

2. AMENDMENT/MODIFICATION NO. 0169
 3. EFFECTIVE DATE See Block 16C
 4. REQUISITION/PURCHASE REQ. NO.
 5. PROJECT NO. (If applicable)

6. ISSUED BY CODE 892432
 7. ADMINISTERED BY (If other than Item 6) CODE 00701

Idaho Operations Office
 Idaho Operations
 U.S. Department of Energy
 Idaho Operations
 Idaho Falls ID 89415
 Idaho Operations
 U.S. Department of Energy
 Idaho Operations
 1955 Fremont Avenue
 MS 1221
 Idaho Falls ID 83415

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)
 FLUOR IDAHO, LLC
 Attn: AMANDA JORDAN
 1070 RIVERWALK DRIVE, SUITE 201
 IDAHO FALLS ID 83402
 CODE 968795604 FACILITY CODE
 9A. AMENDMENT OF SOLICITATION NO.
 9B. DATED (SEE ITEM 11)
 X 10A. MODIFICATION OF CONTRACT/ORDER NO.
 DE-EM0004083
 10B. DATED (SEE ITEM 13)
 02/04/2016

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 electronic communication which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGEMENT 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 letter or electronic communication, provided each letter or electronic communication 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)

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

CHECK ONE
 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:
 Section I.100, Changes - Cost Reimbursement (AUG 1987) Alternate II and III (APR 1984)
 D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor is not is required to sign this document and return 1 copies to the issuing office.

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

DUNS Number: 968795604
 The purpose of this modification is to incorporate changes related to Schedule Milestones 5 and 6 previously negotiated by modification 081, dated May 9, 2018; modification 088, dated June 6, 2018; modification 111, dated December 20, 2018; and modification 142, dated September 5, 2019, as well as incorporating changes to Key Personnel, Board of Directors, and Wage Determinations.

Continued ...

Except as provided herein, all terms and conditions of the document referenced in Item 9 A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)
 Thomas S. Williams
 Director, Prime Contracts
 16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)
 Jennifer K. Cate
 15B. CONTRACTOR/OFFEROR
 15C. DATE SIGNED 2/5/2020
 15D. UNITED STATES OF AMERICA
 16C. DATE SIGNED 2.5.2020

This modification is being made under the authority of contract clause Section I.100, *Changes – Cost Reimbursement (AUG 1987) - Alternate II and III (APR 1984)*. This administrative bilateral contract modification incorporates changes related to Schedule Milestones 5 and 6 previously negotiated by modification 081, dated May 9, 2018; modification 088, dated June 6, 2018; modification 111, dated December 20, 2018; and modification 142, dated September 5, 2019. This modification also incorporates changes to Sections H and J as detailed below.

The following changes are hereby made to the contract:

1. SECTION B.3(d) SCHEDULE MILESTONES, ANNUAL MILESTONES AND PERFORMANCE INCENTIVE FEE FOR CLIN 00001 is revised per modifications 81, 88, 111 and 142 as follows:

Schedule Milestones (CLIN-1)	Early Date	Min Fee Date	Max Fee Amount	Min Fee Amount
SM-1 Complete the Final Design Document for the SDA Cap	12/31/2019	4/30/2020	\$ 876,093	0
SM-2 Complete CH-TRU Retrieval in TSA-RE	5/31/2017	8/31/2017	\$ 1,971,210	0
SM-3 Complete treatment of RH-TRU Lots 1-9	8/31/2016	9/30/2016	\$ 2,190,234	0
SM-4 Complete RCRA Closure on INTEC Tank Farm Facility	8/1/2017	1/15/2018	\$ -	0
SM-5 Complete 1648 EBR II Bottle Placements	N/A	5/31/2021	\$ 3,840,000	0
SM-6 Complete Placement of 952 ATR Elements	N/A	5/31/2021	\$ 2,190,234	0
SM-8 Complete Treatment of ISA Debris Waste + Rework	6/30/2019	9/1/2019	\$ 4,500,000	0
SM-9 Complete Treatment of ISA Non-Debris Waste	7/31/2020	10/1/2020	\$ 3,500,000	0
SM-10 Complete Treatment of ISA Non-Debris Rework	N/A	5/1/2021	\$ 1,000,000	0
SM-11 - Complete Certification of ISA Waste Streams 1-10 in FY 2019	N/A	10/1/2019	\$ 350,000	0
SM-12 - Complete Certification of ISA Waste Streams 1-20 in FY 2020	N/A	10/1/2020	\$ 475,000	0
SM-13 - Complete Certification of ISA Waste Streams 1-31 in FY 2021	N/A	6/1/2021	\$ 600,000	0
Subtotal Schedule Milestones			\$ 21,492,771	0
Annual Milestones			Max Fee Amount	Target Fee Amount
AM-1 CH Meters Ready to be shipped	Total Contract Fee		\$ 13,377,945	\$ 5,113,577
Total Amount of cubic meters of ISA (CH-TRU and MLLW to be certified and shipped)				10,300
Fee Per Unit		Treatment	Certification	Shipping
		\$ 1,428.97	\$ 476.32	\$ 476.32
CE-12/31/2018 Fee Paid	\$ 5,399,291.74			
AM-2 Acres Exhumed (measured by acre)			\$ 14,893,589	\$ 5,692,916
Total acreage to be exhumed				1.55
Fee per unit at associated Annual Quantity (fee Step/Total Acres)	\$ 6,726,137	\$ 2,570,994	\$ 2,337,267	\$ 1,298,482
Annual Quantity (Acres)	> than .50	.40 - .49	.25 - .39	0.0 - .24
AM-3 MLLW and LLW Disposition		\$ 2,628,280		
AM-4 CH TRU Waste Certified Backlog		\$ 1,400,000		
Subtotal Annual Milestones		\$ 32,299,814		
Performance Incentive		No Sliding Scale		
P-1 Process and ship all CH/RH TRU out of Idaho	12/31/2018		\$ 11,389,215	
P-2 Complete Exhumation of all buried waste and Phase I report	8/31/2020		\$ 7,608,603	
P-3 Critical Failures	N/A		\$ 8,760,935	
P-4 RH TRU Waste Disposition (Base Fee = \$1,958,005; Option 1 Fee = \$1,731,331)			\$ 3,689,336	
Subtotal Performance Incentive			\$ 20,058,874	
Total Milestone/Performance Fees			\$ 73,851,459	

2. SECTION B.3(e)(v) is revised as follows:

SM-5 Complete 1,648 EBR II Bottle Transfers/Placements (Section C.7.1.03)

For this SM completion criteria, the Contractor shall operate within the RSWF and transfer 1,648 EBR II bottles to MFC for treatment by the INL contractor or placement in storage at RSWF as determined by the INL contractor. Objective evidence for completion is documentation verifying that all 1,648 EBR II bottles have been either transferred to MFC

for treatment or placed in storage at RSWF by the min fee date or sooner. Fee is contingent upon the following:

- \$0 SM-5 fee can be earned until 70% of the 1,648 bottles are transferred.
- Starting at Bottle # 1,154 (70% of 1,648), the Contractor will earn \$7,773.30 per bottle for the remaining 494 bottles until 1,648 is complete, for a total maximum fee available of \$3,840,000 under SM-5.
- After 1,648 bottles Fluor Idaho can earn \$950 per bottle transferred, with no increase to the target cost.

3. SECTION B.3(e)(vi) is revised as follows:

SM-6 Complete Transfer of 952 ATR SNF elements (Section C.7.1.05)

For this SM completion criterion, the Contractor shall transfer 952 ATR SNF elements from CPP-666 to dry storage which includes all the necessary maintenance and repairs to the equipment (e.g. crane, shield doors, casks, etc.) and any necessary facility modifications to INTEC facilities to accomplish this scope of work. Objective evidence for completion is documentation verifying that all 952 ATR SNF elements have been transferred to dry storage by the min fee date or sooner. The fee is contingent upon the following:

- \$0 SM-6 fee can be earned until 80% of the 952 ATR elements are transferred.
- Starting at element # 762 (80% of 952), the Contractor earns \$11,527.55 per element for the remaining 190 elements until 952 is complete, for a total maximum fee available of \$2,190,234 under SM-6.

No other changes to Section B.

4. SECTION H.28 DOE-H-2017 RESPONSIBLE CORPORATE OFFICIAL AND CORPORATE BOARD OF DIRECTORS (OCT 2014) is revised as follows:

From:

Responsible Corporate Official:

Name: **Bruce Stanski**

Position: **Chairman, President, Fluor Government Group**

Company/Organization: **Fluor Federal Services, Inc.**

Address: **2300 Claredon Blvd, Suite 1110, Arlington, VA 22201**

Phone: **703.351.6461**

Facsimile: **703.469.1593**

Email: Bruce.Stanski@fluor.com

To:

Responsible Corporate Official:

Name: **Greg Meyer**

Position: **Chairman, Senior Vice President, Operations, Fluor Government Group**

Company/Organization: **Fluor Federal Services, Inc.**

Address: **2300 Clarendon Blvd, Suite 1110, Arlington, VA 22201**
Phone: **703.387.4840**
Facsimile: **703.387.4829**
Email: Greg.Meyer@fluor.com

The Fluor Idaho Corporate Board of Directors is replaced with the following:

Fluor Idaho Corporate Board of Directors						
Name	Position	Company/Organization	Address	Phone and Fax	Email	Admin
*Greg Meyer	Chairman	Fluor Government Group, SVP Environmental/Nuclear Business Line	2300 Clarendon Blvd Suite 100 Arlington, VA 22201	703-387-4840 703-387-4829 – fax	Greg.Meyer@fluor.com	Susie Fisher 703-351-1298 Susie.e.Fisher@fluor.com
David Carlson	Member	Waste Control Specialists, LLC President and COO	17101 Preston Road Suite 115 Dallas, TX 75248	865-201-3191	dcarlson@wcstexas.com	N/A
*Dennis Carr	Member	Fluor Government Group, VP Environmental/Nuclear Business Line	100 Fluor Daniel Drive C206A Greenville, SC 29607	513-484-2335	Dennis.Carr@fluor.com	N/A
Jim Furr	Member	North Wind Inc., President	777 Lowndes Hill Road Building 3, Suite 301 Greenville, SC 29607	864-626-0853 864-915-1983 - cell	jfurr@northwindgrp.com	Amanda Faraj 864-626-0858 afaraj@northwindgrp.com
*Bob Nichols	Member	Fluor Government Group, VP Environmental/Nuclear Business Line	100 Fluor Daniel Drive Greenville, SC 29607	509-420-3998	bob.nichols@fluor.com	Jackie Morales 864-281-4798 Jackie.morales@fluor.com
Jeff Scott	Member	North Wind Portage, President	2800 Solway Road Knoxville, TN 37931	865-705-9804	jscott2@northwindgrp.com	N/A
*Karen Wiernelt	Member	JEC North American Nuclear	9191 S. Jamaica Street Englewood, CO 801122	720-286-5435 303-994-6329 - cell	Karen.Wiernelt@ch2m.com	Lori Mollenkopf 720-286-2063 lori.mollenkopf@ch2m.com

*Voting members

No other changes to Section H.28.

5. SECTION H.31 KEY PERSONNEL, paragraph (f) Key Personnel for this Contract, is revised as follows:

From:

Name	Position
Fred Hughes	Program Manager
Kliss McNeel	ESH&Q Manager (ESH&QA Director)
Jamie Miura	Business Manager (Business Director)
John Law	INTEC/SNF Director
Mark Jewett	Regulatory Planning & CERCLA Remediation Director
Bryan Breffle	AMWTP/ARP Operations Manager

To:

Name	Position
Fred Hughes	Program Manager
Jeffrey Carswell	Deputy Program Manager
Kliss McNeel	ESH&Q Manager (ESH&QA Director)
Kimberli Southwick	Business Services Director

John Law	IWTU Nuclear Startup & Operations Director
Richard Abitz	Acting Environmental Restoration Division Director
Bryan Breffle	AMWTP/ARP Operations Manager

No other changes to Section H.31.

6. **SECTION J – LIST OF ATTACHMENTS, ATTACHMENT J-3 SERVICE CONTRACT LABOR STANDARDS** (formerly known as the Service Contract Act) **WAGE DETERMINATION** is updated with the most current version dated December 23, 2019 and attached hereto.

No other changes to Section J-3.

7. **SECTION J – LIST OF ATTACHMENTS, ATTACHMENT J-4 CONSTRUCTION WAGE RATE REQUIREMENTS** (formerly known as the Davis-Bacon Act) **WAGE DETERMINATION** is updated with the most current version dated January 24, 2020 and attached hereto.

No other changes to Section J-4.

No other changes to the contract terms and conditions.