

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

BPA NO.

1. CONTRACT ID CODE
5008R034

PAGE 1 OF PAGE 2

2. AMENDMENT/MODIFICATION NO.
M259

3. EFFECTIVE DATE
3/6/2008

4. REQUISITION/PURCHASE REQ. NO.
NMS-07-006 dtd
3/6/2008

5. PROJECT NO.(If applicable)

6. ISSUED BY CODE 3100
U.S. Nuclear Regulatory Commission
Div. of Contracts
Attn:
Mail Stop T-7-I-2
Washington, DC 20555

7. ADMINISTERED BY (If other than Item 6) CODE 3100
U.S. Nuclear Regulatory Commission
Div. of Contracts
Mail Stop T-7-I-2
Washington, DC 20555

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)
SOUTHWEST RESEARCH INSTITUTE

6220 CULEBRA RD
SAN ANTONIO TX 782385166

(X) 9A. AMENDMENT OF SOLICITATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO.
NRC-02-07-006

10B. DATED (SEE ITEM 13)
10-15-1987

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 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 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 85015300129 Job Code: D1035 BOC 252A Approp. N0200
Obligate: \$13,400,000

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.

X 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).

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.)

Please see attached pages.

Duns # 007936842

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
Contracting Officer

16B. UNITED STATES OF AMERICA
BY Barbara D. Meehan
(Signature of Contracting Officer)

16C. DATE SIGNED
03-06-2008

SUNSI REVIEW COMPLETE

ADM002

TEMPLATE - ADM001

The purpose of this modification is to provide incremental funding in the amount of \$13,400,000 to Job Code D1035. Accordingly, the following changes are hereby made:

Section B.2.E.b, and d is revised to obligate funding in the amount of \$13,400,000 in Job Code D1035. Section B.2.E.e is revised to authorize funding in the amount of \$5,000,000 in Job Code D1035. Please see attached change pages 9, 9a and 9b.

All other terms and conditions of this contract, including the ceiling amount for the fourth renewal period of \$123,376,281.00, remain the same.

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

Job Code D1035 (HLW)

FY07 obligation amount: \$2,762,990

FY08 obligation amount: \$16,000,000

Cumulative total of NRC obligations for JC D1035 (HLW) \$18,762,990

Job Code J5633 (Newhall Pass)

FY08 obligation amount: \$50,000

Cumulative total of NRC obligations for J5633 - \$50,000

This modification obligates FY2008 funds in the amount of \$13,400,000.00.

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

High-Level Waste (HLW) Job Code: D1035 Amount: \$82,000,000	Private Fuel Storage (PFS) Job Code: J5226 Amount: \$241,828
INEEL ISFSI-2 Job Code: J5410 Amount: \$685,871.72	Diablo Canyon Job Code: J5390 Amount: \$490,960
Tunnel Fire Environment Job Code: J5434 Amount: \$66,132.25	Humboldt Bay Job Code: J5501 Amount: \$935,075
WIR DOE South Carolina and Idaho Job Code: J5543 Total: \$300,000 Job Code: J5562 Total: \$1,642,953	MacArthur Maze Fire Job Code: J5608 Total: \$94,249 SFST TAD Job Code: J5606 Total: \$220,000

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>
22 9/28/02-9/26/03	\$850,886	\$835,570
23 9/27/03-9/24/04	\$889,876	\$863,180
24 9/27/04-9/24/05	\$968,227	\$948,863
25 9/30/05-9/29/06	\$1,007,080	\$966,796
26		

Current Data

E. September 29, 2007 - September 28, 2012 (Fourth Renewal period, Contract No. NRC-02-07-006)

- a. The total estimated ceiling amount of this Cost-Plus-Award-Fee type contract for the above mentioned period is \$123,376,281.
- b. The amount presently obligated by the Government with respect to this contract for this period is \$18,812,990. In addition, carryover funds in the estimated amount of \$2,650,000 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 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 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 (HLW)
Job Code: D1035
New Funds: \$18,762,990
Estimated Carryover: \$2,000,000
Total: \$20,762,990

Private Fuel Storage (PFS)*
Job Code: J5226
New Funds:
Carryover:
Total:

WIR DOE South Carolina and Idaho
Job Code: J5562
New Funds:
Estimated Carryover: \$400,000
Total: \$400,000

MacArthur Maze Fire
Job Code: J5608
New Funds:
Estimated Carryover: \$50,000
Total: \$50,000

SFST TAD
Job Code: J5606
New Funds:
Estimated Carryover: \$200,000
Total: \$200,000

Newhall Pass
Job Code: J5633
New Funds: \$50,000
Estimated Carryover: \$0
Total: \$50,000

e. Total amount authorized by Operations Plan is as follows:

High-Level Waste (HLW)
Job Code: D1035
Amount: \$12,362,990

Private Fuel Storage (PFS)
Job Code: J5226
Amount:

WIR DOE South Carolina and Idaho
Job Code: J5562
Amount: \$400,000

MacArthur Maze Fire
Job Code: J5608
Amount: \$50,000

SFST TAD
Job Code: J5606
Amount: \$200,000

Newhall Pass
Job Code: J5633
Amount: \$50,000

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, transportation, 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