

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE OF PAGES 1 2
2. AMENDMENT/MODIFICATION NO. 0222	3. EFFECTIVE DATE See Block 16C	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
6. ISSUED BY Idaho Operations Office Idaho Operations U.S. Department of Energy Idaho Operations Idaho Falls ID 89415	CODE 892432	7. ADMINISTERED BY (If other than Item 6) Idaho Operations U.S. Department of Energy Idaho Operations 1955 Fremont Avenue MS 1221 Idaho Falls ID 83415	CODE 00701
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		9A. AMENDMENT OF SOLICITATION NO. (x)	
CODE 968795604 FACILITY CODE		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 FAR 52.243-2 Changes - Cost Reimbursement (Aug 1987) Alt II & 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 revise the CLIN-1 fee payment strategy for the Peach Bottom 1st Generation Vaults and for Schedule Milestone-9. Please refer to the Continuation Pages incorporated as part of this modification for further detail. The Contractor is directed to continue operations in accordance with contract Section B.2.

Payment:

OR for Idaho

U.S. Department of Energy

Oak Ridge Financial Service Center

P.O. Box 6017

Oak Ridge TN 37831

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 M. Williams Director Prime Contracts	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Jennifer K. Cate
15B. CONTRACTOR/OFFEROR <i>Thomas M Williams</i> (Signature of person authorized to sign)	15C. DATE SIGNED 9/24/2020
16B. UNITED STATES OF AMERICA JENNIFER CATE Digitally signed by JENNIFER CATE Date: 2020.09.24 00:18:38 -0600 (Signature of Contracting Officer)	16C. DATE SIGNED 9/24/2020

Previous edition unusable

CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED
DE-EM0004083/0222

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NAME OF OFFEROR OR CONTRACTOR
FLUOR IDAHO, LLC

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
00001	<p>Period of Performance: 06/01/2016 to 05/31/2021</p> <p>Change Item 00001 to read as follows (amount shown is the total amount):</p> <p>Target ICP-Core DOE Mission Work</p> <p>Line item value is: \$2,055,011,456.00 Incrementally Funded Amount: \$1,867,179,131.00</p> <p>This modification increases the Total Contract Value by \$1,374,500 from \$2,104,564,668 to \$2,105,939,168.</p>				2,055,011,456.00

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 bilateral contract modification revises the fee payment strategy for the Peach Bottom 1st Generation Vaults and for Schedule Milestone (SM)-9. The Contractor agrees that these revised fee structures resolve the schedule impacts due to the Novel Coronavirus Disease 2019 (COVID-19) as of the end of the August 2020 financial month. See details below.

The following changes are hereby made to the contract:

1. SECTION B.2 (c) CONTRACT COST AND FEE SCHEDULE is revised as follows:

CLIN-1: Target ICP Core DOE Mission Work Scope (Base)

The Direct Target Cost is unchanged at \$951,081,913.

The Indirect Target Cost is unchanged at \$353,430,138.

The Total Target Cost is unchanged at \$1,304,512,051.

The Cost Incentive (Target) is unchanged at \$32,005,658.

The Cost Incentive (Maximum) is unchanged at \$80,120,396

The overall CLIN-1 Max Fee, including milestones and performance fee, is increased by \$1,374,500 (fee under SM-9 is increased by \$1,124,500 and fee under the Peach Bottom 1st Generation Vaults is increased by \$250,000) from \$155,852,111 to \$157,226,611.

Summary:

The revised Total Contract Value (Includes Options) is increased by \$1,374,500 (fee adjustments under CLIN-1) from \$2,104,564,668 to \$2,105,939,168.

The following B.2(c) Fee Model has been updated to reflect the adjustments to CLIN-1.

B.2(c) Table				
CLIN 00001- TARGET ICP-CORE DOE MISSION WORK (BASE)				
	Target Cost	Max Fee	Target Fee	Total Price
Direct Target Cost w/ ID Spt (No Options Included)	951,081,913	157,226,611		1,461,738,662
Indirect Target Cost w/o ID Spt (Total Pool, PWS C.8)	353,430,138			
	1,304,512,051			
Target Fee			64,573,347	
Subtotal Milestone-Schedule & Performance Fee (B.3(d))		77,106,215		
Subtotal Incremental Cost Incentive Fee		80,120,396		
Cost Incentive Breakout				
Cost Incentive (Max)		80,120,396		12.95%
Cost Incentive (Target)			32,005,658	4.95%
CLIN 00002 - TARGET ICP CORE NNPP PPF WORK SCOPE				
	Target Cost	Max Fee	Target Fee	Total Price
Navy (Pieces, Parts and Fines - 102 Cans)	42,367,181	5,382,479	2,503,195	47,749,660
Milestone-Schedule & Performance		3,970,091	1,963,325	
Cost Incentive (Max)		1,412,388	539,870	
CLIN 00003 - NON-TARGET ICP CORE WORK SCOPE				
	Estimated Cost	Fee		Total Price
Total Non-Target Work Scope (See Contracting Officer for Breakout)	58,829,070	3,091,456		61,920,526
CLIN 00004- CONTRACT TRANSITION PERIOD				
Transition	6,811,889	0		6,811,889
CLIN 00005 - DEFINED BENEFIT PENSION PLAN COSTS				
Pension	125,000,000	0		125,000,000
CLIN 00006 INTEGRATED WASTE TREATMENT UNIT (IWTU) OPERATIONS AND TURNOVER				
	Estimated Cost	Max Fee	Fee Gal	Total Price
IWTU Ops (C.6.1) (Definitized by Modification 152)	0	-	\$ 6.53	\$ -
	Estimated Cost	Fee		
IWTU Phase 1 - Process Assessment (C.6.1.1) (Fixed Fee)	19,331,848	956,926		20,288,774
IWTU Phase 2 - Technical Issue Resolution (C.6.1.2) (Milestone Fee)	115,785,533	5,523,919		121,309,452
IWTU Phase 3/4 - Startup of Radiological Operations (C.6.1.10) (Fixed/Milestone Fee)	187,845,640	22,346,853		210,192,493
Total (Excluding C.6.1 IWTU Ops)	322,963,021	28,827,698		351,790,719
Total Contract Cost (Excluding Options)				
	Contract Cost	Max Fee	Target Fee	Total Price
	1,860,483,212	194,528,244	67,076,542	2,055,011,456
Total Contract Cost (Includes Options)				
	Target Cost	Max Fee	Target Fee	Total Price
Priced Options				
00001a - GrdWtr Monitoring Wells / CFA Landfill	773,962	100,228	38,311	874,190
00001b - GrdWtr Monitoring Wells/TAN Rem	676,966	87,667	33,510	764,633
00001c - Legacy Excess Radioactive/Haz Materials	24,747,535	3,204,806	1,225,003	27,952,341
00001d - RCRA Closure of AMWTP Facilities (Definitized by Modification 207)	-	-	-	-
00001e - Additional Temporary Storage	6,548,465	848,026	324,149	7,396,491
00001f - RH TRU Lot 11 Option Work (Definitized by Modification 050)	-	-	-	-
00001g - RH TRU Lot 12 Option Work	12,341,796	1,598,263	610,919	13,940,059
00001h - RH TRU Lot 11 GFY 2020 Option Work (Definitized by Modification 142)	-	-	-	-
00001i - RH TRU Lot 11 GFY 2021 Option Work (Definitized by Modification 220)	-	-	-	-
Total Options	45,088,724	5,838,990	2,231,892	50,927,714
Total Contract Cost (Includes Options) and Max Fee	1,905,571,936	200,367,233	69,308,433	2,105,939,168
Contract Performance Ceiling (B.6)				
Contract Performance Ceiling	1,575,129,280			
NOTE: Fixed Fee values from CLIN-3 and CLIN-6 are included in the max fee value for the total contract cost and total contract cost including options.				

No other changes to Section B.2.

2. SECTION B.3(d) Schedule Milestones, Annual Milestones and Performance Incentive Fee for CLIN 00001 is revised. The updated table is revised 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	N/A	5/31/2021	\$ 4,624,500	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
SM-14 Complete Upgrade of IT - PCs and Licensing	12/31/2020	3/31/2021	\$ 150,000	0
Mod 145 Peach Bottom Milestone #1 - Inspection Reports		12/31/2020	\$ 195,801	0
Mod 145 Peach Bottom Milestone #2(a) - Transfer 2 Low Risk Vaults		5/31/2021	\$ 195,801	0
Peach Bottom Milestone #2(b) - Transfer up to 2 Additional Low Risk Vaults (\$125K each)		5/31/2021	\$ 250,000	0
Mod 145 Peach Bottom Milestone #3 - Conceptual Design		5/31/2021	\$ 195,801	0
Subtotal Schedule Milestones			\$ 23,604,674	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
CED-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 for ARP VIII)	\$ 6,726,137	\$ 2,570,994	\$ 2,337,267	\$ 1,298,482
Annual Quantity (Acres)	> than .50	.40 - .49	.25 - .39	0.0 - .24
Fee per acre for ARP IX			\$ 6,726,137	
CED-March 2019 (ARP VIII Completed) Fee Paid	\$ 1,718,338			
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 Percent complete for exhumation (max fee times the actual completed for ARP VIII plus ARP IX divided by 1.55)	5/31/2021	\$ 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 & 2 Fee = \$2,874,184)		\$ 4,832,189		
Subtotal Performance Incentive		\$ 21,201,727		
Total Milestone/Performance Fees			\$ 77,106,215	

3. SECTION B.3(e) ICP-Core CLIN 00001 Schedule Milestones, Annual Milestones, Performance Incentives Acceptance Criteria and Definitions, paragraph iv., is revised as follows.

From:

RESERVED

To:

CPP-749 Peach Bottom 1st Generation Vaults Remediation (Section C.7.1.06) Fee Milestones:

The following milestones and dates are associated with this work:

- Milestone 1 Complete inspection reports for five (5) high risk Peach Bottom Vaults by December 31, 2020. Inspection will include lifting the fuel package only if Fluor Idaho determines the risk to be warranted; fee of \$195,801
- Milestone 2(a) Complete transfer of two (2) low-risk Peach Bottom Vaults by May 31, 2021; fee is \$195,801
- Milestone 2(b) Complete transfer of up to two (2) additional low-risk Peach Bottom Vaults by May 31, 2021; fee is \$125,000/transfer for a total of \$250,000
- Milestone 3 Submit conceptual design for the retrieval equipment suitable to recover high risk Peach Bottom Vaults by May 31, 2021. Fee is \$195,801, contingent upon DOE review and approval.

Fee for this work will be calculated in the following manner:

Peach Bottom Vaults Fee Structure	
Max Available Fee	\$ 1,200,858
Target Fee	\$ 363,455
Milestone Fee	\$ 837,403
*Milestone fee is split between 3 milestones	

4. SECTION B.3(e) ICP-Core CLIN 00001 Schedule Milestones, Annual Milestones, Performance Incentives Acceptance Criteria and Definitions, paragraph ix. SM-9 Complete Treatment of ISA Non-Debris Waste, is revised as follows:

From:

SM-9 Complete Treatment of ISA Non-Debris Waste. Completion of this SM will be DOE ID verification of treatment complete based on the same criteria identified in AM-1. Total fee available for this SM is \$3,500,000 if the work is completed on or before July 31, 2020. Fee is reduced by \$500,000 if completed between August 1, 2020 and August 31, 2020, and reduced by an additional \$500,000 if completed between September 1, 2020 and September 30, 2020. If the SM is completed after September 30, 2020, fee for this SM will be \$0. The objective of this incentive is to complete all of the ISA Non-Debris waste only.

Exclusions: ISA Debris waste and Rework of ISA Non-Debris Waste.

To:

SM-9 Complete Treatment of ISA Non-Debris Waste. Completion of this SM will be DOE ID verification of treatment complete based on the same criteria identified in AM-1. Total fee available for this SM is \$4,624,500 if the work is completed on or before May 31, 2021. The objective of this incentive is to complete all of the ISA Non-Debris waste only. Fee may be earned as follows:

	Number of Containers	Amount per Container	Total Fee
MLLW direct-ship	679	\$ 500	\$ 339,500
TRU direct-ship	372	\$ 500	\$ 186,000
Treatment of waste	1100	\$ 1,250	\$ 1,375,000
Stretch Goal*	408	\$ 3,000	\$ 1,224,000
Complete all containers by 5/31/2021			\$ 1,500,000
Total Fee Available			\$ 4,624,500

*Minimum number of containers for the Stretch Goal is 408, to be completed after the 2,151 containers listed above; the Contractor may earn additional fee for additional containers (if any) above the 2,559 total containers listed

Exclusions: ISA Debris waste and Rework of ISA Non-Debris Waste.

5. **SECTION B.6(a)(2) CONTRACT PERFORMANCE CEILING** is increased by \$1,374,500 from \$1,573,754,780 to \$1,575,129,280.
6. **SECTION C.7.1.06 CPP-749 Peach Bottom 1st Generation Vaults Remediation** is revised as follows:

From:

The Contractor shall perform remediation activities for the CPP-749 Peach Bottom 1st Generation Vaults as follows:

1. Perform an inspection of five (5) Peach Bottom vaults identified as high risk for corrosion of the fuel package. The inspection will only include the lifting of the fuel package if the contractor determines the risk to be warranted.
2. Complete the transfer of the fuel package from five (5) Peach Bottom vaults identified as low risk for corrosion of the fuel package from 1st generation vaults to 2nd generation vaults.
3. Prepare a conceptual design for the retrieval equipment suitable to recover high risk Peach Bottom vaults for DOE review and approval.

Fee Milestones:

The following milestones and dates are associated with this work:

Milestone 1 - Complete inspection reports for five high risk Peach Bottom Vaults by 09/30/2020. Inspection will include lifting the fuel package only if Fluor determines the risk to be warranted.

Milestone 2 - Complete transfer of five low-risk Peach Bottom Vaults by 12/20/2020

Milestone 3 - Submit conceptual design for the retrieval equipment suitable to recover high risk Peach Bottom Vaults by 1/31/2021. Fee is contingent upon DOE review and approval.

Fee for this work will be calculated in the following manner:

Fee Structure	
Max available Fee	\$ 950,857
Target Fee	\$ 363,455
Milestone Fee	\$ 587,402

*Milestone fee is split between 3 milestones

Milestone fee will be paid in full for each milestone that is completed on or before the assigned date (\$195,801/per milestone). Milestone fee is \$0 for each milestone completed beyond the milestone due date established above.

To:

The Contractor shall perform remediation activities for the CPP-749 Peach Bottom 1st Generation Vaults as follows:

1. Perform an inspection of five (5) Peach Bottom vaults identified as high risk for corrosion of the fuel package. The inspection will only include the lifting of the fuel package if the contractor determines the risk to be warranted.
2. Complete the transfer of the fuel package from at least two (2), up to four (4), Peach Bottom vaults identified as low risk for corrosion of the fuel package from 1st generation vaults to 2nd generation vaults.
3. Prepare a conceptual design for the retrieval equipment suitable to recover high risk Peach Bottom vaults for DOE review and approval.

7. CONTRACTOR'S STATEMENT OF RELEASE: In consideration of the modification agreed to herein as a complete equitable adjustment for the revised fee structures for work scope under CLIN-1 Schedule Milestone (SM)-9, Sections *C.5.1 and C.5.5*, and Section *C.7.1.06 Peach Bottom 1st Generation Vaults Remediation* as detailed above, and in accordance with contract Section I.100 52.243-2 Changes—Cost Reimbursement Alt II and III, 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. The total net price of the equitable adjustment is an increase of \$1,374,500 (CLIN-1 fee).

No other changes to the contract terms and conditions.