

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE OF PAGES
			1 5
2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
0374	See Block 16C	23EM000649	
6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
EM-Carlsbad EMCBC U.S. Department of Energy Carlsbad Project Office P.O. Box 3090 Carlsbad NM 88221	893032	EMCBC - Carlsbad U.S. Department of Energy Carlsbad Project Office P.O. Box 3090 Carlsbad NM 88221	03003
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)		(x)	9A. AMENDMENT OF SOLICITATION NO.
NUCLEAR WASTE PARTNERSHIP LLC Attn: LEE ANN ROGERS 20501 SENECA MEADOWS PKWY SUITE 300 GERMANTOWN MD 208767019			
			9B. DATED (SEE ITEM 11)
		x	10A. MODIFICATION OF CONTRACT/ORDER NO. DE-EM0001971
			10B. DATED (SEE ITEM 13)
CODE	FACILITY CODE		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) Net Decrease: -\$86,596,311.82
00000-0000-00-000000-00000-0000000-0000000-0000000-0000000

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).
X	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: 52.232-18 Availability of Funds, FAR 52.232-22 Limitation of Funds and mutual agreement of the parties
	D. OTHER (Specify type of modification and authority)

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

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 (-\$86,596,311.82).

The contract is modified as follows:

a) The accounting and appropriation data and amount (23EM000649):

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)	
Sean Dunagan, President & Project Manager		Daniel D. Burke	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
SEAN DUNAGAN (Affiliate) <small>Digitally signed by SEAN DUNAGAN (Affiliate) Date: 2023.02.01 12:58:54 -0700</small> (Signature of person authorized to sign)		DANIEL BURKE <small>Digitally signed by DANIEL BURKE Date: 2023.02.01 15:42:22 -0500</small> (Signature of Contracting Officer)	02/01/2023

Previous edition unusable

CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED
DE-EM0001971/0374

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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)
01250	2023 33 490004 25400 1110954 0000442	0000	0000		0000
	000000 -10,130,107.07				
01250	2023 33 490004 25400 1110956 0003804	0000	0000		0000
	000000 -916,065.21				
01250	2023 33 490004 25400 1110957 0000443	0000	0000		0000
	000000 -1,869,997.97				
01250	2023 33 490004 25400 1111094 0000441	0000	0000		0000
	000000 -71,662.45				
01272	2022 33 490004 25400 1111640 0000442	0490	310		
	000000 -33,800,124.86				
01272	2023 33 490004 25400 1111640 0000442	0490	310		
	000000 -19,566,801.00				
01273	2022 33 490004 25400 1111641 0000442	0490	311		
	000000 -4,815,756.57				
01273	2023 33 490004 25400 1111641 0000442	0490	311		
	000000 -10,032,640.00				
01250	2022 33 490004 25400 1111702 0004649	0000	0000		0000
	000000 -880,156.69				
01250	2023 33 490004 25400 1111702 0004649	0000	0000		0000
	000000 -4,513,000.00				
<p>b) Total obligations are decreased by -\$86,596,311.82; from \$3,031,810,563.43 to \$2,945,214,251.61.</p> <p>c) Total contract is decreased by -\$86,596,311.82; from \$3,055,588,849.27 to \$2,968,992,537.45.</p> <p>All other terms and conditions remain unchanged. Payment: OR for EMCBC U.S. Department of Energy Oak Ridge Financial Service Center P.O. Box 5777 Oak Ridge TN 37831 Fund: 00000 Appr Year: 0000 Allottee: 00 Report Entity: 000000 Object Class: 00000 Program: 0000000 Project: 0000000 WFO: 0000000 Local Use: 0000000 Period of Performance: 10/01/2012 to 02/03/2023</p>					

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 (-\$86,596,311.82).

The contract is modified as follows:

- a) The accounting and appropriation data and amount (23EM000649):

01250	2023	33	490004	25400	1110954	0000442	0000000	0000000	-10,130,107.07
01250	2023	33	490004	25400	1110956	0003804	0000000	0000000	-916,065.21
01250	2023	33	490004	25400	1110957	0000443	0000000	0000000	-1,869,997.97
01250	2023	33	490004	25400	1111094	0000441	0000000	0000000	-71,662.45
01272	2022	33	490004	25400	1111640	0000442	0490310	0000000	-33,800,124.86
01272	2023	33	490004	25400	1111640	0000442	0490310	0000000	-19,566,801.00
01273	2022	33	490004	25400	1111641	0000442	0490311	0000000	-4,815,756.57
01273	2023	33	490004	25400	1111641	0000442	0490311	0000000	-10,032,640.00
01250	2022	33	490004	25400	1111702	0004649	0000000	0000000	-880,156.69
01250	2023	33	490004	25400	1111702	0004649	0000000	0000000	-4,513,000.00

- b) Total obligations are decreased by -\$86,596,311.82; from \$3,031,810,563.43 to \$2,945,214,251.61.
- c) Total contract is decreased by -\$86,596,311.82; from \$3,055,588,849.27 to \$2,968,992,537.45.

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	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	\$ 11,326,343.62		\$ 11,326,343.62	\$ 11,326,343.62	
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	\$ 8,090,007.16		\$ 8,090,007.16	\$ 8,090,007.16	
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	\$ 939,408,268.97	\$ -	\$ 939,408,268.97	\$ 939,408,268.97	\$ 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	\$ 26,176,964.70		\$ 26,176,964.70	\$ 26,176,964.70	
October 1, 2019 through September 30, 2020				\$ 230,563,292.41	\$ 191,748,358.00
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	\$ 11,455,091.82		\$ 11,455,091.82	\$ 11,455,091.82	
TOTALS	\$ 748,051,427.89	\$ -	\$ 748,051,427.89	\$ 748,051,427.89	\$ 563,040,470.58
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

Option Period 2 - October 1, 2020 through September 30, 2021

PBS 80 Operations - 1110954	\$ 208,758,796.85		\$ 208,758,796.85		\$ 249,935,292.99	\$ 191,000,000.00
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	\$ 42,521,957.68		\$ 42,521,957.68		\$ 42,521,957.68	
TOTALS	\$ 292,457,250.67	\$ -	\$ 292,457,250.67	\$ 292,457,250.67	\$ 292,457,250.67	\$ 191,000,000.00

CLIN 13100: Option Periods 3 and 4 – Site Operations

Option Periods 3/4 - Oct 1 2021 through Mar 31, 2022 (Jan 31, 2023)

PBS 80 Operations - 1110954	\$ 284,619,308.82	\$ (10,130,107.07)	\$ 274,489,201.75	\$ 6,550.40	\$ 377,973,137.50	all 363 \$31,392,541.50 added here \$25,520,000 added 371
PBS 81 CCP - 1110956	\$ 15,782,972.67	\$ (916,065.21)	\$ 14,866,907.46			
PBS 83 Infrastructure - 1111702	\$ 19,576,000.00	\$ (5,393,156.69)	\$ 14,182,843.31			
PBS 90 Transportation - 1110957	\$ 27,920,447.00	\$ (1,869,997.97)	\$ 26,050,449.03			
PBS 20 Security - 1111094	\$ 5,675,539.57	\$ (71,662.45)	\$ 5,603,877.12			
PBS 20 Security - 1111098	\$ 627,134.00		\$ 627,134.00			
Funding from other DOE entities per H.55	\$ 16,575,308.44		\$ 16,575,308.44		\$ 16,575,308.44	
TOTALS	\$ 370,776,710.50	\$ (18,380,989.39)	\$ 352,395,721.11	\$ 394,554,996.34	\$ 394,554,996.34	***see PEMP

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	\$ 86,000,000.00	
FY18 OPC (PBS80) SSCVS	\$ 2,700,000.00		\$ 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	\$ 84,212,000.00	
FY19 OPC (PBS80) SSCVS	\$ 2,500,000.00		\$ 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	\$ 58,054,000.00	
FY20 OPC (PBS80) SSCVS	\$ 3,700,000.00		\$ 3,700,000.00	\$ 3,700,000.00	\$ 3,700,000.00	
TOTALS	\$ 237,166,000.00	\$ -	\$ 237,166,000.00	\$ 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	\$ 19,600,000.00	
FY18 OPC (PBS80) Utility Shaft	\$ 1,900,000.00		\$ 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	\$ 1,000,000.00	
FY19 OPC (PBS80) Utility Shaft	\$ 600,000.00		\$ 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	\$ 44,500,000.00	
FY20 OPC (PBS80) Utility Shaft						
TOTALS	\$ 67,600,000.00	\$ -	\$ 67,600,000.00	\$ 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	\$ 31,300,000.00	Availability of funds pending BCP/IPC
FY21 OPC (PBS80) SSCVS	\$ -		\$ -	\$ -	\$ -	approval (except COVID of 59,005.31).
TOTALS	\$ 31,300,000.00	\$ -	\$ 31,300,000.00	\$ 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	\$ 53,512,000.00	
FY21 OPC (PBS80) Utility Shaft	\$ -		\$ -	\$ -	\$ -	
TOTALS	\$ 53,512,000.00	\$ -	\$ 53,512,000.00	\$ 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	\$ (53,366,925.86)	\$ 23,353,449.54	\$ 23,353,449.54	\$ 23,353,449.54	
FY22 OPC (PBS80) SSCVS	\$ -	\$ -	\$ -	\$ -	\$ -	
TOTALS	\$ 76,720,375.40	\$ (53,366,925.86)	\$ 23,353,449.54	\$ 23,353,449.54	\$ 23,353,449.54	

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	\$ (14,848,396.57)	\$ 20,184,243.43	\$ 20,184,243.43	\$ 20,184,243.43	
FY22 OPC (PBS80) Utility Shaft	\$ -	\$ -	\$ -	\$ -	\$ -	
TOTALS	\$ 35,032,640.00	\$ (14,848,396.57)	\$ 20,184,243.43	\$ 20,184,243.43	\$ 20,184,243.43	

Grand Totals	\$ 3,031,810,563.43	\$ (86,596,311.82)	\$ 2,945,214,251.61	\$ 2,987,373,526.84	\$ 2,987,373,526.84	
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