

ORDER FOR SUPPLIES OR SERVICES

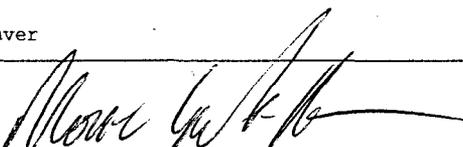
IMPORTANT: Mark all packages and papers with contract and/or order numbers.

BPA NO.

1. DATE OF ORDER SEP 27 2010		2. CONTRACT NO. (if any) NRC-42-07-482		6. SHIP TO:	
3. ORDER NO. 0039		MODIFICATION NO.		a. NAME OF CONSIGNEE U.S. Nuclear Regulatory Commission	
5. ISSUING OFFICE (Address correspondence to) U.S. Nuclear Regulatory Commission Div. of Contracts Attn: Morie Gunter-Henderson 301-415-3646 Mail Stop T-7-I-2 Washington, DC 20555		4. REQUISITION/REFERENCE NO. NRC-42-07-482 TO39 Dated 5/18/2010		b. STREET ADDRESS Attn: Robert Fretz 301 415-1980 Mail Stop: T6-C34	
7. TO:		c. CITY Washington		d. STATE DC	e. ZIP CODE 20555
a. NAME OF CONTRACTOR ENERGY RESEARCH INC		b. COMPANY NAME		f. SHIP VIA	
c. STREET ADDRESS 6167 EXECUTIVE BLVD		d. CITY ROCKVILLE		e. STATE MD	f. ZIP CODE 208523901
9. ACCOUNTING AND APPROPRIATION DATA 025-15-171-111; JC:Q-4013; BOC: 252A; 31X0200 Obligate: \$40,000.00 FFS#0748237013 Contractor DUNS: 621211259		10. REQUISITIONING OFFICE NRO		8. TYPE OF ORDER	
11. BUSINESS CLASSIFICATION (Check appropriate box(es))		12. F.O.B. POINT Destination			
<input checked="" type="checkbox"/> a. SMALL		<input type="checkbox"/> b. OTHER THAN SMALL		<input type="checkbox"/> c. DISADVANTAGED	
<input type="checkbox"/> d. WOMEN-OWNED		<input type="checkbox"/> e. HUBZone		<input type="checkbox"/> f. EMERGING SMALLBUSINESS	
<input type="checkbox"/> g. SERVICE-DISABLED VETERAN-OWNED					
13. PLACE OF		14. GOVERNMENT B/L NO.		15. DELIVER TO F.O.B. POINT ON OR BEFORE (Date)	
a. INSPECTION		b. ACCEPTANCE		16. DISCOUNT TERMS NET 30	

17. SCHEDULE (See reverse for Rejections)

ITEM NO. (a)	SUPPLIES OR SERVICES (b)	QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)
	Issuance of Task Order No. 39 under Contract No. NRC-42-07-482 Title: "COL Referencing ESBWR - Technical Assistance in SER Production Work Period of Performance: 09/27/10 - 09/30/2012 Estimated Reimbursable Cost: \$365,818.52 Fixed Fee: \$18,290.93 Total Cost Plus Fixed Fee: \$384,109.44 Funding in the amount of \$40,000.00 is being provided. See attached pages for a description of Task Order 39 and Statement of Work.					

18. SHIPPING POINT		19. GROSS SHIPPING WEIGHT		20. INVOICE NO.	
21. MAIL INVOICE TO:					
a. NAME Department of the Interior/NBC (NRCPayment NBCDenver@NBC.gov)					
b. STREET ADDRESS (or P.O. Box) Attn: Fiscal Services Branch-D 2770; 7301 W. Mansfield Avenue					
c. CITY Denver		d. STATE CO		e. ZIP CODE 80235-2230	
22. UNITED STATES OF AMERICA BY (Signature) 				23. NAME (Typed) Morie Gunter-Henderson Contracting Officer TITLE: CONTRACTING/ORDERING OFFICER	

17(h)
TOTAL
(Cont. pages)

17(i).
GRAND TOTAL

In accordance with Section G.4, Task Order Procedures, of Contract No. NRC-42-07-482, this definitizes Task Order No. 39. The effort shall be performed in accordance with the attached Statement of Work.

Task Order No. 39 shall be in effect from September 27, 2010 through September 30, 2012, with a cost ceiling of \$384,109.44. The amount of \$365,818.52 represents the estimated reimbursable costs, and the amount of \$18,290.93 represents the fixed fee.

The amount obligated by the Government with respect to this task order is \$40,000.00 of which \$38,095.24 represents the estimated reimbursable costs, and the amount of \$1,904.76 represents the fixed fee.

The issuance of this task order does not amend any terms or conditions of the subject contract.

Your contacts during the course of this task order are:

Technical Matter:	Tracy Clark Project Officer 301-415-1474	Raj Anand Technical Monitor 301-415-1146
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Contractual Matters: Morie Gunter-Henderson
Contract Specialist
301-492-3646

Acceptance of Task Order No. 39 should be made by having an official, authorized to bind your organization, execute three copies of this document in the space provided and return two copies to the Contract Specialist at the address identified in Block No. 5 of the OF 347. You should retain the third copy for your records.

ACCEPTANCE:



NAME

President

TITLE

9/27/10

DATE

TASK ORDER STATEMENT OF WORK

JCN Q-4013	Contractor ERI	Task Order No. NRC-42-07-482-39
Applicant Detroit Edison	Design/Site Fermi 3	Docket No. 05200033
Title/Description COL Referencing ESBWR - Technical Assistance in SER Production Work		
TAC No. RX0	B&R Number 025-15-171-111	SRP or ESRP Section(s) Various
NRC Task Order Project Officer (PO) Tracy Clark	301-415-1474	Tracy.clark@nrc.gov
NRC Technical Monitor (TM) Jerry Hale	301-415-8148	Jerry.hale@nrc.gov

1.0 BACKGROUND

Combined Operating License (COL) Applications are submitted pursuant to Part 52 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 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."

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.

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

2.0 OBJECTIVE

The objective of this task order is to obtain technical expertise from the contractor to integrate the staff technical inputs into the ESBWR SER COL templates previously developed by the contractor. The deliverables from the contractor will be the completed and technically edited, formatted draft advanced SER without open items to be utilized by the NRC staff for documenting the results of the staff review of the Fermi 3 COL application. Specifically, technical assistance is required to incorporate references and input staff's SER. In addition, technical assistance is required to develop Appendices as provided in Attachment 1.

As part of this production, contractor will perform a regulatory review of cross-cutting requirements summarized in Chapter 1 on the Final Safety Analysis Report (FSAR).

3.0 WORK REQUIREMENTS, SCHEDULE AND DELIVERABLES

Tasks/Standards	Scheduled Completion	Deliverables
1. Develop Project Plan including configuration and quality control. Develop tentative schedule for deliverables based on review phase milestones contained within the project specific schedule in EPM.	Four Weeks after award of Task Order.	Project Plan and tentative schedule
2. REQUIREMENT: Phase 2 input (e.g., staff technical evaluations and conclusions, responses to requests for additional information, and applicant updates to the COL application) incorporated into corresponding templates, draft advanced SER without open items, edited, formatted and revised based on updated SER User Guide (electronic copy to be provided).	Each Chapter Draft Advanced SER without open items shall be completed within two weeks after final Chapter input by NRC provided to contractor.	Draft Advanced SER without open items using templates and PSER input by Chapter for the COL
3. REQUIREMENT: Phase 2 Advanced SER input (e.g., responses to supplemental requests for additional information) incorporated into corresponding draft advanced SER without open items. Provide references at the end of each SER Chapter.	Each Chapter Draft Advanced SER shall be completed within two weeks after final Chapter input by NRC provided to contractor.	Updated Draft Advanced SER without open items
4. REQUIREMENT: Phase 2: Appendices as follows: See attached and list of open items by Chapter (to be incorporated into SER Chapter 1).	Two weeks prior to completion of each SER Chapter.	Included in Item 3, above.
5. REQUIREMENT: Phase 3: Technical evaluation report related to regulatory review of cross cutting requirements identified in Ch 1 of the FSAR. Support Chapter Days and ACRS briefings as requested.	Agreed on with Lead PM	Included in Item 3, above
6. REQUIREMENT: Phase 4: Technical and editing support as requested in support of input as provided by technical staff for the Final SER.	Agreed on with Lead PM	Final SER

* These Work Schedules are subject to change by the NRC Contracting Officer (CO) to support the needs of the NRC Licensing Program Plan.

The Technical Monitor may issue technical instruction from time to time throughout the duration of this task order. Technical instructions must be within the general statement of work delineated in the task order and shall not constitute new assignments of work or changes of such a nature as to justify an adjustment in cost or period of performance. The contractor shall refer to Section G.1 of the base contract for further information and guidance on any technical directions issued under this task order.

Any modifications to the scope of work, cost, or period of performance of this task order must be issued by the CO and will be coordinated with the NRO Project Officer.

4.0 TECHNICAL AND OTHER SPECIAL QUALIFICATIONS REQUIRED

As specified in the base contract, the contractor shall provide individuals who have the required educational background and work experience to meet the objectives of the work specified in this task order. Specific qualifications for this effort include: As a minimum, qualified personnel to perform technical evaluations, proficient in MS word formatting features, technical editing and the performance of NRC legal reviews.

The contractor shall pursue IT2 clearance for access to the NRC network, specifically ADAMS.

The contractor shall provide a contractor project manager (PM) to oversee the effort and ensure the timely submittal of quality deliverables so that all information is accurate and complete as defined in the base contract.

The NRC will rely on representations made by the contractor concerning the qualifications of the personnel assigned to this task order, including assurance that all information contained in the technical and cost proposals, including resumes, is accurate and truthful. The resume for each professional proposed to work under this task order (contractor, subcontractor, or consultant) shall describe the individual's experience in applying his or her area of engineering specialization to work in the proposed area. The use of particular personnel on this contract is subject to the NRC technical monitor's (TM's) approval. This includes any proposed changes to key personnel during the life of the task order.

5.0 REPORTING REQUIREMENTS

Task Order Progress Report

The contractor shall provide a bi-weekly progress report summarizing accomplishments, expenditures, contractor staff hours expended, percent completed for each task under this task order, and any problems encountered by the contractor. Additionally a matrix should be added that includes all sections received, reviewed (redlined) and sent back to the NRC.

The report shall be sent via e-mail to the NRC TM, Task Order Project Officer (PO), and CO.

Please refer to Section F of the basic contract award document for contract reporting requirements.

Technical reporting requirements

Unless otherwise specified above, the contractor shall provide all deliverables as draft products. The NRC TM will review all draft deliverables (and coordinate any internal NRC staff review, if needed) and provide comments back to the contractor. The contractor shall revise the draft deliverable based on the comments provided by the TM, and then deliver the final version of the deliverable. When mutually agreed upon between the contractor and the TM, the contractor may submit preliminary or partial drafts to help gauge the contractor's understanding of the particular work requirement.

The contractor shall provide the following deliverables in hard copy and electronic formats.

The electronic format shall be provided in MS Word including Style, Formatting and Technical Editing or other word processing software approved by the TM. For each deliverable, the contractor shall add and profile files within ADAMS and provide electronic copy to the PM, and the TM. It is assumed that the contractor has access to the NRC furnished material available on the Internet.

It is understood that the scope of the review consists of conference calls with the NRC staff, and not the applicant, to discuss open items in an attempt to obtain additional information or reach resolution.

The primary deliverables, or output of this regulatory review, shall be the updated and properly formatted draft Safety Evaluation Reports (SERs). The draft SERs will serve as input to the NRC staff's SERs which will document the NRC's technical, safety, and legal basis for approving the COL application. The draft SERs must provide sufficient information to adequately explain the NRC staff's rationale for why there is *reasonable assurance* that public health and safety is protected. The draft SERs, and ultimately the SERs, should be written in a manner whereby a person with a technical (non-nuclear) background and unfamiliar with the applicant's request could understand the basis for the staff's conclusions. The draft SERs format is described in the SER Template User Guide Revision 1, 6/6/2008 located in Share Point under General SER Templates.

The contractor is responsible for structuring the draft SERs format to follow Federal and agency standards for publications. The current agency word processing standard is Microsoft Word. The contractor must use the latest agency-designated version of this agency standard. The word processing source file and electronic "print" file in Portable Document Format (PDF) should be automated, structured, and reusable (i.e., apply templates, contain automatic bookmarks, and have "live" Web links). The contractor must consider long-term use and revision when establishing styles. This will be evidenced by styles that are constructed for ease of use and that apply automated functions. The contractor must provide a style sheet itemizing the specifications for each style or tag applied in the word processing program. For example, the style sheet will note the name of the style, formatting details, and the specific functions of and use for each style.

At the completion of Task 3, submit the references for each Chapter of the SER. At the completion of Task 4, submit the Appendices per the attached list. Also, review, edit and assemble the Final SER after Task 5, as per Attachment 1.

The contractor should acquire NRC network/ADAMS access and provide accessible, archival-quality, print-ready, Web-enabled DOC source files that meet Federal and agency requirements for publications. These source files are entered in ADAMS and on finalization by the NRC TM, will be converted by ADAMS into Web-enabled PDFs. The print version will be made from the electronic file. Alternatively, on an interim basis while the contractor is pursuing IT2 clearance, the contractor will provide accessible, archival-quality, print-ready, Web-enabled PDF and DOC source files that meet Federal and agency requirements for publications. The print and electronic copies must match (suggestion: print the paper copy from the PDF, which is generated from the MS Word DOC file).

Electronic files should be:

1. Accessible: comply with Section 508 of the Rehabilitation Act (check the accessibility); accessible to screen readers; high contrast in b&w if any color is used; any information conveyed with color is conveyed equally well when color is not available
2. Archival: generate PDF using PDF/A format, an international standard for archival PDFs; embed fonts; update/delete metadata
3. Print-ready: min. 600 dpi (1200 dpi recommended) for high-quality, professional printing; include print disclaimers for any scanned or pixelated images; the PDF should be an entire document, including cover, inside cover, title page, Form 335, etc. (see NUREG-1757)

The schedule for deliverables shall be contained in the approved project plan for the task order effort.

In all correspondence, include the following identifying information:

- JCN No. (Q-4013)
- Task Order No. 37
- Applicant's Name (if applicable)
- Site Name (if applicable)

Reporting requirements are also specified in Section 3.

6.0 MEETINGS AND TRAVEL

- a. One, one-person, 1-day working meeting to kickoff project and contractor orientation.*
- b. One, one-person, 1-day working meeting at NRC headquarters to review deliverables*

*At the discretion of the NRC TM, meeting may be conducted via telephone or video conference.

7.0 NRC FURNISHED MATERIAL

The following NRC furnished materials will be provided to the contractor together with SOW:

- a. CD-ROM containing COL Sections and the relevant Appendices from the COL application.

8.0 LEVEL OF EFFORT

The estimated level of effort in professional staff days apportioned among the tasks and by labor category is as follows:

This estimate is on the Fermi 3 COL application, which is designated as the reference COL or RCOL.

Task(s)	Labor Category	Level of Effort FY-10 (hours)	Level of Effort FY-11 (hours)	Level of Effort FY-12 (hours)
1. Project Plan	Technical editor	40	0	0
	Document specialist	40	0	0
2. Phase 2 Input for Draft Advanced SER without Open Items	Technical editor	80	400	0
	Document specialist	120	900	0
	Subject Matter expert	20	160	0
3. Phase 2 Chapter References for Advanced SER without Open Items	Technical editor	20	75	0
	Document specialist	20	220	0

Task(s)	Labor Category	Level of Effort FY-10 (hours)	Level of Effort FY-11 (hours)	Level of Effort FY-12 (hours)
4. Phase 2 Appendices for Advanced SER without Open Items	Technical editor	10	40	0
	Document specialist		600	100
5. Phase 3 Technical evaluation report of cross cutting requirements and support for Chapter Days	Technical editor	0	120	80
	Document specialist	0	120	80
6. Phase 4 Technical and editing support for Final SER	Technical editor	0	80	80
	Document specialist		100	200
Task 1 – 6	Project Manager	80	520	520
Total		430	3335	1060

9.0 PERIOD OF PERFORMANCE

The period of performance is September 27, 2010 through September 30, 2012.

10.0 OTHER APPLICABLE INFORMATION

a. License Fee Recovery

All work under this task order is fee recoverable and must be charged to the appropriate TAC number(s). Note, this task order is related to these activities for all of the Combined License applications that reference the ESBWR, to that end, TAC numbers will be assigned for each application.

b. Assumptions and Understandings:

The level of effort for Task 2 is based assumption that there will be approximately 19 chapters and it will take, on the average, 88 hours to integrate, format, edit each chapter

The level of effort for Task 3 is based on the assumption that this task will be approximately 25% the effort of Task 2 as the scope is limited to the references for the advanced SER without open items.

The level of effort for Task 4 is based on the assumption that there will be approximately 19 chapters and it will take, on the average, 40 hours to develop necessary appendices and contents.

The level of effort for Task 5 is based on the assumption that there will be approximately 19 chapters and it will take, on the average, 20 hours for support of Chapter Days.

The level of effort for Task 6 is based on the assumption that there will be approximately 19 chapters and it will take, on the average, 24 hours for support of per chapter.

Web-enabled (electronic): bookmarks for navigation (generated by MS Word with the heading styles applied); live links to Web sites (entire URL must be active); meet NRC Web publication standards; enabled for Fast Web view; match agency wide electronic standards (<http://www.nrc.gov/site-help/e-submittals.html>)

Specifically, the MS Word file should use—

1. Font: Arial Style: Regular Size: 11
2. automated formatting (no manually tabbed columns)
3. linked bookmarks or anchors for the table of contents or other document guides that jump to specific sections of the text
4. headers and other structural markup
5. abbreviation list
6. list and link figures, equations, tables, etc.
7. formatted tables with simple columns (do not nest tables, mark column headers if possible)
8. embedded fonts and objects
9. no embedded links to other documents or websites

Suggestions for file names—

1. Use ASCII letters (a-z, A-Z), digits (0-9), underscores and hyphens (“_” and “-”).
2. Do not use spaces, quotation marks, diacritic marks or other special/non-printing characters.
3. Reserve the period (“.”, full stop) for the file extension at the end of the filename.

In addition to general document quality standards, the contractor should meet the standards in—

1. U.S. Government Printing Office (GPO) Style Manual
2. NUREG-0650, Rev, 2, "Preparing NUREG-series Publications"
3. NUREG-1379, "NRC Editorial Style Guide"
4. NUREG-0544, "NRC Collection of Abbreviations," Rev. 4 July 1998
5. www.plainlanguage.gov
6. Section 508 of the Rehabilitation Act

Attachment: Regulatory Criteria in FSAR Ch 1

(note Interfaces with Standard Design is out of scope of this task)

1. Conformance with Regulatory Guidance

1.a Regulatory Guides

Review the Fermi 3 FSAR Chapter 1 text and table(s) which address conformance with the NRC's regulatory guides that are applicable to the Fermi 3 application. The table(s) should include an identification and description of deviations from the guidance contained in the NRC's regulatory guides, as well as suitable justifications for any alternative approaches proposed by the COL applicant with appropriate references to the FSAR sections where they are addressed.

1.b Standard Review Plan

Review the applicant's evaluation against the Standard Review Plan in effect 6 months before the docket date (January 28, 2008). The applicant's evaluation should include an identification and description of all differences in design features, analytical techniques, and procedural measures proposed for the facility and those corresponding features, techniques, and measures given in the acceptance criteria in the review guidance.

Where differences exist, the evaluation should discuss or provide references to the FSAR section that describes how the proposed alternative provides an acceptable method of complying with the Commission's regulations that underlie the corresponding acceptance criteria. [Note that the regulations specify that this evaluation is made against the SRP in effect 6 months before the docket date of the application; however, as a practical matter the evaluation should be performed against the guidance in effect 6 months before the submittal date (November 27, 2007) of the application.]

2. Generic Issues and Three Mile Island requirements

Review the table that identifies proposed technical resolutions for those Unresolved Safety Issues and medium- and high-priority generic safety issues that are identified in the version of NUREG-0933 current on the date up to 6 months before the submittal date of the application and that are technically relevant to the design and identifies FSAR section references where the resolutions are addressed is reviewed. The table also identifies Three Mile Island requirements set forth in 10 CFR 50.34(f).

3. Operational Experience (Generic Communications)

Review information from the applicant that demonstrates how operating experience insights from generic letters and bulletins issued after the most recent revision of the applicable standard review plan and 6 months before the docket date of the application, or comparable international operating experience, have been incorporated into the plant design is reviewed.

4. Documentation of Review (Tasks #1 – 3 above)

Document the results of Tasks #1, 2, and 3 in the form of a draft TER for Chapter 1 using the format of the SER template.

References:

- * Standard Review Plan (SRP) Chapter 1 - Introduction and General Description of Plant
- * Regulatory Guide 1.206, C.III.2 Information Needed for a Combined License Application Referencing a Certified Design and an Early Site Permit
- * Fermi 3 Final Safety Analysis Report: Chapter 1 Introduction and General Description of the Plant

- 1.9 Conformance with Standard Review Plan and Applicability of Codes and Standards
 - 1.11 Technical Resolutions of Task Action Plan Items, New Generic Issues, New Generic Safety Issues and Chernobyl Issues
 - Appendix 1A Response to TMI Related Matters
- Appendix 1C Industry Operating Experience

Attachment 1

List of Appendices

A - Chronology

B - References

C - Abbreviations

D - Principal Contributors

E - Chronology of NRC'S Request for Additional Information (RAI)

F -Combined License Action Items

G - ITAAC Cross-Reference

H - Technical Specifications Cross-Reference

I - Initial Test Program Cross-Reference

J -10 CFR 20.1406, Minimization of Contamination Cross- Reference

K - Generic Issues Cross-Reference

L -Report on Advisory Committee on Reactor Safeguards (ACRS)

Note: For items D, E, G, H, I, J, and L the NRC will provide the information to the contractor.