

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE OF PAGES 1 4
2. AMENDMENT/MODIFICATION NO. 0154	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

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 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

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 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) FAR 52.243-2 Changes - Cost Reimbursement (AUG 1987) Alt II (APR 1984) DEAR 970.5243-1 Changes (DEC 2000)

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 purpose of this modification is to revise Section B.2 of the contract to incorporate changes to the fee base and total available award fee for the period October 1, 2015 through September 30, 2016 in accordance with Contract Clauses I.166 DEAR 970.5243-1 Changes (DEC 2000) and I. 92 FAR 52.243-2 Changes - Cost Reimbursement (AUG 1987) ALT II (APR 1984) and Section B.2.2(c) Total Available Award Fee.

Payment:

OR for EMCBC
U.S. Department of Energy
Oak Ridge Financial Service Center
P.O. Box 5777
Oak Ridge TN 37831
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) Kevin S. Donovan, Business Manager	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Vicki D. Snow
15B. CONTRACTOR/OFFEROR (b) (6) (Signature of person authorized to sign)	15C. DATE SIGNED 8/17/16
16B. UNITED STATES OF AMERICA (b) (6) (Signature of Contracting Officer)	16C. DATE SIGNED 8/18/16

CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED
DE-EM0001971/0154

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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)
	Period of Performance: 10/01/2012 to 09/30/2017				

CHANGES TO THE CONTRACT:

The following changes are made to Section B.2 Transition Cost, Anticipated Funding, and Total Available Award Fee for the Period October 1, 2015 through September 30, 2016:

1. In Section B.2-2 (a)

The total available award fee is revised from \$7,646,702.00, to \$13,485,242.00.

FROM:

PERFORMANCE PERIOD	Fee Percent (%)	Total Available Award Fee
October 1, 2015 – September 30, 2016	7.0	\$7,646,702

TO: In Modification 154:

PERFORMANCE PERIOD	Fee Percent (%)	Total Available Award Fee
October 1, 2015 – September 30, 2016	7.0	\$13,485,242

2. In Section B.2-2(b)

The fee base is revised from \$109,238,604.00 to \$192,646,307.00.

FROM:

Base Period	Anticipated Funding	Annual Fee Base
October 1, 2015 through September 30, 2016	\$133,217,810	\$109,238,604

TO:

Base Period	Anticipated Funding	Annual Fee Base
October 1, 2015 through September 30, 2016	\$253,426,860	\$192,646,307

Background:

The revisions to the FY16 available award fee and FY16 fee base result from the increase to FY16 anticipated funding that was incorporated in Modification 131, signed March 3, 2016, and in accordance with Contract Section B.2-2(c) as copied below:

“Total Available Award Fee is subject to adjustment only under the provisions of the clause in Section I entitled FAR 52.243-2 “Changes – Cost Reimbursement;” and, for a plus or minus 15% change in the annual fee base. An adjustment in total available award fee shall not be negotiated for any amount within the plus or minus 15% change threshold from the annual fee base. If an adjustment in the total available award fee is necessary in accordance with this subparagraph, the revised total available award fee shall be calculated based on the fee percentage in Section B.2-2(a) multiplied by the changes in the annual fee base for the applicable performance period to which an adjustment is to be made.”

At contract award, Section B.2-2 (a) of the contract award estimated the amount of total available award fee for FY16 as \$7,646,702, based on 7% fee on fee base of \$109,238,604 with anticipated FY16 funding of \$133,217,810. Per final FY16 program guidance issued to the contractor on January 6, 2016, in CBFO Letter 16-2100 which was incorporated in Modification 131, FY16 anticipated funding was increased to \$253,426,860.

With the increase to the anticipated funding, the fee base was recalculated in accordance with DEAR Clause 970.1504-1-7 – Fee Base with a determination that the change was greater than 15%. With the increase to the fee base, the available award fee was also recalculated with an increase to available fee.

Revised fee for FY16 is calculated at 7.0% on fee base of \$192,646,307.00 for total available award fee of \$13,485,242.00.

CONTRACTOR'S RELEASE OF CLAIMS (FAR 43.204): In consideration of the modification agreed to herein as a complete and equitable adjustment for the no-cost change incorporated hereto, the Contractor hereby releases the Government from any and all liability under this contract for further equitable adjustments attributed to such facts or circumstances giving rise to this modification, with no exceptions.