

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE 1 OF 12 PAGES
2. AMENDMENT/MODIFICATION NO. 215	3. EFFECTIVE DATE (M/D/Y) See Block 16C	4. REQUISITION/PURCHASE REQ. NO. 11EM002155	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	7. ADMINISTERED BY (If other than Item 6)		
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP code) Bechtel National, Inc. 2435 Stevens Center Place Richland, WA 99354		9A. AMENDMENT OF SOLICITATION NO.	9B. DATED (SEE ITEM 11)
CODE 396A5 FACILITY CODE 153392068		10A. MODIFICATION OF CONTRACT/ ORDER NO. DE-AC27-01RV14136	10B. DATED (SEE ITEM 13) December 11, 2000

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 checked="" type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO THE AUTHORITY OF: Clause I.82, "FAR 52.243-2 Changes – Cost Reimbursement (AUG 1987) – Alternate III (APR 1984)"
<input type="checkbox"/>	D. OTHER (Specify type of modification and authority)

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 following page(s)

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) Frank M. Russo Project Director	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Ronnie L. Dawson Ashley T. Morris Contracting Officer
15B. CONTR/ ORIGINAL SIGNED BY <i>(Signature of person authorized to sign)</i>	15C. DATE SIGNED 5/10/11
16B. U BY ORIGINAL SIGNED BY <i>(Signature of Contracting Officer)</i>	16C. DATE SIGNED 5/19/11

Purpose of Modification:

The purpose of this modification is to update Section C, *Statement of Work*, and Section J, *List of Attachments*.

This modification also contains a revised, non-qualified release of claims for Request for Equitable Adjustment (REA) 2010-008, *Effort to Establish Nuclear Filter Plenum Fire Protection Equivalency*. Although REA 2010-008 was definitized under contract modification 203, the modification contained a reopener clause, which allowed for an adjustment of the negotiated price based on the completion of the Defense Contract Audit Agency (DCAA) Audit. This audit was completed on March 30, 2011 under DCAA Audit Report No. 4411-2010N21000004. As documented in the DCAA Report, the proposal for REA 2010-008 was found to be acceptable and no major exceptions were taken. Therefore, this contract modification contains a revised, non-qualified Contractor's Statement of Release for REA 2010-008 and closes the reopener clause contained in contract modification 203. The inclusion of this release in the subject contract modification does not change the existing terms and conditions of the contract.

Description of Modification:

1. Update Section C, *Statement of Work*, Contract Clause C.6, *Standards*, Standard 4, *Construction, Procurement, and Acceptance Testing*, paragraph (j), to remove reference to Directive RL/REG-2000-04, *Industrial Hygiene and Safety Regulatory Plan*, which is no longer required. Contract Clause C.6, Standard 4, paragraph (j) is changed as follows:

FROM:

- (j) Construction Emergency Response Plan: The Contractor shall develop and adhere to a Construction Emergency Response Plan that is compliant with the applicable requirements of Hanford Emergency Management Plan, DOE/RL-94-02, and the operational emergency and abnormal event reporting requirements of HFID 232.1B (attachment to letter 01-OSR-0280 [CCN 021926] provided the requirements for the Construction Emergency Response Plan to be compliant with HFID 232.1B and DOE/RL-94-02, provided it meets the definition of an Administrative Facility), and the emergency and fire prevention requirements of 29 CFR 1910.38 and 29 CFR 1926.35 as required by RL/REG-2000-04 (see Section J, Attachment E(b) (Table C.5-1.1, Deliverable 4.6).

TO:

- (j) Construction Emergency Response Plan: The Contractor shall

develop and adhere to a Construction Emergency Response Plan that is compliant with the applicable requirements of Hanford Emergency Management Plan, DOE/RL-94-02, the operational emergency and abnormal event reporting requirements of HFID 232.1B, and the emergency and fire prevention requirements of 29 CFR 1910 and 29 CFR 1926. (Table C.5-1.1, Deliverable 4.6) (215).

2. Update Section C, *Statement of Work*, Contract Clause C.6, *Standards*, Standard 7, *Environment, Safety, Quality, and Health*, paragraph (e), sub-paragraph (1)(ii) to remove reference to Directive RL/REG-2000-04, *Industrial Hygiene and Safety Regulatory Plan*, which is no longer required. Contract Clause C.6, Standard 7, paragraph (e), sub-paragraph (1)(ii) is changed as follows:

FROM:

- ii. The Contractor's non-radiological worker safety and health program shall conform to the DOE oversight program described in RL/REG-2000-04, *Industrial Health and Safety Oversight Plan*, until the Plan is superseded by 10 CFR 851, "Worker Safety and Health Program," at the effective implementation date of May 15, 2007. (M114)

TO:

- ii. The Contractor's non-radiological worker safety and health program shall conform to the 10 CFR 851, *Worker Safety and Health Program*, at the effective implementation date of May 15, 2007. (M114) (215)

3. Delete Section C, *Statement of Work*, Contract Clause C.6, *Standards*, Standard 7, *Environment, Safety, Quality, and Health*, paragraph (e), sub-paragraph (v). Contract Clause C.6, Standard 7, paragraph (e), sub-paragraph (v) references Directive RL/REG-97-05, *Regulatory Unit Measurement Directives*, which is no longer applicable and was deleted via contract modification 206. Contract Clause C.6, Standard 7, paragraph (e), sub-paragraph (v) is changed as follows:

FROM:

- (v) All regulatory information submitted will be handled in accordance with RL/REG-97-05, *Regulatory Unit Management Directives*, Directive 2.1, *Information Management*, and shall be made immediately available to the public by DOE, as appropriate.

TO:

(v) Deleted (215)

4. Delete Section C, *Statement of Work*, Contract Clause C.6, *Standards*, Standard 9, *Radiological, Nuclear, and Process Safety (Table C.5-1.1, Deliverable 9.1)*, paragraph (9). Contract Clause C.6, Standard 9, is deleted in its entirety and replaced as follows:

Standard 9: Radiological, Nuclear, and Process Safety (Table C.5-1.1, Deliverable 9.1)

1. The Contractor shall develop and implement an integrated standards-based safety management program to ensure that radiological, nuclear, and process safety requirements are defined, implemented, and maintained. Radiological, nuclear, and process safety requirements shall be adapted to the specific hazards associated with the Contractor's WTP activities.
2. The Contractor's integrated standards-based safety management program shall be developed to comply with the specific nuclear safety regulations defined in the effective rules of the 10 CFR 800 series of nuclear safety.
3. The Contractor shall prepare and submit to DOE for review and approval the radiological, nuclear, and process safety deliverables (Table C.5-1.1, Deliverables 9.1) defined in Table S9-1, *Radiological, Nuclear, and Process Safety Deliverables*. Each deliverable is structured around the following three activities:
 - a. Standards Approval;
 - b. Authorization for Construction and Cold Commissioning;
 - c. Authorization for Hot Commissioning
4. The Contractor shall keep the facility-specific Preliminary Documented Safety Analysis (PDSA), except as noted in Table S9.1, current to within 60 days of contractor approved design changes or DOE-issued Safety Evaluation Reports (SER).
5. DOE may attend WTP Integrated Safety Management (ISM) meetings as observers. DOE may observe WTP design reviews (and question the presenters) as ex-officio members. These observations provide DOE with continuing information concerning the safety aspects of the evolving design and do not constitute ORP approval of the matters discussed.
6. The Contractor shall submit the Documented Safety Analysis (DSA) for each facility no less than 12 months prior to the need for ORP approval to support Hot Commissioning readiness activities for those facilities.

7. The Contractor shall provide monthly a listing of safety evaluations performed that did not require ORP approval of the change.
8. The Contractor shall ensure a mechanism exists to allow efficient and timely DOE review of engineering documents reviewed by the Contractor for AB impacts.

Table S9-1. Radiological, Nuclear, and Process Safety Deliverables

Regulatory Action	Deliverable	References	During Construction	Start of Hot Commissioning
Standards Approval	Safety Requirements Document	ORP Letter 01-OSR-0311, dated September 17, 2001	Revision	Revision
Authorization for Construction and Cold Commissioning	Hazards Analysis Report Revision	DOE-STD-3009-94, 29CFR1910.119	N/A	Revision Note 3
	Maintain PDSA current to within 60 days of design (Note 1)	10 CFR 830, Subpart B, DOE-STD-3009, Change Notice 3	Revision	Revision
	Submit listing of Safety Evaluations that did not result in ABAR	DOE O 226.1A	Monthly	N/A
	Submit Justification for Continued Design, Procurement, and Installation. (Note 2)	10 CFR 830, DOE-STD-3009, and DOE Guide 421.1-2, Section 4.1.1.4	Revision	N/A
	Submit Criticality Safety Evaluation Report (CSER)	DOE O 420.1B	Biannually	Biannually
Authorization for Hot Commissioning	Documented Safety Analysis (DSA)	10 CFR 830, Subpart B	N/A	Final
	Technical Safety Requirements	10 CFR 830.205	N/A	Final
	Unreviewed Safety Question	10 CFR 830.204	N/A	Final

(Entire Table revised M166)

Notes: 1. Those portions of the PDSA that must be kept current are:

- Chapter 2, Facility Specific Descriptions as noted: Facility descriptions currently in Chapter 2 of the facility specific volumes of the PDSA that provide information on the safety significant systems SSC shall be maintained current with Chapter 4, ITS SSC. The remainder of Chapter 2 does not have to be maintained current. However, ORP expects BNI to establish a process that minimizes the delta between Chapter 2 and the design such that transition to the Documented Safety Analysis is not a significant task.
 - Chapter 3, Hazard and Accident Analysis, except Operational Risk Assessment (ORA) and seismic probabilistic risk analysis.
 - Chapter 4, Important to Safety (ITS) Systems Structures, and Components.
 - Chapter 5, Derivation of Technical Safety Requirements.
2. JCDPI are only required if the Contractor determines that continuing procurement and installation is in the best interest of the DOE while the Authorization Basis Amendment is being reviewed and approved by DOE.
 3. The Hazards Analysis Report will be submitted to support DSA review and approval. This will be the final deliverable for Hazards Analysis Report, as it does become a living document during operations.

5. Update the table in Section J, *List of Attachments*, Attachment E, *List of Applicable Directives (List B-DEAR 970.5204.78)*, paragraph (b), to delete Directive RL/REG-2000-04, *Industrial Hygiene and Safety Regulatory Plan*, which is no longer required. The table in Section J, Attachment E, paragraph (b) is deleted in its entirety and replaced as follows:

DOCUMENT NUMBER	DATE	TITLE	CROSS REFERENCE
06-AMD-050 (CCN 144548)	08/28/06	Office of Environmental Management Interim Guidance, "Safety Integration into Early Phases of Environmental Management Facility Design." (M084)	The letter is effective regardless of comment above at (b) (M175)

DOCUMENT NUMBER	DATE	TITLE	CROSS REFERENCE
DOE/RL-88-21	10/01/96 12/21/99	Double-Shell Tank Unit Permit Application	Contract Clause C.6, Standard 7(e)(4)(vi)(B) & Contract Clause C.8, Specification 7, 7.2.1.4 and 7.2.2.1; Specification 8, 8.2.1.4 and 8.2.2.1 (M175)
DOE/EM-0093	12/96	Waste Acceptance Product Specifications for Vitrified High Level Waste Forms (WAPS) Revision 2 (M114)	Contract Clause C.8, Specification 1, 1.2.1.4 and 1.2.2.1.1 (M175)
DOE/RL-94-02	06/2010	Hanford Emergency Management Plan (Revision 4, June 2010) (A197)	Contract Clause C.6, Standard 4(j) and Standard 7(e)(1) Table S7-1 (M175) Refer to Note 5 (A197)
DOE M 140.1-1B, CRD	03/30/01	Interface with Defense Nuclear Facilities Safety Board.	Contract Clause C.4 (d) (M175)
DOE O 142.3A, CRD	10/14/10	Unclassified Foreign Visits and Assignments Program. (M047) (M124) (204)	The order is effective regardless of comment above at (b) (M175)
DOE O 205.1A, CRD	12/4/06	DELETED (M194)	
DOE M 205.1-2		DELETED (M175)	
DOE M 205.1-5, CRD		DELETED (M194)	
DOE M 205.1-6, CRD		DELETED (M194)	
DOE M 205.1-7, CRD		DELETED (M194)	
DOE M 205.1-8, CRD		DELETED (M194)	
DOE O 210.2, CRD	06/12/06	DOE Corporate Operating Experience Program (M077)	Contract Clause H.49 (M175)
DOE O 221.1A, CRD	04/19/08	Reporting Fraud, Waste, and Abuse to the Office of Inspector General. (M133)	Refer to Note 3 (M175)
DOE O 221.2A, CRD	02/25/08	Cooperation with the Office of Inspector General. (M133)	Refer to Note 3 (M175)
DOE O	7/31/07	Implementation of Department of Energy	Contract Clause H.46 (M175)

DOCUMENT NUMBER	DATE	TITLE	CROSS REFERENCE
226.1A, CRD		Oversight Policy (M069) (M108)	
DOE O 231.1A	08/19/03	Environment, Safety, and Health Reporting (M033)	Contract Clause C.6, Standard 1(d)(5) and (6) (M175)
DOE M 231.1-1A, Change 2, CRD	06/12/07	Environment, Safety and Health Reporting Manual (M175)	Contract Clause C.6, Standard 1(d)(6) and Standard 7(e)(1) Table S7-1 (M175)
DOE M 231.1-2, CRD	8/19/03	Occurrence Reporting and Processing of Operations Information (M057)	Contract Clause C.6, Standard 1(d)(5) and (6) (M175)
SCRD M 231.1-2	7/24/06	Occurrence Reporting and Processing of Operations Information Revision 1 (M057) (06-AMD-043) (M068)	Contract Clause C.6, Standard 1(d)(5) & (6) (M175)
HFID 232-1B	09/08/99	Notification and Reporting of Operations Information	Contract Clause C.6, Standard 4(j) and Contract Clause H.24(c) (M175)
DOE N 234.1, CRD	02/27/08	Reporting of Radioactive Sealed Sources (M130)	The notice is effective regardless of comment above at (b) (M175)
DOE O 241.1, CRD	08/17/98	Scientific and Technical Information Management	Contract Clause G.8(c) (M175)
DOE/RW-0333P	10/01/08	Quality Assurance Requirements and Description for the Civilian Radioactive Waste Management Program (QARD) – Revision 20 (M099) (M134)	Contract Clause C.6, Standard 2(a)(2)(v), Standard 5(d), and Standard 7(e)(3)(ii)(A) and Contract Clause C.8, Specification 1, 1.2.1.7, 1.2.2.1.1, and 1.3 (M175)
DOE O 350.1, Chg 3, CRD	02/23/10	Contractor Human Resource Management Program (M171) (M175)	Contract Clause H.37 (M175)
DOE/RW-0351	5/31/07	Waste Acceptance System Requirements Document (WASRD) - Revision 5 (M114)	Contract Clause C.6, Standard 2(a)(3)(vii)(E) and Standard 6(c)(2) and Contract Clause C.8, Specification 1, 1.2.1.3 and 1.2.2.1.1 (M175)

DOCUMENT NUMBER	DATE	TITLE	CROSS REFERENCE
DOE O 413.3A, CRD	07/28/06	Program and Project Management for the Acquisition of Capital Assets (M055) (M076)	Contract Clause C.6, Standard 1, opening paragraph, (a), (b)(3) and (c)(1) (M175)
DOE M 413.3-1	03/28/03	Project Management for the Acquisition of Capital Assets (M055) Applicable to Standard 5 only (A164).	Contract Clause C.6, Standard 5(a)(6) and (k) (M175)
DOE O 414.1C, CRD	06/17/05	Quality Assurance (M066)	Contract Clause C.6, Standard 7(e)(3)(i) & (iv) (M175)
DOE O 422.1, CRD	06/29/10	Conduct of Operations (207)	The notice is effective regardless of comment above at (b). Contractor shall implement consistent with CCN 229138.
DOE O 425.1D, CRD	04/16/10	Verification of Readiness to Start Up or Restart Nuclear Facilities (M033) (A190)	Contract Clause C.6, Standard 5(a)(5), (c)(6), (e)(2), (f), and (g) (M175)
DOE O 435.1, Chg 1, CRD	08/28/01	Radioactive Waste Management.	Implementation of this DOE CRD using the graded approach; approved by 04-WEC-004; CCN 081173 satisfies the comment above at (b). (M130) (M175)
DOE M 435.1-1	07/09/99	Radioactive Waste Management Manual	Contract Clause C.8, Specification 2, 2.2.1.13, 2.2.2.23, & 2.4 (M175)
DOE M 441.1-1, CRD	03/07/08	Nuclear Material Packaging	The manual is effective regardless of comment above at (b) (M130) (M175)
DOE O 442.1A & Supplemented Rev. 1, CRD	06/06/01	Department of Energy Employee Concerns Program (A029)	The order is effective regardless of comment above at (b) (M175)
DOE M 442.1-1, CRD	11/16/06	Differing Professional Opinions Manual for Technical Issues Involving Environment, Safety and Health (M095)	The manual is effective regardless of comment above at (b) (M175)

DOCUMENT NUMBER	DATE	TITLE	CROSS REFERENCE
DOE M 450.4-1, CRD	11/01/06	Integrated Safety Management System Manual.	Attachment 1 to Contract Modification M097 – Contractor Requirements Document (M097) (M175)
DOE M 470.4-1, CRD	08/26/05	Safeguards and Security Program Planning and Management (M136) (M171)	Refer to Note 1 (M175)
DOE M 470.4-2A, CRD	07/23/09	Physical Protection	Contractor shall implement consistent with 08-ESQ-116 (CCN 181839) and confirmed by CCN – 208288) (A164) (M175)
DOE M 470.4-4A	01/16/09	Information Security Manual (M145)	Refer to Note 2 (M175)
DOE O 471.3, CRD	4/9/03	Identifying and Protecting Official Use Only Information (M087)	Contract Clause H.50 (M175)
DOE M 471.3-1, CRD	4/9/03	Manual for Identifying and Protecting Official Use Only Information (M087)	Contract Clause H.50 (M175)
DOE O 475.1, CRD	12/10/04	Counterintelligence Program (M071)	Contract Clause C.6, Standard 8(c) (M175)
DOE/RW-0511, Volume I, Rev. 3	01/2007	Integrated Interface Control Document (IICD), High-Level Radioactive Waste and U.S. Department of Energy and Naval Spent Nuclear Fuel to the Civilian Radioactive Waste Management System (M114)	Contract Clause C.8, Specification 1, 1.2.1.10 and 1.2.2.1.1 (M175)
DOE O 551.1C, CRD	06/24/08	Official Foreign Travel. Refer to Note 4. (M141) (M175)	Contract Clause I.109 (M175)
DOE-HDBK-1092-2004, Appendix A	12/2004	DOE Electrical Safety Handbook. Refer to Note 6 (209)	The order is effective regardless of comment above at (b).
RI/REG-2000-04	07/03	DELETED (215)	
DOE/ORP-2000-06		Deleted through Contract Modification M082 (M175)	

DOCUMENT NUMBER	DATE	TITLE	CROSS REFERENCE
DOE STD 3009	1994	Preparation Guide for DOE Nonreactor Nuclear Facility Safety Analysis Reports (Change Notice 3, March 2006) (A029) (M152)	Contract Clause C.6, Standard 9, Table S9-1 (M175)
DOE O 5480.20A, Change 1, CRD	07/12/01	Personnel Selection, Qualification, and Training requirements for DOE Nuclear Facilities (M152)	Contract Clause C.3(f)(6) (M175) (A190)
SCSP	5/9/06	Richland Regional Office Site Counterintelligence Support Plan Hanford Site - Bechtel National, Inc. (M071)	Contract Clause C.6, Standard 8(c) (M175)

Notes:

1. Implementation of DOE M 470.4-1, CRD includes the following Sections:
 - Section A, *Safeguards and Security Program Planning and Management*
 - Section F, *Performance Assurance Program*
 - Section G, *Survey, Review, and Self-Assessment Programs*
 - Section I, *Facility Clearances and Registration of Safeguards and Security Activities*
 - Section J, *Safeguards and Security Training Program*
 - Section K, *Safeguards and Security Awareness Program*
 - Section N, *Incidents of Security Concern*

Please refer to CCN 182640 for detailed information on the implementation of each section.
 2. Contractor scope of DOE M 470.4-4A is limited to the OPSEC requirements listed in ORP Letter 08-ESQ-318 (CCN 192555) which states that the following actions are required:
 - Appoint an OPSEC Representative;
 - Ensure the OPSEC Representative attend Hanford OPSEC Working Group meetings on a quarterly basis;
 - Obtain OPSEC/Security Awareness Posters from Project Hanford Management Contracts Safeguards and Security Awareness Manager and ensure they are posted in BNI working areas; and
 - Annually conduct three OPSEC Reviews/Assessments of BNI work areas.
 3. The Contractor shall implement DOE O 221.1, CRD and DOE O 221.2, CRD into all new subcontract awards beginning January 1, 2003, except for those acquisitions for commercial items and for any new acquisition awards under \$100,000. DOE O 221.1A, DOE and DOE O 221.2A, CRD shall be implemented into all new subcontract awards beginning October 01, 2008, using the same criteria. Flow down of the requirements of these DOE Order CRDs to Subcontractors using these criteria meets the intent of ensuring compliance with the DOE Order CRD requirements.
 4. This Order included by Modification No. A029 and deemed to be the "subsequent version of the order in effect at the time of award" per DEAR 952.247-70.
 5. The Contractor shall implement Rev. 4 (June 2010) of DOE/RL-94-02 over a period of one year as described in CCNs 207914 and 227444 (10-WTP-291).
 6. The Contractor shall implement DOE-HDBK-1092-2004, Appendix A, as described in 10-WTP-327 (CCN 229364) and CCN 229141.
6. Delete the "Reopener Clause" from the Contractor's Statement of Release included in Contract Modification 203. The Contractor's Statement of Release is changed as follows:

FROM:

Contractor's Statement of Release:

In consideration of the Modification, 203, agreed to herein as complete equitable adjustment for the Contractor's Requests for Equitable Adjustment (REA) 2010-008, *Efforts to Establish Fire Protection Equivalency Under DOE-STD-1066, Section 14* and REA 2010-015, *Low-Activity Waste Facility, Balance of Facilities, and Laboratory (LBL) Early Turnover by 2015 Study and Proposal*, the Contractor hereby releases the Government from any and all liability under this contract for further equitable adjustments attributable to such facts or circumstances giving rise to the changes as noted in the modification; except the Contractor does not waive any claim it may have for (i) potential schedule impacts resulting from this REA, or (ii) the potential cumulative impacts to schedule and/or the total estimated contract cost (TECC) resulting from this and other REAs, wherein cumulative schedule and/or TECC impacts were not resolved (negotiated); provided that the Contractor shall not be entitled to additional fee for such impacts.

Reopener Clause: This modification is subject to reopening pending completion of the Defense Contract Audit Agency (DCAA) audit of REA 2010-008. At the time of REA definitization, DCAA audit of the said REA has not been completed. Therefore, the parties agree that the negotiated price is subject to adjustment based on the results of subsequent audit report and resolution of audit findings. Should there be no agreement on the amount of the price adjustment, then the Contracting Officer may make a unilateral determination and modify the Contract accordingly. The amount negotiated above for REA 2010-008 is subject only to downward adjustment based on DCAA's audit of the Contractor's proposal.

TO:

Contractor's Statement of Release:

In consideration of the Modification, 203, agreed to herein as complete equitable adjustment for the Contractor's Requests for Equitable Adjustment (REA) 2010-008, *Efforts to Establish Fire Protection Equivalency Under DOE-STD-1066, Section 14* and REA 2010-015, *Low-Activity Waste Facility, Balance of Facilities, and Laboratory (LBL) Early Turnover by 2015 Study and Proposal*, the Contractor hereby releases the Government from any and all liability under this contract for further equitable adjustments attributable to such facts or circumstances giving rise to the changes as noted in the modification; except the Contractor does not waive any claim it may have for (i) potential schedule impacts resulting from this REA, or (ii) the potential cumulative impacts to schedule and/or the total estimated contract cost (TECC) resulting from this and other REAs, wherein cumulative schedule and/or TECC impacts were not resolved (negotiated); provided that the Contractor shall not be entitled to additional fee for such impacts.

Contractor's Statement of Release:

In consideration of the Modification agreed to herein as complete equitable adjustment, the Contractor hereby releases the Government from any and all liability under this contract for further equitable adjustments attributable to such facts or circumstances giving rise to the changes as noted in this modification.

All other terms and conditions remain unchanged.

(End of Modification)