



**Purpose of Modification:**

The purpose of this modification is to definitize Request for Equitable Adjustment (REA) 2017-008, Rev 0, for the occupation, setup, and moving for the T-1 office space for DOE. Section B, *Supplies or Services and Prices/Costs*, and Section J, *List of Attachments* are updated as follows:

- The subject modification definitizes the Change Order as stated in Contract Modification No. 390 and 431.
- Update Section B, *Supplies or Services and Prices/Costs*, to reflect the negotiated amount of \$671,517 for CLIN 1 and Sub-CLINs 2.2/2.3 and \$56,788 for REA Negotiated Fee.

**Description of Modification:**

1. Contract Section B is revised to reflect the following negotiated settlement resulting from REA 2017-008, *T-1 Office Space for DOE*:

Estimated Contract Cost (B.1, CLIN 1):	\$662,136
Estimated Contract Cost (B.2, Sub-CLINs 2.2/2.3):	\$9,381
REA Settlement Fee:	<u>\$56,788</u>
Revised Total Estimated Contract Price (TECP):	\$728,305

2. As a result of negotiations and definitizing REA 2017-004, the table in Section B, *Supplies or Services and Prices/Costs*, Contract Section B.3 *Obligation and Availability of Funds and Contract Value*, paragraph (c) is revised as follows:

- The Cost Category (A) Total Estimated Contract Cost (TECC) in the amount of \$14,086,230,390 is carried forward from Contract Modification 443.
- The Cost Category (B.1) CLIN 1.0: Design, Construct, and Commission LBL in the DFLAW Configuration, Total CLIN Estimated Cost, is increased by \$662,136 from \$6,508,786,401 to \$6,509,448,537.
- The Cost Category (B.2) Sub-CLINs 2.2/2.3: DFLAW Procurement/ Construction , Total CLIN Estimated Cost, is increased by \$9,381 from \$364,022,106 to \$364,031,487.
- The Revised Total Estimated Contract Cost (TECC) is increased by \$671,517 from \$14,086,230,390 to \$14,086,901,907.
- The Cost Category E5: REA Fee Post Mod 384, Earned Fee, is increased by \$56,788 from \$265,247 to \$322,035.
- The Total Fee Earned is increased by \$56,788 from \$336,926,086 to \$336,982,874.

- The Total Estimated Contract Price (TECP) (Total Maximum Available Fee + Total Earned Fee + TECC) is increased by \$728,305 from \$14,674,769,493 to \$14,675,497,798.

3. The table in Section B, *Supplies or Services and Prices/Costs*, Contract Section B.3 *Obligation and Availability of Funds and Contract Value*, paragraph (c), is deleted in its entirety and replaced in full as follows:

Table B.1 – Total Estimated Contract Price

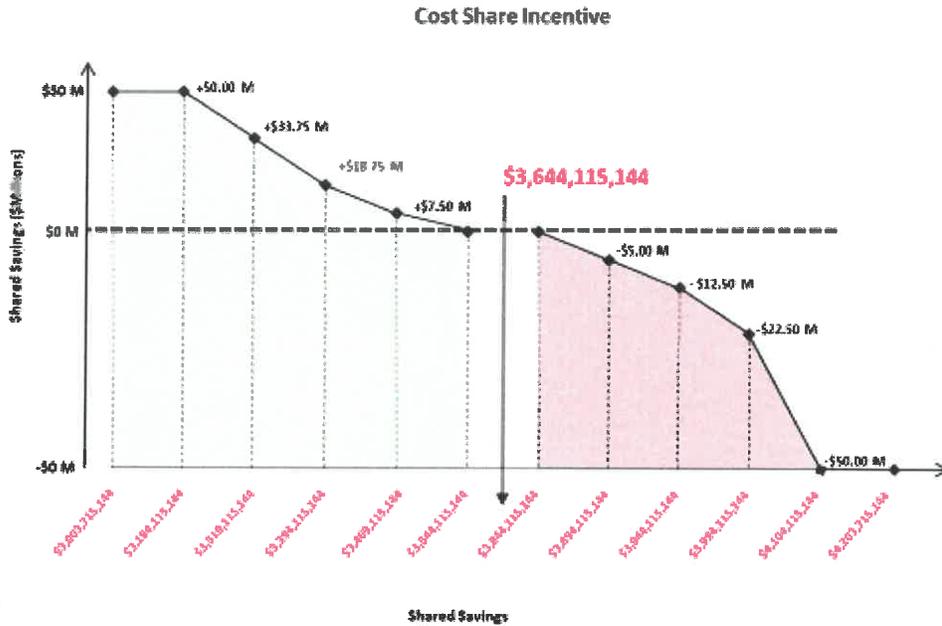
		Cost		
Total Estimated Contract Cost (TECC) through Mod No. 443				<b>\$14,086,230,390</b>
Total Estimated Contract Cost (445)		CLIN Estimated Cost	Increased by Mod No. 445	Total CLIN Estimated Cost
B.1	CLIN 1.0: Design, Construct, and Commission LBL in the DFLAW Configuration	\$6,508,786,401	\$662,136	\$6,509,448,537
B.2	CLIN 2.0: WTP Facility Modifications Necessary to Support DFLAW			
	Sub-CLIN 2.1: DFLAW Design (Target Cost)	\$75,058,200		\$75,058,200
	Sub-CLINs 2.2 /2.3 DFLAW Procurement/ Construction	\$364,022,106 <small>(Previous NTE Values)</small>	\$9,381	\$364,031,487
B.3	CLIN 3.0 HLW Facility	\$2,741,698,522		\$2,741,698,522
B.4	CLIN 4.0: PT Facility	\$4,396,665,161		\$4,396,665,161
Revised Total Estimated Contract Cost (TECC) through Mod No. 445				<b>\$14,086,901,907</b>
Fee				
		Available		Earned
Earned before Mod No. 384				Total
A1	Final Fee Determination – Pre-Mod No. A143			\$102,622,325
A2	Final Fee Earned Mod No. A143 – Mod No. 384			\$131,573,553
Fixed Fee Payment (Attachment B-2-C)***		\$0		\$60,000,000
Pending Activity Milestones (Attachment B-2-B)		\$0		\$6,667,000
Maximum Available Award Fee (CY 2016–2022) (Attachment B-2-D)		\$39,363,017		\$11,047,961
CLIN 1.0: Design, Construct, and Commission LBL in the DFLAW Configuration				
E1	LBL Construction Complete Performance Based Incentives (Attachment B-2-E)	\$51,300,000		\$17,100,000
E2	Commission LBL in the DFLAW Configuration Performance Based Incentive (Attachment B-2-F)	\$152,950,000		\$6,650,000
E3	Schedule Incentive Hot Commissioning (Attachment B-2-F)	+/- \$60,000,000 (Max)		
E4	Cost Share Incentive (Attachment B-2-G)	+/- \$50,000,000 (Max)		
E5	REA Fee Post Mod 384 (445)		\$56,788	\$322,035
CLIN 2.1: Performance-Based Incentive for DFLAW Design Completion (Attachment B-2-H)		\$8,000,000		\$1,000,000
Total Maximum Available Fee****		<b>\$251,613,017</b>		
Total Fee Earned (445)				<b>\$336,982,874</b>



and the final amount will be prorated for any final cost falling between the high and low points of any of the final cost bands reflected herein.

Cost Share Incentives	Description	Maximum Incremental Fee Reduction	Maximum Cumulative Fee Reduction
	CLIN 1.0 Cost share incentive will include a +\$200M fee neutral cost band above the price of \$3,644,115,144 and a -\$100M fee neutral band below \$3,644,115,144.		
Decreases to earned fee will start after the total cost for CLIN 1.0 exceeds \$3,844,115,144 as follows:	Total cost for CLIN 1.0 between \$3,844,115,144 to \$3,894,115,144, the cost increase will be shared in a ratio of 90% Government and 10% BNI.	-\$5,000,000.00	-\$5,000,000.00
	Total cost for CLIN 1.0 between \$3,894,115,144 to \$3,944,115,144, the cost increase will be shared in a ratio of 85% Government and 15% BNI.	-\$7,500,000.00	-\$12,500,000.00
	Total cost for CLIN 1.0 between \$3,944,115,144 to \$3,994,115,144, the cost increase will be shared in a ratio of 80% Government and 20% BNI.	-\$10,000,000.00	-\$22,500,000.00
	Total cost for CLIN 1.0 between \$3,994,115,144 to \$4,104,115,144 the cost increase will be shared in a ratio of 75% Government and 25% BNI.	-\$27,500,000.00	-\$50,000,000.00
	<b>Total Decrement for \$460,000,000 cost increase to price (\$4,104,115,144)</b>	<b>-\$50,000,000.00</b>	
Increases to earned fee will start when costs are below \$3,544,115,144		<b>Maximum Incremental Fee Increase</b>	<b>Maximum Cumulative Fee Increase</b>
	Total cost for CLIN 1.0 equal to \$3,544,115,144 to \$3,469,115,144, the cost savings will be shared in a ratio of 90% Government and 10% BNI.	\$7,500,000.00	\$7,500,000
	Total cost for CLIN 1.0 between \$3,469,115,144 to \$3,394,115,144, the cost savings will be shared in a ratio of 85% Government and 15% BNI.	\$11,250,000.00	\$18,750,000
	Total cost for CLIN 1.0 between \$3,394,115,144 to \$3,319,115,144, the cost savings will be shared in a ratio of 80% Government and 20% BNI.	\$15,000,000.00	\$33,750,000
	Total cost for CLIN 1.0 between \$3,319,115,144 to \$3,184,115,144, the cost savings will be shared in a ratio of 75% Government and 25% BNI.	\$16,250,000.00	\$50,000,000
	<b>Total Incentive for cost savings</b>	<b>\$50,000,000.00</b>	

- In Section B, Figure B-2-G-1. Graph Cost Share Incentive Fee CLIN 1.0 is revised to reflect the \$662,136 revision to the Cost Share Incentive Curve as follows:



7. **Contractor's Statement of Release:** In consideration of the Modification 445, agreed to herein as complete equitable adjustment for the Contractor's Request for Equitable Adjustment (REA) for 2017-008, T-1 Office Space for DOE, the Contractor hereby releases the Government from any and all liability under this contract for further equitable adjustments attributable to such facts or circumstances giving rise to the changes as noted in the modification.

**All other terms and conditions remain unchanged.**

**(End of Modification)**