

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE
502R051
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2. AMENDMENT/MODIFICATION NO. 167
 3. EFFECTIVE DATE 1-31-2002
 4. REQUISITION/PURCHASE REQ. NO. NMS-97-009 1/30/02
 5. PROJECT NO. (If applicable)
 6. ISSUED BY U.S. Nuclear Regulatory Commission
 CODE Division of Contracts and Property Mgt.
 Attn: T-7-I-2
 Contract Management Branch 2
 Washington DC 20555
 7. ADMINISTERED BY (If other than Item 6)
 CODE

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)
 Southwest Research Institute
 6220 Culebra Road
 San Antonio, TX 78228-0510
 Attn: Wesley Patrick, President, CNWRA
 210-522-5158, TIN 74-1070544
 9A. AMENDMENT OF SOLICITATION NO. (X)
 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: J5390 BOC: 252A 31X0200
 Obligate: \$57,138.69

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 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.)
 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)
 15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)
 15C. DATE SIGNED
 16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Barbara D. Meehan
 16B. UNITED STATES OF AMERICA BY *Barbara D. Meehan* (Signature of Contracting Officer)
 16C. DATE SIGNED 01-31-2002

TEMPLATE ADM001

ADM02

The purpose of this modification is to provide incremental funding and authorization for the Diablo Canyon project. Accordingly, the following changes are made:

Section B.2.C.b and d are revised to provide obligated funds in the amount of \$57,138.69 for [REDACTED], as shown on the attached change pages 5, 6, and 6a.

Section B.2.C.e is revised to increase the authorized funds for [REDACTED], in the amount of \$57,138.69, as shown on the attached change page 7.

All other terms and conditions of this contract, including the ceiling amount for the second renewal period of \$87,611,477.00, remain the same.

A summary of new obligations for the second renewal period of this contract is given below:

[REDACTED]

Total FY97 obligation amount \$445,000 (see Spent Fuel (CIS) below)
Total FY98 obligation amount \$10,792,270 (Note that this reflects the \$19,000 which was obligated on Mod. 123, but not reflected in this summary)
Total FY99 obligation amount \$11,862,000.
Total FY99 deobligation amount \$183,756.57.
Total FY00 obligation amount \$12,971,071.
Total FY00 deobligation amount of \$100,000.
Total FY01 obligation amount of \$13,415,000.
Total FY02 obligation amount of \$14,201,000.
Cumulative Total of NRC Obligations for JC 1035 (HLW) \$63,402,584.43.

[REDACTED] (Spent Fuel (CIS))
Total FY97 obligation amount \$200,000
Total FY98 obligation amount \$250,000

[REDACTED] (Spent Fuel (CIS))
Total FY00 obligation amount \$100,000
Total FY01 obligation amount \$331

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

[REDACTED] (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.

[REDACTED] (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.

[REDACTED] (Aluminum-Based Spent Fuels)
Total FY98 obligation amount \$125,000.

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

[REDACTED] (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.

Description of Changes Incorporated by Modification No. 167 to NRC-02-97-009

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[REDACTED] (Private Fuel Storage)
Total FY98 obligation amount \$158,000
Total FY99 obligation amount \$332,630
Total FY00 obligation amount \$443,920
Total FY01 obligation amount \$715,000
Total FY02 obligation amount \$400,000

Cumulative Total of NRC Obligations for JC J5226 \$2,049,550.

[REDACTED] (SKB Peer Review)
Total FY00 obligation amount \$9,987

Cumulative Total of NRC Obligations for JC J5324 \$9,987.

[REDACTED] (Naval Spent Fuel)
Total FY00 obligation amount \$161,000
Total FY01 deobligation amount \$26,000

Cumulative Total of NRC Obligations for JC J5327 \$135,000.

[REDACTED] (Diablo Canyon)
Total FY01 obligation amount \$15,000
Total FY02 obligation amount \$257,138.69

Cumulative Total of NRC Obligations for JC J5390 \$257,138.69.

[REDACTED] (WSS)
Total FY02 deobligation amount \$3,028.61

Cumulative Total of NRC Deobligations (for second renewal period) \$3,028.61.

[REDACTED] (INEEL ISFSI-2)
Total FY02 obligation amount \$200,000

Cumulative Total of NRC Obligations for JC J5410 \$200,000

This modification obligates funds in the amount of \$57,138.69 for Diablo Canyon.

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

High-Level Waste [REDACTED] Amount: \$ 44,662,918	Licensing Support System [REDACTED] Amount: \$35,900
Research [REDACTED] Amount: \$ 15,584,461.47	Waste Solidification Systems [REDACTED] Amount: \$642,391.87 Job Code: J5190 Amount: \$39,900
Transportation [REDACTED] Amount: \$0	Monitored Retrievable Storage [REDACTED] Amount: \$20,459.70
Tank Waste Remediation [REDACTED] Amount: \$772,035.00	Safety Review of TMI-2 [REDACTED] 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 \$ 68,905,171.12. 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.

- c. Evaluation of the award fee earned will be accomplished in accordance with the then current AFDP (Attachment 11). Neither the determination as to the amount of fee available during a given period, the amount of award fee earned, nor the determination of the criteria under which the subject award fee will be made, shall be subject to FAR Subpart 52.233-1, entitled, "Disputes".
- d. Total funds currently obligated by Job Code (JC) are as follows:

High-Level Waste

[REDACTED] 5
New Funds: \$ 63,686,341
Deob.: \$283,756.57
Carryover: \$1,989,455.71
Total: \$65,392,040.14

Waste Solidification Systems

[REDACTED]
New Funds:
Carryover: \$2,763.35
Total: \$2,763.35

Tank Waste Remediation

[REDACTED]
New Funds: \$1,375,000
Deobligation: \$65,000
Carryover: \$1,246,284.95
Total: \$2,556,284.95

Waste Solidification Systems

[REDACTED]
New Funds: \$0
Deobligation: \$3,028.61
Carryover: \$35,349.05
Total: \$32,320.44

Spent Fuel (TMI-2 Fuel Debris)

[REDACTED]
New Funds: \$308,878
Deob.: \$23,898
Carryover: \$28,746.69
Total: \$313,726.69

Spent Fuel (Dry Transfer)

[REDACTED]
New Funds: \$643,600
Deobligate: \$78,000
Carryover: \$0
Total: \$565,600

Aluminum-Based Spent Fuels

[REDACTED]
New Funds: \$125,000
Total: \$125,000

Spent Fuel (CIS)

[REDACTED] 5
New Funds: \$450,000
Total: \$450,000

Spent Fuel (PFS)*

[REDACTED] 6
New Funds: \$2,049,550
Total: \$2,049,550

Spent Fuel (CIS)

[REDACTED]
New Funds: \$100,331
Total: \$100,331

SKB Peer Review

[REDACTED]
New Funds: \$9,987
Total: \$9,987

Naval Spent Fuel

[REDACTED]
New Funds: \$161,000
Deob: \$26,000
Total: \$135,000

Diablo Canyon

[REDACTED]
New Funds: \$272,138.69
Total: \$272,138.69

INEEL ISFSI-2

[REDACTED]
New Funds: \$200,000
Total: \$200,000

Total New Funds Obligated for 2nd Renewal Period: \$69,381,825.69
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: \$68,905,171.12

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

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

High-Level Waste
[REDACTED] 35
Amount: \$55,348,673

Waste Solidification Systems
[REDACTED]
Amount: \$32,320.44
[REDACTED]
Amount: \$2,763.35

Tank Waste Remediation
[REDACTED]
Amount: \$2,548,584

Spent Fuel (TMI-2 Fuel Debris)
[REDACTED]
Amount: \$313,726.69

Spent Fuel (Dry Transfer)
[REDACTED]
Amount: \$565,600

Spent Fuel (CIS)
[REDACTED]
Amount: \$450,000

Naval Spent Fuel
[REDACTED]
Amount: \$135,000

Aluminum-Based Spent Fuel
[REDACTED] 0
Amount: \$125,000

Spent Fuel (CIS)
[REDACTED] 7
Amount: \$100,331

Diablo Canyon
[REDACTED]
Amount: \$272,138.69

SKB Peer Review
[REDACTED]
Amount: \$9,987

Spent Fuel (PFS)
[REDACTED]
Amount: \$2,045,809.14

INEEL ISFSI-2
[REDACTED] 0
Amount: \$200,000

Total amount authorized: \$62,149,933.31

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

<u>Evaluation Period</u>	<u>Available Award Fee</u>	<u>Award Fee Earned</u>
17 9/27/97-9/25/98	\$598,989	\$581,021
18 9/26/98-9/24/99	797,438	781,490
19 9/25/99-9/29/00	818,779	794,216
20 9/30/00-9/28/01	743,973	714,214
21 9/29/01-9/27/02		

Section C - Description/Specifications/Work Statement

C.1 Statement of Work for Operation of the Center for Nuclear Waste Regulatory Analyses

C.1.1 Concept for CNWRA Support to NRC

C.1.1.1 Nuclear Waste Policy Act of 1982

The Nuclear Waste Policy Act of 1982 as amended (NWPAA) sets forth the policy of the United States with regard to the management, storage and disposal of this nation's high-level radioactive waste from commercial and defense activities. The NWPAA charges the Department of Energy (DOE) as the lead Federal Agency to manage the siting, construction,