

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE OF PAGES 1 OF 4
2. AMENDMENT/MODIFICATION NO. A169	3. EFFECTIVE DATE (M/D/Y) See Block 16C	4. REQUISITION/PURCHASE REQ. NO. N/A	5. PROJECT NO. (If applicable)
6. ISSUED BY U.S. Department of Energy Office of River Protection P. O. Box 450, MS H6-60 Richland, WA 99352	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP code) Bechtel National, Inc. 2435 Stevens Center Place Richland, WA 99354		<input type="checkbox"/>	9A. AMENDMENT OF SOLICITATION NO.
		<input type="checkbox"/>	9B. DATED (SEE ITEM 11)
		<input checked="" type="checkbox"/>	10A. MODIFICATION OF CONTRACT/ ORDER NO. DE-AC27-01RV14136
		<input checked="" type="checkbox"/>	10B. DATED (SEE ITEM 13) December 11, 2000
CODE	FACILITY CODE		

11. THIS ITEM 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 DATE AND HOUR 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 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 SET FORTH 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.
<input type="checkbox"/>	
<input type="checkbox"/>	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO AUTHORITY OF FAR 43.103(b).
<input type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO THE AUTHORITY OF:
<input checked="" type="checkbox"/>	D. OTHER (Specify type of modification and authority) Performance Evaluation and Measurement Plan (PEMP) WTP Evaluation Period 2009-B

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

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

See following page(s)

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Ronnie L. Dawson Contracting Officer	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA BY ORIGINAL SIGNED BY	16C. DATE SIGNED 5/05/10
_____ (Signature of person authorized to sign)		_____ (Signature of Contracting Officer)	

Purpose of Modification:

The purpose of this modification is to do the following:

1. Incorporate WTP Award Fee Determination for Period 2009-B

Description of Modification:

1. In accordance with the Fee Determination Official letter (10-AMD-075 dated March 11, 2010), the U.S. Department of Energy Office of River Protection determined Bechtel National Inc's (BNI) Award fee for Period 2009-B to be as follows:

Incentive B.1 – Award Fee-Project Management - **\$1,349,418**

Incentive B.2 – Award Fee-Cost - **\$2,250,000**

Total Award Fee – Period 2009-A - **\$3,599,418**

2. Section B, *Services & Prices/Costs*, Attachment B-1, *Incentive Fee Summary Table*, has been replaced in full as follows:

Table B-1 - WTP Incentive Fee Structure

<u>Description</u>	<u>Reference</u>	<u>Amount</u>
A Final Fee Determination Prior to Modification No. A143	Attachment B-2-A	<u>\$102,622,325</u>
B Maximum Available Award Fee:		
B.1 Project Management Incentive	Attachment B-2-B	\$44,377,675
B.2 Cost Incentive	Attachment B-2-B	<u>\$95,000,000</u>
*See Table B-2-B-1		
Total Award Fee		<u>\$139,377,675</u>
C Schedule Incentive Fee:		
C.1.X Activity Milestone Completion:	Attachment B-2-C	\$173,000,000
C.2 Facility Milestones Completion:		
C.2.1 LAB Construction Substantially Complete	Attachment B-2-C	\$4,000,000
C.2.2 LAW Construction Substantially Complete	Attachment B-2-C	\$4,000,000
C.2.3 LBL Start Cold Commissioning (SCC)	Attachment B-2-C	\$4,000,000
C.2.4 LBL Complete Hot Commissioning (CHC)	Attachment B-2-C	\$4,000,000
C.2.5 HLW Start Cold Commissioning	Attachment B-2-C	\$9,500,000
C.2.6 PT Start Cold Commissioning	Attachment B-2-C	\$9,500,000
C.2.7 HLW Complete Hot Commissioning	Attachment B-2-C	\$9,500,000
C.2.8 PT Complete Hot Commissioning	Attachment B-2-C	\$9,500,000
Total - Facility Schedule Incentive		<u>\$54,000,000</u>
Total Schedule Incentive Fee		<u>\$227,000,000</u>
D Operational Incentive Fee:		
D.1 Cold Commissioning:		
D.1.1 PT High Level Waste	Attachment B-2-D	\$10,000,000
D.1.2 PT Low Level Waste	Attachment B-2-D	\$10,000,000
D.1.3 HLW Vitrification	Attachment B-2-D	\$13,000,000
D.1.4 LAW Vitrification	Attachment B-2-D	<u>\$12,000,000</u>
Subtotal-Cold Commissioning		<u>\$45,000,000</u>
D.2 Hot Commissioning:		
D.2.1 PT High Level Waste	Attachment B-2-D	\$10,000,000
D.2.2 PT Low Level Waste	Attachment B-2-D	\$10,000,000
D.2.3 HLW Vitrification	Attachment B-2-D	\$13,000,000
D.2.4 LAW Vitrification	Attachment B-2-D	<u>\$13,000,000</u>
Subtotal-Hot Commissioning		<u>\$46,000,000</u>
Total Operational Incentive Fee		<u>\$91,000,000</u>
E Enhancement Incentive Fee:		
E.1 Enhanced Plant Capacity	Attachment B-2-E	\$15,000,000
E.2 Sodium Reduction	Attachment B-2-E	\$15,000,000
E.3 Enhanced Plant Turnover	Attachment B-2-E	\$15,000,000
E.4 Sustained Production Achievement	Attachment B-2-E	<u>\$15,000,000</u>
Total Enhancement Incentive Fee		<u>\$60,000,000</u>
TOTAL MAXIMUM AVAILABLE FEE (A+B+C+D+E)*		<u>\$620,000,000</u>

*Net remaining Available Fee as of A169 is \$614,731,462

- Section B, *Services & Prices/Costs*, Attachment B-2-B Incentive Fee B, *Maximum Available Award Fee*, has been replaced in full as follows:

Cal. Year (CY)	Award Fee Period	B.1 Award Fee - Project Mgmt Incentive		B.2 Award Fee - Cost Incentive		Total Award Fee	
		Available	Earned*	Available	Earned*	Available	Earned*
2009	2009-A	\$ 2,188,838	\$ 1,584,719	\$ 4,500,000	\$ 2,925,000	\$ 6,688,838	\$ 4,509,719
	2009-B	2,188,837	\$1,349,418	\$ 4,500,000	\$2,250,000	\$ 6,688,837	\$3,599,418
2010	2010-A	2,000,000	TBD	\$ 4,300,000	TBD	\$ 6,300,000	TBD
	2010-B	2,000,000	TBD	\$ 4,300,000	TBD	\$ 6,300,000	TBD
2011	2011-A	2,000,000	TBD	\$ 4,300,000	TBD	\$ 6,300,000	TBD
	2011-B	2,000,000	TBD	\$ 4,300,000	TBD	\$ 6,300,000	TBD
2012	2012-A	2,000,000	TBD	\$ 4,300,000	TBD	\$ 6,300,000	TBD
	2012-B	2,000,000	TBD	\$ 4,300,000	TBD	\$ 6,300,000	TBD
2013	2013-A	2,000,000	TBD	\$ 4,300,000	TBD	\$ 6,300,000	TBD
	2013-B	2,000,000	TBD	\$ 4,300,000	TBD	\$ 6,300,000	TBD
2014	2014-A	2,000,000	TBD	\$ 4,300,000	TBD	\$ 6,300,000	TBD
	2014-B	2,000,000	TBD	\$ 4,300,000	TBD	\$ 6,300,000	TBD
2015	2015-A	2,000,000	TBD	\$ 4,300,000	TBD	\$ 6,300,000	TBD
	2015-B	2,000,000	TBD	\$ 4,300,000	TBD	\$ 6,300,000	TBD
2016	2016-A	2,000,000	TBD	\$ 4,300,000	TBD	\$ 6,300,000	TBD
	2016-B	2,000,000	TBD	\$ 4,300,000	TBD	\$ 6,300,000	TBD
2017	2017-A	2,000,000	TBD	\$ 4,300,000	TBD	\$ 6,300,000	TBD
	2017-B	2,000,000	TBD	\$ 4,300,000	TBD	\$ 6,300,000	TBD
2018	2018-A	2,000,000	TBD	\$ 4,300,000	TBD	\$ 6,300,000	TBD
	2018-B	2,000,000	TBD	\$ 4,300,000	TBD	\$ 6,300,000	TBD
2019	2019-A	2,000,000	TBD	\$ 4,300,000	TBD	\$ 6,300,000	TBD
	2019-B	2,000,000	TBD	\$ 4,300,000	TBD	\$ 6,300,000	TBD
Totals		\$ 44,377,675	\$ 1,584,719	\$ 95,000,000	\$ 2,925,000	\$ 139,377,675	\$ 4,509,719

4. The total unearned Award Fee for Period 2009-B is no longer available to be earned as fee. Period 2009-B is hereby closed.
5. All other terms and conditions remain unchanged.