

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE 1 OF 4 PAGES
2. AMENDMENT/MODIFICATION NO. 161	3. EFFECTIVE DATE See Block 16c	4. REQUISITION/PURCHASE REQ. 16EM 003002; 16EM003004; 16EM003005; 16EM003010	5. PROJECT NO. (If applicable) N/A
6. ISSUED BY U.S. Department of Energy Carlsbad Field Office P. O. Box 3090 Carlsbad, NM 88220-3090		7. ADMINISTERED BY (If other than Item 6)	CODE
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, state, ZIP Code) Nuclear Waste Partnership, LLC Attn: Marty Gonzales Nuclear Waste Partnership 106 Newberry Street SW Aiken, SC 29801		9A. AMENDMENT OF SOLICITATION NO.	9B. DATED (SEE ITEM 11)
CODE 968993910	FACILITY CODE	10A. MODIFICATION OF CONTRACT/ORDER NO. DE-EM001971	10B. DATED (SEE ITEM 13) April 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 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)

											CBFO Ref. #	
01250	2016	33	490004	0000000	25400	1110954	0000442	0000000	0000000	\$3,917,803.00	PR16EM003002	PCR 16-032
01250	2016	33	490004	0000000	25400	1110956	0003804	0000000	0000000	(\$896,517.00)	PR16EM003002	PCR 16-032
01250	2016	33	490004	0000000	25400	1110957	0000443	0000000	0000000	\$547,312.00	PR16EM003002	PCR 16-032
01250	2016	33	490004	0000000	25400	1111661	0004575	0000000	0000000	\$723,212.00	PR16EM003004	PCR 16-037
01250	2011	33	490004	0000000	25400	1110954	0000442	0000000	0000000	\$17,604.38	PR16EM003005	PCR 16-035
01250	2013	33	490004	0000000	25400	1110954	0000442	0000000	0000000	\$180,104.62	PR16EM003005	PCR 16-035
01250	2014	33	490004	0000000	25400	1110954	0000442	0000000	0000000	\$40,747.51	PR16EM003005	PCR 16-035
01250	2016	33	490004	0000000	25400	1110954	0000442	0000000	0000000	\$461,543.49	PR16EM003005	PCR 16-035
01250	2016	33	490004	0000000	25400	1110954	0000442	0000000	0000000	\$9,785.00	PR16EM003010	PCR 16-033
01250	2016	33	490004	0000000	25400	1110957	0000443	0000000	0000000	\$200,000.00	PR16EM003010	PCR 16-036

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).
- X** C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: I.170 DEAR 970.5243-1 Changes (DEC 2000) and Incremental funding - DEAR 970.5204-15 entitled, "Obligation of Funds"
- D. OTHER (SPECIFY TYPE OF MODIFICATION AND AUTHORITY)

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:

- Obligate CBFO funding in the amount of \$5,201,595.00 to increase total contract funding from \$860,183,286.40, by \$5,201,595.00, to \$865,384,881.40.
- Revise Section B.2-2(b) to incorporate changes from approved NWP Programmatic Change Requests into the contract and increase FY16 anticipated funding by \$1,632,997. Total contract value is increased from \$1,978,522,337.40, by \$1,632,997.00, to \$1,980,155,334.40.

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 Diane Snow, Contracting Officer	
15B. CONTRACTOR/OFFEROR BY (b) (6) (Signature of person authorized to sign)	15C. DATE SIGNED 9/15/16	16B. UNITED STATES OF AMERICA BY (b) (6) (Signature of Contracting Officer)	16C. DATE SIGNED 9/15/16

Background for changes to contract value in Modification 161:

NWP submitted the following five Programmatic Change Requests (PCRs) that were approved on September 7, 2016. The net change for the approved PCRs is an increase to FY16 anticipated funding of \$1,632,997.00 in Section B.2-2(b) Transition Cost, Anticipated Funding, and Total Available Award Fee. CLIN 2 is increased by \$909,785.00 and CLIN 4 is increased by \$723,212.00. Revised Section B.2-2(b) is shown on pages 3-4 of this modification.

PCR 16-032 (NWP 16-080):

This request is a net \$0 dollar change to realign FY16 funding as follows.

PBS 80 increase of \$3,917,803.00
 PBS 81 decrease of \$3,520,583.00
 PBS 90 decrease of \$397,220.00

PCR 16-033 (NWP 16-085):

This request is an increase of \$9,785.00 in PBS 80 for new work scope for diesel fuel for the initial testing of the generator for the Emergency Operations Center.

PCR 16-035 (NWP 16-093):

This PCR requests budget for the following fire impairment projects and was approved at \$700,000.00 under PBS 80.

1. Remove and replace leaking firewater piping in Building 474
2. Design for new fire sprinkler system in Building 411.
3. Remove and replace filter building fire sprinkler system in Building 413.

PCR 16-036 (NWP 16-096):

This request is for procurement of two Mobile Loading Unit Trailers at \$200,000.00 under PBS 90.

PCR 16-037 (NWP 16-097):

This request is for budget of \$723,212.00 under PBS 82 (recovery) for the installation of automatic fire suppression systems in underground equipment.

Summary of changes by PBS for the five PCRs:

PCR #	PBS 80	PBS 81	PBS 82	PBS 90
16-032	\$ 3,917,803	\$ (3,520,583)	\$ 0	\$ (397,220)
16-033	\$ 9,785	\$ 0	\$ 0	\$ 0
16-035	\$ 700,000	\$ 0	\$ 0	\$ 0
16-036	\$ 0	\$ 0	\$ 0	\$ 200,000
16-037	\$ 0	\$ 0	\$ 723,212	\$ 0
Net Change	\$ 4,627,588	\$ (3,520,583)	\$ 723,212	\$ (197,220)

Changes to FY16 Program Guidance and Funding from Modification 160 to Modification 161 are shown below:

	Program Guidance to Mod 160	Mod 161 - increase to value	Mod 161 revised value	Funding thru Mod 160	Funding obligated in Mod 161	Total FY16 funding
PBS 80 - Base 1110954	116,829,188.00	4,627,588.00	121,456,776.00	116,829,188.00	4,627,588.00	121,456,776.00
PBS 82 - 1111661 -Recovery	79,459,008.00	723,212.00	80,182,220.00	79,459,008.00	723,212.00	80,182,220.00
PBS 81 - CCP 1110956	14,054,837.00	-3,520,583.00	10,534,254.00	11,430,771.00	-896,517.00	10,534,254.00
PBS 90 - Transport. 1110957	6,034,513.00	-197,220.00	5,837,293.00	5,089,981.00	747,312.00	5,837,293.00
PBS 20 - Security 1111094	3,707,449.44	0.00	3,707,449.44	3,707,449.44	0.00	3,707,449.44
PBS 20 - Security 1111098	538,425.56	0.00	538,425.56	538,425.56	0.00	538,425.56
15-D-411 Ventilation System	23,218,000.00	0.00	23,218,000.00	23,218,000.00	0.00	23,218,000.00
14-D-412 Exhaust Shaft	7,500,000.00	0.00	7,500,000.00	7,500,000.00	0.00	7,500,000.00
Totals	251,341,421.00	1,632,997.00	252,974,418.00	247,772,823.00	5,201,595.00	252,974,418.00

Changes to Section B.2-2(b) Transition Cost, Anticipated Funding, and Total Available Award Fee

	Actual Funding	Anticipated Funding	Annual Fee Base***
CLIN 1: Transition			
July 1, 2012 - September 30, 2012	\$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	\$109,238,604
Funding transferred from WTS contract	\$7,995,864.65	\$7,995,864.65	
Funding from other DOE entities per H.55	\$11,373,074.35	\$11,373,074.35	
October 1, 2013 through September 30, 2014	\$139,265,040.00	\$139,265,040	\$109,238,604
WBS 1.7 PMB for Recovery Activities (CLIN 4)	\$31,148,035.00	\$31,148,035.00	
Funding from other DOE entities per H.55	\$1,232,980.92	\$1,232,980.92	
October 1, 2014 through September 30, 2015	\$121,492,804.86	\$121,492,804.86	\$100,097,068
Funding for OPC: PVS (OPC) (CLIN 5)	\$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	\$82,115,542
WBS 1.7 Recovery funding for FY15 OPC PVS (CLIN 5)	\$1,979,689.04	\$1,979,689.04	
Funding from other DOE entities per H.55	\$5,551,193.66	\$5,551,193.66	
October 1, 2015 through September 30, 2016	\$142,074,198.00	\$142,074,198	\$117,758,978
Funding from other DOE entities per H.55	\$7,161,085.26	\$7,161,085.26	
October 1, 2016 through September 30, 2017	\$0.00	\$133,217,810	\$109,238,604
Funding from other DOE entities per H.55	\$0.00	\$0	
TOTALS	\$736,930,991.40	\$870,148,801.40	\$627,687,400
CLIN 3: Option Period 1 – Site Operations			
October 1, 2017 through September 30, 2018	\$0.00	\$133,217,810	\$109,238,604
CLIN 4: WBS. 1.7 Performance Measurement Baseline for Recovery Activities			
FY14 WIPP Recovery Project WBS 1.7, Fee, MR: (Note: FY14 funding was obligated to CLIN 2 in STRIPES before Mod 94)	\$0.00	\$0	
FY15 WIPP Recovery Project WBS 1.7, Fee, MR - (Note: FY15 funding was obligated to CLIN 2 in STRIPES before Mod 94)	\$0.00	\$0	
FY16 WIPP Recovery Project WBS 1.7, Fee, MR	\$80,182,220.00	\$80,182,220	\$69,087,329
FY17 WIPP Recovery Project WBS 1.7, Fee, MR	\$0.00	\$12,322,628	
Option period - FY18 WIPP WBS 1.7, Fee, PMB (to CLIN 6)	\$0.00	\$0	
TOTALS	\$80,182,220.00	\$92,504,848	\$69,087,329
CLIN 5: WBS 1.8 Capital Asset Project(s) for Permanent Ventilation System and Exhaust Shaft			
FY15 CAP 15-D-411 Ventilation	\$12,000,000.00	\$12,000,000.00	
FY16 CAP 15-D-411 Ventilation	\$23,218,000.00	\$23,218,000.00	\$3,400,000
FY17 CAP 15-D-411 Ventilation	\$0.00	\$2,532,000.00	
FY15 CAP 15-D-412 Exhaust	\$4,000,000.00	\$4,000,000.00	
FY16 CAP 15-D-412 Exhaust	\$7,500,000.00	\$7,500,000.00	\$2,400,000
FY17 CAP 15-D-412 Exhaust	\$0.00	\$2,533,000.00	
FY17 OPC (PBS 80) ventilation	\$0.00	\$1,569,189.00	
FY17 OPC (PBS 80) exhaust	\$0.00	\$1,264,239.00	
TOTALS	\$46,718,000.00	\$54,616,428.00	\$5,800,000

CLIN 6: - Option Period - WBS. 1.7 Performance Measurement Baseline for Recovery Activities -

FY18 WIPP Recovery Project WBS 1.7, Fee, MR

\$0.00 \$358,466

CLIN 7: Option Period 2 – Site Operations

October 1, 2018 through September 30, 2019

\$0.00 \$133,217,810 \$109,238,604

October 1, 2019 through September 30, 2020

\$0.00 \$133,217,810 \$109,238,604

October 1, 2020 through September 30, 2021

\$0.00 \$133,217,810 \$109,238,604

October 1, 2021 through September 30, 2022

\$0.00 \$133,217,810 \$109,238,604

\$0.00 \$532,871,240 \$436,954,416**CLIN 8: Option Period 1 - WBS. 1.8 CAP 15-D-411****Ventilation**

FY18 CAP 15-D-411 ventilation

\$0.00 \$66,994,475.00 TBD

FY18 OPC (PBS80) ventilation

\$0.00 \$3,060,741.00 TBD

Totals

\$0.00 \$70,055,216.00**CLIN 9: Option Period 1 - WBS. 1.8 CAP 15-D-412****Exhaust**

FY18 CAP 15-D-412 exhaust

\$0.00 \$17,145,976.00 TBD

FY18 OPC (PBS80) exhaust

\$0.00 \$1,664,239.00 TBD

Totals

\$0.00 \$18,810,215.00**CLIN 10: Option Period 2 - WBS. 1.8 CAP 15-D-411****Ventilation**

FY19 CAP 15-D-411 ventilation

\$0.00 \$88,483,623.00 TBD

FY19 OPC (PBS80) ventilation

\$0.00 \$3,059,052.00 TBD

FY20 CAP 15-D-411 ventilation

\$0.00 \$38,462,902.00 TBD

FY20 OPC (PBS80) ventilation

\$0.00 \$4,222,363.00 TBD

FY21 CAP 15-D-411 ventilation

\$0.00 \$0.00

FY21 OPC (PBS80) ventilation

\$0.00 \$4,627,955.00 TBD

TOTALS

\$0.00 \$138,855,895.00**CLIN 11: Option Period 2 - WBS. 1.8 CAP 15-D-412****Exhaust**

FY19 CAP 15-D-412 exhaust

\$0.00 \$53,519,012.00 TBD

FY19 OPC (PBS80) exhaust

\$0.00 \$837,722.00 TBD

FY20 CAP 15-D-412 exhaust

\$0.00 \$12,806,011.00 TBD

Totals

\$0.00 \$67,162,745.00 TBD

Totals

\$865,384,881.40 \$1,980,155,334.40