

2. AMENDMENT/MODIFICATION NO. M280		3. EFFECTIVE DATE See Block 16C	4. REQUISITION/PURCHASE REQ. NO. NMS-02-07-006 & NMS-07-006	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	
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
				10B. DATED (SEE ITEM 13) 10-15-1987
CODE 007936842		FACILITY CODE X		

**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: D1035 BOC: 252A APP N0200 FSS: 5009R030 \$1,765,000  
B&R 95515356257 JC: J5562 BOC: 252A APP 31X0200 FSS: 5009R091 \$21,500

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

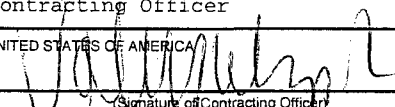
(X)	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
X	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET 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)		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 4/20/09

The purpose of this modification is to obligate and authorize funding for Job Code D1035 in the amount of \$1,765,000 and funding for J5562 in the amount of \$21,500. 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 \$1,765,000 under Job Code D1035 and \$25,000 under Job Code J5562, as shown on the 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: \$17,291,992.29

FY09 obligation amount: **\$6,257,000**

Cumulative total of NRC obligations for JC D1035 (HLW): **\$26,311,982.29**

Job Code J5633 (Newhall Pass)

FY08 obligation amount: \$117,792

FY09 obligation amount: \$25,000

Cumulative total of NRC obligations for J5633: \$142,792

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: \$283,000

FY09 obligation amount: **\$240,225**

Cumulative total of NRC obligations for J5562: **\$523,225**

This modification obligates **\$1,786,500** 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 **\$27,066,120.29**. 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: **\$26,311,982.29**  
Carryover: \$2,891,902.10  
Total: **\$29,203,884.39**

WIR DOE South Carolina and Idaho  
Job Code: J5562  
New Funds: **\$523,225.00**  
Carryover: \$518,240.20  
Total: **\$1,041,465.20**

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

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

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

Newhall Pass  
Job Code: J5633  
New Funds: \$142,792  
Carryover: \$0  
Total: \$142,792

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

High-Level Waste (HLW)  
Job Code: D1035  
Amount: **\$23,954,516**

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

WIR DOE South Carolina and Idaho  
Job Code: J5562  
Amount: **\$956,899**

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

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

Newhall Pass  
Job Code: J5633  
Amount: \$173,331

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 (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