

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE AC	PAGE 1 of PAGES 5
2. AMENDMENT/MODIFICATION NO. M188	3. EFFECTIVE DATE See Block 16c.	4. REQUISITION/PURCHASE REQ. NO. NOPR		5. PROJECT NO. (If applicable)
6. ISSUED BY U.S. Department of Energy National Nuclear Security Administration P.O. Box 2050 Oak Ridge, TN 37831		7. ADMINISTERED BY (If other than Item 6) CODE		
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, state, ZIP Code) Babcock & Wilcox Technical Services Y-12, LLC P.O. Box 2009 MS 8014 Oak Ridge, TN 37831-8014			9A. AMENDMENT OF SOLICITATION NO.	
			9B. DATED (SEE ITEM 11)	
			10A. MODIFICATION OF CONTRACT/ORDER NO. DE-AC05-000R22800	
			10B. DATED (SEE ITEM 13) August 31, 2000	
CODE	FACILITY CODE			

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 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.**

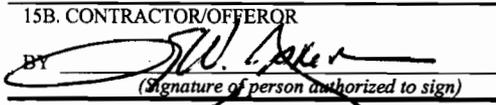
<input type="checkbox"/>	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO (Specify authority): THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
<input type="checkbox"/>	B. THE ABOVE-NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (Such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
<input type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
<input checked="" type="checkbox"/>	D. OTHER (Specify type of modification and authority): P.L. 95-91, American Recovery and Reinvestment Act of 2009, Pub. L. 111-5.
E. IMPORTANT: Contractor is required to sign this document and return 2 copies to the issuing office.	

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

RECOVERY ACT MODIFICATION

The purpose of this modification is to amend the costing authorities in the WAD for Buildings 9206 and 9735; and to add a clause to Section J, Attachment G addressing the American Recovery and Reinvestment Act (ARRA).
See Page 2

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

15A. NAME AND TITLE OF SIGNER (Type or print) Scott W. Baker, Senior Vice President Business Services		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Jill Y. Albaugh Contracting Officer	
15B. CONTRACTOR/OFFEROR BY  (Signature of person authorized to sign)	15C. DATE SIGNED 6/29/09	16B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer)	16C. DATE SIGNED 6/29/09

1) The following changes to are made to Section #1 of the Work Authorization Directive (WAD) for the American Recovery and Reinvestment Act.

- Work Authorization Number 1.10.01 Revision: “0” is changed to Revision: “1”
- Limitation of Cost is increased from \$22,683,815.00 to 23,748,420.00
- The Budget Outlays for buildings 9206 and 9735 are increased accordingly:
- Building 9206 is increased from \$231,456.00 to \$617,206.00
- Building 9735 is increased from \$376,488.00 to \$1,055,343.00

2) Clause n is added to the work authorization directive for the American Recovery and Reinvestment Act.

N. BASELINE AND REPORTING REQUIREMENTS FOR WORK PERFORMED UNDER THE RECOVERY ACT

This paragraph defines the unique requirements for the Contractor’s project management baseline and associated reporting requirements to address the contract performance requirements to be performed as identified within this Work Authorization which are funded under the provisions of the American Recovery and Reinvestment Act of 2009 (Recovery Act).

(a) Baseline Requirements

- (1) For purposes of this paragraph, the “pre-definitized period” is defined as that timeframe from the date of issuance of the Modification M183/Undefinitized Work Authorization Directive directing the contractor to begin the Recovery Act work until the work is definitized and the update has been executed by both the Contractor and Contracting Officer. All requirements for plans and deliverables during the pre-definitized period shall be based on the definitization time period of 120 days after issuance of the Undefinitized Work Authorization or expenditure of 30% of the estimated value, *whichever comes first*.

(The pre-definitized period is sequenced with specific deliverables and actions each 30 days. These deliverables and actions may occur in less than 30 days based on the project size, scope, and level of confidence in current NTB/OPER, but no more than 30 day periods.)

- (2) During the pre-definitized period, the Contractor shall develop and deliver to the Contracting Officer the following:
- (i) Within 30 days after issuance of Modification Work Authorization Directive Number 1.10.01, attached to the Contract Modification M183, the Contractor shall provide a work plan for performance of that portion of the work specified in the Summary Statements of Work (of this Work Authorization Directive) covering the Statement of Work and specific milestones, deliverables, and performance measures/expectations scheduled to be performed during the 180-day period after issuance of Work Authorization Number 1/10/01. This plan shall include the following:
- (A) Product-oriented Work Breakdown Structure (WBS) and WBS dictionary in alignment with the Statement of Work, as modified for the Recovery Act work, to include performance of Recovery Act work totally within distinctly defined, separately tracked and uniquely managed WBS elements;
 - (B) Monthly spend plan consistent with the Summary Statements of Work included in the Work Authorization Directive, completely segregating the non-Recovery Act work from the Recovery Act funded portions of the Statement of Work;
 - (C) Crosswalk of Statement of Work WBS elements and associated planned milestones, metrics, and estimated costs (at the 80% confidence level), at the

Activity Building Block (ABB) level, between the current base program/project Near-Term Baseline (NTB) and/or Out-year Planning Estimate Range (OPER) and the Recovery Act work;

- (D) Milestone list including, but not limited to, major hiring actions that create newly “created” or “retained” jobs by the Contractor or first tier subcontractors in accordance with paragraph J (a). of this Work Authorization Directive, key starts and completions, enforceable regulatory dates, approval of key regulatory decisions, project critical decisions, delivery of critical Government Furnished Services and Items; and
 - (E) Planned quarterly summary of jobs “created” or “retained” by the Contractor and first tier subcontractors as defined in paragraph J(a) of this Work Authorization.
- (ii) Within 120 days after issuance of Work Authorization Directive Number 1.10.01, the Contractor shall propose a Performance Baseline for the complete work specified in Paragraph C. Statement of Work. This baseline shall use control accounts that will be made up of work packages. The WBS elements at the lowest level should roll up within the WBS structure and clearly identify the entire work to be performed. The WBS shall clearly distinguish all non-Recovery Act work from all Recovery Act work. The proposed Performance Baseline shall include the following:

- (A) The Contractor shall propose a performance baseline, at a high confidence level, for the work to be performed, including the pre-definitized period and the post-definitized period. This baseline shall be based upon the work and schedule included in Work Authorization Directive Number 1.10.01 and the Contractor’s cost proposal. A month-by-month baseline or budgeted cost of work scheduled (BCWS)/planned value (PV) must be developed for the complete Recovery Act work. This will be the original baseline for Recovery Act work and shall include all of the work by WBS, including both the pre- and post- definitized periods, and the Contractor’s defined management reserve. The sum of these three items (estimated cost for the pre-definitized period, estimated cost for the post-definitized period, and the management reserve) shall equal the Contractor’s proposed estimated cost for the Recovery Act work. This performance baseline is subject to independent project review and certification before approval by the Government.
- (B) A network logic schedule utilizing Primavera will be developed at the activity level for each control account which includes milestones. The schedule must be resource loaded and coded to allow summarization of lower level activities through the control account for the complete Recovery Act work.
- (C) The proposed Performance Baseline shall also include the planned quarterly summary of jobs “created” or “retained” by the Contractor and first tier subcontractors as defined in paragraph J(a) of this Work Authorization.

Deliverables supporting the Recovery Act performance baseline shall include all deliverables required under existing contract requirements, those Recovery Act deliverable and reporting requirements specified in this Work Authorization, *and those Recovery Act-unique deliverables listed below*. For all common deliverables, the data shall be clearly segregated and distinguished between non-Recovery Act work and Recovery Act work, as well as summing to complete contract totals.

- 1) *Work breakdown structure and associated dictionary;*

- 2) *List of planning basis and assumptions;*
- 3) *Cost baseline description document that includes the basis of cost estimate;*
- 4) *Schedule baseline that employs a critical path method and is resources loaded such that earned value can be measured;*
- *5) *Organizational breakdown structure;*
- *6) *Responsibility assignment matrix that identifies Control Account Managers;*
- *7) *Earned value management system description and a copy of the letter of certification against ANSI/EIA-748-B, "Earned Value Management Systems;"*
- *8) *Project controls system description document;*
- *9) *Risk management plan with results of qualitative and quantitative analysis including S-curves, cost and schedule contingency determinations, risk mitigation/risk response plans, and risk register;*
- *10) *All work packages;*
- *11) *Technical design documentation;*
- *12) *Documented safety analysis;*
- *13) *Safety evaluation report (if required);*
- *14) *Safety design strategy;*
- *15) *Integrated safety management system description document and latest annual certification.*

*Note: These are required program elements subject to on-site review as part of a baseline review and approval, and must be made available upon request

These documents shall be submitted to the Contracting Officer to support DOE review and baseline approval. The Contracting Officer may identify other documents as needed to support project reviews and audits.

The contractor shall support resolution of IPR or External Independent Review (EIR) corrective actions for the performance baseline submitted.

- (3) During the pre-definitized period, the Contractor shall determine the budgeted cost of work performed (BCWS)/earned value (EV) for budgeted cost for work performed (BCWP)/planned value (PV) on a monthly basis utilizing measurable units associated with each activity in the schedule (e.g., square foot reduction, number of TRU shipments, foot print reduction, etc.), as appropriate, that will allow the reporting of the Contractor's progress in accordance with the reporting requirements specified in paragraph F.12 of this Work Authorization. The associated actual cost of work performed (ACWP)/actual cost (AC), cost and schedule variances and performance indices, and variance analyses shall be reported monthly. Performance against the Recovery Act performance baseline shall be tracked separately from other work under the contract funded by other appropriations.
 - (4) Upon negotiation and execution of the Definitized Work Authorization Modification, the performance baseline documentation submitted in accordance with paragraph b.2 above shall be revised by the Contractor to reconcile cost estimates and WBS elements, if necessary, consistent with the Definitized Work Authorization Modification.
- (b) Reporting Requirements
- (1) Within 30 days of definitization of the Recovery Act work, the Contractor shall begin reporting against the established performance baseline in accordance with the reporting requirements specified under existing contract requirements, those reporting requirements specified in this

Work Authorization, *and those Recovery Act-unique deliverables listed below*. Performance against the Recovery Act work shall be tracked and reported separately from other work under the contract funded by other appropriations.

- (2) These reports shall be provided to the Contracting Officer on a monthly basis.
 - (i) Contract Performance Report (Refer to OMB No. 0704-0188 or DD FORM 2734/1, MAR 05): Format 1 - Work Breakdown Structure, Format 3 - Baseline, and Format 5 - Explanations and Problem Analyses.
 - (ii) A Milestone report from Primavera reflecting status of all milestones being reported with columns for the scope, original planned date, current planned date, and the actual date the milestone was completed.

A funds management report by Budgeting & Reporting (B&R) codes that identifies the amount of funds obligated to the contract and the amount of funds obligated to the contractor, and committed and expended by the contractor.