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|---|---|---|--|----------------------------------|
| AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT | | | 1. CONTRACT ID CODE | PAGE 1 OF 11 PAGES |
| 2. AMENDMENT/MODIFICATION NO. 479 | 3. EFFECTIVE DATE (M/D/Y) See Block 16C | 4. REQUISITION/PURCHASE REQ. NO. 20EM001221 | 5. PROJECT NO. (If applicable) | |
| 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) CODE | | |
| 8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP code) Bechtel National, Inc. 450 Hill Street Richland, WA 99354 | | <input type="checkbox"/> | 9A. AMENDMENT OF SOLICITATION NO. | |
| CODE 396A5 FACILITY CODE 089176176 | | <input type="checkbox"/> | 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 | |

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)

See Schedule Net Increase: \$1,033,352

**13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS,
IT MODIFIES THE CONTRACT/ORDER NO. AS SET FORTH IN ITEM 14.**

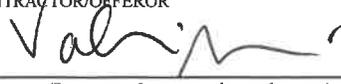
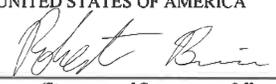
| | |
|-------------------------------------|---|
| CHECK ONE | A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A. |
| <input type="checkbox"/> | |
| <input type="checkbox"/> | B. THE ABOVE NUMBERED CONTRACT/ORDER 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 type="checkbox"/> | C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO THE AUTHORITY OF: |
| <input checked="" type="checkbox"/> | D. OTHER (Specify type of modification and authority) FAR 43.103 Types of Contract Modifications (a) Bilateral - Mutual Agreement of the Parties |

E. IMPORTANT: Contractor is not, is required to sign this document and return 1 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) Valerie McCain Project Director | | 16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Robert Burrier Contracting Officer | |
| 15B. CONTRACTOR/OFFEROR  (Signature of person authorized to sign) | 15C. DATE SIGNED 24 April 2020 | 16B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer) | 16C. DATE SIGNED 4/24/20 |

Purpose of Modification:

The purpose of this modification is to:

- Definitize REA 2019-002, Rev. 0, Washington State Initiative Measure No. 1433 – Craft Sick Leave, Calendar Year 2018.
- Revise Contract Section B, *Supplies or Services and Prices/Costs*, to:
 - Reflect the negotiated amount of REA 2019-002, Rev. 0
 - Obligate incremental funding provided under Purchase Requisition Number 20EM001221. Incremental funding is obligated as follows:

| Description | Control Point | Local Use Code | Appropriation Year | Funded Amount |
|--------------|---------------|----------------|--------------------|--------------------|
| LAW Baseline | 1111710 | 0421573 | 2020 | \$680,768 |
| EMF Baseline | 1111711 | 0421586 | 2020 | \$247,870 |
| HLW Baseline | 1111714 | 0421587 | 2020 | \$41,186 |
| PT Baseline | 1111716 | 0421588 | 2020 | \$63,528 |
| | | | Total | \$1,033,352 |

- Revise Contract Section J, *List of Attachments*, Attachment J, *Advanced Understanding on Costs*, to remove Advanced Agreement of the WTP travel and relocation allowable costs, Revision 15 and update the Living Away From Home Option (LAFHO) Advanced Agreement.

Description of Modification:

1. Definitize REA 2019-002, Rev. 0, Washington State Initiative Measure No. 1433 – Craft Sick Leave, Calendar Year 2018, to reflect the following negotiated settlement:

| CLIN | DESCRIPTION | DEFINITIZED REA 2019-002, Rev. 0 VALUE |
|-------------------|--|--|
| CLIN 1.0 | Design, Construct, and Commission LBL in the DFLAW Configuration | \$680,768 |
| Sub-CLINs 2.2/2.3 | DFLAW Procurement/Construction | \$247,870 |
| CLIN 3.0 | HLW Facility | \$ 41,186 |
| CLIN 4.0 | PT Facility | \$ 63,528 |
| TECC | | \$1,033,352 |
| TECP | | \$1,033,352 |

2. The table in Section B, *Supplies or Services and Prices/Costs*, Contract Section B.3 *Obligation and Availability of Funds and Contract Value*, paragraph (a) is revised as follows:
 - The total amount of funds obligated to LAW Baseline 1111710 - 0421573 is increased by \$680,768.00 from \$685,036,603.00 to \$685,717,371.00.

- The total amount of funds obligated to EMF Baseline 1111711 - 0421586 is increased by \$247,870.00 from \$522,053,444.00 to \$522,301,314.00.
- The total amount of funds obligated to HLW Baseline 1111714 - 0421587 is increased by \$41,186.00 from \$122,726,513.00 to \$122,767,699.00.
- The total amount of funds obligated to PT Baseline 1111716 - 0421588 is increased by \$63,528.00 from \$40,106,885.80 to \$40,170,413.80.
- The total funding obligated to the Budgetary Control Points, is increased by \$1,033,352.00 from \$12,822,884,324.37 to \$12,823,917,676.37.
- The total funding obligated to the Budgetary Control Points, including Program Direction funding, is increased by \$1,033,352.00 from \$12,825,374,324.37 to \$12,826,407,676.37.
- The total funding obligated to the Budgetary Control Points, including Program Direction, Inter-Entity Work Order Funding and Request for Service Funding, is increased by \$1,033,352.00 from \$12,911,309,622.72 to \$12,912,342,974.72.

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 (a), is deleted in its entirety and replaced in full as follows:

| BUDGETARY CONTROL POINTS FOR WTP PROJECT | | | | |
|---|-----------------------------|------------------------------------|-----------------------|-------------------------|
| Description | Appropriation Symbol | B&R No. (Control Point) | Local Use Code | Budget Authority |
| | 1250 | 1110401 | | \$3,006,205,907.70 |
| LAW | 1250 | 1111183 | | \$637,537,062.71 |
| LAB | 1250 | 1111184 | | \$207,817,505.32 |
| BOF | 1250 | 1111185 | | \$261,722,260.48 |
| HLW | 1250 | 1111186 | | \$559,580,100.04 |
| PT | 1250 | 1111187 | | \$840,766,807.09 |
| LAW | 1250 and 1260 | 1111241 | | \$1,691,548,709.50 |
| DFLAW | 1250 and 1260 | 1111243 | | \$157,063,073.13 |
| LAB | 1250 and 1260 | 1111242 | | \$349,312,452.11 |
| BOF | 1250 and 1260 | 1111243 | | \$648,031,980.05 |
| HLW | 1250 and 1260 | 1111244 | | \$1,029,273,076.81 |
| PT | 1250 and 1260 | 1111245 | | \$1,526,044,506.86 |
| LAW Baseline | 1260 | 1111710 | 0421573 | \$685,717,371.00 |
| LAB Baseline | 1260 | 1111710 | 0421574 | \$89,682,280.00 |
| BOF Baseline | 1260 | 1111710 | 0421575 | \$322,178,004.77 |
| EMF Baseline | 1260 | 1111711 | 0421586 | \$522,301,314.00 |
| HLW Baseline | 1260 | 1111714 | 0421587 | \$122,767,699.00 |
| PT Baseline | 1260 | 1111716 | 0421588 | \$40,170,413.80 |

4. As a result of negotiations and definitizing REA 2019-002, Rev. 0, 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 \$14,082,553,724 is carried forward from Contract Modification 475.
 - The Cost Category (B.1) CLIN 1.0: Design, Construct, and Commission LBL in the DFLAW Configuration, Increased by Mod No. 479, is \$680,768.
 - The Cost Category (B.1) CLIN 1.0: Design, Construct, and Commission LBL in the DFLAW Configuration, Total CLIN Estimated Cost, is increased by \$680,768 from \$6,388,327,829 to \$6,389,008,597.
 - The Cost Category (B.2) CLIN 2.0: WTP Facility Modifications Necessary to Support DFLAW, Sub-CLINs 2.2/2.3: DFLAW Procurement/Construction, Increased by Mod No. 479, is \$247,870.
 - The Cost Category (B.2) CLIN 2.0: WTP Facility Modifications Necessary to Support DFLAW, Sub-CLINs 2.2/2.3: DFLAW Procurement/Construction, Total CLIN Estimated Cost, is increased by \$247,870 from \$480,909,808 to \$481,157,678.
 - The Cost Category (B.3) CLIN 3.0 HLW Facility, Increased by Mod No. 479, is \$41,186.
 - The Cost Category (B.3) CLIN 3.0 HLW Facility, Total CLIN Estimated Cost, is increased by \$41,186 from \$2,741,138,132 to \$2,741,179,318.
 - The Cost Category (B.4) CLIN 4.0: PT Facility, Increased by Mod No. 479, is \$63,528.
 - The Cost Category (B.4) CLIN 4.0: PT Facility, Total CLIN Estimated Cost, is increased by \$63,528 from \$4,395,818,672 to \$4,395,882,200.
 - The Revised Total Estimated Contract Cost (TECC) is increased by \$1,033,352 from \$14,082,553,724 to \$14,083,587,076.
 - The Total Estimated Contract Price (TECP) (Total Maximum Available Fee + Total Earned Fee + TECC) is increased by \$1,033,352 from \$14,667,328,372 to \$14,668,361,724.
5. 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:

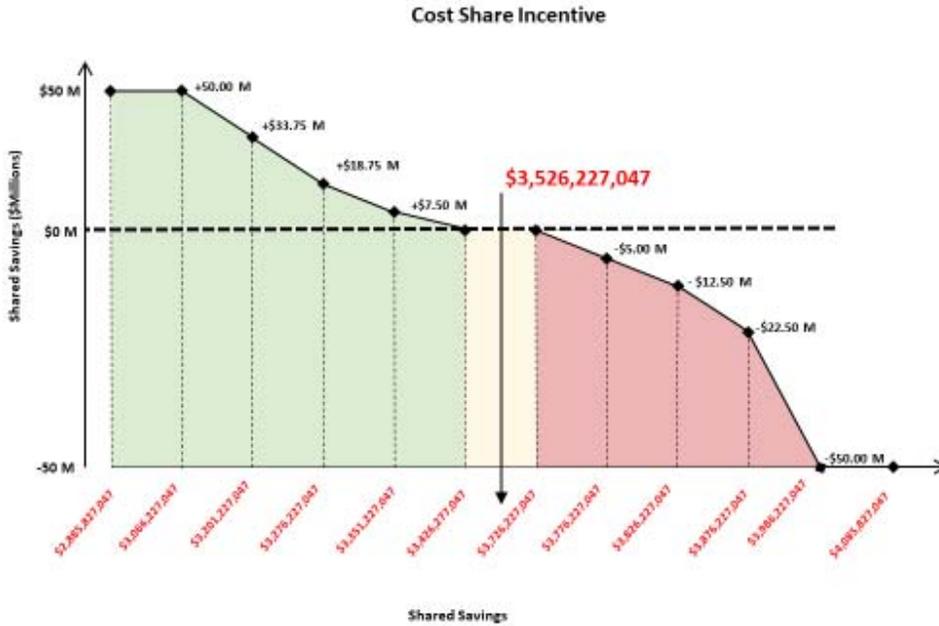
Table B.1 – Total Estimated Contract Price

| | | Cost | | |
|---|--|--|---------------------------------|--------------------------------|
| Total Estimated Contract Cost (TECC) through Mod No. 479 | | | | <u>\$14,082,553,724</u> |
| Total Estimated Contract Cost (479) | | CLIN Estimated Cost | Increased/ Decreased by Mod 479 | Total CLIN Estimated Cost |
| B.1 | CLIN 1.0: Design, Construct, and Commission LBL in the DFLAW Configuration | \$6,388,327,829 | \$680,768 | \$6,389,008,597 |
| B.2 | CLIN 2.0: WTP Facility Modifications Necessary to Support DFLAW | | | |
| | Sub-CLIN 2.1: DFLAW Design (Target Cost) | \$76,359,283 | | \$76,359,283 |
| | Sub-CLINs 2.2 /2.3 DFLAW Procurement/ Construction | \$480,909,808 <small>(Previous NTE Values)</small> | \$247,870 | \$481,157,678 |
| B.3 | CLIN 3.0 HLW Facility | \$2,741,138,132 | \$41,186 | \$2,741,179,318 |
| B.4 | CLIN 4.0: PT Facility | \$4,395,818,672 | \$63,528 | \$4,395,882,200 |
| Revised Total Estimated Contract Cost (TECC) through Mod No. 479 | | | | <u>\$14,083,587,076</u> |
| Fee | | | | |
| | | Available | Earned | Total |
| Earned before Mod No. 384 | | | | |
| 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) | | \$31,490,414 | \$14,815,776 | |
| 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 (475) | | \$605,580 | |
| CLIN 2.1: Performance-Based Incentive for DFLAW Design Completion (Attachment B-2-H) | | \$8,000,000 | \$1,000,000 | |
| Total Maximum Available Fee**** | | \$243,740,414 | | |
| Total Fee Earned (475) | | | \$341,034,234 | |
| Total Estimated Contract Price (TECP) (Total Maximum Available Fee + Total Earned Fee + TECC) (479) | | | | <u>\$14,668,361,724</u> |

** Estimated cost for interim work plans within the agreed funding profile for CLINs 3.0 and 4.0 is included in Total Estimated Contract Cost (TECC).

| | | | |
|--|--|---|--|
| Decreases to earned fee will start after the total cost for CLIN 1.0 exceeds \$3,726,227,047 as follows: | Total cost for CLIN 1.0 between \$3,726,227,047 to \$3,776,227,047, 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 \$3,776,227,047 to \$3,826,227,047, 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 \$3,826,227,047 to \$3,876,227,047, 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 \$3,876,227,047 to \$3,986,227,047 the cost increase will be shared in a ratio of 75% Government and 25% BNI. | -\$27,500,000.00 | -\$50,000,000.00 |
| | Total Decrement for \$460,000,000 cost increase to price (\$3,986,227,047) | -\$50,000,000.00 | |
| Increases to earned fee will start when costs are below \$3,426,227,047 | | Maximum Incremental Fee Increase | Maximum Cumulative Fee Increase |
| | Total cost for CLIN 1.0 equal to \$3,426,227,047 to \$3,351,227,047, 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 \$3,351,227,047 to \$3,276,227,047, 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 \$3,276,227,047 to \$3,201,227,047, 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 \$3,201,227,047 to \$3,066,227,047, the cost savings will be shared in a ratio of 75% Government and 25% BNI. | \$16,250,000.00 | \$50,000,000 |
| | Total Incentive for cost savings | \$50,000,000.00 | |

8. In Section B, Figure B-2-G-1. Graph Cost Share Incentive Fee CLIN 1.0 is revised to reflect the \$680,768 revision to the Cost Share Incentive Curve as follows:



| CLIN 1.0 Cost Share Incentive Fee Changes | |
|---|------------------------|
| Mod # | Target Cost |
| 384 | \$3,640,400,000 |
| 403 | \$3,640,800,000 |
| 426 | \$3,641,277,842 |
| 429 | \$3,642,291,629 |
| 433 | \$3,642,521,347 |
| 443 | \$3,643,453,008 |
| 445 | \$3,644,115,144 |
| 448 | \$3,644,336,447 |
| 453 | \$3,644,545,015 |
| 454 | \$3,646,026,089 |
| 455 | \$3,648,274,745 |
| 464 | \$3,529,765,367 |
| 465 | \$3,524,925,747 |
| 475 | \$3,525,227,047 |
| 479 | \$3,526,227,047 |

9. In Contract Section J, *List of Attachments*, Attachment J, *Advance Understanding on Costs*, the language in Item 1 is deleted and changed to RESERVED as the Advanced Understanding for travel and relocation, Rev. 15 is no longer needed. The Living Away From Home Option (LAFHO) agreed upon changes are memorialized in CCN: 316138. The text in item 1 is replaced in full as follows:

Allowable costs for WTP Project-specific travel and relocation shall be in accordance with the Bechtel Systems & Infrastructure, Inc. dated January 1, 2010 (Revision 15), effective January 1, 2010 (164), submitted under BNI letter CCN: 210586 dated December 30, 2009 (164). However, payments made under 2.7 d) [previously 3.7 d) under Revision 3] and 3.17 c) therein for tax assistance “gross up” shall be an unallowable cost prior to July 29, 2002, and an allowable cost thereafter (134).-RESERVED (479)

10. In Contract Section J, *List of Attachments*, Attachment J, *Advance Understanding on Costs*, the table in item 16 is updated to acknowledge the LAFHO changes that are memorialized in CCN: 316138. The table is replaced in full as follows:

| Title | References |
|---|---|
| Offsite Beryllium Medical Exam Costs (130) | CCN: 150302 (06-ESQ-166; 28DEC06) |
| Relocation Costs Associated with Establishing a Frederick, MD WTP Project Office (130) | Advance Agreement signed by J. J. Short/C. E. Rogers 20JUL06; CCN: 143197 |
| Steps to Bring BNI Billings and DOE Financial System into Agreement (130) | Advance Agreement signed by J. J. Short/C. E. Rogers 24JUL06; CCN: 143195 |
| Costs Related to Safety Award to WTP Construction Site Employees (130) | Advance Agreement signed by T. M. Williams/N. F. Grover 28NOV07; CCN: 169002 |
| Costs Related to WTP College Hire Conference (130) | Advance Agreement signed by T. M. Williams/N. F. Grover 08AUG07; CCN: 169228 |
| Costs Related to Per Diem Expenses for Certain Employees (130) | Advance Agreement signed by T. M. Williams/N. F. Grover 03JUL07; CCN: 169230 |
| Costs Related to Living Away From Home Option (LAFHO) (130) (479) | Advance Agreement signed by T. M. Williams/N. F. Grover 12DEC07; CCN: 169233 Advanced Agreement described in BNI letter CCN: 316138 (479) |
| Costs Related to Voluntary Protection Program (VPP) (133) | Advance Agreement signed by T. M. Williams/N. F. Grover 20JUN08; CCN: 181338 |
| Costs Related to Per Diem Expenses for Specific Employees July 2008 (134) | Advance Agreement signed by T. M. Williams/N. F. Grover 18JULY08; CCN: 184046 |
| Construction Project Review Subsistence (197) | Advanced Agreement described in CCN: 224972 (27Oct10) and approved by R. L. Dawson on 04NOV10; 10-AMD-370 (CCN: 227552) |
| Costs Related to 2011 Safety Award to WTP Construction Site Employees (285) | Advanced Agreement described in BNI letter CCN: 236919, dated July 26, 2011 and approved by R. L. Dawson in ORP letter 11WTP-264 dated July 29, 2011 (CCN: 238015) |
| Costs Related to Stipend for Mobile Communication Devices (285) | Advanced Agreement described in BNI letter CCN: 245311, dated September 18, 2012 and approved by R. L. Dawson in ORP letter 12-WTP-0312 dated October 2, 2012 (CCN: 252582) |

11. Contractor’s Statement of Release: In consideration of the Modification 479, agreed to herein as complete equitable adjustment, 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)