

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1 CONTRACT ID CODE

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2. AMENDMENT/MODIFICATION NO.

3. EFFECTIVE DATE

4. REQUISITION/PURCHASE REQ. NO.

5. PROJECT NO. (If applicable)

045

03/25/2010

10EM001444

6. ISSUED BY CODE

00603

7. ADMINISTERED BY (If other than Item 6) CODE

00603

Office of River Protection
U.S. Department of Energy
Office of River Protection
P.O. Box 450
Richland WA 99352

Office of River Protection
U.S. Department of Energy
Office of River Protection
P.O. Box 450
MS: H6-60
Richland WA 99352

8. NAME AND ADDRESS OF CONTRACTOR (No. street, county, State and ZIP Code)

WASHINGTON RIVER PROTECTION SOLUTIONS LLC
Attn: DUANE SCHMOKER
PO BOX 73
720 PARK BLVD
BOISE ID 837290001

(X) 9A. AMENDMENT OF SOLICITATION NO.

9B. DATED (SEE ITEM 11)

X 10A. MODIFICATION OF CONTRACT/ORDER NO.
DE-AC27-08RV14800

10B. DATED (SEE ITEM 13)

CODE 806500521

FACILITY CODE

05/29/2008

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 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)

Net Increase:

\$5,131,955.15

See Schedule

13. THIS ITEM ONLY APPLIES TO MODIFICATION 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).

C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:

D. OTHER (Specify type of modification and authority)

X Clause I.82 FAR 52.232-22 Limitation of Funds (Apr 1984)

E. IMPORTANT: Contractor is not, is required to sign this document and return _____ 0 _____ copies to the issuing office.

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

Purpose of this modification is to obligate Pension, Spare parts and miscellaneous funding de-obligated from the previous Tank Farm Contract (99RL14047) to the current Tank Operations Contractor.

Revised Contract page Section B-3 is attached.

Subj to Retent: N

Obligated Amount for this Modification: \$5,131,955.15

New Total Obligated Amount for this Award: \$1,021,620,101.05

Incremental Funded Amount changed: from

\$1,016,488,145.90 to \$1,021,620,101.05

Continued ...

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)

16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)

Susan E. Bechtol

15B. CONTRACTOR/OFFEROR

15C. DATE SIGNED

16B. UNITED STATES OF AMERICA

16C. DATE SIGNED

(Signature of person authorized to sign)

(Signature of Contracting Officer)

ORIGINAL SIGNED BY

03/25/2010

CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED

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NAME OF OFFEROR OR CONTRACTOR

WASHINGTON RIVER PROTECTION SOLUTIONS LLC

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	Account code: ORP-00014 2007 Fund 01250 Appr Year 2007 Allottee 34 Reporting Entity 421401 Object Class 25200 Program 1110909 Project 0001481 WFO 0000000 Local Use 0000000 Amount: \$117,603.66 ORP-00014 2006 Fund 01250 Appr Year 2006 Allottee 34 Reporting Entity 421201 Object Class 25200 Program 1110909 Project 0001481 WFO 0000000 Local Use 0000000 Amount: \$19,439.17 ORP-00014 2008 Fund 01250 Appr Year 2008 Allottee 34 Reporting Entity 421401 Object Class 25200 Program 1110909 Project 0001481 WFO 0000000 Local Use 0000000 Amount: \$1,759,304.82 ORP-00014 2008 Fund 01257 Appr Year 2008 Allottee 34 Reporting Entity 421401 Object Class 25200 Program 1110909 Project 0001481 WFO 0000000 Local Use 0000000 Amount: \$17,798.28 Continued ...				

CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED
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NAME OF OFFEROR OR CONTRACTOR
WASHINGTON RIVER PROTECTION SOLUTIONS LLC

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	ORP-00014 2007 Fund 01250 Appr Year 2007 Allottee 34 Reporting Entity 421401 Object Class 25200 Program 1110913 Project 0001481 WFO 0000000 Local Use 0000000 Amount: \$50,000.00 Account code: ORP-00014 2008 Fund 01050 Appr Year 2008 Allottee 34 Reporting Entity 421401 Object Class 25200 Program 1715219 Project 0000000 WFO 0000000 Local Use 0000000 Amount: \$1,343,626.85 ORP-00014 2006 Fund 01050 Appr Year 2006 Allottee 34 Reporting Entity 421201 Object Class 25200 Program 1715219 Project 0000000 WFO 0000000 Local Use 0000000 Amount: \$57,586.80 ORP-00014 2005 Fund 01250 Appr Year 2005 Allottee 34 Reporting Entity 421101 Object Class 25200 Program 1110668 Project 0001481 WFO 0000000 Local Use 0000000 Amount: \$456,130.86 ORP-00014 2005 Continued ...				

CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED

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NAME OF OFFEROR OR CONTRACTOR

WASHINGTON RIVER PROTECTION SOLUTIONS LLC

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	Fund 01250 Appr Year 2005 Allottee 34 Reporting Entity 421201 Object Class 25200 Program 1110668 Project 0001481 WFO 0000000 Local Use 0000000 Amount: \$1,308,490.17 ORP-00014 2008 Fund 01250 Appr Year 2008 Allottee 34 Reporting Entity 421401 Object Class 25200 Program 1110676 Project 0003918 WFO 0000000 Local Use 0000000 Amount: \$1,278.69 ORP-00014 2007 Fund 01250 Appr Year 2007 Allottee 34 Reporting Entity 421401 Object Class 25200 Program 1110676 Project 0003939 WFO 0000000 Local Use 0000000 Amount: \$695.85 Delivery Location Code: 00601 Richland Operations Office U.S. Department of Energy Richland Operations Office P.O. Box 550, MSIN A7-80 Richland WA 99352 FOB: Destination Period of Performance: 06/20/2008 to 09/30/2013				

B.1 TYPE OF CONTRACT

This is a performance-based Cost-Plus-Award Fee Contract to directly support the environmental clean-up mission with a fee structure that provides a strong financial motivation for the Contractor to furnish safe, compliant, cost-effective and energy-efficient services to further the U.S. Department of Energy (DOE) Office of River Protection (ORP) mission to store, retrieve and treat Hanford tank waste, store and dispose of treated waste, and close the tank farm waste management areas to protect the Columbia River.

B.2 ITEM(S) BEING ACQUIRED

- (a) The Contractor shall, in accordance with the terms of this Contract (Contract refers solely to the Tank Operations Contract), provide the personnel, equipment, materials, supplies, and services, and do all things necessary for, or incident to, providing its best efforts to perform all requirements of this Contract.
- (b) For purposes of cost collection, reporting, work authorization, and administration of the Contract fee structure, the Contract consists of 23 activities divided among seven (7) Contract Line Item Numbers (CLINs) and authorized in accordance with the Section B Clause entitled, *DOE Authorization of Work*. The activities identified below are further defined in Section J Attachment entitled, *Supplemental Work Description Tables*:
 - (1) *CLIN 1 – Base Operations*:
 - a. Sub-CLIN 1.1: Transition;
 - b. Sub-CLIN 1.2: Safe, Compliant Operations; and
 - c. Sub-CLIN 1.3: Analytical Laboratory Support.
 - (2) *CLIN 2 – Single-Shell Tank (SST) Retrieval and Closure*:
 - a. Sub-CLIN 2.1: Single-Shell Tank Retrieval; and
 - b. Sub-CLIN 2.2: Single-Shell Tank Farm (Waste Management Area) Closure.
 - (3) *CLIN 3 – Waste Treatment and Immobilization Plant (WTP) Support*:
 - a. Sub-CLIN 3.1: Treatment Planning, Waste Feed Delivery, and WTP Transition;
 - b. Sub-CLIN 3.2: WTP Operational Readiness;
 - c. Sub-CLIN 3.3: Immobilized High-Level Waste (IHLW) Storage and Shipping Facility Construction; and
 - d. Sub-CLIN 3.4: Upgrade and Operate the Effluent Treatment Facility (ETF).
 - (4) *CLIN 4 – Supplemental Treatment*:
 - a. Sub-CLIN 4.1: Demonstration Bulk Vitrification System (DBVS) Construction and Operations;

- b. Sub-CLIN 4.2: Extended Demonstration Bulk Vitrification System Operations;
 - c. Sub-CLIN 4.3: Supplemental Treatment Design
 - d. Sub-CLIN 4.4: Supplemental Treatment Construction and Operations
 - e. Sub-CLIN 4.5: Transuranic Tank Waste Treatment and Packaging.
- (5) *CLIN 5 – Early Feed and Operation of the WTP Low Activity Waste (LAW) Facility:*
- a. Sub-CLIN 5.1: Tank Selection, Retrieval, Pretreatment and Feed Delivery Design;
 - b. Sub-CLIN 5.2: Retrieval, Pretreatment and Feed Delivery Construction and Operations;
 - c. Sub-CLIN 5.3: (moved to Sub-CLIN 3.4)
 - d. Sub-CLIN 5.4: LAW/BOF/LAB Operations.
- (6) *CLIN 6 – Pension and Welfare Plans:*
- a. Sub-CLIN 6.1: Hanford Employee Retirement and Benefit Plan Management; and
 - b. Sub-CLIN 6.2: Legacy Pension and Benefit Plan Management.
- (7) *CLIN 7 – American Recovery and Reinvestment Act (ARRA) Workslope:*
- a. Sub-CLIN 7.1: ARRA workslope under Sub-CLIN 1.2 – Safe, Compliant Operations;
 - b. Sub-CLIN 7.2: ARRA workslope under Sub-CLIN 1.3 – Analytical Laboratory Support;
 - c. Sub-CLIN 7.3: ARRA workslope under Sub-CLIN 3.1 – Treatment Planning, Waste Feed Delivery, and WTP Transition; and
 - d. Sub-CLIN 7.4: ARRA workslope under Sub-CLIN 3.3 – Immobilized High-Level Waste (IHLW) Storage and Shipping Facility Construction
 - e. Sub-CLIN 7.5: ARRA workslope under Sub-CLIN 3.4 - Upgrade and Operate the Effluent Treatment Facility (ETF).
 - f. Sub-CLIN 7.6: ARRA workslope under Sub-CLIN 2.1 Single Shell Tank (SST) Retrieval and Closure

B.3 OBLIGATION AND AVAILABILITY OF FUNDS

- (a) Obligation of Funds. Pursuant to the Section I Clause entitled, FAR 52.232-22 Limitation of Funds, total funds in the amount of \$1, 021,620,101.05 have been allotted for obligation and are available for payment of services provided from the effective date of the Notice to Proceed through September 30, 2013.

Of the total identified above, \$322,155,000.00 in Recovery Act funds have been allotted for obligation and are available for payment of services provided from the effective date of this modification through September 30, 2011. (Subject to Section I clause 52.216-24

Limitation of Government Liability and \$699,465,101.50 in non-Recovery Act funds are available for payment of services through September 30, 2013

- (b) Availability of Funds. Except as may be specifically provided in the Section I Clause entitled, *DEAR 952.250-70, Nuclear Hazards Indemnity Agreement*, the duties and obligations of DOE hereunder calling for the expenditure of appropriated funds shall be subject to the availability of funds appropriated by the U.S. Congress that DOE may legally spend for such purposes.
- (c) No fee shall be paid to the contractor for the Recovery Act work, including provisional, prior to the negotiation of any equitable adjustment in the fee and the subsequent modification of the contract to reflect the mutual agreement between the contractor and the Contracting Officer.

B.4 CONTRACT COST AND CONTRACT FEE

This Section establishes the *Total Contract Cost* and *Contract Fee*. Within Table B.4-1:

- (a) *Contract Period* is defined as the *Transition Period, Base Period, and Option Period(s)* (if exercised) described in the Section F Clause entitled, *Period of Performance*.
- (b) *Contract Cost* is defined as all costs initially proposed by the Contractor.
- (c) *Available Fee* is defined as the maximum amount of fee that may be earned under the Contract by Contract period.
- (d) *Contract Price* in Table B.4-1 is the sum of *Contract Cost* and *Available Fee*, in each year of Contract performance.
- (e) *Total Contract Cost* is defined as the cumulative *Contract Cost* for all Contract periods.
- (f) *Total Available Fee* is defined as the cumulative *Available Fee* for all Contract periods.
- (g) *Total Contract Price* is defined as the sum of *Total Contract Cost* and *Total Available Fee*.
- (h) *Contract Line Item Number (CLIN)* references a specific category of work as defined in the Section C, *Statement of Work*. Proposed costs shall be appropriately categorized into the individual CLINs in Table B.4-1.
- (i) *Contract Cost, Contract Price, and Available Fee* by Fiscal Year and by Sub-CLIN will be adjusted annually by the Contracting Officer upon approval of the Performance Measurement Baseline, and whenever changes affecting the table are made under the Section I Clause entitled, *Changes – Cost Reimbursement*.

Financial Plan Report - Detail

RV14800 - Washington River Protection Solutions LLC

Fund Leg	Obj.	Local	Legacy	Class	Use	Project	WFO	Order Number	Legacy	Beginning	BA	Total	
y	Code	FT	Program	B&R						Uncosted Obs	Change	Revised	Available
01250	TP	1110668	EY3544145	25200	00000000	0001481	00000000			0.00	456,130.86	456,130.86	456,130.86
Total for Program Parent/Control Point: EY35000000										0.00	456,130.86	456,130.86	456,130.86
Total for Fund Type: TP										0.00	456,130.86	456,130.86	456,130.86
Total for Recipient Code: RL										0.00	456,130.86	456,130.86	456,130.86
01050	TF	1715219	LM0102501	25200	00000000		00000000			0.00	456,130.86	456,130.86	456,130.86
Total for Reporting Entity: 421101										0.00	456,130.86	456,130.86	456,130.86
Total for Program Parent/Control Point: LM01000000										0.00	456,130.86	456,130.86	456,130.86
Total for Fund Type: TF										0.00	456,130.86	456,130.86	456,130.86
01250	TP	1110668	EY3544145	25200	00000000	0001481	00000000			0.00	57,586.80	57,586.80	57,586.80
Total for Program Parent/Control Point: EY35000000										0.00	57,586.80	57,586.80	57,586.80
01250	TP	1110909	EY7144141	25200	00000000	0001481	00000000			0.00	1,308,490.17	1,308,490.17	1,308,490.17
Total for Program Parent/Control Point: EY71441411										0.00	1,308,490.17	1,308,490.17	1,308,490.17
Total for Fund Type: TP										0.00	1,308,490.17	1,308,490.17	1,308,490.17
Total for Recipient Code: RL										0.00	1,308,490.17	1,308,490.17	1,308,490.17
01257	EN	1110909	EY7144141	25200	00000000	0001481	00000000			0.00	1,385,516.14	1,385,516.14	1,385,516.14
Total for Reporting Entity: 421201										0.00	1,385,516.14	1,385,516.14	1,385,516.14
Total for Program Parent/Control Point: EY71441411										0.00	1,385,516.14	1,385,516.14	1,385,516.14
Total for Fund Type: EN										0.00	1,385,516.14	1,385,516.14	1,385,516.14
01050	TF	1715219	LM0102501	25200	00000000		00000000			0.00	1,343,626.85	1,343,626.85	1,343,626.85
Total for Program Parent/Control Point: LM01000000										0.00	1,343,626.85	1,343,626.85	1,343,626.85
Total for Fund Type: TF										0.00	1,343,626.85	1,343,626.85	1,343,626.85
01250	TP	1110676	EY4049110	25200	00000000	0003918	00000000			0.00	1,278.69	1,278.69	1,278.69
01250	TP	1110676	EY4049110	25200	00000000	0003939	00000000			0.00	695.85	695.85	695.85
Total for Program Parent/Control Point: EY40000000										0.00	1,974.54	1,974.54	1,974.54
01250	TP	1110909	EY7144141	25200	00000000	0001481	00000000			0.00	1,876,908.48	1,876,908.48	1,876,908.48
01250	TP	1110913	EY7144145	25200	00000000	0001481	00000000			0.00	50,000.00	50,000.00	50,000.00
Total for Program Parent/Control Point: EY71441411										0.00	1,926,908.48	1,926,908.48	1,926,908.48
Total for Fund Type: TP										0.00	1,926,908.48	1,926,908.48	1,926,908.48
Total for Recipient Code: RL										0.00	1,926,908.48	1,926,908.48	1,926,908.48
Total for Reporting Entity: 421401										0.00	3,290,308.15	3,290,308.15	3,290,308.15
Total for RV14800 - Washington River Protection Solutions LLC										0.00	5,131,955.15	5,131,955.15	5,131,955.15

Financial Plan Report - Detail

RV14800 - Washington River Protection Solutions LLC

Fiscal Year: 2010
Fiscal Month: 06

Contract Modification Number: ** No MOD **
Entity: RL CHEM/Hill

Agency	Obligation Change Amount
Total Appropriated Funds (Program 40):	0.00
Total DOE and Non-Appropriated Funds:	5,131,955.15
Grand Total:	5,131,955.15
Total Non-Appropriated Funds:	0.00