

2. AMENDMENT/MODIFICATION NO. <b>217</b>	3. EFFECTIVE DATE (M/D/Y) <b>See Block 16C</b>	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
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6. ISSUED BY <b>U.S. Department of Energy Office of River Protection P. O. Box 450, MS H6-60 Richland, WA 99352</b>	7. ADMINISTERED BY (If other than Item 6)
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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP code)  <b>Bechtel National, Inc. 2435 Stevens Center Place Richland, WA 99354</b>	9A. AMENDMENT OF SOLICITATION NO.
	9B. DATED (SEE ITEM 11)
	10A. MODIFICATION OF CONTRACT/ ORDER NO. <b>DE-AC27-01RV14136</b>
	10B. DATED (SEE ITEM 13) <b>December 11, 2000</b>

CODE 396A5	FACILITY CODE 153392068
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**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.**

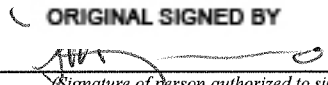

CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
<input type="checkbox"/>	
<input type="checkbox"/>	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT ADMINISTRATIVE CHANGES (such as changes 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)" and Clause I.66 "Limitation of Funds" (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) <b>Frank M. Russo Project Director</b>	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) <b>Ashley T. Morris Contracting Officer</b>
15B. CONTR. ORIGINAL SIGNED BY  (Signature of person authorized to sign)	15C. DATE SIGNED <b>6/3/11</b>
16B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer)	16C. DATE SIGNED <b>6/3/11</b>

**Purpose of Modification:**

The purpose of this modification is to update Section B, *Supplies or Services and Prices/Costs* and Section J, *Advance Understanding on Costs*. The subject modification definitizes Request for Equitable Adjustment (REA) 2009-003, *Implementation of DOE Order 205.1A Cyber Security Management Program*.

**Description of Modification:**

1. The table in Section B, *Supplies or Services and Prices/Costs*, Contract Section B.2 *Obligation and Availability of Funds and Contract Value*, paragraph (c) is deleted in its entirety and replaced with the following table, which revises the TECC and TECP.
  - a. Increase the TECC by \$559,857 from \$10,537,904,581 to \$10,538,464,438;
  - b. Increase the TECP by \$559,857 from \$11,148,194,283 to \$11,148,754,140; and
  - c. Said REA, 2009-003, is non-fee bearing, therefore there is no change in Total Maximum Available Fee.

**Cost:**

<b>Total Estimated Contract Cost (TECC)</b>	<b>\$ <u>10,538,464,438</u></b>
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**Fee:**

A	Final Fee Determination - Pre-Mod No. A143	\$	102,622,325
B	Maximum Available Award Fee (See Table B-2-B-1)	\$	129,667,377
	B.1 Project Management Incentive	\$	41,834,737
	B.2 Cost Incentive	\$	87,778,000
	B.3 REA Settlement	\$	54,640
C	Schedule Incentive Fee	\$	227,000,000
	C.1 Activity Milestone Completion	\$	173,000,000
	C.2 Facility Milestone Completion	\$	54,000,000
D	Operational Incentive Fee	\$	91,000,000
	D.1 Cold Commissioning	\$	45,000,000
	D.2 Hot Commissioning	\$	46,000,000
E	Enhancement Incentive Fee	\$	60,000,000
	E.1 Enhanced Plant Capacity	\$	15,000,000
	E.2 Sodium Reduction	\$	15,000,000
	E.3 Enhanced Plant Turnover	\$	15,000,000
	E.4 Sustained Production Achievement	\$	15,000,000
<b>Total Maximum Available Fee (212)</b>			<b>\$ <u>610,289,702</u></b>
<b>Total Estimated Contract Price (TECP) (217)</b>			<b>\$ <u>11,148,754,140</u></b>

2. Update Section J, Attachment J, table 13-B, *Not-To-Exceeds Not Included in Modification No. A143 Definitization* to reflect definitization of DOE O. 205.1 Cyber Security Management Program. Said table is deleted in its entirety and replaced with the following table, which reflects the definitization modification number.

13-B. Not-To-Exceeds Not Included in Modification No. A143 Definitization (M155)		
DOCUMENT ID.	TITLE	DEFINITIZATION MODIFICATION NO.
BCP-24590-06-02279	Expansion of DWP Requirements (permit Modifications) (M122) (M130)	A193
ORP 08-NSD-011 (05/20/08) (CCN 179512) TN 24590-06-03487	ORP Direction to Implement New Preliminary Safety Analysis Report (PSAR) Updates (M136)	A164
ORP 08-NSD-057 (10/09/08) (CCN 188218) TN 24590-06-03752	Direction to Implement New Safety Classification Process for the Waste Treatment and Immobilization Plant (WTP) (M141)	
ORP 08-NSD-059 (10/15/08) (CCN 188217) TN 24590-06-03753	Direction to Implement New Justification for Continued Design, Procurement, and Installation (JCDPI) (M152)	A164
Modification M090 & 09-AMD-205 (07/18/08) (CCN 202423) TN 24590-06-02145 & -02381	Direction to Implement DOE 205.1A, Cyber Security Management Program (M155)	217
Modification M154 TN 24590-06-04133	Direction to Implement Pretreatment Engineering Platform (PEP) dry layup (M155)	A167

3. Update Section J, Attachment J, Sub-Atch B to reflect definitization of the DOE O 205.1A Cyber Security trend associated with REA 2009-003. Said attachment is deleted in its entirety and replaced with the following table, which reflects the definitization modification number.

Trend #	Trend Description	Definitized
TN-24590-06-02279	Expansion of DWP Requirements (Permit Modifications)	A193
TN-24590-06-02381	DOE Order 205-1A Cyber Security Management Program	217
TN-24590-06-02728	M-12 Engineering Scale Pretreatment System (Design, Procure, Install)	214
TN-24590-06-02778	Reduction of Core Bores for HPAV Active Controls	
	Deleted (M158)	
TN-24590-06-03109	Plant Material Bulk Steel EAC Increase	
TN-24590-06-03123	EPD Funding to Support EFRT M12 PT Engineering Platform Completion	214
TN-24590-06-03146	EPD Funding to Support EFRT M12 PT Engineering Platform	214
TN-24590-06-03204	EPD Funding to Support EFRT M12 PTF Engineering Platform Completion, Part 3	214
TN-24590-06-03242	PEP Install, Plan Site Integrated and Shakedown Testing, & Oversight	214
TN-24590-06-03282	Additional HPAV Active Controls	
TN-24590-06-03317	BNI and DOE HPAV Test Program	
	Deleted (M158)	
TN-24590-06-03394	ABAR to Implement DOE S 1066 Chpt 14 for Nuclear Filter Plenum Fire Protection	
TN-24590-06-03405	PEP Site Integrated Testing and Shakedown	214
	Deleted (A164)	
TN-24590-06-03503	PEP Phase 1 Testing, Trend 1	214
TN-24590-06-03527	Engineering Study and Support Scope for Standard 1066	
TN-24590-06-03533	Quantity and Material Escalation for Pipe Supports Impacting Control Account 1.08 MT	
TN-24590-06-03537	Increase Fuel Surcharge	
	Deleted (M158)	
TN-24590-06-03708	Implementation of Features Equivalent to DOE-STD-1066	
TN-24590-06-03752	Safety Classification Process for the Waste Treatment and Immobilization Plant	
	Deleted (A164)	
TN-24590-06-03754	Increased Cost for HPAV Test Program	
TN-24590-06-03781	Evaluation and Interim Report on Updated Radioactive Source Term	
TN-24590-06-03820	Re-Evaluation Of HPAV Design Strain Criteria	
TN-24590-06-03823	Pretreatment Engineering Platform Shakedown Testing Extension	214
TN-24590-06-03827	Additional Support for Material at Risk Design Basis	
TN-24590-06-03859	Additional Impacts Associated with 10 CFR 851.	
TN-24590-06-03860	Additional Escalation Impacts Beyond May 2006 EAC Rates Through Jan 2009	
	Escalation of Craft Labor (FY2006-FY2009; TN-24590-06-04947; REA 2010-004. (NOTE: This is a portion of TN-24590-06-03860.)	A187
TN-24590-06-03861	Received Vendor & Subcontractor Claims Due to DOE Impacts	
	Vendor & Subcontract Claims Due to DOE Impacts - Oregon Iron Works (Note this is a portion of TN-24590-06-03861)	A167
<b>Modification #</b>	<b>Modification Description</b>	<b>Definitized</b>
M090	Implement DOE O 205.1A, Department of Energy Cyber Security Management	217

M101	Maximum Available Control Technology and Destructive & Removal Efficiency Testing	
M122	Process Changes for Revised Dangerous Waste Permit	A193
M136 Item 3c	Deleted (A164)	
M141 Item c	Implement New Safety Classification Process	

4. No additional funds are currently being obligated to this contract for REA 2009-003. Work associated with the REA will be performed within the amount of funds which have been obligated to the contract in accordance with Contract Clause I.66 – FAR 52.232-22 *Limitation of Funds (APR 1984)*.

**Contractor’s Statement of Release:**

In consideration of the Modification, 217, agreed to herein as complete equitable adjustment for the Contractor’s Request for Equitable Adjustment (REA) for REA 2009-003, *Implementation of DOE Order 205.1A Cyber Security Management Program*, 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.

**All other terms and conditions remain unchanged.**

**(End of Modification)**