

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE		PAGE OF PAGES	
				14	
2. AMENDMENT/MODIFICATION NO.		3. EFFECTIVE DATE		4. REQUISITION/PURCHASE REQ. NO.	
0238		See Block 16C			
6. ISSUED BY		CODE		7. ADMINISTERED BY (If other than Item 6)	
		893032		CODE	
EM-Carlsbad				03003	
EMCBC				EMCBC - Carlsbad	
U.S. Department of Energy				U.S. Department of Energy	
Carlsbad Project Office				Carlsbad Project Office	
P.O. Box 3090				P.O. Box 3090	
Carlsbad NM 88221				Carlsbad NM 88221	
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)		(x)		9A. AMENDMENT OF SOLICITATION NO.	
Nuclear Waste Partnership LLC					
Attn: JAY HART				9B. DATED (SEE ITEM 11)	
20501 SENECA MEADOWS PKWY					
SUITE 300				10A. MODIFICATION OF CONTRACT/ORDER NO.	
GERMANTOWN MD 20876		x		DE-EM0001971	
CODE		FACILITY CODE		10B. DATED (SEE ITEM 13)	
968993910				04/20/2012	
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS					
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended. <input type="checkbox"/> 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 electronic communication 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 letter or electronic communication, provided each letter or electronic communication 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)					
See Schedule					
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 data, 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:			
		D. OTHER (Specify type of modification and authority)			
X		I. 137 DEAR 970.5215-1 - Fee Determination for FY18			
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.					
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)					
DUNS Number: 968993910					
The purpose of this modification is to incorporate the Fee Determination Official's final determination of performance fee earned by the contractor for the period October 1, 2017 through September 30, 2018. For Fiscal Year 2018, the contractor has earned fee of \$10,790,810.24 out of available fee of \$12,506,424.00. See page 2.					
Payment:					
OR for EMCBC					
U.S. Department of Energy					
Oak Ridge Financial Service Center					
P.O. Box 5777					
Oak Ridge TN 37831					
Continued ...					
Except as provided herein, all terms and conditions of the document referenced in Item 9 A 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)			
		Wendy L. Bauer			
15B. CONTRACTOR/OFFEROR		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA	
(Signature of person authorized to sign)				/signature on file/	
				(Signature of Contracting Officer)	
				16C. DATE SIGNED	
				4/25/19	

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Nuclear Waste Partnership LLC

NSN 7540-01-152-8067

In Section B.2-2 (a) of the contract, fee of \$12,506,424.00 is available for FY18 for the contractor to earn through the completion of subjective award fee criteria and performance-based objectives as described in the FY18 Performance Evaluation and Measurement Plan (PEMP). In accordance with the requirements in the PEMP, the Fee Determination Official determined that the contractor earned award fee and fee for performance-based incentives (PBIs) as follows:

Available Award Fee for subjective criteria in this period: \$3,126,606.00

Earned: \$2,658,493.20

Table 1: Subjective (Award Fee) Criteria Summary Table

Criteria	Maximum Available Fee	Adjectival Rating	Fee Determined from Adjectival	
			Percentage	Fee Amount
1.0 Mission Performance	\$625,321.20	Very Good	90%	\$562,789.08
2.0 Regulatory Compliance	\$625,321.20	Very Good	86%	\$537,776.23
3.0 Management	\$625,321.20	Very Good	77%	\$481,497.32
4.0 Safety & Health	\$625,321.20	Good	72%	\$450,231.26
5.0 Cost Control	\$625,321.20	Excellent	96%	\$600,308.35
Total	\$3,126,606.00		84.2%	\$2,632,602.24
Award Fee Deduction				(\$100,000)
Total	\$3,126,606.00			\$2,532,602.24

Available Award Fee for Performance-Based Incentives for this period: \$9,379,818.00

Earned: \$8,258,208.00

Table 2: Performance-Based Incentives

Metric	Title	Maximum Available Fee	Fee Earned
1	Infrastructure Projects and Ground Control, Mining, and RH Planning	\$1,485,000	\$1,160,000
2	Panel 8 Mining	\$401,208	\$124,998
3	Ground Control in Core Areas of the Mine	\$2,500,000	\$2,400,000
4	Improving Work Conditions in Radiological Areas	\$300,000	\$285,000
5	TRU Waste Emplacement	\$1,253,610	\$1,253,610
6	SSCVS and US Capital Asset Projects	\$2,100,000	\$1,734,600
7	Temporary Closure of the South End of the Mine	\$100,000	\$100,000
8	CCE and AKSR Revisions	\$600,000	\$600,000
9	Ship WCS Type I Waste to WIPP	\$75,000	\$75,000
10	E-300 Catch-Up Bolting	\$100,000	\$100,000
11	Improved MSHA Citation Performance	\$450,000	\$410,000
12	Complete Legacy Fire Impairments	\$15,000	\$15,000
Total	Maximum Available PBI Fee	\$9,379,818	8,258,208

Summary of Fee earned:

PEMP Fee Type	Fee Amount/Range	Percent of Maximum Available Fee
Objective Criteria (PBI) Fee Earned	\$8,258,208.00 of \$9,379,818	88.0
Subjective Criteria Award Fee Earned	\$2,632,602.24 of \$3,126,606.00	84.2
Total Fee Earned	\$10,890,810.24 of \$12,506,424	
Special Fee Consideration:	\$100,000 Deduction	
Total Fee Earned After Deduction	\$10,790,810.24 of \$12,506,424	86.3

Fee of \$1,715,613.76 unearned during the period shall not be returned to the fee pool nor carried over to additional performance periods and will be forfeited.

All other contract terms and conditions remain unchanged.