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|---------------------------------------|------------------------------------|--|--------------------------------|
| 2. AMENDMENT/MODIFICATION NO. 0270 | 3. EFFECTIVE DATE See Block 16C | 4. REQUISITION/PURCHASE REQ. NO. 20EM001877 | 5. PROJECT NO. (If applicable) |
|---------------------------------------|------------------------------------|--|--------------------------------|

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|--|------|--------|---|------|-------|
| 6. ISSUED BY EM-Carlsbad EMCBC U.S. Department of Energy Carlsbad Project Office P.O. Box 3090 Carlsbad NM 88221 | CODE | 893032 | 7. ADMINISTERED BY (If other than Item 6) EMCBC - Carlsbad U.S. Department of Energy Carlsbad Project Office P.O. Box 3090 Carlsbad NM 88221 | CODE | 03003 |
|--|------|--------|---|------|-------|

| | | |
|---|---------------|---|
| 8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) Nuclear Waste Partnership LLC Attn: JAY HART 20501 SENECA MEADOWS PKWY SUITE 300 GERMANTOWN MD 20876 | (x) | 9A. AMENDMENT OF SOLICITATION NO. |
| | | 9B. DATED (SEE ITEM 11) |
| | x | 10A. MODIFICATION OF CONTRACT/ORDER NO. DE-EM0001971 |
| | | 10B. DATED (SEE ITEM 13) 04/20/2012 |
| CODE 968993910 | 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 _____ 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) Net Decrease: -\$33,700.86

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: |
| X | D. OTHER (Specify type of modification and authority) FAR 52.232-18 Availability of Funds & FAR 52.232-22 Limitation of Funds |

E. IMPORTANT: Contractor is not 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.)
The purpose of this modification is to deobligate FY2020 Capital Asset Project funding as follows:

- Deobligate Line Item Cap Asset 15-D-411 SSCV (-\$26,387.78); Line Item Cap Asset 15-D-412 Utility Shaft (-\$7,313.08)

The accounting and appropriation data and amount (PR 20EM0001877 - \$-33,700.86):

| | | | | | | | | | | |
|-------|------|----|--------|---------|-------|---------|---------|---------|---------|--------------|
| 01272 | 2020 | 33 | 490004 | 0000000 | 25400 | 1111640 | 0000442 | 0000000 | 0000000 | \$-26,387.78 |
| 01273 | 2020 | 33 | 490004 | 0000000 | 25400 | 1111641 | 0000442 | 0000000 | 0000000 | \$-7,313.08 |

2. Decrease total contract obligations by \$33,700.86, from \$2,167,537,032.70 to 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 <i>(Signature of person authorized to sign)</i> | 15C. DATE SIGNED |
| | 16B. UNITED STATES OF AMERICA /signature on file/ <i>(Signature of Contracting Officer)</i> |
| | 16C. DATE SIGNED 08/14/2020 |

CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED
DE-EM0001971/0270

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NAME OF OFFEROR OR CONTRACTOR
Nuclear Waste Partnership LLC

| ITEM NO. (A) | SUPPLIES/SERVICES (B) | QUANTITY (C) | UNIT (D) | UNIT PRICE (E) | AMOUNT (F) |
|-----------------|--|-----------------|-------------|-------------------|---------------|
| | <p>\$2,167,503,331.84.</p> <p>3. Total contract value remains \$2,437,972,652.70.</p> <p>All other terms and conditions remain unchanged.</p> <p>Payment:</p> <p style="padding-left: 20px;">OR for EMCBC U.S. Department of Energy Oak Ridge Financial Service Center P.O. Box 6017 Oak Ridge TN 37831</p> <p>Fund: 00000 Appr Year: 0000 Allottee: 00 Report Entity: 000000 Object Class: 00000 Program: 0000000 Project: 0000000 WFO: 0000000 Local Use: 0000000</p> <p>Period of Performance: 10/01/2012 to 09/30/2020</p> | | | | |

| | | | | | Modification 270 |
|---|---------------------------|-------------------|--------------------------|--------------------------|--------------------------|
| Changes to Section B.2-2(b) Transition Cost, Anticipated Funding, and Total Available Award Fee | | | | | |
| | Actual Funding (original) | increase/decrease | Actual Funding (current) | Anticipated Funding | Annual Fee Base*** |
| CLIN 1: Transition | | | | | |
| July 1, 2012 - September 30, 2012 | \$ 1,553,670.00 | | \$ 1,553,670.00 | \$ 1,553,670.00 | |
| CLIN 2: Base Period – Site Operations | | | | | |
| October 1, 2012 through September 30, 2013 | \$ 141,902,556.74 | | \$ 141,902,556.74 | \$ 141,902,556.74 | \$ 109,238,604.00 |
| Funding transferred from WTS contract | \$ 7,995,864.65 | | \$ 7,995,864.65 | \$ 7,995,864.65 | |
| Funding from other DOE entities per H.55 | \$ 11,373,074.35 | | \$ 11,373,074.35 | \$ 11,373,074.35 | |
| October 1, 2013 through September 30, 2014 | \$ 139,265,040.00 | | \$ 139,265,040.00 | \$ 139,265,040.00 | \$ 109,238,604.00 |
| WBS 1.7 PMB for Recovery Activities (CLIN 4) | \$ 31,148,035.00 | | \$ 31,148,035.00 | \$ 31,148,035.00 | |
| Funding from other DOE entities per H.55 | \$ 1,232,980.92 | | \$ 1,232,980.92 | \$ 1,232,980.92 | |
| October 1, 2014 through September 30, 2015 | \$ 121,492,804.86 | | \$ 121,492,804.86 | \$ 121,492,804.86 | \$ 100,097,068.00 |
| Funding for OPC: PVS (OPC) (CLIN 5) | \$ 5,020,310.96 | | \$ 5,020,310.96 | \$ 5,020,310.96 | |
| WBS 1.7 PMB for Recovery Activities (CLIN 4) | \$ 120,734,157.96 | | \$ 120,734,157.96 | \$ 120,734,157.96 | \$ 82,115,542.00 |
| WBS 1.7 Recovery funding for FY15 OPC PVS (CLIN 5) | \$ 1,979,689.04 | | \$ 1,979,689.04 | \$ 1,979,689.04 | |
| Funding from other DOE entities per H.55 | \$ 5,551,193.66 | | \$ 5,551,193.66 | \$ 5,551,193.66 | |
| October 1, 2015 through September 30, 2016 | \$ 144,160,062.29 | | \$ 144,160,062.29 | \$ 144,160,062.29 | \$ 117,758,978.00 |
| Funding from other DOE entities per H.55 | \$ 8,161,085.26 | | \$ 8,161,085.26 | \$ 8,161,085.26 | |
| October 1, 2016 through September 30, 2017 | \$ 189,022,916.02 | | \$ 189,022,916.02 | \$ 189,022,916.02 | \$ 109,238,604.00 |
| Funding from other DOE entities per H.55 | \$ 10,486,306.09 | | \$ 10,486,306.09 | \$ 10,486,306.09 | |
| TOTALS | \$ 939,526,077.80 | | \$ 939,526,077.80 | \$ 939,526,077.80 | \$ 627,687,400.00 |
| CLIN 3: Option Period 1 – Site Operations POP: October 1, 2017 through September 30, 2020 | | | | | |
| October 1, 2017 through September 30, 2018 | | | | \$ 208,912,137.00 | \$ 178,663,201.00 |
| PBS 80 Operations - 1110954 | \$ 171,927,622.00 | | \$ 171,927,622.00 | \$ 171,927,622.00 | |
| PBS 81 CCP - 1110956 | \$ 10,009,774.00 | | \$ 10,009,774.00 | \$ 10,009,774.00 | |
| PBS 83 Infrastructure - 1111702 | \$ 11,485,736.00 | | \$ 11,485,736.00 | \$ 11,485,736.00 | |
| PBS 90 Transportation - 1110957 | \$ 9,383,771.00 | | \$ 9,383,771.00 | \$ 9,383,771.00 | |
| PBS 20 Security - 1111094 | \$ 4,706,132.83 | | \$ 4,706,132.83 | \$ 4,706,132.83 | |
| PBS 20 Security - 1111098 | \$ 1,399,101.17 | | \$ 1,399,101.17 | \$ 1,399,101.17 | |
| Funding from other DOE entities per H.55 | \$ 20,617,724.13 | | \$ 20,617,724.13 | \$ 20,617,724.13 | |
| October 1, 2018 through September 30, 2019 | | | | \$ 250,326,217.83 | \$ 192,628,912.00 |
| PBS 80 Operations - 1110954 | \$ 177,034,413.90 | | \$ 177,034,413.90 | \$ 177,034,413.90 | |
| PBS 81 CCP - 1110956 | \$ 9,593,716.00 | | \$ 9,593,716.00 | \$ 9,593,716.00 | |
| PBS 83 Infrastructure - 1111702 | \$ 46,695,000.00 | | \$ 46,695,000.00 | \$ 46,695,000.00 | |
| PBS 90 Transportation - 1110957 | \$ 10,804,321.93 | | \$ 10,804,321.93 | \$ 10,804,321.93 | |
| PBS 20 Security - 1111094 | \$ 5,241,321.02 | | \$ 5,241,321.02 | \$ 5,241,321.02 | |
| PBS 20 Security - 1111098 | \$ 957,444.98 | | \$ 957,444.98 | \$ 957,444.98 | |
| Funding from other DOE entities per H.55 | \$ 33,201,853.80 | | \$ 33,201,853.80 | \$ 33,201,853.80 | |
| October 1, 2019 through September 30, 2020 | | | | \$ 224,512,234.00 | \$ 109,238,604.00 |
| PBS 80 Operations - 1110954 | \$ 182,029,170.00 | | \$ 182,029,170.00 | | |
| PBS 81 CCP - 1110956 | \$ 10,577,166.00 | | \$ 10,577,166.00 | | |
| PBS 83 Infrastructure - 1111702 | \$ 17,500,000.00 | | \$ 17,500,000.00 | | |
| PBS 90 Transportation - 1110957 | \$ 8,418,898.00 | | \$ 8,418,898.00 | | |
| PBS 20 Security - 1111094 | \$ 5,041,902.00 | | \$ 5,041,902.00 | | |
| PBS 20 Security - 1111098 | \$ 645,098.00 | | \$ 645,098.00 | | |
| Funding from other DOE entities per H.55 | \$ 9,888,898.14 | | \$ 9,888,898.14 | \$ 9,888,898.14 | |
| TOTALS | \$ 747,159,064.90 | \$ - | \$ 747,159,064.90 | \$ 747,459,064.90 | \$ 480,530,717.00 |
| CLIN 4: WBS. 1.7 Performance Measurement Baseline for Recovery Activities - BASE Period | | | | | |
| FY14 WIPP Recovery Project WBS 1.7, Fee, MR: (Note: FY14 funding was obligated to CLIN 2 in STRIPES before Mod 94) | \$ - | | \$ - | \$ - | |
| FY15 WIPP Recovery Project WBS 1.7, Fee, MR - (Note: FY15 funding was obligated to CLIN 2 in STRIPES before Mod 94) | \$ - | | \$ - | \$ - | |
| FY16 WIPP Recovery Project WBS 1.7, Fee, MR | \$ 80,182,220.00 | | \$ 80,182,220.00 | \$ 80,182,220.00 | \$ 69,087,329.00 |
| FY17 WIPP Recovery Project WBS 1.7, Fee, MR | \$ 15,300,000.00 | | \$ 15,300,000.00 | \$ 15,300,000.00 | |
| Option period - FY18 WIPP WBS 1.7, Fee, PMB (to CLIN 6) | \$ - | | \$ - | \$ - | |
| TOTALS | \$ 95,482,220.00 | \$ - | \$ 95,482,220.00 | \$ 95,482,220.00 | \$ 69,087,329.00 |
| CLIN 5: WBS 1.8 Capital Asset Project(s) for Permanent SSCVS System and Utility Shaft - BASE Period | | | | | |
| FY15 CAP 15-D-411 SSCVS | \$ 12,000,000.00 | | \$ 12,000,000.00 | \$ 12,000,000.00 | |
| FY16 CAP 15-D-411 SSCVS | \$ 23,218,000.00 | | \$ 23,218,000.00 | \$ 23,218,000.00 | \$ 3,400,000.00 |
| FY17 CAP 15-D-411 SSCVS | \$ 2,532,000.00 | | \$ 2,532,000.00 | \$ 2,532,000.00 | |
| FY15 CAP 15-D-412 Utility Shaft | \$ 4,000,000.00 | | \$ 4,000,000.00 | \$ 4,000,000.00 | |
| FY16 CAP 15-D-412 Utility Shaft | \$ 7,500,000.00 | | \$ 7,500,000.00 | \$ 7,500,000.00 | \$ 2,400,000.00 |
| FY17 CAP 15-D-412 Utility Shaft | \$ 30,000,000.00 | | \$ 30,000,000.00 | \$ 30,000,000.00 | |
| FY17 OPC (PBS 80) SSCVS | \$ 2,000,000.00 | | \$ 2,000,000.00 | \$ 2,000,000.00 | |
| FY17 OPC (PBS 80) Utility Shaft | \$ 1,500,000.00 | | \$ 1,500,000.00 | \$ 1,500,000.00 | |
| TOTALS | \$ 82,750,000.00 | \$ - | \$ 82,750,000.00 | \$ 82,750,000.00 | \$ 5,800,000.00 |

| CLIN 6: - Option Period - WBS. 1.7 Performance Measurement | | | | | | |
|--|----|------------------|----------------|----|------------------|------------------------|
| Baseline for Recovery Activities - RESERVED | | | | | | |
| FY18 WIPP Recovery Project WBS 1.7, Fee, MR | \$ | - | | \$ | - | \$ - |
| CLIN 7: Option Period 2 – Site Operations | | | | | | |
| October 1, 2020 through September 30, 2021 | \$ | - | | \$ | - | \$ 133,217,810.00 |
| PBS 80 Operations - 1110954 | | | | \$ | - | |
| PBS 81 CCP - 1110956 | | | | \$ | - | |
| PBS 83 Infrastructure - 1111702 | | | | \$ | - | |
| PBS 90 Transportation - 1110957 | | | | \$ | - | |
| PBS 20 Security - 1111094 | | | | \$ | - | |
| PBS 20 Security - 1111098 | | | | \$ | - | |
| Funding from other DOE entities per H.55 | | | | \$ | - | |
| October 1, 2021 through September 30, 2022 | \$ | - | | \$ | - | \$ 133,217,810.00 |
| PBS 80 Operations - 1110954 | | | | \$ | - | |
| PBS 81 CCP - 1110956 | | | | \$ | - | |
| PBS 83 Infrastructure - 1111702 | | | | \$ | - | |
| PBS 90 Transportation - 1110957 | | | | \$ | - | |
| PBS 20 Security - 1111094 | | | | \$ | - | |
| PBS 20 Security - 1111098 | | | | \$ | - | |
| Funding from other DOE entities per H.55 | | | | \$ | - | |
| TOTALS | \$ | - | | \$ | - | \$ 266,435,620.00 |
| CLIN 8: Option Period 1 - WBS. 1.8 CAP 15-D-411 SSCVS | | | | | | |
| FY18 CAP 15-D-411 SSCVS | \$ | 86,000,000.00 | | \$ | 86,000,000.00 | \$ 86,000,000.00 |
| FY18 OPC (PBS80) SSCVS | \$ | 2,700,000.00 | | \$ | 2,700,000.00 | \$ 2,700,000.00 |
| FY19 CAP 15-D-411 SSCVS | \$ | 84,212,000.00 | | \$ | 84,212,000.00 | \$ 84,212,000.00 |
| FY19 OPC (PBS80) SSCVS | \$ | 2,500,000.00 | | \$ | 2,500,000.00 | \$ 2,500,000.00 |
| FY20 CAP 15-D-411 SSCVS | \$ | 58,054,000.00 | \$ (26,387.78) | \$ | 58,027,612.22 | \$ 58,054,000.00 |
| FY20 OPC (PBS80) SSCVS | \$ | - | | \$ | - | \$ 3,700,000.00 |
| TOTALS | \$ | 233,466,000.00 | \$ (26,387.78) | \$ | 233,439,612.22 | \$ 237,166,000.00 |
| CLIN 9: Option Period 1/2 - WBS. 1.8 CAP 15-D-412 Utility Shaft | | | | | | |
| FY18 CAP 15-D-412 Utility Shaft | \$ | 19,600,000.00 | | \$ | 19,600,000.00 | \$ 19,600,000.00 |
| FY18 OPC (PBS80) Utility Shaft | \$ | 1,900,000.00 | | \$ | 1,900,000.00 | \$ 1,900,000.00 |
| FY19 CAP 15-D-412 Utility Shaft | \$ | 1,000,000.00 | | \$ | 1,000,000.00 | \$ 1,000,000.00 |
| FY19 OPC (PBS80) Utility Shaft | \$ | 600,000.00 | | \$ | 600,000.00 | \$ 600,000.00 |
| FY20 CAP 15-D-412 Utility Shaft | \$ | 44,500,000.00 | \$ (7,313.08) | \$ | 44,492,686.92 | \$ 44,500,000.00 |
| FY20 OPC (PBS80) Utility Shaft | | | | | | |
| Totals | \$ | 67,600,000.00 | \$ (7,313.08) | \$ | 67,592,686.92 | \$ 67,600,000.00 |
| CLIN 10: Option Period 2 - WBS 1.8 CAP 15-D-411 SSVCS | | | | | | |
| | \$ | - | | \$ | - | \$ - |
| | \$ | - | | \$ | - | \$ - |
| TOTALS | \$ | - | \$ - | \$ | - | \$ - |
| CLIN 11: Option Period 2 - WBS 1.8 CAP 15-D-412 US | | | | | | |
| FY21 CAP 15-D-412 Utility Shaft | \$ | - | | \$ | - | \$ 40,000,000.00 |
| FY21 OPC (PBS80) Utility Shaft | \$ | - | | \$ | - | |
| TOTALS | \$ | - | \$ - | \$ | - | \$ 40,000,000.00 |
| CLIN 12: Option Period 2 - WBS. 1.8 CAP 15-D-xxx Hoisting Cap | | | | | | |
| FY21 CAP 15-D-xxx Hoisting Capability | \$ | - | | \$ | - | |
| FY21 OPC (PBS80) Hoisting Capability | \$ | - | | \$ | - | |
| TOTALS | \$ | - | \$ - | \$ | - | \$ - |
| Grand Totals | \$ | 2,167,537,032.70 | \$ (33,700.86) | \$ | 2,167,503,331.84 | \$ 2,437,972,652.70 |
| | | | | | | (excludes CLINs 11/12) |