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| AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT | | 1. CONTRACT ID CODE | PAGE OF | PAGES |
| | | | 1 | 2 |

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|--|--|----------------------------------|--------------------------------|
| 2. AMENDMENT/MODIFICATION NO. M044 | 3. EFFECTIVE DATE See Block 16.C | 4. REQUISITION/PURCHASE REQ. NO. | 5. PROJECT NO. (If applicable) |
|--|--|----------------------------------|--------------------------------|

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| 6. ISSUED BY National Nuclear Security Administration Nevada Operations Office P.O. Box 98518 Las Vegas, NV 89193-8518 | 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) Stoller-Navarro Joint Venture 7710 West Cheyenne Avenue Las Vegas, NV 89129 | <input checked="" type="checkbox"/> 9A. AMENDMENT OF SOLICITATION NO. |
| | 9B. DATED (SEE ITEM 11) |
| | 10A. MODIFICATION OF CONTRACT/ORDER NO. X DE-AC52-03NA99205 |
| | 10B. DATED (SEE ITEM 13) 10/01/03 |

**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.

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| <input checked="" 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) Clause H.2, Total Available Fee, Performance-Based Fee Plan |

E. IMPORTANT: Contractor is not, is required to sign this document and 3 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.

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|---|--|------------------|--|------------------------------------|------------------|
| 15A. NAME AND TITLE OF SIGNER (Type or print) | 15B. CONTRACTOR/OFFEROR | 15C. DATE SIGNED | 16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) | 16B. UNITED STATES OF AMERICA | 16C. DATE SIGNED |
| | | 9/29/06 | Laura J. Haverlock, Contracting Officer | BY | 9/29/06 |
| | (Signature of person authorized to sign) | | | (Signature of Contracting Officer) | |

This modification deletes the current Attachment J.9, "Performance- Based Fee Plan and replaces it with the attached FY 2007 Contracting Officer approved "Performance-Based Fee Plan".

As a result, the following changes are being made:

- A. Section J, "List of Attachments," Attachment J.9 "Performance-Based Fee Plan", Part I of II, "Performance- Based Award Fee Plan" and Part II of II, "Performance-Based Incentive Fee Plan" is modified by deleting the current "Performance-Based Fee Plan and replacing in lieu thereof the attached FY 2007 Contracting Officer approved "Performance-Based Fee Plan", Part I of II, "Performance- Based Award Fee Plan" and Part II of II, "Performance-Based Incentive Fee Plan" and associated Incentive Plan Milestone Table.
- B. Contract Clause B.3, "Estimated Cost, Award Fee, and Incentive Fee", is modified to reflect a \$5,820.00 increase to the Second Option Available Incentive fee from \$1,139,580.65 to \$1,145,400.65 as a result of the due date change for FY 2006 Performance Measure # 6 DTRA Scorecard, Milestone # 2 Submit Final CAU 559 CADD/CR from November 30, 2005 to November 27, 2006. This milestone has been moved to the FY 2007 Performance Based Incentive Fee Plan as milestone #1 for Performance Measure #5 DTRA scorecard.

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| 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 |
| Increase Due Date for DTRA Milestone #2 | \$ 5,820.00 |
| Revised Second Option Available Incentive Fee | \$1,145,400.65 |
| M044 Revised Available Incentive Fee | \$6,571,822.05 |

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 \$6,571,822.05
- (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**

C. 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 an increase of \$5,820.00 to the FY 2007 Available Incentive Fee Pool associated with due date change for Performance Measure # 5 DTRA Scorecard, Milestone # 2 Submit Final CAU 559 CADD/CR from November 30, 2005 to November 27, 2006.

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:

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|---|----------------|----------------|----------------|
| Base Contract - Year 1 10/01/2003 - 9/30/2004 | \$1,220,016.00 | \$1,830,024.00 | \$3,050,040.00 |
| | 40.00% | 60.00% | 100.00% |
| Modification M016 | | | |
| M016 PM # 5 Milestone # 1 Change | \$1,220,016.00 | \$1,830,024.00 | \$3,050,040.00 |
| M016 Revised Base Year 1 | \$0.00 | (\$20,000.00) | (\$20,000.00) |
| Revised Fee Pool Split % | 40.2640% | 59.7360% | 100.00% |
| Base Contract - Year 2 10/01/2004 - 9/30/2005 | \$1,214,346.40 | \$1,821,519.60 | \$3,035,866.00 |
| | 40.0000% | 60.0000% | 100% |
| Modification M016 | | | |
| M016 PM # 5 Milestone # 1 Change | \$1,214,346.40 | \$1,821,519.60 | \$3,035,866.00 |
| M016 Revised Base Year 2 | \$0.00 | \$20,000.00 | \$20,000.00 |
| Revised Fee Pool Split % | 39.7382% | 60.2618% | 100.00% |
| Modification M020 | | | |
| M020 Measure # 2 Milestone # 19 Change | \$1,214,346.40 | \$1,841,519.60 | \$3,055,866.00 |
| M020 PM # 3 Milestone # 2 Change | \$0.00 | (\$80,000.00) | (\$80,000.00) |
| M020 Revised Base Year 2 | \$16,552.00 | (\$16,552.00) | \$0.00 |
| 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 | \$1,835,971.00 | \$3,059,952.00 |
| | 30.0000% | 70.0000% | 100.00% |
| Modification M020 | | | |
| M020 Correct Fee Dollar Amounts | \$917,985.60 | \$2,141,966.40 | \$3,059,952.00 |
| | 30.00% | 70.00% | 100.00% |
| M020 Measure # 2 Milestone # 19 Change | \$917,985.60 | \$2,141,966.40 | \$3,059,952.00 |
| M020 Revised Option Year 1 | \$0.00 | \$80,000.00 | \$80,000.00 |
| Revised Fee Pool Split % | 29.2357% | 70.7643% | 100.00% |

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| Modification M036 | | | |
| | 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 | \$1,704,074.00 | \$2,840,123.00 |
| | 30.00% | 70.00% | 100.00% |
| Modification M020 | | | |
| M020 Correct Fee Dollar Amounts | \$852,036.90 | \$1,988,086.10 | \$2,840,123.00 |
| | 30.00% | 70.00% | 100.00% |
| Modification M043 | | | |
| M043 Option 2 Available Fee Revised | \$488,391.71 | \$1,139,580.65 | \$1,627,972.36 |
| | 30.000% | 70.000% | 100.00% |
| Modification M044 | | | |
| Revised Incentive Fee Resulting from DTRA Milestone #2 to FY 07 | \$488,391.71 | \$1,145,400.65 | \$1,633,792.36 |
| M044 Revised Fee Split | 29.89% | 70.11% | 100.00% |
| Option Year 3 10/01/2007 - 9/30/2008 | \$956,557.00 | \$1,434,836.00 | \$2,391,393.00 |
| | 30.00% | 70.00% | 100.00% |
| Modification M020 | | | |
| M020 Correct Fee Dollar Amounts | \$717,417.90 | \$1,673,975.10 | \$2,391,393.00 |
| | 30.00% | 70.00% | 100.00% |

End of Modification