



This modification incorporates work scope Section B.5.1(o) American Recovery and Reinvestment Act (ARRA) for the MFC-799 Reutilization and Demolition of MFC-799A and MFC-770C. Except as modified by the terms of this modification, all other ARRA provisions and/or clauses in the contract remain unchanged.

### **B.5.1 ARRA ITEMS NOT INCLUDED IN TARGET COST - Modification 192**

1. **B.5.1(o) MFC-799 Reutilization, MFC-799-A and MFC-770C D&D** is incorporated as follows:

Decontamination and Decommissioning (D&D) will include: Completion of characterization, planning, engineering, and deactivation for the buildings/structures listed below. MFC-799 will be stripped of process piping and equipment with the intent to leave the building suitable for use in a new mission to process other sodium bearing waste streams. Sodium piping will be removed and stored for later processing under a subsequent project. Demolition will be completed for MFC-799A and MFC-770C which includes disposition - whether in place or by removal - of the aboveground buildings/structures and the utility system isolations within the facility footprint. Demolition will be completed in accordance with facility requirements and will be compliant with the Action Memorandum for General Decommissioning Activities under the Idaho Cleanup Project.

Contractor's Release: DOE-ID acknowledges that MFC-799 has not processed hazardous waste since 2001 and that the Idaho Department of Environmental Quality (DEQ) has expressed concern that the facility has not been closed under the Resource Conservation and Recovery Act. CWI is directed to address this regulatory issue in an expeditious manner. However, in the event DEQ were to take an enforcement action for conditions that existed or events that occurred on or before the time CWI assumes responsibility for this facility, DOE will not hold CWI liable for the payment of any fine, penalty, or fee reduction pursuant to section H.26(b) of the Contract.

Refer to Attachment 1 for the B.5.1 ARRA table. All B.5.1 activities are subject to the availability of funding. All other B.5.1 activities remain unchanged.

**CONTRACTOR'S STATEMENT OF RELEASE:** In consideration of the modification agreed to herein as a change settled in accordance with contract Section I.81 52.243-2 Changes—Cost Reimbursement, the Contractor hereby releases the Government from any and all liability under this contract for further equitable adjustments attributable to such facts or circumstances giving rise to the proposal for adjustment. This modification is subject to adjustment upon the determination whether or not to include G&A costs in the B.5 Out of Target Work Scope fee calculation. The total estimated cost is \$3,905,777 and the total estimated fee is \$188,640.

ARRA B.5.1 Negotiated Activity		Total	Fee Structure
(a) WAG 7/Subsurface Disposal Area (SDA) - Mod 111 and revised w/Mod 154  (a.1) WAG 7/SDA Incentive Fee	Estimated Cost  Fixed Fee Total CPFF	\$47,476,085  <u>\$3,494,240</u> \$50,970,325  \$384,000	CPFF with \$384K CPAF Fee calculation on direct and indirect (excluding pension)  WAG 7/SDA Incentive Fee - Mod 111 and revised w/Mod 154
(b) CPP-601/627/640 Post-Closure Resource Conservation and Recovery Act Requirements (RCRA) - Mod 117	Estimated Cost  Fixed Fee Total CPFF	\$1,791,208  <u>\$124,584</u> \$1,915,792	CPFF Fee calculation on direct and indirect (excluding pension)
(c) AMWTP Low Level/Low Level Mixed Waste Other Waste - Mod 117	Estimated Cost  Fixed Fee Total CPFF	\$2,718,229  <u>\$189,434</u> \$2,907,663	CPFF Fee calculation on direct and indirect (excluding pension)
(d) Program Management - Mod 117	Estimated Cost  Fixed Fee Total CPFF	\$4,975,811  <u>\$345,232</u> \$5,321,043	CPFF Fee calculation on direct and indirect (excluding pension)
(e) D&D Waste Management - Mod 129	Estimated Cost CPAF Total CPFF	\$19,188,233 <u>\$1,143,806</u> \$20,332,039	CPAF - Max fee available See Mod 129 for detailed metrics
(f) Actual Cost for Cancelled ARRA Scope - Mod 129	Estimated Cost Fixed Fee Total CPFF	\$2,133,870 <u>\$117,992</u> \$2,251,862	CPFF Fee calculated on direct cost only*
(g) INTEC D&D (Phases 1-3) - Mod 129  (g.1) ARRA D&D Incentive Fee	Estimated Cost Fixed Fee Total CPFF Incentive Fee	\$43,772,837 <u>\$2,460,693</u> \$46,233,530 \$750,000	CPAF - Max fee available See Mod 128 for detailed metrics ARRA D&D incentive fee - Mod 129
(h) RTC/PBF D&D (Phases 1 and 3) - Mod 129	Estimated Cost Fixed Fee Total CPFF	\$22,109,720 <u>\$1,204,521</u> \$23,314,241	CPAF - Max fee available See Mod 129 for detailed metrics
(i) RH TRU - Mod 136	Estimated Cost CPAF CPFF  Total CPFF	\$80,238,000 <u>\$5,500,000</u> <u>\$107,928</u>  \$85,845,928	CPAF Fee calculated on direct cost only*  See Mod 136 for fee metrics and add. Incentive. Refer to Mod 188 for fixed
(j) MFC D&D (Phases 1-3) - Mod 138  (j.1) ARRA MFC D&D Incentive Fee  (j.2) ARRA EBR II Display	Estimated Cost CPAF Total CPFF Incentive Fee  Estimated Cost CPFF Total CPFF	\$58,726,000 <u>\$3,274,000</u> <u>\$62,000,000</u> \$1,000,000  \$767,344 \$40,225 \$807,569	Fee calculated on direct cost only* Refer to Mod 138 for fee metrics  Refer to Mod 169

ARRA B.5.1 Negotiated Activity		Total	Fee Structure
k) MFC-INTEC Roadway - Construction Engineering and Project Management Support	Estimated Cost Fixed Fee Total CPFF	\$64,632 <u>\$3,144</u> <u>\$67,776</u>	Refer to Mod 169
l) TRA Retention Basin (TRA-612/712/760) Demolition Activities Support	Estimated Cost Fixed Fee Total CPFF	\$870,568 <u>\$45,088</u> <u>\$915,656</u>	Refer to Mod 181
m) High Level Waste / WIR Determination White Paper & RCRA Closure Planning for NWCF and PEW/LEW&D	Estimated Cost Fixed Fee Total CPFF	\$246,014 <u>\$13,157</u> <u>\$259,171</u>	Refer to Mod 188
o) MFC-799 Reutilization, MFC-799-A and MFC-770C D&D	Estimated Cost Fixed Fee Total CPFF	\$3,905,777 <u>\$188,640</u> <u>\$4,094,417</u>	Refer to Mod 192
Total	Estimated Cost Fee Total Incentive Fee	\$288,984,328 <u>\$18,144,756</u> \$307,129,084 \$2,134,000	

\*Subject to the availability of funds.