

Block 14: Description of Amendment/Modification (continued)

This Modification updates Section J, List B Directives, as follows:

Additions:

- CRD DOE O 232.1A, (Supplemented, Rev 0), "Occurrence Reporting and Processing of Operations Information"
- CRD DOE O 435.1, C-1, (Supplemented, Rev 0), " Radioactive Waste Management"

Deletions:

- CRD DOE O 232.1A, "Occurrence Reporting and Processing of Operations Information"
- CRD DOE O 435.1, "Radioactive Waste Management"
- RLID 1300.1D, "Richland Operations Office Facility Representative Program"
- DOE O 5481.1B C-1, "Safety Analysis and Review System"
- DOE O 5660.1B, "Management of Nuclear Materials"

OTHER REQUIRED REPORTS

The following are the reports required of the Contractor. This list is not complete and is subject to change at the discretion of the Contracting Officer's Representative (COR). The distribution list will be determined by the COR. Also, the contract and format requirements will be determined by the COR.

Report Name	Frequency
General Management System (GMS) Program/Project Status Report	Monthly
PA Milestone Status Report	Monthly
Project Managers' Progress Report	Monthly
Cost Performance Report	Monthly
ERWM Progress Tracking System (PTS) Report	Monthly
Annual SARA 120 Record Input	Yearly
Monthly Herbicide Report	Monthly
Well Start Cards	As Required
Well Completion Reports	As Required
Remediation Start Cards	As Required
Annual Land Disposal Restrictions (LDR) Status Report (M-26/01/M-26-02)	Yearly
Annual LDR Alternative Report (M-25-00)	Yearly
Annual Polychlorinated Biphenyl (PCB) Document Log (40 CFR 761.180)	Yearly
PCB Annual Report (40 CFR 761.180)	Yearly
Biannual RCRA 3016 Report	Biannually
Emergency Planning and Community Right-to-Know Act (EPCRA) 311 – Material Data Sheet	As Required
EPCRA 312 – Tier Two Emergency and Hazardous Chemical Inventory Report	Yearly
EPCRA 313 – Toxic Chemical Release Inventory Forms	Yearly
Financial Statements – not yet defined	Yearly
CFO Report	Biweekly
Electronic Invoice (See Section H-19)	Biweekly
Report of Employment and Labor Turnover	Yearly
Report of Contractor Expenditures for Group Insurance and Other Health Benefit Programs (if appropriate)	Yearly
Public Voucher (SF 1034)	Biweekly
5500 Report (IRS)	Yearly
Five-Year Plan	Yearly
Fiscal Year Work Plans	Yearly
Multi-Year Program Plans	Yearly
Disclosure Statement	As Required

Report Name	Frequency
Report of Contractor Hours and Earnings	Semi-Annually
Report of Compensation	Semi-Annually
Use of Private Aircraft	Yearly
Report of Contractors Expenditures for Supplementary Compensation	Yearly
Spills and Releases of Hazardous Substances (RCRA, CERCLA, CAA, CWA, WAC 173-303, TCA, APCA 80-7, WAC 173-360)	Immediately for releases in excess of CERCLA reportable quantities
Planned, Continuous, and Stable Releases in Excess of Standards (CERCLA)	Yearly
Data on Waste Activities, (description, quantity, and method) (WAC 173-303)	7 days after Determination
Hazardous Constituent Level Change in Groundwater (WAC 173-303)	Yearly
Written notification on operation of any portable source of regulated air emissions (WAC 246-247)	90 days prior to startup
Written notification on shutdown or permanent elimination of a source of radioactive air emission (WAC 246-247)	30 days prior to shutdown or closure
Permit reporting/notification requirements (Part A, Part B, PSD, NPDES)	Specified in permit
Underground injection well data on Waste Constituents and Volumes (SDWA WAC 173-218)	TBD
Radioactive effluent and onsite discharge data	Yearly
Data on PCBs and PCB-containing items of equipment such as removal dates, quantities and types of equipment, shall be submitted to RL (40 CFR 761)	Yearly
Generator Annual Dangerous Work Report (WAC 173-303)	Yearly
TSD Facility Annual Dangerous Waste Report (PHMC 173-303)	Yearly
Information on the waste minimization efforts to reduce the volume and toxicity of generated waste (RCRA)	Yearly
Annual Effluent and Solid Waste Report	Yearly
Annual Environmental Monitoring Report	Yearly
Annual Air Emissions Report (40 CFR 61, Subpart H)	Yearly
Physical Inventory Report: Capital Equipment Sensitive Property Stores Inventories	Biannually Yearly Yearly
Loss, Damage, and Destruction of Government Property	Upon Occurrence
Property Management Walkthrough Inspection Reports ⁽¹⁾	30 days after inspection
Helium Report (if appropriate)	Yearly
Lead Usage Report (if appropriate)	Yearly

(1) Walkthroughs are required in all operating/storage facilities.

H-32 WORKERS' COMPENSATION

Pursuant to the Revised Code of Washington (RCW) Title 51, the Department of Energy (DOE), Richland Operations Office (RL) is a group self-insurer for purposes of workers' compensation coverage. The coverage afforded by the workers' compensation statutes shall, for performance of work under this contract, including work of pre-selected subcontractors, be subject to the following:

- A. The terms of a Memorandum of Understanding (MOU) with the Washington Department of Labor and Industries (L&I) by which, DOE has agreed to perform all functions required of self-insurers in the State of Washington. While this MOU is in effect, the Contractor is not required to pay for workers' compensation coverage or benefits except as otherwise provided below or as directed by the Contracting Officer.
- B. The Contractor shall submit to DOE (or other party as designated by the Contracting Officer for transmittal to the L & I), such payroll records required by the workers' compensation laws of the State of Washington.
- C. The Contractor shall submit to DOE (or other party as designated by the Contracting Officer), for transmittal to the Washington Department of Labor and Industries, the accident reports provided for by RCW Title 51, Section 51.28.010, or any other documentation requested by DOE or the L&I pursuant to the workers' compensation laws of the State of Washington.
- D. The Contractor shall take such action, and only such action, as DOE (or other party as designated by the Contracting Officer) requests in connection with any accident reports, including assistance in the investigation and disposition of any claim there under and, subject to the direction and control of DOE, the conduct of litigation in the Contractor's own name in connection therewith.
- F. The Contractor shall be responsible for making all payments and submitting all reports required by RCW Title 51, Section 51.32.073.

H-33 PERMITS AND LICENSES

- a. Except as notified in writing by the Contracting Officer, the Contractor shall obtain any necessary permits and licenses required by laws, codes, ordinances, and regulations of the United States, a state or territory, and a municipality or other political subdivision, and which are applicable to the performance of work under this contract. This includes, but is not necessarily limited to, identifying if

such permits and licenses are required, compiling the information and data required for applications to obtain permits and licenses, filing any application required to obtain permits and licenses, and providing any additional information or data required.

- b. When notified by the Contracting Officer that the DOE will obtain certain permits or licenses, the Contractor shall provide all reasonable assistance requested, including providing information or data, that is required for obtaining such permits or licenses.
- c. The Contractor shall comply with all laws, codes, ordinances, and regulations of the United States, a state or territory, and a municipality or other political subdivision, and that are applicable to the performance of work under this contract.

H-34 ORDER OF PRECEDENCE

Any inconsistency in this solicitation or contract shall be resolved by giving precedence in the following order: (a) the Statement of Work; (b) the schedule; (c) contract clauses; and (d) other documents, exhibits, and attachments. In the event of an inconsistency between or among contract clauses directly dealing with cost allowability issues, specific provisions of this contract will take precedence over provisions generally making FAR Part 31 applicable to the contract.

H-35 INSURANCE

- a. The terms in this contract shall take precedence over provisions in FAR 31.205-19, "Insurance and Indemnification." This clause and the clauses titled "Special Provision on Financial Accountability," "Nuclear Hazards Indemnity Agreement," "Allowable Cost and Payment," and "Preexisting Conditions" provide the controlling insurance and indemnification provisions for this contract.
- b. The Contractor shall procure and maintain such bonds and insurance as required or approved in writing by the Contracting Officer. The terms and conditions of any such bonds and insurance shall conform to the directions of the Contracting Officer. In view of the provisions of subparagraph (e) of the clause entitled "Special Provision on Financial Accountability", the Contractor may, at its own expense and not as an allowable cost, procure for its own protection insurance covering loss or destruction of, or damage to, Government property to compensate the Contractor for any unallowable or non-reimbursable costs incurred in connection with such property.

- c. Legally required contributions to old-age and survivors' insurance, unemployment compensation plans, and workmen's compensation plans (whether or not covered by insurance) are allowable insurance costs under this contract. Other types of personnel-related insurance are covered under FAR 31.205-6.
- d. In the event of a third party claim against the Contractor, the cost and expense of which the Contractor would propose to submit as a claim for allowable costs, paragraph (f), "Costs related to legal defense and settlement of claims," of the clause entitled "Special Provision on Financial Accountability" shall apply. In the event the Contractor has insurance covering part, but not all, of the amount claimed and proposes to submit part of the claim as an allowable cost, the Contractor shall: (1) immediately notify the Contracting Officer and promptly furnish copies of all pertinent papers received; and (2) authorize Government representatives to collaborate with counsel for the insurance carrier in settling or defending the claim.

H-36 PROCUREMENT OF CONSTRUCTION (JUNE 1991)

The Contractor shall not perform construction services with its own employees under this contract without the express prior approval of the Contracting Officer.

The Contractor shall procure by subcontract the construction, alteration, or repair of public buildings or public works required to be performed under this contract. The Contractor shall ensure that any subcontract for such construction, alteration, or repair includes the following clauses, and that the subcontractor complies with their provisions:

Contract Work Hours and Safety Standards Act

Overtime Compensation at FAR 52.222-4

Davis-Bacon Act at FAR 52.222-6

Withholding of funds at FAR 52.222-7

Payrolls and Basic Records at FAR 52.222-8

Apprentices and Trainees at FAR 52.222-9

Compliance with Copeland Act Requirements at FAR 52.222-10

Subcontracts (Labor Standards) at FAR 52.222-11

Contract Termination – Debarment at FAR 52.222-12

Compliance with Davis-Bacon and Related Act Regulations at FAR 52.222-13

Disputes Concerning Labor Standards at FAR 52.222-14

Certification of Eligibility at FAR 52.222-15

Buy American Act at FAR 52.225-5

Upon a determination by the Contracting Officer or the duly authorized representative that the Davis-Bacon Act is applicable to any item of work to be performed hereunder, the Contractor shall request a determination of the prevailing wage rates from the Contracting Officer in sufficient time to include the appropriate wage determination in the subcontract bid package.

H-37 PROCUREMENT OF ARCHITECT-ENGINEERING SERVICES

Upon direction of the Contracting Officer, the Contractor shall procure Architect-Engineering (A-E) Services using FAR Part 36 and DEAR Part 936 as guides. The Brooks Act, Public Law 92-582, establishes the policy and procedures necessary to assure the selection of A-E Contractors by the Federal Government is based solely upon the qualifications of competing A-E firms. The Act does not directly govern the award of A-E subcontracts. However, the Contractor shall assure that its purchasing system and methods reflect the essence of the Federal policy by providing for selection of A-E subcontractors based primarily upon the proposer's qualifications, however, this does not preclude the consideration of other factors, including cost or price, in the selection of A-E subcontractors.

Combinations of subcontractors for architect-engineer and construction services, which may result in self-inspection of construction work, shall not be awarded unless specifically authorized by the Contracting Officer.

LIST B

Directive Identifier	Title	Date of Order or CRD	CRD Supplement
CRD DOE O 110.3	Conference Management <i>(Printed in its entirety below)</i>	05/08/00	See CRD Below
CRD DOE O 130.1	Budget Formulation Process	09/29/95	No
CRD DOE M 140.1-1B	Interface with the Defense Nuclear Facilities Safety Board	03/30/01	Not Applicable
DOE N 142.1	Unclassified Foreign Visits and Assignments	07/14/99	Not Applicable
CRD DOE O 151.1A	Comprehensive Emergency Management System	11/01/00	No
DOE M 200.1-1, Chapter 9	Public Key Cryptography and Key Management	02/15/00	Not Applicable
CRD DOE N 205.1	Unclassified Cyber Security Program	07/26/99	No
CRD DOE N 205.2	Foreign National Access to Cyber Systems	11/01/99	No
CRD DOE N 205.3	Password Generation, Protection and Use	11/23/99	No
CRD DOE O 221.1	Reporting Fraud, Waste, and Abuse to the Office of Inspector General	03/22/01	No
CRD DOE O 221.2	Cooperation With the Office of Inspector General	03/22/01	No
DOE-0223	RL Emergency Implementing Procedures	Current Version	Not Applicable
CRD DOE O 224.1	Contractor Performance-Based Business Management Process	12/08/97	No
CRD DOE O 225.1A	Accident Investigations	11/26/97	No
DOE M 232.1-1A	Occurrence Reporting and Processing of Operations Information	07/21/97	Not Applicable
CRD DOE O 232.1A	Occurrence Reporting and Processing of Operations Information	07/21/97	Rev 0
HFID 232.1B	Notification, Reporting and Processing of Operations Information	09/08/99	Not Applicable
CRD DOE O 241.1A	Scientific and Technical Information Management	04/09/01	No
CRD DOE O 251.1A	Directives System	01/30/98	No
CRD DOE O 252.1	Technical Standards Program	11/19/99	No
CRD DOE O 311.1A	Equal Employment Opportunity and Diversity Program	12/30/96	No

LIST B

Directive Identifier	Title	Date of Order or CRD	CRD Supplement
CRD DOE O 350.1 C-1	Contractor Human Resource Management Programs	05/08/98	No
CRD DOE O 413.1	Management Control Program	12/06/95	No
CRD DOE O 414.1A	Quality Assurance	09/29/99	No
RLID 420.1	Fire Protection	06/18/99	Not Applicable
CRD DOE O 420.1 C-3	Facility Safety	11/22/00	No
CRD DOE O 425.1A	Startup and Restart of Nuclear Facilities	12/28/98	No
CRD DOE O 430.1A	Life Cycle Asset Management	10/14/98	Rev 1
CRD DOE O 435.1, C-1	Radioactive Waste Management	08/28/01	Rev 0
CRD DOE O 440.1A	Worker Protection Management for DOE Federal and Contractor Employees	03/27/98	No
DOE O 440.2 C-1, C-2	Aviation	09/25/95	Not Applicable
RLM 440.2	Aviation Manual	MAY 1997	Not Applicable
CRD DOE O 442.1A	Department of Energy Employee Concerns Program	06/06/01	Rev 0
CRD DOE N 450.4	Assignment of Responsibilities for Executive Order 13148, Greening the Government Through Leadership in Environmental Management	02/05/01	No
CRD DOE O 460.1A	Packaging and Transportation Safety	10/02/96	No
CRD DOE O 460.2 C-1	Departmental Materials Transportation and Packaging Management	10/26/95	Rev 0
DOE O 470.1 C-1	Safeguards and Security Program	09/28/95	Not Applicable
CRD DOE O 470.2A	Safeguards and Security Independent Oversight Program	03/01/00	No
CRD DOE O 471.2A	Information Security Program	03/27/97	No
CRD DOE N 471.3	Reporting Incidents of Security Concern	04/13/01	Rev 0
RLID 473.1	Protection of Safeguards and Security Interests	05/05/96	Not Applicable

LIST B

Directive Identifier	Title	Date of Order or CRD	CRD Supplement
RLID 473.2	Hanford Site Access Eligibility	04/28/97	Not Applicable
CRD DOE N 473.4	Department of Energy Badges	05/26/00	No
CRD DOE O 551.1A	Official Foreign Travel	08/25/00	Rev 0
DOE O 1220.1A C-1	Congressional and Intergovernmental Affairs	04/09/92	Not Applicable
DOE O 1230.2	American Indian Tribal Government Policy	04/08/92	Not Applicable
DOE O 1324.5B	Records Management Program	07/19/96	Not Applicable
DOE O 1340.1B	Management of Public Communications Publications and Scientific, Technical and Engineering Publications	01/07/93	Not Applicable
DOE O 1350.1 C-1	Audiovisual and Exhibits Management	10/28/81	Not Applicable
DOE O 1450.4	Consensual Listening In To Or Recording Telephone/Radio Conversations	11/12/92	Not Applicable
DOE O 2110.1A C-1, C-2	Pricing of Departmental Materials and Services	07/14/88	Not Applicable
DOE O 4330.4B	Maintenance Management Program	02/10/94	Not Applicable
DOE O 5400.1 C-1	General Environmental Protection Program	11/09/88	Not Applicable
DOE O 5400.5 C-2	Radiation Protection of the Public and the Environment	02/08/90	Not Applicable
DOE O 5440.1E	NEPA Compliance Program	11/10/92	Not Applicable
DOE O 5480.4 C-1, C-2, C-3 & C-4; [Excluding Attachment 2, paragraph 2c, 2d(2)-(3), 2e(1)-(8), and Attachment 3, paragraph 2c, 2d(2)-(3), 2e(1)-(7)]	Environmental Protection, Safety and Health Protection Standards	05/15/84	Not Applicable
DOE O 5480.19 C-1	Conduct of Operations Requirements for DOE Facilities	07/09/90	Not Applicable
DOE O 5480.20A	Personnel Selection, Qualification, and Training Requirements for DOE Nuclear Facilities	11/15/94	Not Applicable

LIST B

Directive Identifier	Title	Date of Order or CRD	CRD Supplement
DOE O 5480.21	Unreviewed Safety Questions	12/24/91	Not Applicable
DOE O 5480.22 C-1, C-2	Technical Safety Requirements	02/25/92	Not Applicable
DOE O 5480.23 C-1	Nuclear Safety Analysis Reports	04/10/92	Not Applicable
DOE O 5484.1 C-1 to C-7	Environmental Protection, Safety and Health Protection Information Reporting Requirements	02/24/81	Not Applicable
DOE O 5632.1C	Protection and Control of Safeguards and Security Interests	07/15/94	Not Applicable
DOE M 5632.1C-1 Chg 1 (Except: Chapter III, Paragraphs 1, 2, and 4 thru 9 and Chapter XI)	Manual for the Protection and Control of Safeguards and Security Interests	07/15/94	Not Applicable
DOE O 5670.3	Counterintelligence Program	09/04/92	Not Applicable
RLID 5670.3A	Counterintelligence Program	01/25/95	Not Applicable
DOE-RL-92-36	Hanford Site Hoisting and Rigging Manual	Current Version	Not Applicable
DOE-RL-93-75	Hanford Facility Contingency Plan	Current Version	Not Applicable
DOE-RL-94-02	Hanford Emergency Response Plan	Current Version	Not Applicable
DOE-RL-96-68 Rev O	Hanford Analytical Services Quality Assurance Requirements Document (Vol 1-4)	09/30/96	Not Applicable
DOE/RL/SOD/INST/L&T.001 REV 2	Hanford Site Lockout/Tagout Program	Current Version	Not Applicable
RL Letter 96-SID-083	Information Resource Management (IRM) Policies	05/31/96	Not Applicable
SEN-22-90	DOE Policy on Signing of RCRA Permit Applications	05/08/90	Not Applicable
EO 13101	Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition		Not Applicable

LIST B - Reference Letters

REFERENCE LETTER" identifies clarifying correspondence including contractual direction, and other discussion. A brief summary of each reference letter is provided:

1:	02/16/95	JD Wagoner (CCN 010862)	Clarification concerning use of 10 day update in lieu of new occurrence report.
2:	03/28/95	SA Sieracki (CCN 012954)	To advise BHI that RLID 5480.3, Safety Requirements for the Packaging and Transportation of Hazardous Materials, Hazardous Substances, and Hazardous Wastes and RL 5480.1, Change 1 Chapter III, Safety Requirements for the Packaging of Fissile and Other Radioactive Materials will expire on 3/30/95. BHI directed to provide company policy for onsite transfer of hazardous materials within 60 days. Contractors to review draft DOE 5480.X Onsite Hazardous Materials Packaging and Transportation Safety.
3:	06/15/95	JF Nemec (CCN 016206)	BHI advised of BHI/PHMC agreement to implement and use PHMC-CM-2-14 procedures (as referenced in BHI-FS-01) as company policy.
4:	12/18/95	SA Sieracki (CCN 024418)	Provides specific Hanford Requirements for Records Management Program.
5:	09/22/97	TN Turpin (97-PRO-942)	RL responds and agrees with BHI's implementation of DOE 470.1.
6:	07/25/97	SA Sieracki (97-PRO-719)	RL agrees with BHI comments and directs BHI to implement DOE O 350.1 with the understanding that the contract has precedence over the Order.
7:	12/12/97	TN Turpin (97-SAS-352 - CCN 054188)	RL directs BHI to comply with DOE O 5632-1C, DOE M 5632.1C-1, RLID 5632.1B, and DOE O 1240.2B and agrees that BHI does not need to post signs at its corporate center, etc. (leased building).

4.2 Group Pension Plans

A. General

Costs of the Contractor's participation with other site contractors in the Operations and Engineering Pension Plan and the Hanford Contractors Multi-employer Pension Plan for HAMTC Represented Employees, or identical plans as approved by DOE-RL, will be allowable, for the purpose of providing retirement benefits only to employees under the Contract who are eligible to participate in one or the other of the Plans in accordance with their terms. The plans must be established and maintained as qualified defined benefits plans under the regulations of the Internal Revenue Service. The Plan and Trust documents and any amendments thereto which effect substantive changes or increase costs are subject to the approval of DOE. With respect to each of the plans, the parties agree as follows:

B. Administration of the Plans

1. Costs of employer contributions incurred and accrued under the terms of said plans and costs incurred in the course of their administration are allowable to the extent approved by DOE. All accounting for such contributions shall be on an accrual basis. At DOE's request, the Contractor shall provide an itemization of costs incurred for administration. The Plan Fund, not the Contractor, shall be liable for costs incurred in the course of administration.
2. The Contractor will provide DOE with annual reports as required by the Contractor Requirements Document (CRD) for the Pension Plans section of DOE Order 350.1, Change 1 (or latest version in Section J, List B, if updated).

The final accounting period shall end with the effective date of Contract termination or expiration.

3. Actual gains and losses developed by annual valuations will be taken into account for purposes of establishing contributions to the Plan as soon as reasonably possible and consistent with requirements of the Employee Retirement Income Security Act of 1974; amendments thereto; and, any other applicable laws.
4. The aggregate annual contribution to the pension fund may range from the minimum specified by the Internal Revenue Code (IRC) Section 412(b) to the amount necessary to fully fund the year-end expected current liability.