

**AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT** 1. CONTRACT ID CODE PAGE 1 OF 2 PAGES

2. AMENDMENT/MODIFICATION NO. **M317** 3. EFFECTIVE DATE **See Block 16C** 4. REQUISITION/PURCHASE REQ. NO. 5. PROJECT NO. (If applicable)

6. ISSUED BY **U.S. Department of Energy  
National Nuclear Security Administration  
Sandia Site Office (MS 0184)  
P.O. Box 5400  
Albuquerque, NM 87185-5400** CODE 7. ADMINISTERED BY (If other than Item 6) CODE

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, state, ZIP Code) **Sandia Corporation  
P. O. Box 5800  
Albuquerque, NM 87185** 9A. AMENDMENT OF SOLICITATION NO. 9B. DATED (SEE ITEM 11) 10A. MODIFICATION OF CONTRACT/ORDER NO. **DE-AC04-94AL85000** 10B. DATED (SEE ITEM 13) **October 1, 1993**

**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 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)**

**13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.**

CHECK ONE 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: **The Department of Energy Organization Act, 42 U.S.C. § 7101 et seq. and the National Nuclear Security Administration Act, 50 U.S.C. § 2401 et seq.; and DEAR 970.5227-12 Patent Rights Management and Operating Contracts, For-Profit Contractor, Advance Class Waiver (AUG 2002) Alternate 1 (Deviation)** D. OTHER (Specify type of modification and authority):

E. IMPORTANT: Contractor  is not,  is required to sign this document and return 3 copies to the issuing office.

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

This modification provides for changes in Section I, Contract Clause I-90, entitled, "**DEAR 970.5227-12, Patent Rights Management and Operating Contracts, For-Profit Contractor, Advance Class Waiver (AUG 2002) Alternate 1 (Deviation)**"

(See Continuation Page)

15A. NAME AND TITLE OF SIGNER (Type or print) **Gary B. Zura, Senior Manager  
Sandia Corporation** 16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) **JoAnn Wright, Contracting Officer  
Sandia Site Office** 15B. CONTRACTOR/OFFEROR BY *[Signature]* 15C. DATE SIGNED **12/2/08** 16B. UNITED STATES OF AMERICA BY *[Signature]* 16C. DATE SIGNED **12/08/09**

The contract is hereby modified as follows:

- 1) Revise Section I, Contract Clause I-90, entitled, "**DEAR 970.5227-12 Patent Rights Management and Operating Contracts, For-Profit Contractor, Advance Class Waiver (AUG 2002) Alternate 1 (Deviation)**" paragraph (b)5 (ii) as follows:

**From:**

Inventions made under any agreement, contract or subcontract related to the following initiatives or programs are exceptional circumstance subject inventions:

- (A) DOE Steel Initiative and Metals Initiative;
- (B) U.S. Advanced Battery Consortium; and
- (C) any funding agreement which is funded in part by the Electric Power Research Institute (EPRI) or the Gas Research Institute (GRI).

**To:**

Inventions made under any agreement, contract or subcontract related to the following initiatives or programs are exceptional circumstance subject inventions:

- (A) DOE Steel Initiative and Metals Initiative;
- (B) U.S. Advanced Battery Consortium;
- (C) any funding agreement which is funded in part by the Electric Power Research Institute (EPRI) or the Gas Research Institute (GRI);
- (D) Solid State Energy Conversion Alliance (SECA) if the Contractor is a participant in the "Core Technology Program;" and,
- (E) Solid State Lighting Program (SSLP) if the contractor is a participant in the "Core Technology Program."

- 2) There are no other changes to contract terms and conditions.

**- End of Modification-**