

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

BPA NO.

1. CONTRACT ID CODE

PAGE 1

OF PAGE: 2

2. AMENDMENT/MODIFICATION NO. 0005

3. EFFECTIVE DATE APR 27 2009

4. REQUISITION/PURCHASE REQ. NO. 42-07-481T003M005 09748103159 (04086)

5. PROJECT NO.(If applicable)

6. ISSUED BY U.S. Nuclear Regulatory Commission Div. of Contracts Attn:Kala Shankar 301-492-3638 Mail Stop T-7-I-2 Washington, DC 20555

7. ADMINISTERED BY (If other than Item 6) U.S. Nuclear Regulatory Commission Div. of Contracts Mail Stop TWB 01-B10M Washington, DC 20555

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

N J NUMARK ASSOCIATES INC NUMARK ASSOCIATES

1220 19TH ST NW STE 500 WASHINGTON DC 200362444

CODE 788247377

FACILITY CODE

(X) 9A. AMENDMENT OF SOLICITATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO. NRC-42-07-481 0003

X 10B. DATED (SEE ITEM 13) 01-02-2008

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 925-15-171-103; JC: Q-4159; BOC 252A; APPN: 31X0200 Obligate: \$15,000

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).

C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:

D. OTHER (Specify type of modification and authority) MUTUAL AGREEMENT OF BOTH PARTIES PURSUANT TO FAR 52.243-2, CHANGES COST-REIMBURSEMENT ALT 1

E. IMPORTANT: Contractor is not, X is required to sign this document and return 2 copies to the issuing office.

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

The purpose of this modification is to incorporate the revised SOW reflecting the increased level of effort; increase the task order ceiling; and add funds in the amount of \$15,000.

Task Order Ceiling Amount: \$861,517 (changed) Total Obligated Amount: \$728,587 (changed) Period of Performance: 01/02/2008 - 07/01/2010 (unchanged)

See continuation page

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) Neil J. Numark, President

16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Kala Shankar Contracting Officer

15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)

15C. DATE SIGNED 4/27/09

16B. UNITED STATES OF AMERICA BY Kala Shankar (Signature of Contracting Officer)

16C. DATE SIGNED 4/29/09

The purpose of this modification is to (1) incorporate the revised SOW reflecting the additional level of effort; (2) increase the task order ceiling in the amount of \$30,431; and (3) add incremental funding in the amount of \$15,000. Accordingly, the subject task order is hereby modified as follows:

Paragraphs 2 and 3, page 2 of 2 under the base task order 03, are hereby deleted in its entirety and replaced with the following:

Task Order No. 03 shall be in effect from 01/02/2008 through 07/01/2010, with a cost ceiling of \$861,517. The amount of \$823,250 represents the estimated reimbursable costs, and the amount of \$38,267 represents the fixed fee.

“The amount obligated by the Government with respect to this task order is \$728,587, of which \$697,212 represents the estimated reimbursable costs, and the amount of \$31,375 represents the fixed fee.”

\* A summary of obligations for this task order, from award date through the date of this action is given below:

Total FY08 Obligation Amount:	\$588,587.00
Total FY09 Obligation Amount:	<u>\$140,000.00</u>
Cumulative Total of NRC Obligations:	\$728,587.00

\*\*\*ALL OTHER TERMS AND CONDITIONS OF THE SUBJECT TASK ORDER  
REMAIN UNCHANGED\*\*\*

## TASK ORDER STATEMENT OF WORK

JCN/Contract No. Q-4159	Contractor Numark	Task Order No. 003 (Modification #5)
Applicant AREVA	Design/Site EPR	Docket No. 05200020
Title/Description Review of Containment and Ventilation (SPCV) Systems (CTH) for the EPR DCD Application		
TAC No. RX0142	B&R Number 925-15-171-103	SRP Section(s) Containment and Ventilation Sections (see Section 2)
NRC Task Order Project Officer (PO) David D'Abate (301) 415-0667 David.DAbate@nrc.gov		
NRC Technical Monitor (TM) Michelle Hayes (301) 415-8375 Michelle.Hayes2@nrc.gov		

### 1.0 BACKGROUND

Combined Operating License (COL) Applications are submitted pursuant to Section 52 of Title 10 of the *Code of Federal Regulations* (10 CFR 52), "Early Site Permits; Standard Design Certifications; and Combined Licenses for Nuclear Power Plants." The U.S. Nuclear Regulatory Commission (NRC) reviews COL Applications based on information furnished by electric utility companies pursuant to 10 CFR 52.79, "Contents of Applications Technical Information."

Standard Design Certification (DCD) Applications are submitted pursuant to Section 52 of Title 10 of the *Code of Federal Regulations* (10 CFR 52), "Early Site Permits; Standard Design Certifications; and Combined Licenses for Nuclear Power Plants." The U.S. Nuclear Regulatory Commission (NRC) reviews DCD Applications based on information furnished by applicants pursuant to 10 CFR 52.47, "Contents of Applications, Technical Information."

In particular, the application shall include: a final safety analysis report (FSAR) describing the facility; compliance with the principal design criteria for the facility, as described in 10 CFR 50, Appendix A, general design criteria (GDC); and an evaluation of the standard plant design against the Standard Review Plan (SRP).

A Standard Review Plan (NUREG-0800) is prepared for the guidance of staff reviewers in the Office of New Reactors in performing safety reviews of applications to construct or operate nuclear power plants and the review of applications to approve standard designs and sites for nuclear power plants. The principal purpose of the SRP is to assure the quality and uniformity of staff safety reviews.

An Environmental Safety Review Plan (NUREG-1555) is prepared for the guidance of staff reviewers in performing environmental reviews of applications related to nuclear power plants. The ESRPs are companions to regulatory guides that address siting and environmental issues. As with NUREG-0800 the purpose of the ESRP is to assure the quality and uniformity of environmental reviews.

The staff publishes the results of these reviews in a Safety Evaluation Report (SER).

#### Design Certification Process

The NRC may approve and certify a standard nuclear plant design through a rulemaking, independent of a specific site. An application for a standard design certification must contain proposed inspections, tests, analyses, and acceptance criteria (ITAAC) for the standard design. Additionally, the application must demonstrate how the applicant complies with the Commission's relevant regulations:

An application must contain a level of design information sufficient to enable the Commission to reach a final conclusion on all safety questions associated with the design. In general terms, a design certification application should provide an essentially complete nuclear plant design, with the exception of site-specific design features such as intake structures and the ultimate heat sink.