AMENDMENT OF SOLICITATION/MO	DIFICATION OF CONTRA	ст 1	. CONTRACT ID CODE	PAG	1	OF	PAGES 4
2. AMENDMENT/MODIFICATION NO. A165	3. EFFECTIVE DATE (M/D/Y)  See Block 16C	1	JRCHASE REQ. NO. N/A	5. PROJECT N	IO. (If a	oplicab	le)
6. ISSUED BY CODE		7. ADMINISTERED	BY (If other than Item 6)	CODE			
U.S. Department of Energy Office of River Protection P. O. Box 450, MS H6-60 Richland, WA 99352							
8. NAME AND ADDRESS OF CONTRACTOR (No., street, con	unty, State and ZIP code)		9A. AMENDMEN	NT OF SOLICITA	TION NO	Э.	
Bechtel National, Inc. 2435 Stevens Center Place Richland, WA 99354		_		TION OF CONT		ORDER	NO.
CODE 396A5	FACILITY CODE 1533920	68	Decem	ber 11, 200	0		
	ITEM APPLIES TO AMENI		DLICITATIONS				
submitted; or (c) By separate letter or telegram which includes a PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO change an offer already submitted, such change may be made to the opening hour and date specified.	e hour and date specified in the solici ies of the amendment; (b) By acknow a reference to the solicitation and am D THE DATE AND HOUR SPECIFIED I by telegram or letter, provided each	tation or as amended wledging receipt of thi nendment numbers. I MAY RESULT IN REJE	i, by one of the following r is amendment on each co FAILURE OF YOUR ACKNO CTION OF YOUR OFFER.	ppy of the offer DWLEDGEMENT If by virtue of t	T TO BE his ame	ndmer	nt you desire to
12. ACCOUNTING AND APPROPRIATION DATA (If required	n)						
IT MODIFIES	APPLIES ONLY TO MODIFI S THE CONTRACT/ORDER	NO. AS SET F	ORTH IN ITEM 14.				
CHECK ONE A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Se	pecify authority) THE CHANGES SET FO	RTH IN ITEM 14 ARE M.	ADE IN THE CONTRACT OR	DER NO. IN ITEM	10A.		
B. THE ABOVE NUMBERED CONTRACT/ORDER IS M ITEM 14, PURSUANT TO AUTHORITY OF FAR 43.103		TIVE CHANGES (suc	h as changes in paying offic	ce, appropriation	date, etc	:.) SE	T FORTH IN
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED  Clause 1.82 FAR 52.243-2 CHANGES – (			ERNATE III (APR 19	984)			
D. OTHER (Specify type of modification and authority)	·						
E. IMPORTANT: Contractor is not, is	required to sign this docume	ent and return <u>1</u>	_ copies to the issui	ng office.			
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Org	ranized by UCF section headings, inc	cluding solicitation/col	ntract subject matter whe	re feasible.)			
Except as provided herein, all terms and conditions of the doc	ument referenced in Item 9A or 10A	as heretofore change	ed, remains unchanged a	nd in full force a	and effec	et.	
15A. NAME AND TITLE OF SIGNER (Type or print)			TITLE OF CONTRACTIN				The state of the s
Frank Russo Project Director		1	nas M. Williams racting Officer				
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED ST	ATES OF AMERICA		16C.	DATE	SIGNED
ORIGINAL SIGNED BY	3/25/2012	j	IGINAL SIGNED BY		3	2	5/10
(Signature of person authorized to sign)	1 /	(Sign	ature of Contracting Office	er)			

## The purpose of this modification is to:

1. Definitize the Request for Equitable Adjustment (REA) for the Multi-Employer Pension Plan (MEPP) for Plan Year 2009;

REFERENCE: CCN 207957 - Letter from N.F. Grover to T.M. Williams, Request for Equitable Adjustment (REA), Multi-Employer Pension Plan (MEPP), dated Dec 18, 2009

- 2. As a result of negotiating the costs for the MEPP REA, the total estimated contract costs (TECC) less fee is increased by \$293,152.00 from \$10,446,498,000 to \$10,446,791,152. The TECC to include fee as established in A143 is increased by the same amount from \$11,066,498,000 to \$11,066,791,152;
- 3. As a result of item 2, Contract Section B.2 (c), *Obligation and Availability of Funds and Contract Value*, is updated to reflect the revised TECC;
- 4. No additional funds will be allotted to this contract for the MEPP REA. 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)*;
- 5. Contractors Statement of Release: In consideration of the modification, A163, agreed to herein as complete and equitable adjustment for the Contractor's Request for Equitable Adjustment for MEPP Plan year 2009, 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 potential schedule impacts resulting from this REA, or the cumulative impacts to schedule resulting from this and other REAs, wherein schedule was not resolved (negotiated); provided that the Contractor shall not be entitled to additional fee and any claim for cumulative schedule impacts shall be limited to the total estimated schedule impacts of those individual REAs.

## **Modification Description:**

1. Contract Section B.2 (c), Obligation and Availability of Funds and Contract Value, is updated to reflect the revised TECC as follows:

## From:

Cost:		Total	Estimated Contract Cost (TECC)					\$ 10,446,498,000
Fee:								
	Α	Final	Fee Determination - Pre-Mod No. A143	3		\$	102,622,325	
	В	Maximum Available Award Fee (See Table B-2-B-1)		\$	139,377,675			
		B.1 B.2	Project Management Incentive Cost Incentive	\$ \$	44,377,675 95,000,000			
	С	Sche	dule Incentive Fee			\$	227,000,000	
		C.1 C.2	Activity Milestone Completion Facility Milestone Completion	\$ \$	173,000,000 54,000,000			
	D	D.1	ational Incentive Fee Cold Commissioning	\$	45,000,000	\$	91,000,000	
		D.2	Hot Commissioning	\$	46,000,000	•	00 000 000	
	E	Enha E.1 E.2 E.3 E.4	ncement Incentive Fee Enhanced Plant Capacity Sodium Reduction Enhanced Plant Turnover Sustained Production Achievement	\$ \$ \$	15,000,000 15,000,000 15,000,000 15,000,000	\$	60,000,000	
		Tota	l Maximum Available Fee at Modifica	itioi	n A143			\$ 620,000,000
			Total Estimated Contract Price					\$ 11,066,498,000

To:

Cost:		Total	Estimated Contract Cost (TECC)					\$	10,446,791,152
		Total	Latimated Johnact Jost (1200)					***************************************	
Fee:									
	Α	Final	Fee Determination - Pre-Mod No. A14	3		\$	102,622,325		
	В	Maximum Available Award Fee (See Table		B-2-B-1)		\$	139,377,675		
		B.1	Project Management Incentive	\$	44,377,675				
		B.2	Cost Incentive	\$	95,000,000				
	С	Sche	dule Incentive Fee			\$	227,000,000		
		C.1	Activity Milestone Completion	\$	173,000,000				
		C.2	Facility Milestone Completion	\$	54,000,000				
	D	Opera	ational Incentive Fee			\$	91,000,000		
		D.1	Cold Commissioning	\$	45,000,000				
		D.2	Hot Commissioning	\$	46,000,000				
	Е	Enha	ncement 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				
	Total Maximum Available Fee at Modification A143						\$	620,000,000	
			Total Estimated Contract Price					\$	11,066,791,152

## 2. All other terms and conditions remain unchanged.

(End of Modification)