

2. AMENDMENT/MODIFICATION NO. <b>142</b>	3. EFFECTIVE DATE See Block 16C	4. REQUISITION/PURCHASE REQ. N/A No PR	5. PROJECT NO. (if applicable) N/A
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6. ISSUED BY <b>U.S. Department of Energy Carlsbad Field Office P. O. Box 3090 Carlsbad, NM 88220-3090</b>	CODE <b>03003</b>	7. ADMINISTERED BY (if other than Item 6)	CODE
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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, state, ZIP Code) <b>Nuclear Waste Partnership, LLC Attn: Marty Gonzales Nuclear Waste Partnership 106 Newberry Street SW Aiken, SC 29801</b>	CODE <b>968893910</b>	FACILITY CODE	9A. AMENDMENT OF SOLICITATION NO.
			9B. DATED (SEE ITEM 11)
			10A. MODIFICATION OF CONTRACT/ORDER NO. <b>DE-EM0001971</b>
			10B. DATED (SEE ITEM 13) <b>April 20, 2012</b>

**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 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 ACKNOWLEDGMENT 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)**  
**NOT A FUNDING ACTION**

**13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS; IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.**

	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO (Specify authority):
	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:
<b>X</b>	D. OTHER (SPECIFY TYPE OF MODIFICATION AND AUTHORITY FAR 43.103 (a)(3) – Supplemental agreement of the parties

E. IMPORTANT: Contractor  is not,  is required to sign this document and return 2 copies to the issuing office.

**14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)**

The purposes of this modification are to:  
 (1) Revise language in Contract Section F.1 for the option period of October 1, 2017 – September 30, 2022.  
 (2) Incorporate a Contractor's Statement of Release that is agreed to by the contractor's signature in Block 15.

See Pages 2-3.

Except as provided herein, all terms and conditions of the document referenced in Items 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print) <b>Philip J. Breidenbach, President &amp; Project Manager</b>	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) <b>Vicki Diane Snow, Contracting Officer</b>
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15B. CONTRACTOR/OFFEROR BY <b>Exemption 6</b> <small>(Signature of person authorized to sign)</small>	15C. DATE SIGNED <b>5/10/16</b>	16B. UNITED STATES OF AMERICA BY <b>Exemption 6</b> <small>(Signature of Contracting Officer)</small>	16C. DATE SIGNED <b>5-10-16</b>
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**Background for modification:**

In February 2014, two incidents occurred at the Waste Isolation Pilot Plant (WIPP) which prevented the disposing of waste in the WIPP underground. The primary purpose of the NWP M&O contract is waste disposal. Since February 2014, the Contractor has been involved with recovery actions at the WIPP Site, and it is not known now what date the WIPP facility will be available to dispose of waste. There is a Contractor estimated baseline schedule for resumption of waste operations that projects the WIPP Site will be available to accept waste currently stored at WIPP in December 2016 and accept waste from offsite in March 2017.

Because the contractor has not accomplished the waste disposal scope of the work from February 2014 through the present, the five-year option period requires modification to conform to effects of the two events which changed the timing and nature of the disposal of waste at WIPP. As of this date, it is unclear exactly what work can be accomplished during the five-year option period and consequently, the five-year option period needs to be modified to reflect the work at the WIPP Site and the possible future work at WIPP.

In consideration for and in order to complete WIPP Site recovery activities to return to WIPP Site disposal of waste, the term of the option period is changed from a five-year period to two option periods. The first option period is one year from October 1, 2017 – September 30, 2018. The second option period is four years from October 1, 2018 – September 30, 2022.

Accordingly, Section F.1 of the contract is revised to make changes to the duration of the five-year option period of October 1, 2017 – September 30, 2022, as follows:

**From: Mod 000:**

**F.1 PERIOD OF PERFORMANCE**

The base period of performance for this contract is from the date that the Contractor assumes full responsibility for the Performance Work Statement (PWS) through September 30, 2017 with an option to extend the term of this contract for a period of five (5) years. The option will be exercised unilaterally in accordance with Section I, FAR 52.217-9, "Option to Extend the Term of the Contract".

The Contracting Officer shall issue a written notice to proceed. Upon issuance of the notice to proceed, the Contractor is required to proceed with the Transition Activities in Section H." The transition period is 90 days from the written notice to proceed or as extended by the Contracting Officer. If the transition period is extended, the Contracting Officer shall provide written notification of the date the Contractor assumes full responsibility for the PWS in accordance with the clause in Section H entitled "Transition Activities".

**To: Mod 142:**

**F.1 PERIOD OF PERFORMANCE**

The base period of performance for this contract is from the date that the Contractor assumes full responsibility for the Performance Work Statement (PWS) through September 30, 2017 with options to extend the term of this contract for a period of five (5) years. The options will be exercised unilaterally in accordance with Section I, FAR 52.217-9, "Option to Extend the Term of the Contract." The option periods are:

Option Period 1: October 1, 2017 – September 30, 2018

Option Period 2: October 1, 2018 – September 30, 2022

The total term shall not extend beyond September 30, 2022, except as authorized by FAR 52.217-8, Option to Extend Services, and FAR 52.237-3, Continuity of Services.

The Contracting Officer shall issue a written notice to proceed. Upon issuance of the notice to proceed, the Contractor is required to proceed with the Transition Activities in Section H." The transition period is 90 days from the written notice to proceed or as extended by the Contracting Officer. If the transition period is extended, the Contracting Officer shall provide written notification of the date the Contractor assumes full responsibility for the PWS in accordance with the clause in Section H entitled "Transition Activities."

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**Contractor's Statement of Release per FAR 43.204(c):**

In consideration of Modification 142, Nuclear Waste Partnership, LLC (NWP) agrees to release the Government from any and all liability under the contract for any equitable adjustments attributable to such facts or circumstances giving rise to this modification of the option period.