

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE OF PAGES 1 5
2. AMENDMENT/MODIFICATION NO. A102	3. EFFECTIVE DATE See block 16c	4. REQUISITION/PURCHASE REQ. NO. RL14655.024	5. PROJECT NO. (If applicable)
6. ISSUED BY U.S. Department of Energy Richland Operations Office P. O. Box 550, MSIN A7-80 Richland, WA 99352	CODE	7. ADMINISTERED BY (If other than Item 6) Same as item 6. DOE Contracting POC: L. Maria Finan (509) 376-7119	CODE
8. NAME AND ADDRESS OF CONTRACTOR (No. Street, county, State and ZIP: Code) Washington Closure Hanford LLC (WCH) 2620 Fermi Avenue Richland, Washington 99354		9A. AMENDMENT OF SOLICITATION NO. <input checked="" type="checkbox"/>	9B. DATED (SEE ITEM 11)
CODE		10A. MODIFICATION OF CONTRACT/ORDER NO. <input checked="" type="checkbox"/> DE-AC06-05RL14655	10B. DATED (SEE ITEM 13) 03/23/05
FACILITY CODE			

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 one (1) copy 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 ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATA 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 data specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

01250 1110832 \$3,500,000.00 25400 0001526 RL41

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

<input checked="" type="checkbox"/>	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 checked="" type="checkbox"/>	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).
<input type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
<input type="checkbox"/>	D. OTHER Specify type of modification and authority)

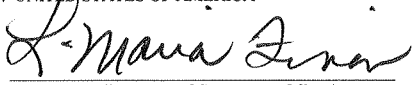
E. IMPORTANT: Contractor is not, is required to sign this document and return 0 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) The purpose of this modification is to:

A. Establish a Not-to-Exceed budget and Notice to Proceed of \$3,500,000 to initiate the remediation of the 128-H-1 Burn Pit waste site. This NTP is in response to WCH letter CCN 143904, "Request for Equitable Adjust No WCH-REA-060 Rev 0, 128-H-1 Remediation", dated April 8, 2009. Further, this NTP relates to work that will be included in the referenced REA-060 "128-H-1 Remediation".

Details of the NTP/NTE are continued on page 2.

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) L. Maria Finan, Contracting Officer	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer)	16C. DATE SIGNED 29 APR 09
(Signature of person authorized to sign)			

Block 14, Continuation

A. Execution of remediation tasks listed below is limited to two discrete areas (a pit in the northern part of the site and a trench near the eastern boundary) within the boundaries of the waste site that were the sites of burning/activity in aerial photographs (numbers 1233, 2029a, 10973, and 6353-10) from approximately 1949 through 1962. If necessary, the top one foot of soil across the waste site will also be excavated (or 'scraped'), sorted as to contamination status, and disposed of at ERDF if required.

- Waste profiles/designation
- Site preparation for excavation
- Excavation
- Loadout
- Excavation/Loadout/Sampling (non site specific support)
- Transportation and disposal costs.

B. WCH is authorized to perform the work identified in this modification up to this funded NTE amount. Do not exceed this amount without prior approval from the undersigned via a modification to increase this amount.. Notify the undersigned in writing with your rationale if the NTE amount is insufficient for you to proceed with this work. New WBS level six is authorized as appropriate. Request contractor submit a proposal for this work within 30 days of this signed modification.

C. The amount of funds obligated in clause B.2, Obligation and Availability of Funds, is increased by \$3,500,000 from \$806,356,333.37 to \$809,856,333.37. See attached Financial Plan 23.

D. Contract Paragraph B.2 is changed and Page B-2 is replaced by revised page as attached.

- (a) 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*.
- (b) 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 \$809,856,333.37 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, 2009.
- (b) Pursuant to the clause in Section I, entitled "Limitation of Funds," total funds in the amount of \$203,000,000.00 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 this modification 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

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
											Change	Revised	
421101	00556	3Y	1720331	400408000	25400	0000000	0000000	0420361	AGRDW893905401-0	257.94	0.00	0.00	257.94
Total for Program Parent/Control Point: 400000000										257.94	0.00	0.00	257.94
421101	01050	TF	1104157	HA1001000	25400	0000000	0000000	Total for Fund Type: 3Y		257.94	0.00	0.00	257.94
Total for Program Parent/Control Point: HA0000000										3,000.00	0.00	0.00	3,000.00
421101	01050	TF	1104167	HD1003000	25200	0000000	0000000	Total for Program Parent/Control Point: HD0000000		2,084.83	0.00	0.00	2,084.83
Total for Fund Type: TF										2,084.83	0.00	0.00	2,084.83
421101	01250	TP	1110620	EY1242411	25200	0420342	0001526	Total for Fund Type: TF		1.70	-1.70	-1.70	0.00
Total for Program Parent/Control Point: EY1200000										0.00	3,066,800.00	0.00	3,066,800.00
421101	01250	TP	1110791	EY5042440	25400	0000000	0003877	Total for Program Parent/Control Point: EY5042440		1.70	3,066,798.30	0.00	3,066,800.00
Total for Recipient Code: RL										93,361.63	-182,698.83	0.00	-89,337.20
Total for Reporting Entity: 421101										93,363.33	2,884,099.47	0.00	2,977,462.80
										98,706.10	2,884,099.47	0.00	2,982,805.57
										98,706.10	2,884,099.47	0.00	2,982,805.57

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
											Change	Revised	
421801	05498	Z	1720578	600306000	25400	0421317	0000000	0421555	AGRFHSAP	1,829.91	0.00	0.00	1,829.91
421801	05498	Z	1720578	600306000	25400	0421317	0000000	0421556	AGRSAPCH2MHILL	674.07	0.00	0.00	674.07
421801	05498	Z	1720578	600306000	25400	0421317	0000000	0421557	AGRSAPPNNL	2,184.80	0.00	0.00	2,184.80
Total for Program Parent/Control Point: 600000000										4,688.78	0.00	0.00	4,688.78
Total for Fund Type: 2Z										4,688.78	0.00	0.00	4,688.78
421801	01257	EN	1110832	EY5042411	25400	0000000	0001526	0000000		11,002,122.34	-4,080,800.00	0.00	6,921,322.34
421801	01257	EN	1110832	EY5042411	32002	0427068	0001526	0000000		157,925.49	-68,400.00	0.00	89,525.49
421801	01257	EN	1110832	EY5042411	32002	0427069	0001526	0000000		53,769.00	850,000.00	0.00	903,769.00
421801	01257	EN	1110832	EY5042411	32002	0427070	0001526	0000000		49,854.39	670,000.00	0.00	719,854.39
421801	01257	EN	1110832	EY5042411	32002	0427071	0001526	0000000		125,000.00	805,000.00	0.00	930,000.00
421801	01257	EN	1110832	EY5042411	32002	0427072	0001526	0000000		65,160.80	710,000.00	0.00	775,160.80
421801	01257	EN	1110832	EY5042411	32002	0427073	0001526	0000000		51,200.00	519,200.00	0.00	570,400.00
421801	01257	EN	1110832	EY5042411	32002	0427074	0001526	0000000		8,769.00	595,000.00	0.00	603,769.00
Total for Program Parent/Control Point: EY5042411										11,513,801.02	0.00	0.00	11,513,801.02
Total for Fund Type: EN										11,513,801.02	0.00	0.00	11,513,801.02
421801	01250	TP	1110462	EW1001206	25400	0420163	0001539	0000000		64.27	0.00	0.00	64.27
421801	01250	TP	1110462	EW1001206	25400	0421317	0001539	0000000		101.92	0.00	0.00	101.92
Total for Program Parent/Control Point: EW1000000										166.19	0.00	0.00	166.19
421801	01250	TP	1110832	EY5042411	25400	0000000	0001526	0000000		8,301,480.87	165,462,852.00	3,500,000.00	177,264,332.87
<i>AY 2009 - FY09 funding for NTP/NTE for remediation of 128-H-1 Burn Pit, in the amount of \$3.5M.</i>													
421801	01250	TP	1110832	EY5042411	25400	0421317	0001526	0000000		547.99	0.00	0.00	547.99
421801	01250	TP	1110832	EY5042411	25400	0421334	0001526	0000000		626,380.09	-491,664.69	0.00	134,715.40
421801	01250	TP	1110832	EY5042411	32002	0427068	0001526	0000000		244,053.75	0.00	0.00	244,053.75
421801	01250	TP	1110832	EY5042411	32002	0427070	0001526	0000000		291,057.47	0.00	0.00	291,057.47
421801	01250	TP	1110832	EY5042411	32002	0427071	0001526	0000000		51,538.35	0.00	0.00	51,538.35
421801	01250	TP	1110832	EY5042411	32002	0427072	0001526	0000000		88,647.06	0.00	0.00	88,647.06
421801	01250	TP	1110832	EY5042411	32002	0427073	0001526	0000000		30,773.86	0.00	0.00	30,773.86
Total for Program Parent/Control Point: EY5042411										9,634,479.44	164,971,187.31	3,500,000.00	178,105,666.75
Total for Fund Type: TP										9,634,479.44	164,971,187.31	3,500,000.00	178,105,666.75
Total for Recipient Code: RL										21,153,135.43	164,971,187.31	3,500,000.00	189,624,322.74
Total for Reporting Entity: 421801										21,153,135.43	164,971,187.31	3,500,000.00	189,624,322.74
Total for RL14655 - Washington Closure Hanford										21,251,841.53	167,855,286.78	3,500,000.00	192,607,128.31