

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE

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2. AMENDMENT/MODIFICATION NO. 164		3. EFFECTIVE DATE See Block 16C		4. REQUISITION/PURCHASE REQ. NO. 10EM000782		5. PROJECT NO. (If applicable)	
6. ISSUED BY Richland Operations Office U.S. Department of Energy Richland Operations Office P.O. Box 550, MSIN A7-80 Richland WA 99352		CODE 00601		7. ADMINISTERED BY (If other than Item 6) Richland Operations Office U.S. Department of Energy Richland Operations Office P.O. Box 550, MSIN A7-80 Richland WA 99352		CODE 00601	
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) WASHINGTON CLOSURE HANFORD, LLC Attn: Neil Brosee, President 2620 Fermi Avenue Richland WA 99354				(x) 9A. AMENDMENT OF SOLICITATION NO.			
CODE 167280762				FACILITY CODE			
				(x) 9B. DATED (SEE ITEM 11)			
				(x) 10A. MODIFICATION OF CONTRACT/ORDER NO. DE-AC06-05RL14655			
				10B. DATED (SEE ITEM 13) 03/23/2005			

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: \$5,000,000.00
See Attached Financial Plan No. 2010-04

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:
X	D. OTHER (Specify type of modification and authority) B.2-Obligation and Avail. of Funds/I.57-FAR 52.232.22-Limitation of Funds

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.)

Tax ID Number: 94-1381538

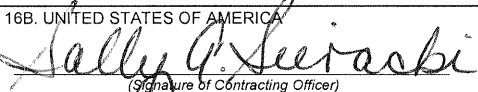
DUNS Number: 167280762

Subj to Retent: N

In accordance with Contract Clauses B.2, Obligation and Availability of Funds, and I.57, FAR 52.232-22, Limitation of Funds (Apr 1984), the amount of base funding obligated is hereby increased by \$5,000,000.00, from \$1,023,534,202.37 to \$1,028,534,202.37. The amount of ARRA funding obligated remains unchanged at \$253,614,000.00. Total obligated funding for both base and ARRA is \$1,282,148,202.37. The detailed breakout of funding by accounting code is provided in the "Financial Plan Report - Detail" (Financial Plan No. 4 for 2010), included as pages 4 through 6 of this modification. Contract Clause B.2 is changed and Contract Page B-2 is replaced by revised page as attached.

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) Sally A. Sieracki	
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA  (Signature of Contracting Officer)	16C. DATE SIGNED 12/30/2009

CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED
DE-AC06-05RL14655/164

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NAME OF OFFEROR OR CONTRACTOR
WASHINGTON CLOSURE HANFORD, LLC

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>There are no other changes to the terms and conditions of the contract.</p> <p>End of Modification 164 FOB: Destination Period of Performance: 03/23/2005 to 09/30/2015</p>				

reimbursed on a cost, no fee, basis. In addition, such costs will be excluded from all Cost Performance Incentive Fee payments and calculations under Section B and elsewhere in this contract. The Contractor understands, however, that the pension cost for incumbent employees will not be separately funded and is included in the funding amounts shown in the Funding Profile, Section J, Attachment J-11, entitled *RCC Funding Profile*.

- (e) The contractor shall, in accordance with the terms of this contract, provide the personnel, materials, supplies, and services and do all things necessary for, or incident to, providing its best efforts to perform the Recovery Act work. This work will be identified by Work Breakdown Structure (WBS) activity in Section B, Table B.2 and detailed in Section J, Attachment J-1 upon definitization.

B.2 OBLIGATION AND AVAILABILITY OF FUNDS

- (a) Pursuant to the Section I clause entitled Limitation of Funds, total funds in the amount of \$1,028,534,202.37 have been allotted for obligation and are available for payment for services provided from the effective date of this Contract through the period estimated to end September 30, 2010.
- (b) Pursuant to the clause in Section I, entitled "Limitation of Funds," total funds in the amount of \$253,614,000.00 are obligated herein and made available for payment of allowable costs and fee earned related only to the Recovery Act work from the effective date of Modification A099 through the period of performance for the Recovery Act work, contained in Section F.
- (c) Except as may be specifically provided in the Section I clause entitled *Nuclear Hazards Indemnity Agreement*, the duties and obligations of the U.S. Department of Energy (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.

B.3 ALLOWABILITY OF SUBCONTRACTOR FEE

- (a) If the Contractor is part of a teaming arrangement as described in Federal Acquisition Regulation (FAR) 9.601, the team shall share in this Contract fee structure. Separate additional subcontractor fees for individual team members will not be considered an allowable cost under the Contract. If a subcontractor, supplier, or lower-tier subcontractor is a wholly owned, majority owned, or affiliate of any team member, any fee or profit paid to such entity will not be considered an allowable cost under this Contract.
- (b) The subcontractor fee restriction in subsection (a) does not apply to members of the Contractor's team that are: (i) small business(es); (ii) Protégé firms as part of an approved Mentor-Protégé relationship under the Section H clause entitled Mentor-Protégé Program; (iii) subcontractors under a competitively awarded firm-fixed price or firm-fixed unit price subcontract; or (iv) commercial items as defined at FAR 2.101.

B.4 INCENTIVE FEE STRUCTURE

- (a) "Completion of Contract Requirements" is defined as performance of all requirements described in this Contract (except those requirements customarily reserved for Contract closeout and final payment) on or before September 30, 2015. Completion of Contract Requirements is a condition precedent to earning any of the Group A and Group B incentive fee under Clause B.7(c) and (d).

Financial Plan Report - Detail

RL14655 - Washington Closure Hanford

Report Generated on: December 22, 2009 at 05:40:41 PM

Rpt Entity	Fund Code	Leg FT	Program	Legacy B&R	Obj. Class	Local Use	Project	WFO	Legacy Order Number	Beginning Uncosted Obs	BA			Total Available
											Previous	Change	Revised	
421101	00556	3Y	1720331	400408000	25400	0000000	0000000	0420361	AGRDW8993905401-0	257.94	0.00	0.00	0.00	257.94
Total for Program Parent/Control Point: 400000000										257.94	0.00	0.00	0.00	257.94
Total for Fund Type: 3Y										257.94	0.00	0.00	0.00	257.94
421101	01050	TF	1104157	HA1001000	25400	0000000	0000000			2,828.09	0.00	0.00	0.00	2,828.09
Total for Program Parent/Control Point: HA0000000										2,828.09	0.00	0.00	0.00	2,828.09
421101	01050	TF	1104167	HD1003000	25200	0000000	0000000			2,084.83	0.00	0.00	0.00	2,084.83
Total for Program Parent/Control Point: HD0000000										2,084.83	0.00	0.00	0.00	2,084.83
Total for Fund Type: TF										4,912.92	0.00	0.00	0.00	4,912.92
421101	01250	TP	1110791	EY5042440	25400	0000000	0003877	0000000		10,000.00	0.00	0.00	0.00	10,000.00
Total for Program Parent/Control Point: EY5042440										10,000.00	0.00	0.00	0.00	10,000.00
Total for Fund Type: TP										10,000.00	0.00	0.00	0.00	10,000.00
Total for Recipient Code: RL										15,170.86	0.00	0.00	0.00	15,170.86
Total for Reporting Entity: 421101										15,170.86	0.00	0.00	0.00	15,170.86
421801	05498	2Z	1720578	600306000	25400	0421317	0000000	0421555	AGRFHSAP	1,892.07	0.00	0.00	0.00	1,892.07
421801	05498	2Z	1720578	600306000	25400	0421317	0000000	0421556	AGRSAPCH2MHILL	696.99	0.00	0.00	0.00	696.99
421801	05498	2Z	1720578	600306000	25400	0421317	0000000	0421557	AGRSAPPNNL	2,259.02	0.00	0.00	0.00	2,259.02
Total for Program Parent/Control Point: 600000000										4,848.08	0.00	0.00	0.00	4,848.08
Total for Fund Type: 2Z										4,848.08	0.00	0.00	0.00	4,848.08
421801	01257	EN	1110832	EY5042411	32002	0427068	0001526	0000000		122,558.25	0.00	0.00	0.00	122,558.25
421801	01257	EN	1110832	EY5042411	32002	0427069	0001526	0000000		534,262.92	0.00	0.00	0.00	534,262.92
421801	01257	EN	1110832	EY5042411	32002	0427070	0001526	0000000		358,713.88	0.00	0.00	0.00	358,713.88
421801	01257	EN	1110832	EY5042411	32002	0427071	0001526	0000000		206,434.66	0.00	0.00	0.00	206,434.66
421801	01257	EN	1110832	EY5042411	32002	0427072	0001526	0000000		153,577.13	0.00	0.00	0.00	153,577.13
421801	01257	EN	1110832	EY5042411	32002	0427073	0001526	0000000		52,098.51	0.00	0.00	0.00	52,098.51
421801	01257	EN	1110832	EY5042411	32002	0427074	0001526	0000000		293,813.14	0.00	0.00	0.00	293,813.14
Total for Program Parent/Control Point: EY5042411										1,721,458.49	0.00	0.00	0.00	1,721,458.49
Total for Fund Type: EN										1,721,458.49	0.00	0.00	0.00	1,721,458.49
421801	01250	TP	1110462	EW1001206	25400	0420163	0001539	0000000		66.42	0.00	0.00	0.00	66.42
421801	01250	TP	1110462	EW1001206	25400	0421317	0001539	0000000		105.43	0.00	0.00	0.00	105.43
Total for Program Parent/Control Point: EW1000000										171.85	0.00	0.00	0.00	171.85
421801	01250	TP	1110832	EY5042411	25400	0000000	0001526	0000000		14,870,870.15	156,404,000.00	0.00	156,404,000.00	171,274,870.15
421801	01250	TP	1110832	EY5042411	25400	0421317	0001526	0000000		566.61	0.00	0.00	0.00	566.61
421801	01250	TP	1110832	EY5042411	25400	0421334	0001526	0000000		11,137.24	0.00	0.00	0.00	11,137.24
421801	01250	TP	1110832	EY5042411	32002	0427068	0001526	0000000		210,508.75	0.00	0.00	0.00	210,508.75
421801	01250	TP	1110832	EY5042411	32002	0427069	0001526	0000000		0.00	0.00	3,500,000.00	3,500,000.00	3,500,000.00

AY 2010 - Additional funding for GPP2 in the amount of \$3.5M

Financial Plan Report - Detail

RL14655 - Washington Closure Hanford

Rpt Entity	Fund Code	Leg FT	Program	Legacy B&R	Obj. Class	Local Use	Project	WFO	Legacy Order Number	Beginning Uncosted Obs	BA			Total Available
											Previous	Change	Revised	
421801	01250	TP	1110832	EY5042411	32002	0427070	0001526	0000000		210,092.00	0.00	350,000.00	350,000.00	560,092.00
<i>AY 2010 - Additional funding for GPP3 in the amount of \$350K.</i>														
421801	01250	TP	1110832	EY5042411	32002	0427071	0001526	0000000		35,036.65	0.00	150,000.00	150,000.00	185,036.65
<i>AY 2010 - Additional funding for GPP4 in the amount of \$150K.</i>														
421801	01250	TP	1110832	EY5042411	32002	0427072	0001526	0000000		46,080.21	0.00	0.00	0.00	46,080.21
421801	01250	TP	1110832	EY5042411	32002	0427073	0001526	0000000		20,009.56	0.00	0.00	0.00	20,009.56
421801	01250	TP	1110832	EY5042411	32002	0427074	0001526	0000000		0.00	0.00	1,000,000.00	1,000,000.00	1,000,000.00
<i>AY 2010 - Additional funding for GPP7 in the amount of \$1M.</i>														
Total for Program Parent/Control Point: EY5042411										15,404,301.17	156,404,000.00	5,000,000.00	161,404,000.00	176,808,301.17
Total for Fund Type: TP										15,404,473.02	156,404,000.00	5,000,000.00	161,404,000.00	176,808,473.02
Total for Recipient Code: RL										17,130,779.59	156,404,000.00	5,000,000.00	161,404,000.00	178,534,779.59
Total for Reporting Entity: 421801										17,130,779.59	156,404,000.00	5,000,000.00	161,404,000.00	178,534,779.59
Total for RL14655 - Washington Closure Hanford										17,145,950.45	156,404,000.00	5,000,000.00	161,404,000.00	178,549,950.45

Financial Plan Number: 4

Fiscal Year: 2010

Fiscal Month: 03

Contract Modification Number: 10EM000782

Rpt Entity: RL Washington Closure Hanford

Financial Plan Report - Detail

Site: RL

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Report: RFP0001

RL14655 - Washington Closure Hanford

Report Generated on: December 22, 2009 at 05:40:41

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<u>Agency</u>	<u>Obligation Change Amount</u>
Total Appropriated Funds (Program 40):	0.00
Total DOE and Non-Appropriated Funds:	5,000,000.00
Grand Total:	5,000,000.00
Total Non-Appropriated Funds:	0.00
