

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE _____ PAGE **1** OF **3** PAGES

2. AMENDMENT/MODIFICATION NO. **377** 3. EFFECTIVE DATE (M/D/Y) **See Block 16C** 4. REQUISITION/PURCHASE REQ. NO. _____ 5. PROJECT NO. (If applicable) _____

6. ISSUED BY CODE _____ 7. ADMINISTERED BY (If other than Item 6) CODE _____

**U.S. Department of Energy
Office of River Protection
P. O. Box 450, MS H6-60
Richland, WA 99352**

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP code)

**Bechtel National, Inc.
2435 Stevens Center Place
Richland, WA 99354**

9A. AMENDMENT OF SOLICITATION NO. _____

9B. DATED (SEE ITEM 11) _____

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.

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).

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.3, "Obligation and Availability of Funds," and Clause 1.66 "Limitation of Funds" (Apr 1984)

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) Katie A. Mair George F. Champlain Contracting Officer	
15B. CONTRACTOR/OFFEROR <i>Margaret G. McCullough</i> (Signature of person authorized to sign)	15C. DATE SIGNED 9/8/16	16B. UNITED STATES OF AMERICA BY <i>George F. Champlain</i> (Signature of Contracting Officer)	16C. DATE SIGNED 14 Sep 2016

Purpose of Modification:

The purpose of this modification is to update Contract Section B, *Supplies or Services and Prices/Costs* as follows:

- Definitize Request for Equitable Adjustment (REA) 2015-008, *Craft Fiscal Year 2015 Wage Rate Adjustment*.

Description of Modification:

1. Contract Section B is revised to reflect the following negotiated settlement resulting from REA 2015-008:

Estimated Contract Cost (2015-008):	\$520,674
B&O Tax on Fee:	<u>\$0</u>
Total Estimated Contract Cost (TECC):	\$520,674
REA Settlement Fee:	<u>\$0</u>
Total Estimated Contract Price (TECP):	\$520,674

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 (c) is deleted in its entirety and replaced with the following table, which incorporates the following revisions:

- The cost category (A) Total Estimated Contract Cost (TECC) is increased by \$520,674, from \$10,879,133,790 to \$10,879,654,464.
- The revised Total Estimated Contract Cost (TECC) is increased by \$520,674, from \$10,921,702,346 to \$10,922,223,020.
- The Total Estimated Contract Price (TECP) is increased by \$520,674, from \$11,517,000,886 to \$11,517,521,560.
- REA 2015-008 is non-fee bearing, therefore there is no change in Total Maximum Available Fee.

Cost:

A	Total Estimated Contract Cost (TECC) through Mod 377	<u>\$10,879,654,464</u>
B	Total Estimated Contract Cost (350)	
B.1	CLIN 2: DFLAW Facility Modifications (350)	TBD
	SUB-CLIN 2.1: DFLAW Design (Target Cost)	\$75,000,000
		\$42,568,556 *

Revised Total Estimated Contract Cost through **Mod 377**

Contract No. DE-AC27-01RV14136
Modification No. 377
SF-30 Continuation

\$10,922,223,020

Fee:

A	Final Fee Determination – Pre-Mod No. A143		\$102,622,325
B	Maximum Available Award Fee (See Table B-2-B-1)		\$105,676,215
B.1	Project Management Incentive	\$63,630,997	
B.2	Cost Incentive	\$36,647,560	
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	
F	Performance-Based Incentive for DFLAW Design Completion (350)		\$9,000,000

Total Maximum Available Fee (346) (350) (369)

\$595,298,540

**Total Estimated Contract
Price (TECP) (377)**

\$11,517,521,560

* Sub-CLIN 2.1 DFLAW (Target Cost) amount decreased by total amount of Change Orders 329, 330 & 339 (\$32,431,444) definitized in Modification 350. \$75,000,000 - \$32,431,444 = \$42,568,556.

Contractor's Statement of Release: In consideration of the Modification 377, agreed to herein as complete equitable adjustment for the Contractor's Request for Equitable Adjustment (REA) for 2015-008, *Craft Fiscal Year 2015 Wage Rate 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)