

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE 1 OF 3 PAGES
2. AMENDMENT/MODIFICATION NO. 164	3. EFFECTIVE DATE See Block 16c	4. REQUISITION/PURCHASE REQ. PR 17EM000058	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.	
CODE 968993910 FACILITY CODE		9B. DATED (SEE ITEM 11)	
		10A. MODIFICATION OF CONTRACT/ORDER NO. DE-EM0001971	
		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)

01250	2017	33	490004	0000000	25400	1110954	0000442	0000000	0000000	\$29,741,312.38
01250	2017	33	490004	0000000	25400	1110956	0003804	0000000	0000000	\$ 2,978,844.55
01250	2017	33	490004	0000000	25400	1110957	0000443	0000000	0000000	\$ 1,521,441.80
01250	2017	33	490004	0000000	25400	1111661	0004575	0000000	0000000	\$ 9,669,022.93
01250	2017	33	490004	0000000	25400	1111094	0000441	0000000	0000000	\$ 528,671.06
01250	2017	33	490004	0000000	25400	1111098	0000441	0000000	0000000	\$ 158,453.94

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:
X	D. OTHER (SPECIFY TYPE OF MODIFICATION AND AUTHORITY) DEAR 970.5204-15 entitled, "Obligation of Funds"

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.)

The purpose of this modification is to obligate CBFO FY17 incremental funding of \$44,597,746.66 to the contract.

Total contract funding is increased from \$868,470,745.69, by \$44,597,746.66, to \$913,068,492.35.

Section B.2.2.(b) is revised to incorporate funding in Modification 164.

See pages 2-3.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Suzanne W. Hunt, Contracting Officer	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
BY _____ (Signature of person authorized to sign)		BY (b) (6) _____ (Signature of Contracting Officer)	10/20/16

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	\$144,160,062.29	\$144,160,062.29	\$117,758,978
Funding from other DOE entities per H.55	\$8,161,085.26	\$8,161,085.26	
October 1, 2016 through September 30, 2017	\$34,928,723.73	\$133,217,810	\$109,238,604
Funding from other DOE entities per H.55	\$0.00	\$0	
TOTALS	\$774,945,579.42	\$873,234,665.69	\$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	\$9,669,022.93	\$12,322,628	
Option period - FY18 WIPP WBS 1.7, Fee, PMB (to CLIN 6)	\$0.00	\$0	
TOTALS	\$89,851,242.93	\$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

\$913,068,492.35 \$1,983,241,198.69