

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

BPA NO. 1. CONTRACT ID CODE PAGE 1 OF 3

2. AMENDMENT/MODIFICATION NO. MOD314
 3. EFFECTIVE DATE See Blk 16C
 4. REQUISITION/PURCHASE REQ. NO. NMS-11-065, FSM-11-160, FSM-11-161
 5. PROJECT NO. (If applicable)

6. ISSUED BY CODE 3100
 U.S. Nuclear Regulatory Commission
 Div. of Contracts
 Attn: Valerie Whipple
 Mail Stop: TWB-01-B10M
 Washington, DC 20555
 7. ADMINISTERED BY (If other than Item 6) CODE 3100
 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)
 SOUTHWEST RESEARCH INSTITUTE
 6220 CULEBRA RD
 SAN ANTONIO TX 782385166
 9A. AMENDMENT OF SOLICITATION NO. (X)
 9B. DATED (SEE ITEM 11)
 10A. MODIFICATION OF CONTRACT/ORDER NO. NRC-02-07-006
 10B. DATED (SEE ITEM 13) X 10-15-1987
 CODE 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) See Page 2 for accounting and appropriations data

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 data, 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: Per SwRI email requests dated 8/16-17/2011; and 9/8/2011 & FAR 52.232-22
 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 NAICS: 562211 PSC: R421

Except as provided herein, all terms and conditions of the document referenced in Item 8A 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) Valerie Whipple Contracting Officer
 16B. UNITED STATES OF AMERICA BY (Signature of Contracting Officer)
 16C. DATE SIGNED 9/9/11

NSN 7540-01-152-8070 PREVIOUS EDITION NOT USABLE

STANDARD FORM 30 (REV. 10-63) 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 funds in the amount of **\$134,468** under **Job Code J5562**; (2) to obligate and authorize funds in the amount of **\$59,329** under **Job Code F1191**; (3) to update contract Program Element Managers and Project Officers and (4) to update contract Key Personnel.

ACCOUNTING DATA:

B&R: 2011-55-35-5-198 **JC: J5562** BOC: 252A APPN: 31x0200 FSM-11-161 FAIMIS: 114264 **\$134,468**
B&R: 2011-55-38-7-183 **JC: F1191** BOC: 252A APPN: 31x0200 FSM-11-160 FAIMIS: 114305 **\$59,329**

Accordingly, the following changes are made:

1. Sections B. 2. E. b., d, and e. are revised to obligate and authorize funding as specified above and as shown on the attached change pages 9, 9a, and 9b;
2. Section G.3.1. Program Element Managers and Project Officers, is hereby updated as shown on attached Change Pages 30, 31, and 31a; and
3. Section H.1. 2052.215-70 Key Personnel (Jan 1993), Paragraph A is hereby updated as shown on 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: \$18,405,809.11

FY10 obligation amount: \$9,042,117.00

Cumulative total of NRC obligations for JC D1035 (HLW): \$47,502,908.40

Job Code J5633 (Newhall Pass)

FY08 obligation amount: \$117,792

FY09 obligation amount: \$45,000

Cumulative total of NRC obligations for J5633: \$162,792

Job Code J5608 (MacArthur Maze Fire)

FY08 obligation amount: \$88,121

Cumulative total of NRC obligations for J5608: \$88,121

Job Code J5562 (WIR)

FY08 obligation amount: \$283,000

FY09 obligation amount: \$500,000

FY10 obligation amount: \$469,000

FY11 obligation amount: **\$629,436**

Cumulative total of NRC obligations for J5562: **\$1,880,968**

Job Code J5639 (Comprehensive Assessment of Severe Road and Rail Transportation Accidents Involving Long Duration Fires)

FY09 obligation amount: \$250,000

Cumulative total of NRC obligations for J5639: \$250,000

Job Code J5606 (SFST TAD)

FY09 obligation amount: \$190.89

Cumulative total of NRC obligations for J5606: \$190.89

Job Code J5661 (Key Regulatory and Technical Issues)

FY10 obligation amount: \$1,675,000

FY 11 obligation amount: \$2,460,000

Cumulative total of NRC obligations for JC J5661: \$4,135,000

Job Code J5662 (BETA TPA and User Guide)

FY10 obligation amount: \$1,675,000

FY11 obligation amount: \$575,000

Cumulative total of NRC obligations for JC J5662: \$2,250,000

Job Code J5656 (Calvert Cliffs SFST)

FY10 obligation amount: \$325,000

Cumulative total of NRC obligations for JC J5656: \$325,000

Job Code F1191 (ETR)

FY10 obligation amount: \$200,786

FY11 obligation amount: \$411,343

Cumulative total of NRC obligations for JC F1191: \$612,129

Job Code J5664 (FCSS Technical Basis for Licensing Reprocessing Facilities)

FY10 obligation amount: \$500,000

FY11 obligation amount: \$710,000

Cumulative total of NRC obligations for JC J5664: \$1,210,000

Job Code J5670 (International Programs)

FY10 obligation amount: \$400,000

FY11 obligation amount: \$125,000

Cumulative total of NRC obligations for JC J5670: \$525,000

Job Code J5679 (Waste Confidence)

FY11 obligation amount: \$650,000

Cumulative total of NRC obligations for JC J5679: \$650,000

****NOTE: Work previously under JC5661****

Job Code J5682 (Regulatory Process Improvements)

FY11 obligation amount: \$195,000

Cumulative total of NRC obligations for JC J5682: \$195,000

Job Code J5681 (Analytical Support for Regulation of Extended Storage)

FY11 obligation amount: \$448,000

Cumulative total of NRC obligations for JC J5681: \$448,000

This modification obligate FY11 funds in the amount of \$193,797.

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: \$266,240.88 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	[REDACTED]	[REDACTED]
23 9/27/03-9/24/04	[REDACTED]	[REDACTED]
24 9/27/04-9/24/05	[REDACTED]	[REDACTED]
25 9/30/05-9/29/06	[REDACTED]	[REDACTED]
26 9/30/06-9/28/07	[REDACTED]	[REDACTED]

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 **\$60,234,918.40**. In addition, carryover funds in the estimated amount of \$3,727,149.29 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: \$47,502,908.40
Carryover: \$2,891,902.10
Total: \$50,394,810.50

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

WIR DOE South Carolina and Idaho
Job Code: J5562
New Funds: **\$1,880,968.00**
Carryover: \$484,481.08
Total: **\$2,365,449.08**

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: \$190.89
Carryover: \$287,365.06
Total: \$287,555.95

Newhall Pass
Job Code: J5633
New Funds: \$162,792
Carryover: \$0
Total: \$162,792

SFST (Comprehensive Assessment of Severe Road and Rail Transportation)
Job Code: J5639
New Funds: \$250,000
Carryover: \$0
Total: \$250,000

BETA TPA Code and User Guide
Job Code: J5662
New Funds: \$2,250,000
Carryover: \$0
Total: \$2,250,000

Key Regulatory and Technical Issues
Job Code: J5661
New Funds: \$4,135,000
Carryover: \$0
Total: \$4,135,000

Calvert Cliffs SFST
Job Code: J5656
New Funds: \$325,000
Carryover: \$0
Total: \$325,000

Environmental Tropical Report (ETR)
Job Code: F1191
New Funds: **\$612,129**
Carryover: \$0
Total: **\$612,129**

International Programs
Job Code: J5670
New Funds: \$525,000
Carryover: \$0
Total: \$525,000

FCSS Licensing Reprocessing Facilities
Job Code: J5664
New Funds: \$1,210,000
Carryover: \$0
Total: \$1,210,000

Waste Confidence
Job Code: J5679
New Funds: \$650,000
Carryover: \$0
Total: \$650,000

Regulatory Process Improvements
Job Code: J5682
New Funds: \$195,000
Carryover: \$0
Total: \$195,000

Analytical Support for Regulation of
Extended Storage
Job Code: J5681
New Funds: \$448,000
Carryover: \$0
Total: \$448,000

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

High-Level Waste (HLW)
Job Code: D1035
Amount: \$45,135,442

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

WIR DOE South Carolina and Idaho
Job Code: J5562
Amount: \$2,222,392
Job Code: J5543
Amount: (\$33,759.12)

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

SFST TAD
Job Code: J5606
Amount: \$243,877.89

Newhall Pass
Job Code: J5633
Amount: \$193,331

SFST (Comprehensive Assessment of
Severe Road and Rail Transportation
Accidents Involving Long Duration Fires)
Job Code: J5639
Amount: \$250,000

BETA TPA Code and User Guide
Job Code: J5662
Amount: \$2,250,000

Key Regulatory and Technical Issues
Job Code: J5661
Amount: \$4,135,000

Calvert Cliffs - SFST
Job Code: J5656
Amount: \$325,000

Environmental Topical Report
Job Code: F1191
Amount: \$612,129

International Programs
Job Code: J5670
Amount: \$525,000

FCSS Licensing Reprocessing Facilities
Job Code: J5664
Amount: \$1,210,000

Waste Confidence
Job Code: J5679
Amount: \$650,000

Regulatory Process Improvements
Job Code: J5682
Amount: \$195,000

Analytical Support for Regulation of
Extended Storage
Job Code: J5681
Amount: \$448,000

power plants and vital areas of nuclear power plants receive approval of SB/DFS prior to access in accordance with Management Directive and Handbook 12.3.

G.3 - Responsibilities

G.3.1. - Program Element Managers and Project Officers

- A. The NRC PEM is the NRC CO's authorized representative for the technical aspects of the entire technical area for which he/she is responsible. The NRC PO is the CO's authorized representative for the technical aspects of each individual task for which he/she is designated.

The PEM and PO for an individual subtask are responsible for: (1) monitoring the Center's progress to ensure that work completed is commensurate with resources expended and is on schedule, including surveillance and assessment of performance, and recommending to the CO changes in requirements; (2) interpreting the scope of work; (3) performing technical evaluation as required; (4) performing technical inspections and acceptances required by this contract; and (5) assisting the Center in the resolution of technical problems encountered during performance. Within the purview of this authority, the PEM and PO are authorized to review all costs requested for reimbursement by the Center that are associated with their particular major area of work as specified in the current Center Operations Plans. Recommendations for approval, disapproval, or suspension for supplies/services required under the contract shall be submitted to the NRC CNWRA PEM. The NRC CO is responsible for directing or negotiating any changes in terms, conditions, or amounts cited in the contract and any Operations Plans incorporated herein by reference. For guidance from the PEM or PO to the Center to be valid, it must: (1) be consistent with the description of work set forth in the contract; (2) not constitute new assignment of work or change to the expressed terms, conditions or specifications incorporated into the contract; (3) not constitute a basis for an extension to the period of performance or schedule for major milestones; and, as stated above, (4) not constitute a basis for any increase in the contract cost.

- B. The PEM or PO is not authorized to approve or request any action which results or could result in an increase in contract cost; or terminate the contract, settle any claim or dispute arising under this contract, or issue any unilateral directive whatsoever.
- C. The NRC PEMs, POs, and areas of work for which they are designated are as follows:

High-Level Waste Repository Safety (Nuclear Waste Funds)-- Job Code D-1035

Center Element

Project Officer

Center Operations

Deborah DeMarco

Knowledge Management (Nuclear Waste Funds) – Job Code D-1035

<u>Task</u>	<u>Project Officer</u>
Technical Evaluation Report (vol. 2, 3, & 4) Knowledge Management reports Knowledge Management other	Christian Jacobs King Stablein King Stablein

Division of Waste Management and Environmental Protection – Job Code J5562

<u>Center Element</u>	<u>Program Element Manager</u>	<u>Project Officer</u>
WIR DOE South Carolina and Idaho	Mathews George	Deborah DeMarco

<u>Center Level</u>	<u>Task Project Officer</u>
Levels 1 and 2	David Brown
Levels 3 and 4	Patricia Swain
Level 5	Mathews George
Level 6 and 7	Cynthia Barr

Reprocessing (fee based)

<u>Task</u>	<u>Project Officer</u>
Technical Support (Job Code J5664)	Yarwar Faraz
Environmental Topical Report (Job Code F 1191) (currently managed by FSME)	Jean Trefethen

Waste Confidence/Extended Storage & Transportation (fee based)

<u>Task</u>	<u>Project Officer</u>
EIS development* (Job Code J5661) <i>(NOTE: A new separate Job Code being established).</i>	Christine Pineda

Ultimate Disposal (fee based)

<u>Task</u>	<u>Project Officer</u>
Task 1: SOAR code (Job Code J5662)	Christopher Markley
Task 2: Regulatory & Technical Issues (Job Code J5661)	Christopher Markley
Task 3: International Experience (Job Code J5670)	Jack Gwo

EST Technical Basis/Safety and Security Framework Analytical Support for Regulation of Extended Storage (Job Code J5681)

<u>Task</u>	<u>Project Officer</u>	<u>Branch Chief</u>
	TBD	J. Rubenstone

Storage/Transport Inspection Process Improvements Regulatory Process Improvements to the Licensing and Inspection Programs (Job Code J5682)

<u>Task</u>	<u>Project Officer</u>	<u>Branch Chief</u>
	T. Matula	B. Benney

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.

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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.