

**AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT**

1. CONTRACT ID CODE PAGE OF PAGES  
 FFS# 5002R036 1 4

2. AMENDMENT/MODIFICATION NO. 3. EFFECTIVE DATE 4. REQUISITION/PURCHASE REQ. NO. 5. PROJECT NO. (If applicable)  
 163 12-28-2001 NMS-97-009 12/27/01

6. ISSUED BY CODE 7. ADMINISTERED BY (If other than Item 6) CODE  
 U.S. Nuclear Regulatory Commission  
 Division of Contracts and Property Mgt.  
 Attn: T-7-I-2  
 Contract Management Branch 2  
 Washington DC 20555

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) (X) 9A. AMENDMENT OF SOLICITATION NO.  
 Southwest Research Institute  
 6220 Culebra Road  
 San Antonio, TX 78228-0510  
 Attn: Wesley Patrick, President, CNWRA  
 210-522-5258, TIN 74-1070544  
 9B. DATED (SEE ITEM 11)  
 10A. MODIFICATION OF CONTRACT/ORDER NO.  
 NRC-02-97-009  
 10B. DATED (SEE ITEM 13)  
 X 10-15-1987

CODE FACILITY CODE **11. THIS ITEM ONLY 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 of 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 ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE 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 this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required) B&R 25015308270 JC J5226 BOC: 252A 31X0200  
 Obligate: \$50,000

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

(X) 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 THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).  
 X  
 C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:  
 D. OTHER (Specify type of modification and authority)

**E. IMPORTANT:** Contractor X is not, \_\_\_ is required to sign this document and return \_\_\_ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)  
 Please see attached pages.

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)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)
	Barbara D. Meehan
15B. CONTRACTOR/OFFEROR	16B. UNITED STATES OF AMERICA
(Signature of person authorized to sign)	B. <u>Barbara D. Meehan</u> (Signature of Contracting Officer)
15C. DATE SIGNED	16C. DATE SIGNED
	12-28-2001

TEMPLATE ADM 001

ADM 02

Description of Changes Incorporated by Modification No. 163 to NRC-02-97-009

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Job Code D1035 (Spent Fuel (CIS))  
Total FY97 obligation amount \$200,000  
Total FY98 obligation amount \$250,000

Job Code J5297 (Spent Fuel (CIS))  
Total FY00 obligation amount \$100,000  
Total FY01 obligation amount \$331

Cumulative Total of NRC Obligations for CIS \$550,331.

Job Code J5164 (Tank Waste Remediation)

Total FY98 obligation amount \$250,000  
Total FY99 obligation amount \$285,000  
Total FY00 obligation amount \$840,000  
Total FY01 deobligation amount \$65,000

Cumulative Total of NRC Obligations for JC J5164 \$1,310,000.

Job Code J5206 (Spent Fuel Dry Transfer)  
Total FY97 obligation amount \$25,000.  
Total FY98 obligation amount \$200,000.  
Total FY98 deobligation amount \$33,000  
Total FY99 obligation amount \$283,600  
Total FY00 obligation amount \$135,000  
Total FY01 deobligation amount \$45,000

Cumulative Total of NRC Obligations for JC J5206 \$565,600.

Job Code J5210 (Aluminum-Based Spent Fuels)  
Total FY98 obligation amount \$125,000.

Cumulative Total of NRC Obligations for JC J5210 \$125,000

Job Code J5186 (TMI-2 Fuel Debris)

Total FY98 obligation amount \$208,000.  
Total FY98 deobligation amount \$8,000.  
Total FY99 obligation amount \$100,000  
Total FY99 deobligation amount \$15,898.  
Total FY01 obligation amount \$878.

Cumulative Total of NRC Obligations for JC J5186 \$284,980.

e. Total amount authorized by Operations/Project Plans was as follows:

High-Level Waste Job Code: D1035 Amount: \$ 44,662,918	Licensing Support System Job Code: L1590 Amount: \$35,900
Research Job Code: B6666 Amount: \$ 15,584,461.47	Waste Solidification Systems Job Code: L1793 Amount: \$642,391.87 Job Code: J5190 Amount: \$39,900
Transportation Job Code: D1070 Amount: \$0	Monitored Retrievable Storage Job Code: L2516 Amount: \$20,459.70
Tank Waste Remediation Job Code: J5164 Amount: \$772,035.00	Safety Review of TMI-2 Job Code: J5186 Amount: \$158,290

Total amount authorized: \$ 61,916,356.04

f. The total award fee available; the award fee earned thus far and the evaluation period applicable thereto were as follows:

<u>Evaluation Period</u>	<u>Available Award Fee</u>	<u>Award Fee Earned</u>
11 9/27/92-4/9/93	\$309,465	259,951
12 4/10/93-9/24/93	347,645	316,673
13 9/25/93-9/30/94	709,894	668,010.43
14 10/1/94-9/29/95	817,617	793,088
15 9/30/95-9/27/96	665,948	645,970
16 9/28/96-9/26/97	556,736	528,899

Current Data

C. September 27, 1997 - September 27, 2002

- a. The total estimated ceiling amount of this Cost-Plus-Award-Fee type contract for the above mentioned period is \$87,611,477.00.
- b. The amount presently obligated by the Government with respect to this contract for this period is \$ 68,223,032.43. In addition, carryover funds in the amount of \$3,299,571.15 (note that \$3,028.61 was deobligated in FY02 from JC J5190) are available for use in this renewal period as indicated below. The award fee pool will be as stated in the AFDP. The plan will reflect the actual award fee pool based on cumulative estimated costs for performance of approved Operations/Project Plans. The applicable base fee percentage is also described in the AFDP.

Total New Funds Obligated for 2nd Renewal Period: \$68,699,687.00  
Funds Deobligated during 2nd Renewal Period: 476,654.57  
(Note that \$3,028.61 was deobligated from carryover funds rather than new funds.)  
Net Obligated: \$68,223,032.43

\*PFS is subject to the license fee recovery provisions located elsewhere in this contract.  
The TAC number for this project is L22462.

Section H - Special Contract Requirements

H.1 Key Personnel

- A. The following individuals are considered to be essential to the successful performance of the work hereunder.

W. Patrick	L. McKague	H. Garcia
A. Chowdhury	B. Hill	P. Mackin
J. Russell	P. LaPlante	B. Sagar
G. Cragnolino	V. Jain	N. Sridhar
E. Percy	D. Ferrill	G. Wittmeyer
R. Green	B. Mabrito	D. Turner
D. Daruwalla	J. Stamatakos	S. Mohanty
A. Ghosh	S. Hsiung	R. Fedors
R. Pabalan	J. Winterle	

The Contractor agrees that such personnel shall not be removed from the contract work or replaced without compliance with paragraphs (B) and (C) hereof.

- B. If one or more of the key personnel for whatever reason becomes or is expected to become, unavailable for work under this contract for a continuous period expected to exceed 30 work days, or is expected to devote substantially less effort to the work than indicated in approved Operations/Project Plans, the Contractor shall immediately notify the CO and shall, subject to the concurrence of the CO or his/her authorized representative, promptly replace such personnel with personnel of at least substantially equal ability and qualifications.
- C. All requests for approval of substitutions hereunder must be in writing and provide a detailed explanation of the circumstances necessitating the proposed substitutions. They must contain a complete resume for the proposed substitute, and other information requested by the CO or needed by him/her to approve or disapprove the proposed substitution. The CO or his/her authorized representative will evaluate such requests and promptly notify the contractor of his/her approval or disapproval thereof in writing.
- D. If the CO determines that suitable and timely replacement of key personnel who have been reassigned, terminated or have otherwise become unavailable for the contract work is not reasonably forthcoming or that the resultant reduction of productive effort would be so substantial as to impair the successful completion of the contract or the service order, the contract may be terminated by the CO for default or for the convenience of the Government, as appropriate, or, at the discretion of the Contracting Officer if he/she finds the contractor at fault for the condition, the contract price or fixed fee may be equitably adjusted downward to compensate the Government for any resultant delay, loss or damage.