

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE OF PAGES 1 2
2. AMENDMENT/MODIFICATION NO. 0049	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
6. ISSUED BY EMCBC - Carlsbad U.S. Department of Energy Carlsbad Project Office P.O. Box 3090 Carlsbad NM 88221	CODE 03003	7. ADMINISTERED BY (If other than Item 6) EMCBC - Carlsbad U.S. Department of Energy Carlsbad Project Office P.O. Box 3090 Carlsbad NM 88221	CODE 03003
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) NUCLEAR WASTE PARTNERSHIP LLC Attn: Marty Gonzales Nuclear Waste Partnership 106 Newberry Street SW Aiken SC 29801		(x) 9A. AMENDMENT OF SOLICITATION NO.	9B. DATED (SEE ITEM 11)
CODE 968993910	FACILITY CODE	x 10A. MODIFICATION OF CONTRACT/ORDER NO. DE-EM0001971	10B. DATED (SEE ITEM 13) 04/20/2012
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 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 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 Schedule

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 date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) DEAR 970.5215-1(d) Fee Determination for fiscal year 2013

E. IMPORTANT: Contractor is not. is required to sign this document and return 0 copies to the issuing office.

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

The purpose of this modification is to modify the contract to reflect the Fee Determination Official's final determination of performance fee earned by the contractor for the period October 1, 2012 through September 30, 2013. The contractor has earned fee of \$7,892,519.32 out of available fee of \$8,192,895. See Page 2.
Period of Performance: 10/01/2012 to 09/30/2017

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

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Vicki D. Snow
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)	15C. DATE SIGNED
	16B. UNITED STATES OF AMERICA Exemption 6 (Signature of Contracting Officer)
	16C. DATE SIGNED 02/10/2014

In Section B.2-2 (a) of the contract, fee of \$8,192,895 is available for FY13 for the contractor to earn through the completion of performance-based objectives and subjective award fee criteria as described in the FY13 Performance Evaluation and Measurement Plan (PEMP). In accordance with the requirements in the PEMP, the Fee Determination Official determined that the contractor earned award fee and fee for performance-based incentives as follows:

Available Award Fee for this period: \$2,048,224 Earned: \$1,904,848.32

Subjective Criteria	Available Award Fee	Award Fee Earned	Unearned Fee
Schedule Performance	\$512,056	\$491,573.76	\$20,482.24
Management Performance	\$512,056	\$450,609.28	\$61,446.72
Technical Performance	\$512,056	\$460,850.40	\$51,502.60
Cost Control	\$512,056	\$501,814.88	\$10,241.12
TOTALS	\$2,048,224	\$1,904,848.32	\$143,672.68

Available Fee for Performance-Based Incentives for this period: \$6,144,671 Earned: \$5,987,671

Performance-Based Incentives	Available Fee	Fee Earned	Unearned Fee
Metric 1(a) – CH TRU waste volume dispositioned	\$4,000,000	\$3,843,000	\$157,000
Metric 1(b) – RH TRU waste volume dispositioned	\$800,000	\$800,000	\$0
Metric 1(c) - SRS legacy TRU waste certified – goal met	\$500,000	\$500,000	\$0
Metric 1(d) – Total FY13 TRU waste dispositioned goal exceeded	\$250,000	\$250,000	\$0
Metric 2 – WIPP Site maintenance and improvement activities	\$594,671	\$594,671	\$0
TOTALS	\$6,144,671	\$5,987,671	\$157,000

Fee of \$300,672.68 unearned during the period shall not be returned to the fee pool nor carried over to additional performance periods and will be forfeited.