

2. AMENDMENT/MODIFICATION NO. <b>A043</b>	3. EFFECTIVE DATE <b>See Block 16.C</b>	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
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6. ISSUED BY <b>National Nuclear Security Administration Nevada Operations Office P.O. Box 98518 Las Vegas, NV 89193-8518</b>	7. ADMINISTERED BY (If other than Item 6)
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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)  <b>Stoller-Navarro Joint Venture 7710 West Cheyenne Avenue Las Vegas, NV 89129</b>	(✓)	9A. AMENDMENT OF SOLICITATION NO.
		9B. DATED (SEE ITEM 11)
	X	10A. MODIFICATION OF CONTRACT/ORDER NO. <b>DE-AC52-03NA99205</b>
		10B. DATED (SEE ITEM 13) <b>10/01/03</b>

EXECUTED  
COPY

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  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)

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

(✓)	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) <b>Clause B.4, Options to Extend The Term of The Contract-Serves and F.2, Period of Performance (JUL 2001)</b>

E. IMPORTANT: Contractor  is not,  is required to sign this document and \_\_\_\_\_ copies to the issuing office.

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

SEE PAGE 2.

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) <b>Laura Haverlock, Contracting Officer</b>
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED
(Signature of person authorized to sign)	16B. UNITED STATES OF AMERICA BY <i>Laura Haverlock</i> (Signature of Contracting Officer)
	16C. DATE SIGNED <b>9/29/06</b>

A. This modification exercises the Second Option Period beginning October 01, 2006 and ending September 30, 2007, as a result DPLH, Estimated Cost, Available Award Fee and Available Incentive Fee will increase as follows:

DPLH Increase	274,702	From	1,014,091	To	1,288,793
Estimated Cost Increase	\$21,706,298.00	From	\$121,944,783.00	To	\$143,651,081.00
Available Award Fee Increase	\$ 488,391.71	From	\$ 3,087,078.02	To	\$ 3,575,469.73
Available Incentive Fee Increase	\$ 1,139,580.65	From	\$ 5,426,421.40	To	\$ 6,566,002.05

As a result, the following changes have been made to the contract.

B. Contract Clause B.2, "Level of Effort (LOE) Direct Productive Labor Hours (DPLH) Required", is modified to reflect an increase in DPLH of 274,702 for the Second Option Period, thereby increasing total DPLH from 1,014,091 to 1,288,793. Contract Clause B.2, has been deleted and replaced with the following.

**B.2. Level Of Effort (LOE) Direct Productive Labor Hours (DPLH) Required**

- (a) The Contractor shall provide an estimated total of **1,288,793** Direct Productive Labor Hours (DPLH) over the 2-year Base Period, First Option Period and Second Option Period of performance commencing with the effective date of the contract through the end date of the Second Option Period. The DPLH are defined as actual hours worked exclusive of vacation, holidays, sick leave, and other absences. The DPLH are inclusive of clerical and administrative, overtime, plus all subcontract and consultant support.
- (b) The contractor agrees to promptly enter into negotiations for any adjustment in DPLH. Any contract modification resulting from such negotiations may provide for equitable adjustments in the total estimated DPLH, estimated cost, and fee. Equitable adjustments resulting from implementation of this clause shall be made to any affected contract clause in accordance with the provisions of the FAR Clause entitled, Changes.
- (c) Notwithstanding the above, there shall be no adjustment in award fee and incentive fee, as applicable, if the LOE is within **15 percent** of the estimated DPLH.

C. Contract Clause B.3, "Estimated Cost, Award Fee, and Incentive Fee", is modified to reflect increases resulting from the exercise of the Second Option Period as follows:

Base Period Estimated Cost	\$81,145,419.00
First Option Period Estimated Cost	\$40,799,364.00
Second Option Period Estimated Cost	\$21,706,298.00
<b>M043 Revised Total Estimated Cost</b>	<b>\$143,651,081.00</b>
Base Period Available Award Fee	\$2,450,914.00
First Option Available Award Fee	\$636,164.02
Second Option Available Award Fee	\$488,391.71
<b>M043 Revised Available Award Fee</b>	<b>\$3,575,469.73</b>
Base Period Available Incentive Fee	\$3,554,992.00
First Option Available Incentive Fee	\$1,871,429.40
Second Option Available Incentive Fee	\$1,139,580.65
<b>M043 Revised Available Incentive Fee</b>	<b>\$6,566,002.05</b>
<b>M043 Revised Total Estimated Cost Plus Available Fee</b>	<b>\$153,792,522.78</b>

As a result, Contract Clause B.3, "Estimated Cost, Award Fee, and Incentive Fee" has been deleted and is restated below in its entirety.

**B.3 Estimated Cost, Award Fee, and Incentive Fee**

- (a) Pursuant to the Clause 52.216-7, entitled Allowable Cost and Payment, the total estimated cost of this contract is \$143,651,081.00
- (b) The available award fee for this contract is \$3,575,469.73
- (c) The available incentive fee for this contract is \$6,566,002.05
- (d) The award fee for this contract shall be awarded upon the unilateral determination of the Fee Determination Official that an award fee has been earned. The unilateral decision is made solely at the discretion of the Government. This determination shall be based upon the Fee Determination Official's evaluation of the contractor's performance, as measured against the evaluation criteria set forth in the Award Fee section of the Performance-Based Fee Plan. Award Fee available for each period is as set forth in the Performance-Based Fee Plan
- (e) The incentive fee for this contract shall be awarded upon successful completion of discrete incentives as specified in the Performance-Based Fee Plan. The unilateral decision is made solely at the discretion of the Government. This determination shall be based upon the evaluation of the contractor's performance, as measured against the evaluation criteria set forth in the Incentive Fee Plan. Incentive Fee available for each period is as set forth in the Performance-Based Fee Plan.
- (f) Pursuant to FAR Clause 52.232-22, entitled, Limitation of Funds (APR 1984), the amount presently obligated under the Contract through contract modification A043 is **\$100,855,130.71**

D. Contract Clause H.2, "Total Available Fee, Performance-Based Fee Plan", paragraph (b), "Annual Total Available Fee", subsection (2) fee split table, has been modified to reflect revised Option Period 2 available award fee of \$488,391.71 and available incentive fee of \$1,139,580.65. The fee split table has been deleted and replaced with the following. All versions of the fee split table issued prior to contract modification M043 are no longer valid.

**H.2 Total Available Fee, Performance - Based Fee Plan**

(2) The fee pool will be split between Available Award Fee and Available Incentive Fee over the life of the contract as follows:

Evaluation Period	Award Fee	Incentive Fee	Total Available Fee
Base Contract - Year 1 10/01/2003 - 9/30/2004	\$1,220,016.00 40.00%	\$1,830,024.00 60.00%	\$3,050,040.00 100.00%
Modification M016	\$1,220,016.00	\$1,830,024.00	\$3,050,040.00
M016 PM # 5 Milestone # 1 Change	\$0.00	(\$20,000.00)	(\$20,000.00)
M016 Revised Base Year 1	\$1,220,016.00	\$1,810,024.00	\$3,030,040.00
Revised Fee Pool Split %	40.2640%	59.7360%	100.00%
Base Contract - Year 2 10/01/2004 - 9/30/2005	\$1,214,346.40 40.0000%	\$1,821,519.60 60.0000%	\$3,035,866.00 100%
Modification M016	\$1,214,346.40	\$1,821,519.60	\$3,035,866.00
M016 PM # 5 Milestone # 1 Change	\$0.00	\$20,000.00	\$20,000.00
M016 Revised Base Year 2	\$1,214,346.40	\$1,841,519.60	\$3,055,866.00
Revised Fee Pool Split %	39.7382%	60.2618%	100.00%
Modification M020	\$1,214,346.40	\$1,841,519.60	\$3,055,866.00
M020 Measure # 2 Milestone # 19 Change	\$0.00	(\$80,000.00)	(\$80,000.00)
M020 PM # 3 Milestone # 2 Change	\$16,552.00	(\$16,552.00)	\$0.00
M020 Revised Base Year 2	\$1,230,898.40	\$1,744,967.60	\$2,975,866.00
Revised Fee Pool Split %	41.3627%	58.6373%	100.00%
Grand Total Base Contract	\$2,450,914.40	\$3,554,991.60	\$6,005,906.00
Grand Total Base Contract Fee Pool Split %	40.8084%	59.1916%	
Option Year 1 10/01/2005 - 9/30/2006	\$1,223,981.00 30.0000%	\$1,835,971.00 70.0000%	\$3,059,952.00 100.00%
Modification M020	\$917,985.60	\$2,141,966.40	\$3,059,952.00
M020 Correct Fee Dollar Amounts	30.00%	70.00%	100.00%
	\$917,985.60	\$2,141,966.40	\$3,059,952.00
M020 Measure # 2 Milestone # 19 Change	\$0.00	\$80,000.00	\$80,000.00
M020 Revised Option Year 1	\$917,985.60	\$2,221,966.40	\$3,139,952.00
Revised Fee Pool Split %	29.2357%	70.7643%	100.00%
Modification M038	917,985.60	2,221,966.40	3,139,952.00
Reduction of Award Fee and Available Incentive Fee by 30.7%	281,821.58	350,537.00	632,358.58
M038 Revised Reduced Option Year 1	636,164.02	1,871,429.40	2,507,593.42
M038 Revised Fee Split	25.37%	74.63%	100.00%
Option Year 2 10/01/2006 - 9/30/2007	\$1,136,049.00 30.00%	\$1,704,074.00 70.00%	\$2,840,123.00 100.00%
Modification M020	\$852,036.90	\$1,988,086.10	\$2,840,123.00
M020 Correct Fee Dollar Amounts	30.00%	70.00%	100.00%
Modification M043	\$488,391.71	\$1,139,580.65	\$1,627,972.36
M043 Option 2 Available Fee Revised	30.00%	70.00%	100.00%
Option Year 3 10/01/2007 - 9/30/2008	\$956,557.00 30.00%	\$1,434,836.00 70.00%	\$2,391,393.00 100.00%
Modification M020	\$717,417.90	\$1,673,975.10	\$2,391,393.00
M020 Correct Fee Dollar Amounts	30.00%	70.00%	100.00%

E. Pursuant to FAR Clause 52.232-22, Limitation of Funds, funding in the amount of \$730,441.00 have been obligated to the contract increasing the total funding obligated since the inception as follows.:

<b>1.</b>	Funds Obligated	
	Funds Obligated through Modification No. A042	\$100,124,689.71
	Funds Obligated by this Modification No. A043	<u>730,441.00</u>
	<b>Funds Obligated since Inception of Contract</b>	<b>\$ 100,855,130.71</b>

2. Block 12 of the SF-30 Accounting and Appropriations Data is as follows:

<u>Approp. Symbol</u>	<u>B&amp;R No.</u>	<u>STARS/Program Value</u>	<u>Dollar Amt.</u>	<u>ADS/TTP</u>	<u>AFP</u>	<u>Obj. Class</u>
89X0251.91	EY6019300	1110877	\$38,000.00	NV0030	NO	25100
89X0251.91	EY602030U	1111179	\$91,957.00	VLNV0030	NO	25100
89X0251.91	EY602030P	1111177	\$600,484.00	VLNV0030	NO	25100

**Stars String**

01250.2006.01.100260.61000000.25100.1110877.0002176.0000000.0000000.0000000 \$ 38,000.00

01250.2006.01.100260.61000000.25100.1111179.0002176.0000000.0000000.0000000 \$ 91,957.00

01250.2006.01.100260.61000000.25100.1111177.0002176.0000000.0000000.0000000 \$600,484.00

**END OF MODIFICATION**