter 2008-05 dated 4/03/2008 as follows:

FAR 52.223-5 — Pollution Prevention and Right-to-Know Information as modified by DOE Acquisition Letter 2008-05
Change "section 503 of Executive Order 13148" to "Implementing Instruction VIII of Executive Order 13423" in paragraph (a); change "section 502 and 503 of Executive Order 13148" to "Implementing Instruction VIII of Executive Order 13423" in paragraph (c)(6); and change "Section 401 of Executive Order 13146" to "Section 3(b) of Executive Order 13423" in the additional sentence required by Alternates I or II.

FAR 52.223-10 — Waste Reduction Program as modified by DOE Acquisition Letter 2008-05
Change "Section 501 of Executive Order 13101" to "Section 3(a) of Executive Order 13423" in paragraph (b).

DEAR 970.5223-2 — Affirmative Procurement Program as modified by DOE Acquisition Letter 2008-05
Change "Executive Order 13101" to "Executive Order 13423" in paragraph (a).

DEAR 970.5223-5 — DOE Motor Vehicle Fleet Fuel Efficiency as modified by DOE Acquisition Letter 2008-05
Change "Executive Order 13149, Greening the Government through Federal Fleet and Transportation Efficiency" to "Executive Order 13423" where it first appears; change "Executive Order 13149 (April 2001)" to "Executive Order 13423" at its second appearance; and change "Section 506 of Executive Order 13149" to "Section 8 of Executive Order 13423" at its final appearance.

Part III – Section J, Attachment J.9 – Appendix I, DOE Directives, List B: List of Applicable Directives; previously incorporated into this contract is hereby adding, deleting and revising the following:
Directives:
Adding: (All changes are emboldened per attached Appendix I)
1. M 460.2-1A, Radioactive Material Transportation Practices
2. N 234.1, Reporting of Radioactive Sealed Sources
3. O 150.1, Continuity Programs
4. O 221.1A, Reporting Fraud, Waste and Abuse to the Office of Inspector General
5. O 450.1A, Environmental Protection Program
6. O 551.1C, Official Foreign Travel
7. O 580.1 Department of Energy Personal Property Management Program - Change 1

Canceling/Deleting:
1. M 460.2-1 Radioactive Material Transportation Practices
2. O 221.1, Reporting Fraud, Waste and Abuse to the Office of Inspector General
3. O 450.1, Environmental Protection Program
4. O 551.1B, Official Foreign Travel

Part III – Section J, Attachment J.3 – Appendix C, Special Financial Institution Account Agreement, entitled "AMENDMENT 5 TO SPECIAL FINANCIAL INSTITUTION ACCOUNT AGREEMENT FOR USE WITH THE PAYMENTS CLEARED FINANCING ARRANGEMENT", previously incorporated into this contract under Modification No. M004 is hereby updated as per attached Appendix C:

ATTACHMENT J.9

APPENDIX I

DOE DIRECTIVES/LIST B

Applicable to the Operation of AMES Laboratory

Contract No. DE-AC02-07CH11358

ES&H

O 151.1C	11/02/05	Comprehensive Emergency Management System
O 225.1A	11/26/97	Accident Investigation
N 234.1	**02/27/08**	**Reporting of Radioactive Sealed Sources**
M 231.1-1A Chg. 1	09/09/04	Environment Safety & Health Reporting Manual
M 231.1-2	08/19/03	Occurrence Reporting and Processing of Operations Information
O 414.1C	06/17/05	Quality Assurance
O 420.1A	05/20/02	Facility Safety
O 435.1 Chg. 1	07/09/99 08/28/01	Radioactive Waste Management
O 450.1A	**06/04/08**	**Environmental Protection Program**
M 450.4-1	11/01/06	Integrated Safety Management System Manual
P 456.1	09/15/07	Secretarial Policy Statement on Nanoscale Safety
O 460.1B	04/04/03	Packaging and Transportation Safety
O 460.2A	12/22/04	Departmental Materials Transportation and Packaging Management
O 5400.5* Chg. 1 Chg. 2	02/08/90 06/05/90 01/07/93	Radiation Protection of the Public and the Environment
O 5480.19 Chg. 1 Chg. 2	07/09/90 05/18/92 10/23/01	Conduct of Operations Requirements for DOE Facilities
DOE Std. 1090-2004	June 2004	Hoisting and Rigging Standard

SAFEGUARDS AND SECURITY

O 142.3	06/18/04	Unclassified Foreign Visits and Assignments
O 205.1A	12/04/06	Department of Energy Cyber Security Management Program

M 205.1-1	09/30/04	Incident Prevention, Warning and Response (IPWAR) Manual System
M 205.1-2	06/26/05	Clearing, Sanitation, and Destruction of Information Storage Media, Memory Devices, and Related Hardware Manual
M 460.2-1A	**06/04/08**	**Radioactive Material Transportation Practices**
N 205.2	11/01/99	Foreign National Access to DOE Cyber Systems (extended by DOE N 205.16)
N 205.3	11/23/99	Password Generation, Protection, and Use (extended by DOE N 205.16)
N 205.8	02/11/04	Cyber Security Requirements for Wireless Devices and Information Systems (extended by DOE N 205.15)
N 205.9	02/19/04	Certification and Accreditation Process for Information Systems Including National Security Systems (extended by DOE N 205.15)
N 205.10	02/19/04	Cyber Security Requirements for Risk Management (extended by DOE N 205.15)
N 205.11	02/19/04	Security Requirements for Remote Access to DOE and Applicable Contractor Information Technology Systems (extended by DOE N 205.15)
N 206.4	06/29/07	Personal Identity Verification
N 206.5	10/09/2007	Response and Notification Procedures for Data Breaches Involving Personally Identifiable Information
O 470.2B	10/31/02	Independent Oversight and Performance Assurance Program
O 470.3A	11/29/05	Design Basis Threat Policy
O 470.4	08/26/05	Safeguards and Security Program
M 470.4-1 Chg. 1	08/26/05 03/07/06	Safeguard Security and Awareness Program

M 470.4-2 Chg. 1	08/26/05 03/07/06	Physical Protection
M 470.4-6	08/26/05	Nuclear Material Control and Accountability
M 470.4-7	08/26/05	Safeguards and Security Program References
O 471.3	04/09/03	Identifying and Protecting Official Use Only Information
M 471.3-1	04/09/03	Manual for Identifying and Protecting Official Use Only Information
O 475.1	12/10/04	Counterintelligence Program
M 481.1-1A	1/03/01	Work for Others (Non-Department of Energy Funded Work)
Chg. 1	09/28/01	
O 551.1C	**06/24/08**	**Official Foreign Travel**
O 5660.1B	05/26/94	Management of Nuclear Materials

FINANCIAL MANAGEMENT

O 130.1	09/29/95	Budget Formulation Process (extended by DOE N 251.45, 05/29/02)
O 413.1A	04/18/02	Management Control Program
O 522.1	11/03/04	Pricing of Departmental Materials & Services
O 534.1B	01/06/03	Accounting

OTHER

O 110.3A	01/25/07	Conference Management
O 150.1	**05/08/08**	**Continuity Programs**
O 200.1	09/30/96	Information Management Program
N 203.1	10/02/00	Software Quality Assurance (extended by DOE N 251.40)

O 203.1	01/07/05	Limited Personal Use of Government Office Equipment Including Information Technology
O 210.2	06/12/06	DOE Corporate Operating Experience Program
O 221.1A	**04/19/08**	**Reporting Fraud, Waste, and Abuse to the Office of Inspector General**
O 221.2A	02/25/08	Cooperation with the Office of Inspector General
O 226.1A	07/31/07	Implementation of Department of Energy Oversight Policy
O 241.1A Chg. 1	04/09/01 10/14/03	Scientific and Technical Information Management
O 243.1	02/03/06	Records Management
O 251.1A	01/30/98	Directives System
O 252.1	11/19/99	Technical Standards Program
O 350.1 Chg. 1	09/30/96 05/08/98	Contractor Human Resource Management Programs (Except as otherwise modified in Appendix A of this Contract)
O 350.2A	10/29/03	Use of Management and Operating or Other Facility Management Contractor Employees for Services to DOE in the Washington, D.C., Area
O 412.1A	04/21/05	Work Authorization System
O 413.2B	04/19/06	Laboratory Directed Research and Development
O 413.3A	07/28/06	Program and Project Management for the Acquisition of Capital Assets
M 413.3-1	03/28/03	Project Management for the Acquisition of Capital Assets Manual
O 430.1B	09/24/03	Real Property Asset Management
O 430.2B	02/27/08	Departmental Energy, Renewable Energy and Transportation Management
O 442.1A	06/06/01	Department of Energy Employee Concerns Program
O 443.1A	12/20/07	Protection of Human Subjects
P 443.1A	12/20/07	Protection of Human Subjects

O 482.1	01/12/01	DOE Facilities Technology Partnering Programs
O 483.1	01/12/01	DOE Cooperative Research and Development Agreements
M 483.1-1	01/12/01	DOE Cooperative Research and Development Agreements Manual
O 484.1	08/17/06	Reimbursable Work for the Department of Homeland Security
O 580.1	12/07/05	Department of Energy Personal Property Management Program
Chg 1	**05/08/08**	
O 1220.1A	04/09/92	Congressional and Intergovernmental Affairs
Chg. 1	06/28/92	

* Parts cancelled by new Orders

Note: Additional Manuals may apply

ATTACHMENT J.3

APPENDIX C

SPECIAL FINANCIAL INSTITUTION ACCOUNT AGREEMENT

Applicable to the Operation of AMES Laboratory

Contract No. DE-AC02-07CH11358

RECEIVED
JUN - 5 2008
AMES LABORATORY
ACCOUNTING DEPARTMENT

AMENDMENT 5
TO
SPECIAL FINANCIAL INSTITUTION ACCOUNT
AGREEMENT FOR USE WITH THE PAYMENTS CLEARED FINANCING ARRANGEMENT

between

BANKERS TRUST COMPANY, N.A. (hereinafter referred to as the "Financial Institution"),
and
IOWA STATE UNIVERSITY of Science and Technology
(hereinafter referred to as the "Contractor")
and
the **UNITED STATES OF AMERICA, represented by the Department of Energy**
(hereinafter referred to as "DOE")

The parties mutually agree to amend the above-referenced Agreement (hereinafter referred to as "Agreement") dated June 9, 1997 and the Amendments dated August 1, 2000, May 15, 2002, June 28, 2005, and January 1, 2007, for the special demand deposit account designated "Iowa State University, United States Department of Energy Contract No. DE-AC02-07CH11358, Special Bank Account".

Article 1 is replaced by the following:

1. **TERM OF AGREEMENT** This Amendment #5 dated May 21, 2008, is to extend the term by three (3) years to June 30, 2011. All parties also agree that this Agreement may be automatically extended for an additional three-year term provided the following:

   A. All parties are willing to continue the Agreement

   B. Any proposed price changes are acceptable to the Contractor and to DOE.

   C. The Financial Institution's proposed prices compare favorably to a market comparison performed by the Contractor.

   D. The contract between Iowa State University and DOE is still in effect.

All other terms and conditions of the Agreement and Amendments remain the same.

IN WITNESS WHEREOF, the parties have hereunto set their hands and caused this Amendment to be executed in triplicate with each of the copies to be considered an original dated May 21, 2008.

IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY
Ames, Iowa 50011

5/25/08
Date

BY: Warren R. Madden
Warren R. Madden
Vice President for Business & Finance

UNITED STATES DEPARTMENT OF ENERGY CONTRACT NO. DE-AC02-07CH11358
AMES LABORATORY

6/30/2008
Date

BY: Thomas Harrison
(Signature of DOE's representative)

Thomas Harrison
(Typed name & title)
Ames Site Office
Contracting Officer

BANKERS TRUST COMPANY, N.A.

6-3-08
Date

BY: Stephanie A Makalous
Stephanie Makalous
Vice President, Treasury Services