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|--|------------------------------------|---|--|--|
| AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT | | 1. CONTRACT ID CODE | PAGE OF PAGES 1 7 | |
| 2. AMENDMENT/MODIFICATION NO. 192 | 3. EFFECTIVE DATE See Block 16C | 4. REQUISITION/PURCHASE REQ. NO. 10EM002030 | 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. | 9B. DATED (SEE ITEM 11) | |
| CODE 167280762 | | FACILITY CODE | 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: \$5,383,000.00
See Attached Financial Plan No. 4 for 2010 Recovery Act

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

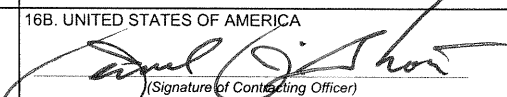
| | |
|-----------|---|
| CHECK ONE | A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A. |
| | B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying 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
A. 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 American Reinvestment and Recovery Act (ARRA) funding obligated is hereby increased by \$5,383,000.00, from \$248,231,000.00 to \$253,614,000.00.
See SF30 Block 14 Continuation on Page 2.
FOB: Destination
Period of Performance: 03/23/2005 to 09/30/2015

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) Jewel J. Short | |
| 15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign) | 15C. DATE SIGNED | 16B. UNITED STATES OF AMERICA  (Signature of Contracting Officer) | 16C. DATE SIGNED 04/27/2010 |

SF30 BLOCK 14 CONTINUATION:

- B. Contract Section B, paragraph B.2(b), is modified to reflect an increase of \$5,383,000 in obligated ARRA funding, from \$248,231,000 to \$253,614,000. Contract Section B.2(b) has been changed as follows:

FROM:

“Pursuant to the clause in Section I, entitled “Limitation of Funds,” total funds in the amount of \$248,231,000.00 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.”

TO:

“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. Contract Section B, Table B.4, Summary of ARRA Obligations and Authorizations by Program, has been modified to reflect an increase of \$5,383,000, from \$175,799,000 to \$181,182,000, in obligated funding for Legacy Program FD0211120 (STARS Program 1111331), River Corridor. Total ARRA obligated funding is increased by \$5,383,000, from \$248,231,000 to \$253,614,000. Revisions to Table B.4 are detailed below:

FROM:

TABLE B.4 SUMMARY OF ARRA OBLIGATIONS AND AUTHORIZATIONS BY PROGRAM

| Legacy Program Value | STARS Program Value | Legacy Program Value Description | Obligated | Cost Authority* |
|----------------------|---------------------|----------------------------------|---------------|---|
| FD0211120 | 1111331 | River Corridor | \$175,799,000 | \$139,072,280 for ARRA full funding work scope, ARRA ERDF Expansion work scope and necessary support activities |
| FD0221000 | 1111333 | Soil and Groundwater – RL-1041 | \$72,432,000 | \$38,907,000 for 618-10 Burial Ground work |
| | | Total | \$248,231,000 | \$177,979,280 |

*This column represents the current cost limit, which is subject to DOE-EM Recovery Act project apportionments.

TO:

TABLE B.4 SUMMARY OF ARRA OBLIGATIONS AND AUTHORIZATIONS BY PROGRAM

| Legacy Program Value | STARS Program Value | Legacy Program Value Description | Obligated | Cost Authority* |
|----------------------|---------------------|----------------------------------|---------------|---|
| FD0211120 | 1111331 | River Corridor | \$181,182,000 | \$139,072,280 for ARRA full funding work scope, ARRA ERDF Expansion work scope and necessary support activities |
| FD0221000 | 1111333 | Soil and Groundwater – RL-1041 | \$72,432,000 | \$38,907,000 for 618-10 Burial Ground work |
| | | Total | \$253,614,000 | \$177,979,280 |

*This column represents the current cost limit, which is subject to DOE-EM Recovery Act project apportionments.

- D. The amount of base funding obligated remains unchanged at \$1,028,534,202.37. Obligated funding for both base and ARRA work scope totals \$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 Recovery Act), included as pages 6 and 7 of this modification.
- E. Contract Pages B-2 and B-19 are replaced by the revised contract pages as attached.

There are no other changes to the terms and conditions of the contract.

End of Modification 192

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).

TABLE B.2 SCHEDULE OF QUANTITIES AND TARGET COST

See attached Table B.2

TABLE B.3 OTHER COSTS AND PROJECTS

(Other Costs and Projects are for identifying those costs and projects which are over and above those included in other schedules and tables shown in the contract. These are not part of the target cost and target fee costs shown elsewhere in the contract and are considered to be “special” projects which are within the scope of this contract but not previously identified as part of the originally conceived contract or IPB. These have a different funding source from the rest of contract). An example of Other Costs and Projects would be specially funded projects, e.g., work associated with the B-Reactor Building as a Historical Landmark building.

| <u>PROJECT DESCRIPTION</u> | <u>NEGOTIATED COST & FEE</u> | <u>COST ONLY</u> | <u>FEE ONLY</u> |
|---------------------------------------|----------------------------------|------------------|-----------------|
| REA-020/29 – B-Reactor Roof Repair | \$1,624,619 | \$1,518,336 | \$106,283 |

TABLE B.4 SUMMARY OF ARRA OBLIGATIONS AND AUTHORIZATIONS BY PROGRAM

| Legacy Program Value | STARS Program Value | Legacy Program Value Description | Obligated | Cost Authority* |
|-----------------------------|----------------------------|---|------------------|---|
| FD0211120 | 1111331 | River Corridor | \$181,182,000 | \$139,072,280 for ARRA full funding work scope, ARRA ERDF Expansion work scope and necessary support activities |
| FD0221000 | 1111333 | Soil and Groundwater – RL-1041 | \$72,432,000 | \$38,907,000 for 618-10 Burial Ground work |
| | | Total | \$253,614,000 | \$177,979,280 |

*This column represents the current cost limit, which is subject to DOE-EM Recovery Act project apportionments.

Fiscal Year: 2010
 Fiscal Month: 07
 Financial Plan Number: 4
 Contract Modification Number: 10EM002030-RA
 Rpt Entity: RL Washington Closure Hanford

Financial Plan Report - Detail

Site: RL
 Page 1 of 2
 Report: RFP0001

RL14655 - WASHINGTON CLOSURE HANFORD- RA FUNDS 89-09/10-0253

Report Generated on: April 26, 2010 at 04:57:04 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 | |
| 421801 | 06049 | EZ | 1111331 | FD0211120 | 25400 | 0000000 | 2002111 | 0000000 | | 162,237,695.59 | 0.00 | 5,383,000.00 | 5,383,000.00 | 167,620,695.59 |
| <i>AY 2009 - Funding provided from approved reapportionment in the amount of \$5,383,000.</i> | | | | | | | | | | | | | | |
| Total for Program Parent/Control Point: FD0211110 | | | | | | | | | | 162,237,695.59 | 0.00 | 5,383,000.00 | 5,383,000.00 | 167,620,695.59 |
| 421801 | 06049 | EZ | 1111333 | FD0221000 | 25400 | 0000000 | 2002143 | 0000000 | | 74,901,502.63 | -5,383,000.00 | 0.00 | -5,383,000.00 | 69,518,502.63 |
| Total for Program Parent/Control Point: FD0221000 | | | | | | | | | | 74,901,502.63 | -5,383,000.00 | 0.00 | -5,383,000.00 | 69,518,502.63 |
| Total for Fund Type: EZ | | | | | | | | | | 237,139,198.22 | -5,383,000.00 | 5,383,000.00 | 0.00 | 237,139,198.22 |
| Total for Recipient Code: RL | | | | | | | | | | 237,139,198.22 | -5,383,000.00 | 5,383,000.00 | 0.00 | 237,139,198.22 |
| Total for Reporting Entity: 421801 | | | | | | | | | | 237,139,198.22 | -5,383,000.00 | 5,383,000.00 | 0.00 | 237,139,198.22 |
| Total for RL14655 - WASHINGTON CLOSURE HANFORD- RA FUNDS 89-09/10-0253 | | | | | | | | | | 237,139,198.22 | -5,383,000.00 | 5,383,000.00 | 0.00 | 237,139,198.22 |

Financial Plan Report - Detail

RL14655 - WASHINGTON CLOSURE HANFORD- RA FUNDS 89-09/10-0253

| <u>Agency</u> | <u>Obligation Change Amount</u> |
|--|-------------------------------------|
| Total Appropriated Funds (Program 40): | 0.00 |
| Total DOE and Non-Appropriated Funds: | 5,383,000.00 |
| Grand Total: | 5,383,000.00 |
| Total Non-Appropriated Funds: | 0.00 |
