

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE 1 OF 3 PAGES
2. AMENDMENT/MODIFICATION NO. <b>0174</b>	3. EFFECTIVE DATE See Block 16c	4. REQUISITION/PURCHASE REQ. N/A NO PR	5. PROJECT NO. (If applicable) N/A
6. ISSUED BY <b>U.S. Department of Energy Carlsbad Field Office P. O. Box 3090 Carlsbad, NM 88220-3090</b>		7. ADMINISTERED BY (If other than Item 6)	CODE
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>		9A. AMENDMENT OF SOLICITATION NO.	9B. DATED (SEE ITEM 11)
CODE 968993910	FACILITY CODE	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:
X	D. OTHER (SPECIFY TYPE OF MODIFICATION AND AUTHORITY I. 137 DEAR 970.5215-1 – Fee Determination for FY16

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 incorporate the Fee Determination Official's final determination of performance fee earned by the contractor for the period October 1, 2015 through September 30, 2016. For Fiscal Year 2016, the contractor has earned fee of \$11,294,601.37 out of available fee of \$13,485,242.00. See page 2.

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)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) <b>Suzanne Willes Hunt, Contracting Officer</b>	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
BY _____ (Signature of person authorized to sign)		BY <b>(b) (6)</b> (Signature of Contracting Officer)	5/1/2017

In Section B.2-2 (a) of the contract, fee of \$13,485,242.00.00 is available for FY16 for the contractor to earn through the completion of performance-based objectives and subjective award fee criteria as described in the FY16 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 (PBIs) as follows:

**Available Award Fee for subjective criteria in this period: \$3,371,310.00 Earned: \$2,739,189.37**

Table 1: Subjective (Award Fee) Criteria Summary Table

Criteria	Maximum Available Fee	Adjectival Rating	Fee Determined from Adjectival Ratings	
			Percentage	Fee Amount
1.0 Mission Performance	\$842,827.50	Very Good	90%	\$758,544.75
2.0 Management Performance	\$842,827.50	Good	75%	\$632,120.62
3.0 ES&H Performance	\$842,827.50	Very Good	90%	\$758,544.75
4.0 Cost Control	\$842,827.50	Good	70%	\$589,979.25
<b>Total</b>	<b>\$3,371,310.00</b>			<b>\$2,739,189.37</b>

**Available Fee for Performance-Based Incentives for this period: \$10,113,932.00 Earned: \$8,555,412.00**

Table 2: Performance-Based Incentives

Metric	Title	Maximum Available Fee	Fee Earned
1	For the completion and progress of WIPP site recovery including readiness activities.	\$4,670,000.00	\$4,223,880.00
2	For completing the enhanced Acceptable Knowledge process for 6 CH TRU waste streams and for characterizing RH TRU waste during the performance period.	\$550,000.00	\$550,000.00
3	For implementation of a Material Condition and Aging Management Program (MCAMP).	\$1,043,932.00	\$910,532.00
4	For upgrade/revitalization activities that improve the site material condition and support extended future WIPP operations.	\$1,700,000.00	\$1,596,000.00
5	For continuing the Permanent Ventilation System capital asset projects (Safety Significant Confinement Ventilation System and Exhaust Shaft and Drifts) with a certifiable earned value management system (EVMS) to support Critical Decision 2/3.	\$900,000.00	\$900,000.00
6	This metric/milestone to develop a strategy to ensure future TRU waste inventory can be disposed at WIPP was removed as an objective PBI and added as a subjective measure to the award fee Mission Performance criterion of the FY 2016 PEMP in Rev. 1.	N/A	N/A

7	<b>For implementing a graded approach for earned value techniques in budget and execution planning.</b>	\$250,000.00	\$125,000.00
8	<b>For the Contractor developing an overarching vision and strategy for WIPP to achieve its operational lifetime through FY 2050 with both near term and long term operational activities and projects.</b>	\$250,000.00	\$250,000.00
9	<b>For the radiological down-posting of Panel 7 from a High Contamination Area to a Contamination Area.</b>	\$750,000.00	\$0.00
<b>Total</b>	<b>Maximum Available PBI Fee</b>	<b>\$10,113,932.00</b>	<b>\$8,555,412.00</b>

Summary of fee earned:

PEMP Fee Type	Maximum Available Fee	Fee Amount	Percentage of Maximum Available Fee
Objective Criteria (PBI) Fee Earned	\$10,113,932.00	\$8,555,412.00	84.59%
Subjective Criteria (Award Fee)	\$3,371,310.00	\$2,739,189.37	81.25%
<b>TOTAL FEE</b>	<b>\$13,485,242.00</b>	<b>\$11,294,601.37</b>	<b>83.76%</b>

Fee of \$2,190,640.63 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.