

2. AMENDMENT/MODIFICATION NO. 317	3. EFFECTIVE DATE (M/D/Y) See Block 16C	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
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6. ISSUED BY U.S. Department of Energy Office of River Protection P. O. Box 450, MS H6-60 Richland, WA 99352	7. ADMINISTERED BY (If other than Item 6)
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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP code) Bechtel National, Inc. 2435 Stevens Center Place Richland, WA 99354	<input type="checkbox"/>	9A. AMENDMENT OF SOLICITATION NO.
		9B. DATED (SEE ITEM 11)
	<input checked="" type="checkbox"/>	10A. MODIFICATION OF CONTRACT/ ORDER NO. DE-AC27-01RV14136
		10B. DATED (SEE ITEM 13) December 11, 2000
CODE 396A5	FACILITY CODE 153392068	

11. THIS ITEM 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 DATE AND HOUR 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 amendment and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

**13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS,
IT MODIFIES THE CONTRACT/ORDER NO. AS SET FORTH 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.
<input type="checkbox"/>	
<input type="checkbox"/>	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO AUTHORITY OF FAR 43.103(b).
<input checked="" type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO THE AUTHORITY OF: Clause I.82, "FAR 52.243-2, Changes -- Cost-Reimbursement (Aug 1987) - Alternate III (Apr 1984)" Clause B.2, "Obligation and Availability of Funds," and Clause I.66 "Limitation of Funds" (Apr 1984)
<input type="checkbox"/>	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.)
See following page(s)

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print) Margaret G. McCullough Project Director	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Ronnie L. Dawson Contracting Officer
15B. CONTRACTOR/OFFEROR	16B. UNITED STATES OF AMERICA
<i>Margaret G. McCullough</i> (Signature of person authorized to sign)	BY <i>Ronnie L. Dawson</i> (Signature of Contracting Officer)
15C. DATE SIGNED 1/25/14	16C. DATE SIGNED 01/28/14

Purpose of Modification:

The purpose of this modification is to update Section B, *Supplies or Services and Prices/Costs* and Contract Section J, *List of Attachments*. The subject modification definitizes Request for Equitable Adjustment (REA) 2011-001, *Cesium Nitric Acid Recovery Process (CNP) / Cesium Ion Exchange Process System (CXP) Capital Implementation* and Change Order Modification M196 for CXP Equipment.

Description of Modification:

1. The table in Section B, *Supplies or Services and Prices/Costs*, Contract Section B.2 *Obligation and Availability of Funds and Contract Value*, paragraph (c) is deleted in its entirety and replaced with the following table, which incorporates the following revisions:
 - Increase the Total Estimated Contract Cost (TECC) by \$32,240,503* from \$10,681,929,576 to \$10,714,170,079;
 - Increase the Total Estimated Contract Price (TECP) by \$34,673,370* from \$11,277,895,249 to \$11,312,568,619;
 - Increase Item B Maximum Available Award Fee by \$2,432,867 from \$115,343,348 to \$117,776,215;
 - Increase Item B.3 REA Settlement by \$2,432,867 from \$2,964,791 to \$5,397,658;
 - Increase the Total Maximum Available Fee by \$2,432,867 from \$595,965,673 to \$598,398,540.

*TECC and TECP adjustments are the REA 2011-001 Definitized Amounts of \$34,040,503 and \$36,473,370, respectively, less the Not-To-Exceed increase (Mod 272) of \$1,800,000.

Cost: **Total Estimated Contract Cost (TECC) (317)** \$ 10,714,170,079

Fee:

A	Final Fee Determination - Pre-Mod No. A143		\$ 102,622,325
B	Maximum Available Award Fee (See Table B-2-B-1)		\$ 117,776,215
B.1	Project Management Incentive	\$ 55,149,797	
B.2	Cost Incentive	\$ 57,228,760	
B.3	REA Settlement	\$ 5,397,658	
C	Schedule Incentive Fee		\$ 227,000,000
C.1	Activity Milestone Completion	\$ 173,000,000	
C.2	Facility Milestone Completion	\$ 54,000,000	
D	Operational Incentive Fee		\$ 91,000,000
D.1	Cold Commissioning	\$ 45,000,000	
D.2	Hot Commissioning	\$ 46,000,000	
E	Enhancement Incentive Fee		\$ 60,000,000
E.1	Enhanced Plant Capacity	\$ 15,000,000	
E.2	Sodium Reduction	\$ 15,000,000	
E.3	Enhanced Plant Turnover	\$ 15,000,000	
E.4	Sustained Production Achievement	\$ 15,000,000	
	Total Maximum Available Fee (317)		<u>\$ 598,398,540</u>
	Total Estimated Contract Price (TECP) (317)		<u>\$ 11,312,568,619</u>

2. Update Section B as noted in the below table to reflect the addition of Post A143 Fee for REA 2011-001.
 - a. Delete and replace in its entirety Attachment B-1 Incentive Fee Summary Table:

Table B-1 - WTP Incentive Fee Structure		
Description	Reference	Amount
A Final Fee Determination Prior to Modification No. A143	Attachment B-2-A	<u>\$102,622,325</u>
B Maximum Available Award Fee:		
B.1 Project Management Incentive	Attachment B-2-B	\$55,149,797
B.2 Cost Incentive	Attachment B-2-B	<u>\$57,228,760</u>
*See Table B-2 B-1		
B.3 REA Settlement Fee	Attachment B-3	\$5,397,658
Total Award Fee		<u>\$117,776,215</u>
C Schedule Incentive Fee:		
C.1.X Activity Milestone Completion:	Attachment B-2-C	\$175,000,000
C.2 Facility Milestones Completion:		
C.2.1 LAB Construction Substantially Complete	Attachment B-2-C	\$4,000,000
C.2.2 LAW Construction Substantially Complete	Attachment B-2-C	\$4,000,000
C.2.3 LBL Start Cold Commissioning (SCC)	Attachment B-2-C	\$4,000,000
C.2.4 LBL Complete Hot Commissioning (CHC)	Attachment B-2-C	\$4,000,000
C.2.5 HLW Start Cold Commissioning	Attachment B-2-C	\$9,500,000
C.2.6 PT Start Cold Commissioning	Attachment B-2-C	\$9,500,000
C.2.7 HLW Complete Hot Commissioning	Attachment B-2-C	\$9,500,000
C.2.8 PT Complete Hot Commissioning	Attachment B-2-C	\$9,500,000
Total - Facility Schedule Incentive		<u>\$64,000,000</u>
Total Schedule Incentive Fee		<u>\$227,000,000</u>
D Operational Incentive Fee:		
D.1 Cold Commissioning:		
D.1.1 PT High Level Waste	Attachment B-2-D	\$10,000,000
D.1.2 PT Low Level Waste	Attachment B-2-D	\$10,000,000
D.1.3 HLW Vitrification	Attachment B-2-D	\$13,000,000
D.1.4 LAW Vitrification	Attachment B-2-D	\$12,000,000
Subtotal-Cold Commissioning		<u>\$45,000,000</u>
D.2 Hot Commissioning:		
D.2.1 PT High Level Waste	Attachment B-2-D	\$10,000,000
D.2.2 PT Low Level Waste	Attachment B-2-D	\$10,000,000
D.2.3 HLW Vitrification	Attachment B-2-D	\$13,000,000
D.2.4 LAW Vitrification	Attachment B-2-D	\$13,000,000
Subtotal-Hot Commissioning		<u>\$46,000,000</u>
Total Operational Incentive Fee		<u>\$91,000,000</u>
E Enhancement Incentive Fee:		
E.1 Enhanced Plant Capacity	Attachment B-2-E	\$15,000,000
E.2 Sodium Reduction	Attachment B-2-E	\$15,000,000
E.3 Enhanced Plant Turnover	Attachment B-2-E	\$15,000,000
E.4 Sustained Production Achievement	Attachment B-2-E	\$15,000,000
Total Enhancement Incentive Fee		<u>\$60,000,000</u>
TOTAL MAXIMUM AVAILABLE FEE (A+B+C+D+E)* (317)		<u>\$598,398,540</u>

b. Delete and replace in its entirety from Attachment B-3 – REA SETTLEMENT FEE, the Table B-3-B. Incentive Fee as follows:

Table B-3-B. Incentive Fee

REA Number	REA Title	Contract Modification #	Designation	Fee Amount	Completion Date
2011-003	Sequential ORR Implementation	282	TBD Per Modification 282 Instructions	2,162,953	TBD Per Modification 282 Instructions
2010-021	Cesium Nitric Acid Recovery Process (CNP) / Cesium Ion Exchange Process System	289	TBD Per Modification 289 Instructions	\$532,842	TBD Per Modification 289 Instructions

	(CXP) Design, Revision 2				
2011-001	Cesium Nitric Acid Recovery Process (CNP) / Cesium Ion Exchange Process System (CXP) Capital Implementation	317	TBD Per Modification 317 Instructions	\$2,432,867	TBD Per Modification 317 Instructions
			Total	\$5,128,662	

The specific fee negotiated for this REA, REA 2011-01, is \$2,432,867. This fee will eventually be distributed to fee milestone(s) most relevant to the work required in this REA. There are current plans to renegotiate the fee structure for the entire contract as part of the re-baseline / re-plan negotiations. The fee distribution for this REA will not be negotiated until the fee restructure negotiations are complete (or no later than February 1, 2015, whichever occurs first). Upon completion of the fee restructure negotiations (or no later than February 1, 2015, whichever occurs first), subsequent negotiations shall occur between the parties to determine the distribution of this fee to the most appropriate fee milestone(s). BNI shall not invoice for the fee associated with this REA until such time as the distribution to milestone(s) has been completed, and the associated milestone(s) completed/met.

- Update Contract Section J, *List of Attachments*, Attachment J, *Advance Understanding on Costs*, Table 13-B, *Not-to-Exceeds Not Included in Modification No. A143 Definitization (M155)*, is deleted in its entirety and replaced in full as follows:

13-B. Not-To-Exceeds Not Included in Modification No. A143 Definitization (M155)		
DOCUMENT ID.	TITLE	DEFINITIZATION MODIFICATION NO.
BCP-24590-06-02279	Expansion of DWP Requirements (permit Modifications) (M122) (M130)	A193
ORP 08-NSD-011 (05/20/08) (CCN 179512) TN 24590-06-03487	ORP Direction to Implement New Preliminary Safety Analysis Report (PSAR) Updates (M136)	A164
ORP 08-NSD-057 (10/09/08)	Direction to Implement New Safety Classification Process for the Waste Treatment	276

(CCN 188218) TN 24590-06-03752	and Immobilization Plant (WTP) (M141)	
ORP 08-NSD-059 (10/15/08) (CCN 188217) TN 24590-06-03753	Direction to Implement New Justification for Continued Design, Procurement, and Installation (JCDPI) (M152)	A164
Modification M090 & 09-AMD-205 (07/18/08) (CCN 202423) TN 24590-06-02145 & -02381	Direction to Implement DOE 205.1A, Cyber Security Management Program (M155)	217
Modification M154 TN 24590-06-04133	Direction to Implement Pretreatment Engineering Platform (PEP) dry layup (M155)	A167
Modification M196 BCP 24590-06-04489 BCP 24590-06-04784 BCP 24590-06-05085	Direction to Implement Multiple Operational Readiness Strategy (218)	282
Modification M196 BCP 24590-06-04853 ORP 10-AMD-139 (05/06/10; CCN 218244)	Direction to Implement CXP Equipment Option (218)	317
Modification 221 ORP 11-WTP-219 (06/17/11; CCN 236247); Modification 247 ORP 11-WTP-437 (12/01/11; CCN 242351); Modification 264 ORP 12-WTP-0109 (03/15/12; CCN 245985); Modification 286 ORP 12-WTP-317 (09/24/12)	Direction to Proceed with Large Scale Testing (MOD 221, MOD 247, MOD 264, MOD 286)	299 - Partial
Modification 273	Direction to participate in the Hanford Site Organizational Climate and Safety Conscious Work Environment (SCWE) Survey	290
Modification 245 ORP 11-WTP-429	Direction to proceed with the implementation of DOE Order (O) 420.1B, <i>Facility Safety</i> , Chapter V, <i>Systems Engineer Program</i> . (245)	276
Modification 300 ORP 13-CPM-0099 (05/06/13); Mod 304 ORP 13-CPM-0133 (06/05/13);	Direction to Proceed with Full Scale Vessel Testing Program in lieu of the existing Computational Fluid Dynamics and Large Scale Vessel testing Program as a Design Verification Tool (300, 304, 313)	

Modification 313 ORP 13-CPM-0299 (11/25/13)		
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4. No additional funds are currently being allotted to this contract for the REA 2011-001. Work associated with the REA will be performed within the amount of funds which have been allotted to the contract in accordance with I.66 – FAR 52.232-22 *Limitation of Funds (APR 1984)*.

5. Contractor's Statement of Release:

In consideration of the Modification 317, agreed to herein as complete equitable adjustment for the Contractor's Request for Equitable Adjustment (REA) for 2011-001, *CNP/CXP Capital Implementation*, the Contractor hereby releases the Government from any and all liability under this contract for further equitable adjustments attributable to such factors or circumstances giving rise to the changes as noted in the modification; except the Contractor does not waive any claim it may have for (i) potential schedule impacts resulting from this REA, or (ii) the potential cumulative impacts to schedule and/or the total estimated contract cost (TECC) resulting from this and other REAs, wherein cumulative schedule and/or TECC impacts were not resolved (negotiated); provided that the Contractor shall not be entitled to additional fee for such impacts, or (iii) impacts to the scope added in this equitable adjustment as a result of funding reductions in FY2012 and outyears.

6. All other terms and conditions remain unchanged.

(End of Modification)