

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>		1. CONTRACT ID CODE	PAGE OF PAGES 1   3
2. AMENDMENT/MODIFICATION NO. 0096	3. EFFECTIVE DATE See Block 16C	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
6. ISSUED BY EMCBC - Carlsbad U.S. Department of Energy Carlsbad Project Office P.O. Box 3090 Carlsbad NM 88221	CODE 03003	7. ADMINISTERED BY (If other than Item 6)	CODE
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) NUCLEAR WASTE PARTNERSHIP LLC Attn: Marty Gonzales Nuclear Waste Partnership 106 Newberry Street SW Aiken SC 29801		(x) 9A. AMENDMENT OF SOLICITATION NO.	9B. DATED (SEE ITEM 11)
CODE 968993910	FACILITY CODE	x 10A. MODIFICATION OF CONTRACT/ORDER NO. DE-EM0001971	10B. DATED (SEE ITEM 13) 04/20/2012
<b>11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS</b>			
<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 telegram 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 telegram or letter, provided each telegram or letter 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			
<b>13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.</b>			
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 date, 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) I.137 DEAR 970.5215-1 Total Available Fee - FY14 Fee Determination		
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not. <input type="checkbox"/> is required to sign this document and return _____ 0 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 modify the contract to incorporate the Fee Determination Official's final determination of performance fee earned by the contractor for the period October 1, 2013 through September 30, 2014. For Fiscal Year 2014, the contractor has earned fee of \$561,266 out of available fee of \$8,192,895. See page 2. 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 09/30/2017			
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) Vicki D. Snow	
15B. CONTRACTOR/OFFEROR  (Signature of person authorized to sign)		15C. DATE SIGNED	16B. UNITED STATES OF AMERICA <b>Exemption 6</b> (Signature of Contracting Officer)
			16C. DATE SIGNED 4/14/15

In Section B.2-2 (a) of the contract, fee of \$8,192,895 is available for FY14 for the contractor to earn through the completion of performance-based objectives and subjective award fee criteria as described in the FY14 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 as follows:

**Available Award Fee for this period: \$2,048,224      Earned: \$1,024,112**

**Table 1: Subjective (Award Fee) Criteria Summary Table (Prior to Fee Reductions)**

Criteria	Maximum Available Fee	Adjectival Rating	Fee Range Available for Adjectival Ratings	
			Percentage	Fee Amount
1.0 Mission Performance	\$512,026	Satisfactory	50%	\$256,028
2.0 Management Performance	\$512,026	Satisfactory	50%	\$256,028
3.0 ES&H Performance	\$512,026	Satisfactory	50%	\$256,028
4.0 Cost Control	\$512,026	Satisfactory	50%	\$256,028
<b>Total</b>	<b>\$2,048,224</b>			<b>\$1,024,112</b>

**Available Fee for Performance-Based Incentives for this period: \$6,144,671      Earned: \$401,638**

**Table 2: Performance-Based Incentives (Prior to Fee Reductions)**

Metric/Milestone	Maximum Available Fee	\$ per cubic meter	Multiplier, as applicable	Fee Earned
CH TRU Waste Volume Disposed	\$1,944,671	\$659	541.18 cubic meters	\$356,638
RH TRU Waste Volume Disposed	\$500,000	\$22,727	0 cubic meters	\$0
4,200 m <sup>3</sup> TRU Waste Disposed Goal Met	\$200,000			\$0
Invest/Reinvest \$5M Buy-Back Activities	\$1,000,000			\$0
Revise 220 Critical PMs by April 30, 2014	\$450,000		10%	\$45,000
Reduce Backlog of PM actions by 10%	\$925,000			\$0
Reduce Backlog of non-PM actions by 10%	\$1,125,000			\$0
<b>Totals</b>	<b>\$6,144,671</b>			<b>\$401,638</b>

In FY14, there were two reductions to earned fee issued under Contract Clause I.138 DEAR 970.5215-3 Conditional Payment of Fee and Other Incentives as a result of two Type-B incidents that occurred in FY14. The resulting fee after calculating the fee reductions in accordance with DEAR 970.5215-3 is \$561,266, as shown in Table 3.

**Total Earned Award Fee and Performance-Based Incentives: \$1,425,750**  
**Earned after Fee Reductions: \$561,266**

Table 3: Fee Reductions per DEAR 970.5215-3 for the fire and radiological release incidents.

FY2014 Fee	Earned Fee Prior to Fee Reductions	First Fee Reduction			Second Fee Reduction
		25% Fee Reduction	Recovered Fee	Subtotal Earned Fee	Earned Fee After 50% Reduction
Award Fee (Subjective)	\$1,024,112				
PBIs (Objective)	\$401,638				
<b>Total</b>	<b>\$1,425,750</b>	<b>(\$356,438)</b>	<b>\$53,219</b>	<b>\$1,122,531</b>	<b>\$561,266</b>

NWP earned FY14 fee of \$561,266. Fee of \$ \$7,631,629 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.