

2. AMENDMENT/MODIFICATION NO. 0373	3. EFFECTIVE DATE See Block 16C	4. REQUISITION/PURCHASE REQ. NO. 23EM000626	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
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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) NUCLEAR WASTE PARTNERSHIP LLC Attn: LEE ANN ROGERS 20501 SENECA MEADOWS PKWY SUITE 300 GERMANTOWN MD 208767019	(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

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) See Schedule	Net Decrease:	-\$27,683,263.37
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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 52.232-22 Limitation of Funds FAR 52.243-2 Changes - Cost-Reimbursement (AUG 1987) ALT II (APR 1984)

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.)
DUNS Number: Not Available
UEI: JA12NCN424K3
Payment:
OR for EMCBC
U.S. Department of Energy
Oak Ridge Financial Service Center
P.O. Box 6017
Oak Ridge TN 37831
Period of Performance: 10/01/2012 to 02/03/2023

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) Sean Dunagan, President & Project Manager	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Dustin D. Dalton
15B. CONTRACTOR/OFFEROR 	15C. DATE SIGNED
16B. UNITED STATES OF AMERICA 	16C. DATE SIGNED 01/31/2023

In accordance with FAR 52.232-22 Limitation of funds, FAR 52.243-2 Changes – Cost-Reimbursement (AUG 1987) ALT II (APR 1984) and Mutual Agreement of the parties, the purpose of this modification is to: de-obligate funding in the amount of (-\$27,683,263.37) WFO funding on the contract and to exercise Clause I.31, FAR 52.217-8, Option to Extend Services (Nov 1999), to extend the existing contract for three (3) days, from January 31, 2023, through February 3, 2023, as established in Modification 363, within the current terms and conditions and as modified herein.

The contract is modified as follows:

- a) The accounting and appropriation data and amount (23EM000626):

01250	2016	33	490004	25400	1110676	0004569	0000000	0000000	71,078.10
01250	2019	33	490004	25400	1111512	0002167	0000000	0000000	394,691.42
01250	2020	33	490004	25400	1111512	0002167	0000000	0000000	300,000.00
01250	2019	33	490004	25400	1111513	0002168	0000000	0000000	3,184.10
01264	2021	33	490004	25400	1111525	0001761	0000000	0410319	54,748.18
01250	2022	33	490004	25400	1111552	0001522	0000000	0421678	559,789.00
01250	2021	33	490004	25400	1111564	0001121	0000000	0473619	1,261,784.06
01250	2022	33	490004	25400	1111564	0001121	0000000	0473619	4,996,232.55
01250	2022	33	490004	25400	1111564	3013735	0000000	0473619	25.22
00900	2013	33	490004	25400	2222852	0000000	0000000	0000000	46,422.77
01551	2021	33	490004	25400	2223020	0000000	0000000	0000000	1,185.00
01551	2022	33	490004	25400	2223020	0000000	0000000	0000000	23,819.00
01551	2023	33	490004	25400	2223020	0000000	0000000	0000000	5,000.00
01551	2019	33	490004	25400	2223023	0000000	0000000	0000000	83,598.00
01551	2022	33	490004	25400	2223023	0000000	0000000	0000000	659.97
01551	2022	33	490004	25400	2223094	0000000	0000000	0000000	10,000.00
00900	2020	33	490004	25400	2223124	0000000	0000000	0000000	820,449.41
01551	2021	33	490004	25400	2223140	3013735	0000000	0000000	7,184.23
01551	2022	33	490004	25400	2223140	0000000	0000000	0000000	884,687.28
01551	2023	33	490004	25400	2223140	0000000	0000000	0000000	2,649,246.00
01551	2022	33	490004	25400	2223210	0000000	0000000	0000000	16,870.62
01551	2023	33	490004	25400	2223210	0000000	0000000	0000000	60,000.00
01551	2021	33	490004	25400	2223218	0000000	0000000	0000000	10,000.00
00900	2022	33	490004	25400	2223268	0000000	0000000	0000000	3,909,427.88
00900	2022	33	490004	25400	2223268	3013735	0000000	0000000	34.21
00900	2019	33	490004	25400	2720075	0000000	0000000	0000000	3,955,807.08
00900	2021	33	490004	25400	2720075	0000000	0000000	0000000	4,994,544.01
00900	2021	33	490004	25400	2720075	3013735	0000000	0000000	333.32
00900	2022	33	490004	25400	2720075	0000000	0000000	0000000	2,562,154.00
05350	2012	33	490004	25400	2720746	0000000	0000000	0000000	307.96

- b) Total obligations are decreased by \$27,683,263.37; from \$3,059,493,826.80 to \$3,031,810,563.43. The de-obligation is broken down as shown below:

-\$117,808.83	CLIN 2
-\$5,557,730.01	CLIN 3
-\$1,317,717.24	CLIN 7
-\$20,690,007.29	CLIN 13100

c) Total contract is decreased by \$27,683,263.37; from \$3,083,272,112.64 to \$3,055,588,849.27.

d) Section F.1, Period of Performance, is revised to:

“Extension Period: October 1, 2022 through February 3, 2023. The contract may be further extended unilaterally as necessary by the CO through March 31, 2023 pursuant to FAR 52.217-8, Extension of Services.”

All other terms and conditions remain unchanged.

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
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
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	\$ (46,730.73)	\$ 11,326,343.62	\$ 11,373,074.35
October 1, 2013 through September 30, 2014	\$ 139,265,040.00		\$ 139,265,040.00	\$ 139,265,040.00
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
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
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
Funding from other DOE entities per H.55	\$ 8,161,085.26	\$ (71,078.10)	\$ 8,090,007.16	\$ 8,161,085.26
October 1, 2016 through September 30, 2017	\$ 189,022,916.02		\$ 189,022,916.02	\$ 189,022,916.02
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	\$ (117,808.83)	\$ 939,408,268.97	\$ 939,526,077.80
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
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
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	\$ 30,614,245.30	\$ (4,437,280.60)	\$ 26,176,964.70	\$ 30,614,245.30
October 1, 2019 through September 30, 2020				\$ 230,563,292.41
PBS 80 Operations - 1110954	\$ 188,256,777.15		\$ 188,256,777.15	\$ 188,256,777.15
PBS 81 CCP - 1110956	\$ 10,577,166.00		\$ 10,577,166.00	\$ 10,577,166.00
PBS 83 Infrastructure - 1111702	\$ 17,500,000.00		\$ 17,500,000.00	\$ 17,500,000.00
PBS 90 Transportation - 1110957	\$ 8,418,898.00		\$ 8,418,898.00	\$ 8,418,898.00
PBS 20 Security - 1111094	\$ 4,113,976.00		\$ 4,113,976.00	\$ 4,113,976.00
PBS 20 Security - 1111098	\$ 1,696,475.26		\$ 1,696,475.26	\$ 1,696,475.26
Funding from other DOE entities per H.55	\$ 12,575,541.23	\$ (1,120,449.41)	\$ 11,455,091.82	\$ 12,575,541.23
TOTALS	\$ 753,609,157.90	\$ (5,557,730.01)	\$ 748,051,427.89	\$ 753,609,157.90
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
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
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
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
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

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					
Option Period 2 - October 1, 2020 through September 30, 2021					
					\$ 249,935,292.99
PBS 80 Operations - 1110954	\$	208,758,796.85	\$	208,758,796.85	
PBS 81 CCP - 1110956	\$	11,627,330.00	\$	11,627,330.00	
PBS 83 Infrastructure - 1111702	\$	6,762,954.09	\$	6,762,954.09	
PBS 90 Transportation - 1110957	\$	17,108,632.05	\$	17,108,632.05	
PBS 20 Security - 1111094	\$	4,955,960.17	\$	4,955,960.17	
PBS 20 Security - 1111098	\$	721,619.83	\$	721,619.83	
Funding from other DOE entities per H.55	\$	43,839,674.92	\$	(1,317,717.24)	\$ 42,521,957.68
TOTALS	\$	293,774,967.91	\$	(1,317,717.24)	\$ 292,457,250.67
CLIN 13100: Option Periods 3 and 4 – Site Operations					
Option Periods 3/4 - Oct 1 2021 through Mar 31, 2022 (Jan 31, 2023)					
					\$ 377,973,137.50
PBS 80 Operations - 1110954	\$	284,619,308.82	\$	284,619,308.82	\$ 6,550.40
PBS 81 CCP - 1110956	\$	15,782,972.67	\$	15,782,972.67	
PBS 83 Infrastructure - 1111702	\$	19,576,000.00	\$	19,576,000.00	
PBS 90 Transportation - 1110957	\$	27,920,447.00	\$	27,920,447.00	
PBS 20 Security - 1111094	\$	5,675,539.57	\$	5,675,539.57	
PBS 20 Security - 1111098	\$	627,134.00	\$	627,134.00	
Funding from other DOE entities per H.55	\$	37,265,315.73	\$	(20,690,007.29)	\$ 16,575,308.44
TOTALS	\$	391,466,717.79	\$	(20,690,007.29)	\$ 370,776,710.50
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	\$	58,054,000.00	\$ 58,054,000.00
FY20 OPC (PBS80) SSCVS	\$	3,700,000.00	\$	3,700,000.00	\$ 3,700,000.00
TOTALS	\$	237,166,000.00	\$	-	\$ 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	\$	44,500,000.00	\$ 44,500,000.00
FY20 OPC (PBS80) Utility Shaft					
TOTALS	\$	67,600,000.00	\$	-	\$ 67,600,000.00
CLIN 10: Option Period 2 - WBS 1.8 CAP 15-D-411 SSCVS					
FY21 CAP 15-D-411 SSCVS	\$	31,300,000.00	\$	31,300,000.00	\$ 31,300,000.00
FY21 OPC (PBS80) SSCVS	\$	-	\$	-	\$ -
TOTALS	\$	31,300,000.00	\$	-	\$ 31,300,000.00
CLIN 11: Option Period 2 - WBS 1.8 CAP 15-D-412 US					
FY21 CAP 15-D-412 Utility Shaft	\$	53,512,000.00	\$	53,512,000.00	\$ 53,512,000.00
FY21 OPC (PBS80) Utility Shaft	\$	-	\$	-	\$ -
TOTALS	\$	53,512,000.00	\$	-	\$ 53,512,000.00
CLIN 14: Option Period 3 - WBS 1.8 CAP 15-D-411 SSCVS (- 1/31/23)					
FY22 CAP 15-D-411 SSCVS	\$	76,720,375.40	\$	76,720,375.40	\$ 76,720,375.40
FY22 OPC (PBS80) SSCVS	\$	-	\$	-	\$ -
TOTALS	\$	76,720,375.40	\$	-	\$ 76,720,375.40
CLIN 15: Option Period 3 - WBS 1.8 CAP 15-D-412 US (- 1/31/23)					
FY22 CAP 15-D-412 Utility Shaft	\$	35,032,640.00	\$	35,032,640.00	\$ 35,032,640.00
FY22 OPC (PBS80) Utility Shaft	\$	-	\$	-	\$ -
TOTALS	\$	35,032,640.00	\$	-	\$ 35,032,640.00
Grand Totals	\$	3,059,493,826.80	\$	(27,683,263.37)	\$ 3,031,810,563.43