| AMENDMENT OF SOLICITATION/MO   | DIFICATION OF CONTI   | RACT   | 1. CONTI   | RACT ID CODE  | PAG   | 1   FAGES   |
|--|---|--|--|---|---|---|
| 2. AMENDMENT/MODIFICATION NO. A193   | 3. EFFECTIVE DATE (M/D/Y)  See Block 16C  | 1 '  | 4. REQUISITION/PURCHASE REQ. NO. 5. PROJECT NO. (If applicable) 27-11RV14136.001   |   |   |   |
| 6. ISSUED BY CODE  U.S. Department of Energy Office of River Protection P. O. Box 450, MS H6-60 Richland, WA 99352   |   | -  |  | other than Item 6)<br>Heather Dal   |   |   |
| 8. NAME AND ADDRESS OF CONTRACTOR (No., street, contractor (No., street |   |  |  | 9B. DATED (S.  10A. MODIFIC <b>DE-AC</b> 10B. DATED (   | ATION OF CONT   | FRACT/ ORDER NO.  |
| CODE 396A5   | FACILITY CODE 15339. ITEM APPLIES TO AMEN   |  | 2011010  |   |   |   |
|  | hour and date specified in the solicities of the amendment; (b) By acknown reference to the solicitation and ame O THE DATE AND HOUR SPECIFIE made by telegram or letter, provided fired)  PPLIES ONLY TO MODIF THE CONTRACT/ORDER SPECIFIED TO REFLECT ADMINITY AUTHORISM (Control of the control | ation or as amende ledging receipt of ndment numbers. ED MAY RESULT d each telegram or  ICATIONS O R NO. AS SET FORTH IN ITEM 14  STRATIVE CHAN HORITY OF: Alternate III (Ap | d, by one of this amendm FAILURE OON REJECTION | nent on each copy F YOUR ACKNO ON OF YOUR OF reference to the RACTS/ORD IN ITEM 14 IN THE CONTRAC | y of the offer DWLEDGEMENT FER. If by virtue solicitation and a DERS, . CT ORDER NO. IN | TO BE RECEIVED AT THE e of this amendment you imendment and is received |
| , <u></u>  | required to sign this documen   |  |  |   |   |   |
|  |   |  |  |   |   |   |
| Except as provided herein, all terms and conditions of the docu  | ment referenced in Item 9A or 10A,  |  |  | unchanged and<br>OF CONTRAC   |   |   |
| 15A. NAME AND TITLE OF SIGNER (Type or print)  Frank M. Russo  Project Director  |   | Re   |  | awson <i>Geo</i>  |   | Champlain   |
| 15B. CONTRACTOR/OIL PROR   | 15C. DATE SIGNED  | 16B. UNITEI  | STATES (   | OF AMERICA  | 300   | 16C. DATE SIGNED  |
| ORIGINAL SIGNED BY   | _ 10/21/In  | 3450   |  | SIGNED B  |   | 28 Oct 2010   |
| (Signature of person authorized to sign)   | 1 6610  | (2)  | gnature of (   | zoniraciing Offic   | CI J  |   |

## Continuation of Block 12: Accounting and Appropriation Data

01250 2011 34 421301 32001 1111241 0001482 00000000 0420751 01250 2011 34 421301 32001 1111242 0001482 00000000 0420751 01250 2011 34 421301 32001 1111243 0001482 00000000 0420751 01250 2011 34 421301 32001 1111244 0001482 00000000 0420751 01250 2011 34 421301 32001 1111244 0001482 00000000 0420751 01250 2011 34 421301 32001 1111245 0001482 00000000 0420751 01250 2011 34 421301 32001 1110462 0001482 00000000 0420751

#### **Purpose of Modification:**

The purpose of this modification is to update Section B, Supplies or Services and Prices/Costs. The subject modification increases the total amount of funds obligated to the contract and definitizes Request for Equitable Adjustment (REA) 2009-006, Expanded WTP Dangerous Waste Permit Requirements.

### **Description of Modification:**

1. The total amount of funds obligated to this contract is increased by \$113,100,000.00, from \$6,277,751,556.53 to \$6,390,851,556.53. The increased amount consists of \$113,000,000.00 of WTP Project Funds and \$100,000 of PD Funds The following table shows the increase in obligated funds by control point:

| <b>Control Point</b> | <b>Obligated Funding Amount</b> |
|----------------------|---------------------------------|
| 1111241              | \$12,000,000                    |
| 1111242              | \$5,000,000                     |
| 1111243              | \$9,000,000                     |
| 1111244              | \$38,000,000                    |
| 1111245              | \$49,000,000                    |
| 1110462              | \$100,000                       |
| Total                | \$113,100,000                   |

2. The table in Section B, Supplies or Services and Prices/Costs, Contract Clause B.2, Obligation and Availability of Funds and Contract Value, paragraph (a) is deleted in its entirety and replaced with the following table, which reflects the new total amount of funding by control point.

| BUDGETARY CONTROL POINTS FOR WTP PROJECT |                         |                            |                    |  |
|--|-------------------------|----------------------------|--------------------|--|
| Description                              | Appropriation<br>Symbol | B&R No.<br>(Control Point) | Budget Authority   |  |
|  | 1250                    | 1110401                    | \$3,006,205,907.70 |  |
| LAW                                      | 1250                    | 1111183                    | \$637,526,129.46   |  |
| LAB                                      | 1250                    | 1111184                    | \$207,771,782.24   |  |

| IEWO I     | Identification Numbers      | IEWO Amendment No.  | Funding            |
|------------|-----------------------------|---------------------|--------------------|
|            | INTER-ENTIT                 | Y WORK ORDER FUNDI  | NG                 |
| Contract M | odification A193            |                     |                    |
|            | Budgetary Controls Points f | or WTP Project thru | \$6,315,449,037.71 |
| PT         | 1250                        | 1111245             | \$373,283,799.00   |
| HLW        | 1250                        | 1111244             | \$237,000,000.00   |
| BOF        | 1250                        | 1111243             | \$15,000,000.00    |
| LAB        | 1250                        | 1111242             | \$60,000,000.00    |
| LAW        | 1250                        | 1111241             | \$117,000,000.00   |
| PT         | 1250                        | 1111187             | \$840,429,777.64   |
| HLW        | 1250                        | 1111186             | \$559,528,351.76   |
| BOF        | 1250                        | 1111185             | \$261,703,289.91   |

| IEWO Identification Numbers  | IEWO Amendment No. | Funding         |
|------------------------------|--------------------|-----------------|
| M0SRLE60 Funding (SRNS/SRNL) | 40                 | \$73,957,217.82 |
| M0SRV00028 Funding (SRNS)    | 7                  | \$831,201.00    |

 M0SRV00028 Funding (SRNS)
 7
 \$831,201.00

 M0SRV00036 Funding (WSRC)
 2
 \$186,500.00

 M0SRV00042 Funding (ORNL)
 0
 \$27,600.00

 Total - IEWO Funding
 \$75,002,518.82

Total Budgetary Control Points for WTP Project \$6,390,451,556.53

# **BUDGETARY CONTROL POINTS FOR PROGRAM DIRECTION**

| Description   | Appropriation<br>Symbol | B&R No.<br>(Control Point) | Budget Authority   |  |
|---|-------------------------|----------------------------|--------------------|--|
| PD  | 1250                    | 1110462                    | \$400,000.00       |  |
| Subtotal - Budgetary Controls Points for Program Direction thru<br>Contract Modification A193 |                         |                            | \$400,000.00       |  |
|   |                         |                            |                    |  |
| Total Obliga  | ted Funding             |                            | \$6,390,851,556.53 |  |

- 3. 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. The TECC is increased by \$409,896 from \$10,465,956,535 to \$10,466,366,431. The TECP is increased by the same amount from \$11,085,956,535 to \$11,086,366,431. As REA 2009-006 is non-fee bearing, there is no change in Total Maximum Available Fee at Contract Modification A143.
- 4. The table in Clause B.2(c) is deleted in its entirety and replaced in full with the following table, which reflects the new TECC and TECP totals thru this modification:

| Cost: | Total      | Estimated Contract Cost (TECC)                 |          |                          |                   | \$10,466,366,431                               |
|-------|------------|--|----------|--------------------------|-------------------|--|
|       | Total      | Lottinated Contract Cost (1200)                |          |                          |                   | * wastanianianianianianianianianianianianiania |
| Fee:  |            |  |          |                          |                   |  |
| Α     | Final      | Fee Determination - Pre-Mod No. A14            | 3        |                          | \$<br>102,622,325 |  |
| В     | Maxin      | num Available Award Fee (See Table I           | 3-2-     | B-1)                     | \$<br>139,377,675 |  |
|       | B.1<br>B.2 | Project Management Incentive<br>Cost Incentive | \$<br>\$ | 44,377,675<br>95,000,000 |                   |  |
| С     | Sched      | dule Incentive Fee                             |          |                          | \$<br>227,000,000 |  |
|       | C.1        | Activity Milestone Completion                  | \$       | 173,000,000              |                   |  |
|       | C.2        | Facility Milestone Completion                  | \$       | 54,000,000               |                   |  |
| D     | Opera      | ational Incentive Fee                          |          |                          | \$<br>91,000,000  |  |
|       | D.1        | Cold Commissioning                             | \$       | 45,000,000               |                   |  |
|       | D.2        | Hot Commissioning                              | \$       | 46,000,000               |                   |  |
| Е     | Enha       | ncement Incentive Fee                          |          |                          | \$<br>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               |                   |  |
|       | Total      | Maximum Available Fee at Modifica              | tior     | n A143                   |                   | \$620,000,000                                  |
|       |            | Total Estimated Contract Price (Ti             | ECP      | <b>'</b> )               |                   | \$11,086,366,431                               |

- 5. No additional funds are currently being allotted to this contract for the REA 2009-006. Work associated with the REA will be performed within the amount of funds which have been allotted to the contract in accordance with I.66 FAR 52.232-22 *Limitation of Funds (APR 1984)*.
- 6. Update the table in Section J, List of Attachments, Attachment J, Advance Understanding of Costs, Sub-Attachment B, List of Exclusions from Equitable Adjustment Settlement, to show definitization of Trend No. 24590-06-02279 as a result of the settlement of REA 2009-006. The change is as follows:

### FROM:

| Trend #           | Trend Description                                    | Definitized |
|-------------------|--|-------------|
| TN-24590-06-02279 | Expansion of DWP Requirements (Permit Modifications) |             |

### TO:

| Trend #           | Trend Description                                    | Definitized |
|-------------------|--|-------------|
| TN-24590-06-02279 | Expansion of DWP Requirements (Permit Modifications) | A193        |

7. Update the table in Section J, *List of Attachments*, Attachment J, *Advance Understanding of Costs*, paragraph 13(B), *Not-To-Exceeds Not Included in Modification No. A143 Definitization*, to show definitization of Baseline Change Proposal (BCP) BCP-24590-06-02279 as a result of the settlement of REA 2009-006. The change is as follows:

FROM:

| 13-B. Not-To-Exceeds Not Included in Modification No. A143 Definitization (M155) |  |                                 |  |  |
|--|--|---------------------------------|--|--|
| DOCUMENT ID.   | TITLE  | DEFINITIZATION MODIFICATION NO. |  |  |
| BCP-24590-06-<br>02279   | Expansion of DWP Requirements (permit Modifications) (M122) (M130) |                                 |  |  |

TO:

| 13-B. Not-To-Exceeds Not Included in Modification No. A143 Definitization (M155) |  |                                 |  |
|--|--|---------------------------------|--|
| DOCUMENT ID.   | TITLE  | DEFINITIZATION MODIFICATION NO. |  |
| BCP-24590-06-<br>02279   | Expansion of DWP Requirements (permit Modifications) (M122) (M130) | A193                            |  |

Contractors Statement of Release: In consideration of the modification, A193, agreed to herein as complete and equitable adjustment for the Contractor's Request for Equitable Adjustment for REA 2009-006, Expanded WTP Dangerous Waste PermitRequirements, 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)