

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

BPA NO.

1. CONTRACT ID CODE
ESS# 5009R018

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2. AMENDMENT/MODIFICATION NO. M277	3. EFFECTIVE DATE See Block 16C	4. REQUISITION/PURCHASE REQ. NO. NMS-07-006 01/27/09	5. PROJECT NO.(If applicable)
6. ISSUED BY U.S. Nuclear Regulatory Commission Div of Contracts Mail Stop - TWB 01 B10M Contract Management Branch No. 3 Washington, DC 20555	CODE 3100	7. ADMINISTERED BY (If other than Item 6) U.S. Nuclear Regulatory Commission Div of Contracts Mail Stop - TWB 01 B10M Contract Management Branch No. 3 Washington, DC 20555	CODE 3100

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) SOUTHWEST RESEARCH INSTITUTE INC 6220 CULEBRA RD SAN ANTONIO TX 782385100	(X)	9A. AMENDMENT OF SOLICITATION NO.
		9B. DATED (SEE ITEM 11)
		10A. MODIFICATION OF CONTRACT/ORDER NO. NRC-02-07-006
	X	10B. DATED (SEE ITEM 13) 10-15-1987
CODE 007936842	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 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 95015300139 JC: D-1035 BOC: 252A App N0200 \$2,982,000

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)

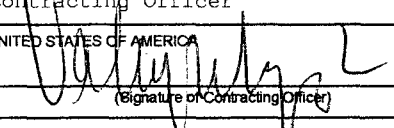
E. IMPORTANT: Contractor is not, is required to sign this document and return _____ copies to the issuing office.

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)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Valerie M. Whipple Contracting Officer
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)	15C. DATE SIGNED
16B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer)	16C. DATE SIGNED 2/4/09

NSN 7540-01-152-8070
PREVIOUS EDITION NOT USABLESTANDARD FORM 30 (REV. 10-83)
Prescribed by GSA - FAR (48 CFR) 53.243

TEMPLATE - ADM001

SUNSI REVIEW COMPLETE

ADM002

The purpose of this modification is (1) to obligate and authorize funding for Job Code D1035 in the amount of \$2,982,000, (2) to correct an administrative oversight and (3) to revise Key Personnel. Accordingly, the following changes are made:

1. Sections B. 2. E. b., d, and e. are revised to obligate and authorize funds in the amount of \$2,982,000 under Job Code D1035, as shown on the attached change pages 9, 9a, and 9b.
2. Section B.2.E., paragraph f. is revised to correct the award fee amount for 27th performance evaluation period from \$912,921.32 to \$912,922.00 and shall read as follows (see attached change page 9b):

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

<u>Evaluation Period</u>	<u>Available Award Fee</u>	<u>Award Fee Earned</u>
27 9/27/07-9/26/08	\$941,156.00	\$912,922.00
28		
29		
30		
31		

3. Section H.1 2052.215-70 Key Personnel (Jan 1993) is revised to delete Ms. Nancy Adams as Key Personnel and to add Ms. Ali Simpkins. See attached change page 35.

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: **\$17,291,992.29***

FY09 obligation amount: **\$4,492,000***

Cumulative total of NRC obligations for JC D1035 (HLW): **\$24,546,982.29**

***Note: Job Code D1035 (HLM) FY08 funding decreased by \$1,510,000 and FY09 funding increased by \$1,510,000 to reflect correct FY09 funding**

Job Code J5633 (Newhall Pass)

FY08 obligation amount: \$117,792

Cumulative total of NRC obligations for J5633: \$117,792

Job Code J5608 (MacArthur Maze Fire)

FY08 obligation amount: \$65,000

Cumulative total of NRC obligations for J5608: \$65,000

Job Code J5562 (WIR)

FY08 obligation amount: \$184,000

FY09 obligation amount: \$111,800

Cumulative total of NRC obligations for J5562: \$395,800

This modification obligates **\$2,982,000** in FY2009 funds.

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: \$207,542
INEEL ISFSI-2 Job Code: J5410 Amount: \$685,819.72	Diablo Canyon Job Code: J5390 Amount: \$482,753.90
Tunnel Fire Environment Job Code: J5434 Amount: \$65,712.26	Humboldt Bay Job Code: J5501 Amount: \$932,636.67
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 applicable evaluation period 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 9/30/06-9/28/07	\$1,047,741	\$972,304

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 **\$25,147,695.29**. In addition, carryover funds in the estimated amount of \$3,760,717.52 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: **\$24,546,982.29**
Carryover: \$2,891,902.10
Total: **\$27,438,884.39**

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

WIR DOE South Carolina and Idaho
Job Code: J5562
New Funds: \$394,800
Carryover: \$518,240.20
Total: \$913,040.20

MacArthur Maze Fire
Job Code: J5608
New Funds: \$88,121
Carryover: \$60,210.16
Total: \$148,331.16

SFST TAD
Job Code: J5606
New Funds:
Carryover: \$287,365.06
Total: \$287,365.06

Newhall Pass
Job Code: J5633
New Funds: \$117,792
Carryover: \$0
Total: \$117,792

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

High-Level Waste (HLW)
 Job Code: D1035
 Amount: **\$22,189,516**

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

WIR DOE South Carolina and Idaho
 Job Code: J5562
 Amount: \$828,474

MacArthur Maze Fire
 Job Code: J5608
 Amount: \$125,210.16

SFST TAD
 Job Code: J5606
 Amount: \$243,687

Newhall Pass
 Job Code: J5633
 Amount: \$148,331

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

<u>Evaluation Period</u>	<u>Available Award Fee</u>	<u>Award Fee Earned</u>
27 9/27/07-9/26/08	\$941,156.00	\$912,922.00
28		
29		
30		
31		

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 (NWPA) 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 NWPA charges the Department of Energy (DOE) as the lead Federal Agency to

G.6 Electronic Payment

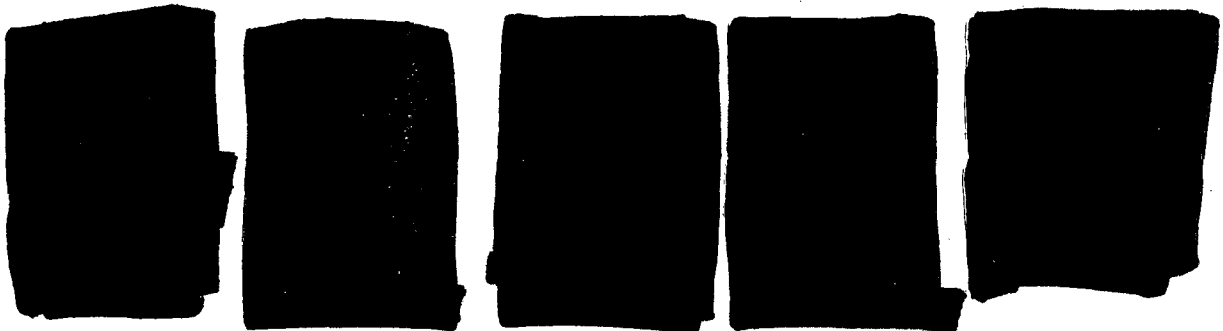
The Debt Collection Improvement Act of 1996 requires that all payments except IRS tax refunds be made by Electronic Funds Transfer. It is the policy of the Nuclear Regulatory Commission to pay vendors by the Automated ClearingHouse (ACH) electronic funds transfer payment system. The electronic system is known as Vendor Express. Payment shall be made in accordance with FAR 52.232-33, entitled "Mandatory Information for Electronic Funds Transfer Payment".

To receive payment, the contractor shall complete the "Company Information" portion of the Standard Form 3881, entitled "ACH Vendor/Miscellaneous Payment Enrollment Form" found in Section J. The contractor shall take the form to the ACH Coordinator at the financial institution that maintains its company's bank account. The contractor shall discuss with the ACH Coordinator how the payment identification (addendum record) will be passed to them once the payment is received by the financial institution. To ensure that adequate payment information will be available to the contractor, the contractor should inform the financial institution that the addendum record must not be stripped from the payment. Further information concerning the addendum is provided in the attachments. The ACH Coordinator should fill out the "Financial Institution Information" portion of the form and return it to the Office of the Controller at the following address: Nuclear Regulatory Commission, Division of Accounting and Finance, Financial Operations Section, Mail Stop T-9-H-4, Washington, DC 20555, ATTN: ACH/Vendor Express. It is the responsibility of the contractor to ensure that the financial institution returns the completed form to the above cited NRC address. If the contractor can provide the financial information, signature of the financial institution's ACH Coordinator is not required. The NRC is under no obligation to send reminders. Only after the Office of the Controller has processed the contractor's sign-up form will the contractor be eligible to receive payments. Once electronic funds transfer is established for payments authorized by NRC, the contractor needs to submit an additional SF 3881 only to report changes to the information supplied. Questions concerning ACH/Vendor Express should be directed to the Financial Operations staff at (301) 415-7520.

Section H - Special Contract Requirements

H.1 2052.215-70 Key Personnel (Jan 1993)

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



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