

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE PAGE OF PAGES
 1 4

2. AMENDMENT/MODIFICATION NO. M422	3. EFFECTIVE DATE See Block 16C	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
6. ISSUED BY U.S. Department of Energy Brookhaven Site Office 53 Bell Avenue, Building 464 Upton, NY 11973-5000	CODE 06005	7. ADMINISTERED BY (If other than Item 6) Code	06005

8. NAME AND ADDRESS OF CONTRACTOR (No. street, county, State and ZIP Code) Brookhaven Science Associates, LLC 40 Brookhaven Avenue Building 460 Upton, New York 11973-5000	<input checked="" type="checkbox"/>	9.A. AMENDMENT OF SOLICITATION NO.
		9.B. DATED (SEE ITEM 11)
	<input checked="" type="checkbox"/>	10.A. MODIFICATION OF Contract/Order NO. DE-AC02-98CH10886
		10.B. DATED (SEE ITEM 13) 01/05/1998

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)
N/A

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 checked="" type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: Mutual agreement of the parties
<input type="checkbox"/>	D. OTHER (Specify type of modification and authority)

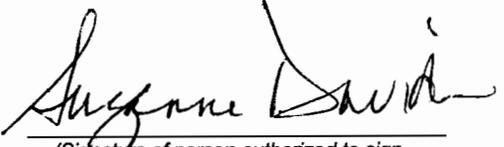
E. IMPORTANT: Contractor is not is required to sign this document and return **1** copies to the issuing office.

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

This Modification is issued to revise Section C.6.3 – Recovery Act Projects Category 3: “Environmental Management” and Section C.6.4 - Category 4: “Nuclear Physics” to incorporate changes authorized by current Work Authorizations; Revise Part I, Section H – Special Contract Requirements, TOC; Revise Clauses H.10 and H.40; Revise Part II, Section I – Contract Clauses, TOC; Update Clauses I.5, I.148, and Revise Clause I.139, Obligation of Funds; Revise the TOC for Section J, Part III – List of Documents, Exhibits and Other Attachments; Add Section J.2, Appendix B – Performance Evaluation and Measurement Plan FY 2012; Replace Section J.9, Appendix I - DOE Directives; Add Section J.12, Appendix L – Computation of Fee FY 2012.

15A. NAME AND TITLE OF SIGNER (Type or print) Suzanne M. Davidson Chief Financial Officer	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Evelyn Landini Contracting Officer
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15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
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 <i>(Signature of person authorized to sign)</i>	10/12/11	BY	 <i>(Signature of Contracting Officer)</i>	10/13/11
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Block 14 continued:

1. **Sections C.6.3 and C.6.4– Recovery Act Projects:** Revise the sections as follows; replace the pages of these sections with the attached revised pages which incorporate Work Authorization changes.
 - a) Environmental Management
 - b) Enhanced AIP RHIC
 - c) Enhanced Utilization of Isotope Facilities
2. **Part I, Section H – Special Contract Requirements, Table of Contents (TOC):** This section is revised to reflect administrative changes to Clauses H.10 and H.40; replace the prior version with the revised attachment provided herein.
 - a) Clause H.10, Walsh-Healey Public Contracts Act: This clause has been updated to reflect the proper spelling from Healy to Healey; replace the prior version with the revised attachment provided herein.
 - b) Clause H.40, Definition of Unusually Hazardous or Nuclear Risk for FAR Clause 52.250-1. Alternate I Indemnification Under Public Law No. 85-804: This clause has been revised to correct errors in the title of the aforementioned clause; replace the prior version with the revised attachment provided herein.
3. **Parts II, Section I - Contract Clauses, Table of Contents (TOC):** The following clauses have been revised; replace the prior version with the updated attachment provided herein.
 - a) Clause I.5, FAR 52.203-7, Anti-Kickback Procedures (OCT 2010): This clause has been revised to correct a truncated section of the clause; replace the prior version with the revised attachment provided herein.
 - b) Clause I.148, DEAR 970.5244-1, Contractor Purchasing System (AUG 2009) (DEVIATION AUG 2011 – POLICY FLASH 2011-98): This clause has been revised pursuant to a Determination and Findings issued August 29, 2011 which increases the Buy American Act dollar threshold from \$100,000 to \$500,000 of paragraph (g).
4. **Clause I.139, DEAR 970.5232-4, Obligation of Funds:** The first sentence of paragraph (a) is revised to read as follows: The amount presently obligated by the Government with respect to this Contract is \$7,122,532,902.18.

The revised total reflects an increase of \$67,083,683.00 as a result of modifications A399 through A421 from \$7,055,449,219.18 to \$7,122,532,902.18.
5. **Part III, Section J – List of Documents, Exhibits and Other Attachments, Table of Contents:** The Section J Table of Contents is revised to reflect the addition of the following; Appendix B – Performance Evaluation and Measurement Plan FY 2012; and Appendix L – Computation of Fee FY 2012.
6. **Section J.2, Appendix B –** The Performance Evaluation and Measurement Plan for fiscal year 2012 is added to Appendix B.

7. Section J.9, Appendix I – DOE Directives: The DOE Directives list identified as Modification M398 has been revised; replace the prior version with the attached Appendix I, identified as Modification M422. The revisions are as follows:

- a) Addition of Order 205.1B, Department of Energy Cyber Security Program, dated 5-16-11, cancels and removes Order 205.1A, dated 12-4-06, Manual 205.1-4, dated 3-8-07, Manual 205.1-5, dated 8-12-08, Manual 205.1-6, dated 12-23-08, Manual 205.1-7, dated 1-5-09, and Manual 205.1-8, dated 1-8-09.
- b) Addition of Order 231.1B, Environment, Safety and Health Reporting, dated 6-27-11, cancels and removes Order 231.1A, Change 1, dated 6-3-04, Manual 231.1-1A, Change 2, dated 6-12-07, and extended Notice 234.1, dated 2-27-08 to 5-6-11 or until superseded.
- c) Addition of Order 350.2B, Use of Management and Operating or Other Facility Management Contractor Employees for Services to DOE in the Washington D.C. Area, dated 5-31-11, cancels and removes Order 350.2A, dated 10-29-03.
- d) Addition of Order 420.2C, Safety of Accelerator Facilities, dated 7-21-11, cancels and removes Order 420.2B, dated 7-23-04.
- e) Addition of Order 440.2C, Admin. Change 1, Aviation Management and Safety, dated 6-22-11, cancels and removes Order 440.2B, Change 1, dated 11/19/06.
- f) Addition of Order 442.2, Differing Professional Opinions for Technical Issues Involving Environment, Safety and Health, dated 7-29-11, cancels and removes Manual 442.1-1, dated 11-16-06.
- g) Addition of Order 452.8, Control of Nuclear Weapon Data, dated 7-21-11.
- h) Cancellation and removal of Policy 455.1, Use of Risk-Based End States, dated 7-15-03 via Notice 251.106, Cancellation of Policy 455.1, dated 6-28-11.
- i) Addition of Order 456.1, The Safe Handling of Unbound Engineered Nanoparticles, dated 5/31/11, cancels and removes Notice 456.1, dated 1-5-09.
- j) Addition of Order 458.1 Change 2, Radiation Protection of the Public and the Environment, dated 6-6-11, cancels and removes Order 458.1 Change 1, dated 2-11-11, and Order 5400.5 Change 2, dated 1-7-93.
- k) Addition of Order 470.4B, Safeguards and Security Program, dated 7-21-11, cancels and removes Manual 470.4-1, Change 2, dated 10-20-10, and Order 142.1, dated 1-13-04.
- l) Addition of Order 471.6 Information Security, dated 6-20-11, partially cancels Manual 470.4-4A Change 1, dated 10-12-10. Manual 470.4-4A Change 1, Section D. – Technical Surveillance Countermeasures is retained.
- m) Addition of Order 472.2 Personnel Security, dated 7-27-11.
- n) Addition of Order 473.3, Protection Program Operations, dated 6-27-11, cancels and removes Manual 470.4-2A, dated 7/23/09, Manual 470.4-3A, dated 11-5-08.
- o) Addition of order 474.2, Admin. Change 1, Nuclear Material Control and Accountability, dated 6-27-11, cancels and removes Manual 470.4-6, dated 8-26-05.

- p) Cancellation and Removal of Policy 580.1, Management Policy for Planning, Programming, Budgeting, Operation, Maintenance and Disposal of Real Property, dated 5-20-2002, via Notice 251.102, Cancellation of Directives, dated 5-31-11.

8. Section J.12, Appendix L – The Computation of Fee for fiscal year 2012 is added to Appendix L.

Attachments:

Section C.6.3, Recovery Act Project Category 3
Section C.6.4, Recovery Act Project Category 4
Part I, Section H - Special Contract Requirements, Table of Contents
Clause H.10
Clause H.40
Part II, Section I - Contract Clauses, Table of Contents
Clause I.5
Clause I.148
Part III, Section J – List of Documents, Exhibits and Other Attachments, Table of Contents
Section J.2, Appendix B – The Performance and Evaluation and Measurement Plan
Section J.9, Appendix I – DOE Directives
Section J.12, Appendix L – The Computation of Fee

- D. The work described above shall be performed using funds obligated under this contract, which have been appropriated under the Recovery Act of 2009, Pub. L. 1115, and as such, is subject to the special statutory conditions and the additional contractual terms and conditions that are listed in paragraphs E through G below and the changes made to Sections E and G of the contract pertaining to the Recovery Act. The funds obligated hereunder shall only be used to accomplish the work as set forth in paragraph C. above and may not be used for any other purpose without the prior written consent of the Contracting Officer.
- E. The Contractor shall complete all Recovery Act Work included within this work scope in accordance with Recovery Act requirements, including the required completion dates specified therein, and by the completion date identified in the approved work authorization for the activity.
- F. **FUNDING CONSTRAINT:** Brookhaven Science Associates (BSA) is to begin work. However, BSA is authorized to incur costs in accordance with the direction provided in the most current Work Authorization which establishes the cost authority amount.

3. Enhanced AIP Funding at NP User Facilities (TEC \$8M)

Statement of Work: These funds are provided under KB-02-02-01-1 for accelerated implementation of the stochastic cooling in both storage rings and implementation of electron lenses for the RHIC (Initial funds of \$7,200,000).

Rev 01: Additional funding in the amount of \$800K is provided in support of the AIP efforts related to the luminosity upgrade of the RHIC beams.

Rev 02: Revises Attachment A of the Work Authorization entitled "Contractor Recovery Act Performance Requirements" to reflect the following:

- The original scope was revised to include the engineering and design of lenses and the manufacture of the components of one lens in order to remain within the ARRA funded amount. The components will be tested and ready for installation in the RHIC accelerator at the completion of this ARRA project consistent with the revised milestones contained in Attachment A.

The specific Contractor Recovery Act Statement of Work, Milestones, Outcomes and Measures, and Deliverables funded by this modification are identified in the following referenced Work Authorization:

Work Authorization Number	Work Authorization Title
KB/CH13/9/ARRA-3 and Rev 01, 02 Project Code 2005220	Nuclear Physics – Enhanced AIP Funding at NP User Facilities

4. Enhanced Utilization of Isotope Facilities (TEC \$1.878M)

Statement of Work: These funds are provided under ST-60-01-03 for procuring and commissioning a new inductively coupled plasma (ICP) mass spectrometer. This funding will enhance isotope production and processing capabilities at BNL to enable the program to better meet the need for isotopes in short supply (Initial funding \$225,000).

Rev 01 provides \$1,316,000 in OPE funding under ST-60-01-02 for:

- FWP #2009-BNL-MO086 for the "Development of Zn-68 targets for improved yields and production of Cu-67" (\$724,000). The project period is October 2009 – October 2011.
- FWP#2009-BNL-MO087 for the "Development of large scale production of PET isotope Yttrium-86 at Brookhaven Linac Isotope Production" (\$592,000). The project period is October 2009 – October 2011.

Rev 02 provides \$337,000 in additional funding :

- OPE (\$25,000) "Brookhaven Linear Isotope Producer" for the development support for accelerator production of actinium-225 (Ac-225).
- EQU (\$262,000) Procurement of new equipment to include a portable contamination monitor (\$123,000), a small portable Ge gamma ray spectrometer (\$89,000) and a lifting device to assist with Model 7 manipulator replacement (\$50,000).
- OPE (\$50,000) Engineering and design of new lifting device for Model 7 manipulator replacement through the roof of the hot cells.

Rev 03 provides a transfer of obligated fund provided in Rev02 as follows:

- EQU (\$312,000) Procurement of new equipment to include a portable contamination monitor (\$123,000), a small portable Ge gamma ray spectrometer (\$89,000) and a lifting device to assist with Model 7 manipulator replacement (\$100,000).
- OPE (\$0.00) Engineering and design of new lifting device for Model 7 manipulator replacement through the roof of the hot cells.

Rev 04 changes the Expected Completion Date of the project from 10/2011 to 10/2012 to ensure completion of the final tasks to develop labeling protocols for the Copper-67 and Yttrium-86 projects as specified in the Work Authorization.

The specific Contractor Recovery Act Statement of Work, Milestones, Outcomes and Measures, and Deliverables funded by this modification are identified in the following referenced Work Authorization:

Work Authorization Number	Work Authorization Title
ST/CH13/9 ARRA-4 and Rev 01, Rev 02, Rev 03, Rev 04 Project Code: 2005230	Nuclear Physics – Enhanced Utilization of Isotope Facilities

PART I

SECTION H

SPECIAL CONTRACT REQUIREMENTS

TABLE OF CONTENTS

CLAUSE NO.	TITLE OF CLAUSE	PAGE NO.
H.1	FACILITIES	H-1
H.2	LONG-RANGE PLANNING, PROGRAM DEVELOPMENT AND BUDGETARY ADMINISTRATION	H-1
H.3	CONTRACTOR ASSURANCE SYSTEM	H-2
H.4	ADVANCE UNDERSTANDINGS REGARDING ADDITIONAL ITEMS OF ALLOWABLE AND UNALLOWABLE COSTS AND OTHER MATTERS	H-3
H.5	ADMINISTRATION OF SUBCONTRACTS	H-7
H.6	CARE OF LABORATORY ANIMALS	H-8
H.7	PRIVACY ACT RECORDS	H-8
H.8	ADDITIONAL DEFINITIONS	H-9
H.9	SERVICE CONTRACT ACT OF 1965 (41 USC 351)	H-10
H.10	WALSH-HEALEY PUBLIC CONTRACTS ACT	H-11
H.11	PROTECTION OF HUMAN SUBJECTS	H-11
H.12	SOURCE AND SPECIAL NUCLEAR MATERIAL	H-11
H.13	NO THIRD PARTY BENEFICIARIES	H-11

CLAUSE NO.	TITLE OF CLAUSE	PAGE NO.
H.14	STANDARDS OF CONTRACTOR PERFORMANCE EVALUATION	H-12
H.15	CAP ON LIABILITY	H-14
H.16	CLOSEOUT ASSISTANCE	H-15
H.17	NOTICE REGARDING THE PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS – SENSE OF CONGRESS	H-16
H.18	APPLICATION OF DOE CONTRACTOR REQUIREMENTS DOCUMENTS	H-16
H.19	EXTERNAL REGULATION	H-18
H.20	GUARANTEE OF PERFORMANCE	H-18
H.21	RESPONSIBLE CORPORATE OFFICIAL	H-18
H.22	CONTRACTOR COMPENSATION: PAY AND BENEFITS	H-18
H.23	POST CONTRACT RESPONSIBILITIES FOR PENSION AND OTHER BENEFIT PLANS	H-23
H.24	CONTRACTOR ACCEPTANCE OF NOTICES OF VIOLATION OR ALLEGED VIOLATIONS, FINES, AND PENALTIES	H-24
H.25	ALLOCATION OF RESPONSIBILITIES FOR CONTRACTOR ENVIRONMENTAL COMPLIANCE ACTIVITIES	H-24
H.26	WORKERS' COMPENSATION INSURANCE	H-26
H.27	LABOR RELATIONS	H-26
H.28	RESERVED	H-27
H.29	ADDITIONAL LABOR REQUIREMENTS	H-27

CLAUSE NO.	TITLE OF CLAUSE	PAGE NO.
H.30	DOE MENTOR-PROTÉGÉ PROGRAM	H-27
H.31	OTHER PATENT RELATED MATTERS	H-28
H.32	LOBBYING RESTRICTION	H-34
H.33	INTELLECTUAL AND SCIENTIFIC FREEDOM	H-34
H.34	ELECTRONIC SUBCONTRACTING REPORTING SYSTEM	H-35
H.35	INFORMATION TECHNOLOGY ACQUISITIONS	H-36
H.36	WORK AUTHORIZATION	H-36
H.37	SPECIAL PROVISIONS RELATING TO WORK FUNDED UNDER AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (APR 2009) (POLICY FLASH 2009-33)	H-39
H.38	ADDITION AND ALTERATIONS TO IMPLEMENT EXECUTIVE ORDER 13423, STRENGTHENING FEDERAL ENVIRONMENTAL, ENERGY, AND TRANSPORTATION MANAGEMENT AND ITS IMPLEMENTING INSTRUCTIONS (DOE A.L. 2008-05)	H-42
H.39	RESERVED	H-42
H.40	DEFINITION OF UNUSUALLY HAZARDOUS OR NUCLEAR RISK FOR FAR CLAUSE 52.250-1, ALTERNATE I INDEMNIFICATION UNDER PUBLIC LAW No. 85-804	H-42
H.41	GREEN PURCHASING -- PERSONAL COMPUTERS	H-44
H.42	GREEN PURCHASING UNDER DOE SERVICE CONTRACTS	H-44
H.43	USE OF LABORATORY EMPLOYEES TO PERFORM DAVIS-BACON ACT WORK	H-45

CLAUSE H.10 - WALSH-HEALEY PUBLIC CONTRACTS ACT

Except as otherwise may be approved, in writing, by the Contracting Officer, the Contractor agrees to insert the following provision in noncommercial Purchase Orders and subcontracts under this contract. "If this contract is for the manufacture or furnishing of materials, supplies, articles, or equipment in an amount which exceeds or may exceed \$15,000.00 and is otherwise subject to the Walsh-Healey Public Contracts Act, as amended (41 U.S. Code 35-45), there are hereby incorporated by reference all representations and stipulations required by said Act and regulations issued thereunder by the Secretary of Labor, such representations and stipulations being subject to all applicable rulings and interpretations of the Secretary of Labor which are now or may hereafter be in effect."

**CLAUSE H.40 – DEFINITION OF UNUSUALLY HAZARDOUS OR NUCLEAR RISK
FOR FAR CLAUSE 52.250-1, ALTERNATE I INDEMNIFICATION
UNDER PUBLIC LAW No. 85-804**

- a. The term “a risk defined in this contract as unusually hazardous or nuclear” as used in FAR Clause 52.250-1, Alternate I means the risk of legal liability to third parties (including legal costs as defined in paragraph jj. of section 11 of the Atomic Energy Act of 1954, as amended, 42 U.S.C. section 2014jj., notwithstanding the fact that the claim or suit may not arise under section 170 of said Act) arising from actions or inactions in the course of the following work performed by the Contractor under the contract:
- 1) Providing assistance to DOE's Materials Protection Control and Accounting (MPC&A) program including cooperative work outside the United States on the design and implementation of MPC&A systems for facilities processing, handling, and storing nuclear materials, and the transportation of nuclear materials; provision of U.S. manufactured equipment, and procurement of equipment for installation in facilities in order to implement the above systems; and training in the design, use and assessment of MPC&A systems. Providing nuclear MPC&A technical support to DOE in its participation in joint safeguards work under the Agreement Between the U.S. Department of Defense and the Russian Ministry for Atomic Energy Concerning Control, Accounting, and Physical Protection of Nuclear Materials, dated September 2, 1993, and any extension thereof.
 - 2) Participation in tasks or activities by the Contractor or its subcontractors on or after March 11, 2011 that is directed or authorized by the U.S. Department of Energy or the U.S. Department of Energy National Nuclear Security Administration as an element of activities taken in response to the Japanese earthquake and tsunami, including efforts to address and assess damage to nuclear power plants and potential radioactive releases from these plants now and in the future.
 - 3) Other activities relating to nonproliferation, emergency response, anti-terrorism activities, or critical national security activities that involve the use, detection, identification, assessment, control, containment, dismantlement, characterization, packaging, transportation, movement, storage or disposal of nuclear, radiological, chemical, biological, or explosive materials, facilities or devices, provided such activities are specifically requested or approved, in writing, by the President of the United States, the Secretary of Energy, the Deputy Secretary of Energy, or an Under Secretary, and further provided that the request or approval specifically identifies the particular requested or approved activity and makes the indemnity provided by this clause applicable to that particular activity because it involves extraordinary risks.

- b. The unusually hazardous or nuclear risks described above are indemnified only to the extent that they are not covered by the Price-Anderson Act, section 170d. of the Atomic Energy Act of 1954, as amended, (42 U.S.C. section 2210d.) or where the indemnification provided by the Price-Anderson Act is limited by the restriction on public liability imposed by section 170e. of the Atomic Energy Act of 1954, as amended, (42 U.S.C. section 2210e.) to an amount which is not sufficient to provide complete indemnification for the legal liability to which the contractor is exposed.

PART II

SECTION I

CONTRACT CLAUSES

TABLE OF CONTENTS

CLAUSE NO.	FAR/DEAR REFERENCE	TITLE OF CLAUSE	PAGE NO.
I.1	FAR 52.202-1	DEFINITIONS (JUL 2004)	I-1
I.2	FAR 52.203-3	GRATUITIES (APR 1984)	I-1
I.3	FAR 52.203-5	COVENANT AGAINST CONTINGENT FEES (APR 1984)	I-2
I.4	FAR 52.203-6	RESTRICTIONS ON SUBCONTRACTOR SALES TO THE GOVERNMENT (SEPT 2006)	I-3
I.5	FAR 52.203-7	ANTI-KICKBACK PROCEDURES (OCT 2010)	I-3
I.6	FAR 52.203-8	CANCELLATION, RESCISSION, AND RECOVERY OF FUNDS FOR ILLEGAL OR IMPROPER ACTIVITY (JAN 1997)	I-5
I.7	FAR 52.203-10	PRICE OR FEE ADJUSTMENT FOR ILLEGAL OR IMPROPER ACTIVITY (JAN 1997)	I-6
I.8	FAR 52.203-12	LIMITATION ON PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS (OCT 2010)	I-7
I.9	FAR 52.203-13	CONTRACTOR CODE OF BUSINESS ETHICS AND CONDUCT (APR 2010)	I-12
I.10	FAR 52.203-14	DISPLAY OF HOTLINE POSTER(S) (DEC 2007)	I-17
I.11	FAR 52.203-15	WHISTLEBLOWER PROTECTIONS UNDER THE (ARRA) AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (JUN 2010)	I-18

CLAUSE NO.	FAR/DEAR REFERENCE	TITLE OF CLAUSE	PAGE NO.
I.12	FAR 52.204-4	PRINTED OR COPIED DOUBLE-SIDED ON RECYCLED PAPER (AUG 2000)	I-18
I.13	FAR 52.204-7	CENTRAL CONTRACTOR REGISTRATION (APR 2008)	I-20
I.14	FAR 52.204-9	PERSONAL IDENTITY VERIFICATION OF CONTRACTOR PERSONNEL (JAN 2011)	I-23
	FAR 52.204-10	REPORTING EXECUTIVE COMPENSATION AND FIRST-TIER SUBCONTRACT AWARDS (SEE CLAUSE I.151)	
I.15	FAR 52.204-11 (ARRA)	AMERICAN RECOVERY AND REINVESTMENT ACT – REPORTING REQUIREMENTS (JUL 2010)	I-24
I.16	FAR 52.208-8	REQUIRED SOURCES FOR HELIUM AND HELIUM USAGE DATA (APR 2002)	I-28
I.17	FAR 52.209-6	PROTECTING THE GOVERNMENT'S INTEREST WHEN SUBCONTRACTING WITH CONTRACTORS DEBARRED, SUSPENDED, OR PROPOSED FOR DEBARMENT (DEC 2010)	I-29
I.18	FAR 52.211-5	MATERIAL REQUIREMENTS (AUG 2000)	I-30
I.19	FAR 52.215-8	ORDER OF PRECEDENCE - UNIFORM CONTRACT FORMAT (OCT 1997)	I-31
I.20	FAR 52.215-12	SUBCONTRACTOR CERTIFIED COST OR PRICING DATA (OCT 2010)	I-31
I.21	FAR 52.215-13	SUBCONTRACTOR CERTIFIED COST OR PRICING DATA--MODIFICATIONS (OCT 2010)	I-33
I.21A	FAR 52.215-14	INTEGRITY OF UNIT PRICES (OCT 2010)	I-33
I.22	FAR 52.215-23	LIMITATIONS ON PASS-THROUGH CHARGES (OCT 2009)	I-34
I.23		RESERVED	I-36
I.24	FAR 52.219-8	UTILIZATION OF SMALL BUSINESS CONCERNS (JAN 2011)	I-36

CLAUSE NO.	FAR/DEAR REFERENCE	TITLE OF CLAUSE	PAGE NO.
I.25	FAR 52.219-9	SMALL BUSINESS SUBCONTRACTING PLAN (JAN 2011)	I-39
I.26	FAR 52.219-16	LIQUIDATED DAMAGES - SUB- CONTRACTING PLAN (JAN 1999)	I-50
I.27	FAR 52.219-25	SMALL DISADVANTAGED BUSINESS PARTICIPATION PROGRAM-DISADVANTAGED STATUS AND REPORTING (DEC 2010)	I-51
I.28	FAR 52.219-28	POST-AWARD SMALL BUSINESS PROGRAM REPRESENTATION (APR 2009)	I-52
I.29	FAR 52.222-1	NOTICE TO THE GOVERNMENT OF LABOR DISPUTES (FEB 1997)	I-53
I.30	FAR 52.222-3	CONVICT LABOR (JUN 2003)	I-54
I.31	FAR 52.222-4	CONTRACT WORK HOURS AND SAFETY STANDARDS ACT - OVERTIME COMPENSATION (JUL 2005)	I-55
I.32	FAR 52.222-11	SUBCONTRACTS (LABOR STANDARDS) (JUL 2005)	I-56
I.33	FAR 52.222-21	PROHIBITION OF SEGREGATED FACILITIES (FEB 1999)	I-57
I.34	FAR 52.222-26	EQUAL OPPORTUNITY (MAR 2007)	I-58
I.35	FAR 52.222-29	NOTIFICATION OF VISA DENIAL (JUN 2003)	I-61
I.36	FAR 52.222-35	EQUAL OPPORTUNITY FOR VETERANS (SEP 2010)	I-61
I.37	FAR 52.222-36	AFFIRMATIVE ACTION FOR WORKERS WITH DISABILITIES (OCT 2010)	I-66
I.38	FAR 52.222-37	EMPLOYMENT REPORTS VETERANS (SEP 2010)	I-68
I.39	FAR 52.222-40	NOTIFICATION OF EMPLOYEE RIGHTS UNDER THE NATIONAL LABOR RELATIONS ACT (DEC 2010)	I-69

CLAUSE NO.	FAR/DEAR REFERENCE	TITLE OF CLAUSE	PAGE NO.
I.40	FAR 52.222-50	COMBATING TRAFFICKING IN PERSONS (FEB 2009)	I-71
	FAR 52.222-54	EMPLOYMENT ELIGIBILITY VERIFICATION (JAN 2009) See I.150	
I.41	FAR 52.223-2	AFFIRMATIVE PROCUREMENT OF BIOBASED PRODUCTS UNDER SERVICE AND CONSTRUCTION CONTRACTS (DEC 2007)	I-73
I.42	FAR 52.223-3	HAZARDOUS MATERIAL IDENTIFICATION AND MATERIAL SAFETY DATA (JAN 1997) (ALT I JUL 1995)	I-74
I.43	FAR 52.223-5	POLLUTION PREVENTION AND RIGHT-TO-KNOW INFORMATION (AUG 2003) (ALTERNATE I) (AUG 2003); MODIFIED BY DOE ACQUISITION LETTER 2008-05	I-76
I.44	FAR 52.223-10	WASTE REDUCTION PROGRAM (AUG 2000); MODIFIED BY DOE ACQUISITION LETTER 2008-05	I-77
I.45	FAR 52.223-11	OZONE-DEPLETING SUBSTANCES (MAY 2001)	I-77
I.46	FAR 52.223-12	REFRIGERATION EQUIPMENT AND AIR CONDITIONERS (MAY 1995)	I-78
I.47	FAR 52.223-14	TOXIC CHEMICAL RELEASE REPORTING (AUG 2003)	I-78
I.48	FAR 52.223-15	ENERGY EFFICIENCY IN ENERGY CONSUMING PRODUCTS (DEC 2007)	I-80
I.49	FAR 52.223-16	IEEE 1680 STANDARD FOR ENVIRONMENTAL ASSESSMENT OF PERSONAL COMPUTER PRODUCTS (DEC 2007)	I-81
I.50	FAR 52.223-17	AFFIRMATIVE PROCUREMENT OF EPA-DESIGNATED ITEMS IN SERVICE AND CONSTRUCTION CONTRACTS (MAY 2008)	I-82
I.51	FAR 52.224-1	PRIVACY ACT NOTIFICATION (APR 1984)	I-82
I.52	FAR 52.224-2	PRIVACY ACT (APR 1984)	I-82

CLAUSE NO.	FAR/DEAR REFERENCE	TITLE OF CLAUSE	PAGE NO.
I.53	FAR 52.225-1	BUY AMERICAN ACT--SUPPLIES (FEB 2009) (DEVIATION)	I-83
I.54	FAR 52.225-8	DUTY-FREE ENTRY (OCT 2010)	I-85
I.55	FAR 52.225-9	BUY AMERICAN ACT--CONSTRUCTION MATERIALS (SEP 2010)	I-87
I.56	FAR 52.225-13	RESTRICTIONS ON CERTAIN FOREIGN PURCHASES (JUN 2008)	I-92
I.57	FAR 52.225-21 (ARRA)	REQUIRED USE OF AMERICAN IRON, STEEL, AND MANUFACTURED GOODS – BUY AMERICAN ACT – CONSTRUCTION MATERIALS (OCT 2010)	I-92
I.58	FAR 52.226-1	UTILIZATION OF INDIAN ORGANIZATIONS AND INDIAN-OWNED ECONOMIC ENTERPRISES (JUN 2000)	I-97
I.59		RESERVED	I-98
I.60	FAR 52.227-10	FILING OF PATENT APPLICATIONS – CLASSIFIED SUBJECT MATTER (DEC 2007)	I-98
I.61	FAR 52.229-8	TAXES – FOREIGN COST-REIMBURSEMENT CONTRACTS (MAR 1990)	I-99
I.62	FAR 52.230-2	COST ACCOUNTING STANDARDS (OCT 2010)	I-100
I.63	FAR 52.230-6	ADMINISTRATION OF COST ACCOUNTING STANDARDS (JUN 2010)	I-102
I.64	FAR 52.232-17	INTEREST (OCT 2010)	I-112
I.65	FAR 52.232-24	PROHIBITION OF ASSIGNMENT OF CLAIMS (JAN 1986)	I-113
I.66	FAR 52.233-1	DISPUTES (JULY 2002) (ALTERNATE I) (DEC 1991)	I-114
I.67	FAR 52.233-3	PROTEST AFTER AWARD (AUG 1996) (ALTERNATE I) (JUNE 1985)	I-115

CLAUSE NO.	FAR/DEAR REFERENCE	TITLE OF CLAUSE	PAGE NO.
I.68	FAR 52.233-4	APPLICABLE LAW FOR BREACH OF CONTRACT CLAIM (OCT 2004)	I-116
I.69	FAR 52.236-8	OTHER CONTRACTS (APR 1984)	I-117
I.70	FAR 52.237-3	CONTINUITY OF SERVICES (JAN 1991)	I-117
I.71	FAR 52.242-1	NOTICE OF INTENT TO DISALLOW COSTS (APR 1984)	I-118
I.72	FAR 52.242-13	BANKRUPTCY (JUL 1995)	I-118
	FAR 52.242-15	STOP WORK ORDER (AUG 1989) ALTERNATE I (APR 1984) SEE F.2	
I.73	FAR 52.244-5	COMPETITION IN SUBCONTRACTING (DEC 1996)	I-118
I.74	FAR 52.244-6	SUBCONTRACTS FOR COMMERCIAL ITEMS (DEC 2010)	I-119
I.75	FAR 52.247-1	COMMERCIAL BILL OF LADING NOTATIONS (FEB 2006)	I-120
I.76	FAR 52.247-63	PREFERENCE FOR U.S. FLAG AIR CARRIERS (JUN 2003)	I-121
I.77	FAR 52.247-64	PREFERENCE FOR PRIVATELY OWNED U.S.-FLAG COMMERCIAL VESSELS (FEB 2006)	I-122
I.78	FAR 52.247-67	SUBMISSION OF TRANSPORTATION DOCUMENTS FOR AUDIT (FEB 2006)	I-124
I.79	FAR 52.249-6	TERMINATION (COST-REIMBURSEMENT) (MAY 2004); MODIFIED BY DEAR 970.4905-1	I-125
I.80	FAR 52.249-14	EXCUSABLE DELAYS (APR 1984)	I-130
I.81	FAR 52.250-1	INDEMNIFICATION UNDER PUBLIC LAW 85-804 (APR 1984) ALTERNATE I (APR 1984)	I-131
I.82	FAR 52.251-1	GOVERNMENT SUPPLY SOURCES (AUG 2010) (DEVIATION)	I-133

CLAUSE NO.	FAR/DEAR REFERENCE	TITLE OF CLAUSE	PAGE NO.
I.83	FAR 52.251-2	INTERAGENCY FLEET MANAGEMENT SYSTEM VEHICLES AND RELATED SERVICES (JAN 1991)	I-133
I.84	FAR 52.252-6	AUTHORIZED DEVIATIONS IN CLAUSES (APR 1984)	I-133
I.85	FAR 52.253-1	COMPUTER GENERATED FORMS (JAN 1991)	I-133
I.86	DEAR 952.203-70	WHISTLEBLOWER PROTECTION FOR CONTRACTOR EMPLOYEES (DEC 2000)	I-134
I.87	DEAR 952.204-2	SECURITY (AUG 2009)	I-134
I.88	DEAR 952.204-70	CLASSIFICATION/DECLASSIFICATION (SEPT 1997)	I-139
I.89	DEAR 952.204-73	FACILITY CLEARANCE (MAR 2011)	I-140
I.90	DEAR 952.204-75	PUBLIC AFFAIRS (DEC 2000)	I-143
I.91	DEAR 952.204-77	COMPUTER SECURITY (AUG 2006)	I-144
I.92	DEAR 952.208-7	TAGGING OF LEASED VEHICLES (APR 1984)	I-145
I.93	DEAR 952.209-72	ORGANIZATIONAL CONFLICTS OF INTEREST (AUG 2009) (ALTERNATE I)	I-145
I.94	DEAR 952.211-71	PRIORITIES AND ALLOCATIONS (ATOMIC ENERGY) (APR 2008)	I-148
I.95	DEAR 952.215-70	KEY PERSONNEL (DEC 2000)	I-149
I.96	DEAR 952.217-70	ACQUISITION OF REAL PROPERTY (APR 1984)	I-150
I.97	DEAR 952.223-75	PRESERVATION OF INDIVIDUAL OCCUPATIONAL RADIATION EXPOSURE RECORDS (APR 1984)	I-150
I.98	DEAR 952.223-78	SUSTAINABLE ACQUISITION PROGRAM (OCT 2010)	I-150
I.99		RESERVED	I-153
I.100	DEAR 952.226-74	DISPLACED EMPLOYEE HIRING PREFERENCE (JUN 1997)	I-154

CLAUSE NO.	FAR/DEAR REFERENCE	TITLE OF CLAUSE	PAGE NO.
I.101	DEAR 952.235-71	RESEARCH MISCONDUCT (JUL 2005)	I-154
I.102	DEAR 952.242-70	TECHNICAL DIRECTION (DEC 2000)	I-158
I.103	DEAR 952.247-70	FOREIGN TRAVEL (JUN 2010)	I-159
I.104	DEAR 952.250-70	NUCLEAR HAZARDS INDEMNITY AGREEMENT (OCT 2005) (AL-2005-15)	I-159
I.105	DEAR 952.251-70	CONTRACTOR EMPLOYEE TRAVEL DISCOUNTS (AUG 2009)	I-164
I.106	DEAR 970.5203-1	MANAGEMENT CONTROLS (JUN 2007) (DEVIATION)	I-165
I.107	DEAR 970.5203-2	PERFORMANCE IMPROVEMENT AND COLLABORATION (MAY 2006)	I-166
I.108	DEAR 970.5203-3	CONTRACTOR'S ORGANIZATION (DEC 2000) (DEVIATION)	I-167
I.109	DEAR 970.5204-1	COUNTERINTELLIGENCE (DEC 2010)	I-167
I.110	DEAR 970.5204-2	LAWS, REGULATIONS, AND DOE DIRECTIVES (DEC 2000) (DEVIATION)	I-168
I.111	DEAR 970.5204-3	ACCESS TO AND OWNERSHIP OF RECORDS (JUL 2005)	I-169
I.112	DEAR 970.5208-1	PRINTING (DEC 2000)	I-171
I.113	DEAR 970.5211-1	WORK AUTHORIZATION (MAY 2007)	I-171
I.114	DEAR 970.5215-1	TOTAL AVAILABLE FEE: BASE FEE AMOUNT AND PERFORMANCE FEE AMOUNT (DEC 2000) (ALTERNATES II AND III) (DEC 2000)	I-172
I.115	DEAR 970.5215-3	CONDITIONAL PAYMENT OF FEE, PROFIT, AND OTHER INCENTIVES – FACILITY MANAGEMENT CONTRACTS (AUG 2009)	I-176
I.116	DEAR 970.5217-1	WORK FOR OTHERS PROGRAM (NON-DOE FUNDED WORK) (JAN 2005)	I-182

CLAUSE NO.	FAR/DEAR REFERENCE	TITLE OF CLAUSE	PAGE NO.
I.117	DEAR 970.5222-1	COLLECTIVE BARGAINING AGREEMENTS - MANAGEMENT AND OPERATING CONTRACTS (DEC 2000)	I-185
I.118	DEAR 970.5222-2	OVERTIME MANAGEMENT (DEC 2000)	I-185
I.119	DEAR 970.5223-1	INTEGRATION OF ENVIRONMENT, SAFETY, AND HEALTH INTO WORK PLANNING AND EXECUTION (DEC 2000)	I-186
I.120	DEAR 970.5223-2	AFFIRMATIVE PROCUREMENT PROGRAM (MAR 2003); MODIFIED BY DOE ACQUISITION LETTER 2008-05	I-189
I.121	DEAR 970.5223-4	WORKPLACE SUBSTANCE ABUSE PROGRAMS AT DOE SITES (DEC 2010)	I-190
I.122	DEAR 970.5223-5	DOE MOTOR VEHICLE FLEET FUEL EFFICIENCY (OCT 2003); MODIFIED BY DOE ACQUISITION LETTER 2008-05	I-191
I.123	DEAR 970.5226-1	DIVERSITY PLAN (DEC 2000)	I-191
I.124	DEAR 970.5226-2	WORKFORCE RESTRUCTURING UNDER SECTION 3161 OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1993 (DEC 2000)	I-191
I.125	DEAR 970.5226-3	COMMUNITY COMMITMENT (DEC 2000)	I-192
I.126	DEAR 970.5227-2	RIGHTS IN DATA - TECHNOLOGY TRANSFER (DEVIATION JULY 2006 – AL 2006-10)	I-192
I.127	DEAR 970.5227-3	TECHNOLOGY TRANSFER MISSION (DEVIATION JULY 2006 – AL 2006-10; ALTERNATE I)	I-208
I.128	DEAR 970.5227-4	AUTHORIZATION AND CONSENT (AUG 2002)	I-221
I.129	DEAR 970.5227-5	NOTICE AND ASSISTANCE REGARDING PATENT AND COPYRIGHT INFRINGEMENT (AUG 2002)	I-222

CLAUSE NO.	FAR/DEAR REFERENCE	TITLE OF CLAUSE	PAGE NO.
I.130	DEAR 970.5227-6	PATENT INDEMNITY - SUBCONTRACTS (DEC 2000)	I-222
I.131	DEAR 970.5227-8	REFUND OF ROYALTIES (AUG 2002)	I-222
I.132	DEAR 970.5227-10	PATENT RIGHTS - MANAGEMENT AND OPERATING CONTRACTS, NONPROFIT ORGANIZATION OR SMALL BUSINESS FIRM CONTRACTOR (AUG 2002)	I-224
I.133	DEAR 970.5228-1	INSURANCE--LITIGATION AND CLAIMS (AUG 2009) (DEVIATION)	I-238
I.134	DEAR 970.5229-1	STATE AND LOCAL TAXES (DEC 2000)	I-241
I.135	DEAR 970.5231-4	PREEXISTING CONDITIONS (DEC 2000) (DEVIATION)	I-242
I.136	DEAR 970.5232-1	REDUCTION OR SUSPENSION OF ADVANCE, PARTIAL, OR PROGRESS PAYMENTS (DEC 2000)	I-242
I.137	DEAR 970.5232-2	PAYMENTS AND ADVANCES (DEC 2000) (ALTERNATES II AND III) (DEC 2000) (DEVIATION)	I-242
I.138	DEAR 970.5232-3	ACCOUNTS, RECORDS, AND INSPECTION (DEC 2010)	I-246
I.139	DEAR 970.5232-4	OBLIGATION OF FUNDS (DEC 2000)	I-249
I.140	DEAR 970.5232-5	LIABILITY WITH RESPECT TO COST ACCOUNTING STANDARDS (DEC 2000)	I-251
I.141	DEAR 970.5232-6	WORK FOR OTHERS FUNDING AUTHORIZATION (DEC 2000)	I-252
I.142	DEAR 970.5232-7	FINANCIAL MANAGEMENT SYSTEM (DEC 2000)	I-252
I.143	DEAR 970.5232-8	INTEGRATED ACCOUNTING (DEC 2000)	I-252
I.144	DEAR 970.5235-1	FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER SPONSORING AGREEMENT (DEC 2010)	I-253

CLAUSE NO.	FAR/DEAR REFERENCE	TITLE OF CLAUSE	PAGE NO.
I.145	DEAR 970.5236-1	GOVERNMENT FACILITY SUBCONTRACT APPROVAL (DEC 2000) (DEVIATION)	I-253
I.146	DEAR 970.5242-1	PENALTIES FOR UNALLOWABLE COSTS (AUG 2009)	I-254
I.147	DEAR 970.5243-1	CHANGES (DEC 2000)	I-255
I.148	DEAR 970.5244-1	CONTRACTOR PURCHASING SYSTEM (AUG 2009) (DEVIATION AUG 2011 - POLICY FLASH 2011-98)	I-255
I.149	DEAR 970.5245-1	PROPERTY (DEC 2000) (ALTERNATE I)	I-261
I.150	FAR 52.222-54	EMPLOYMENT ELIGIBILITY VERIFICATION (JAN 2009)	I-266
I.151	FAR 52.204-10	REPORTING EXECUTIVE COMPENSATION AND FIRST-TIER SUBCONTRACT AWARDS (JUL 2010)	I-269
I.152	FAR 52.209-9	UPDATES OF PUBLICLY AVAILABLE INFORMATION REGARDING RESPONSIBILITY MATTERS (JAN 2011)	I-273
I.153	FAR 52.223-18	CONTRACTOR POLICY TO BAN TEXT MESSAGING WHILE DRIVING (SEP 2010)	I-274
I.154	DEAR 970.5223-6	STRENGTHENING FEDERAL ENVIRONMENT, ENERGY, AND TRANSPORTATION MANAGEMENT (OCT 2010)	I-275
I.155	DEAR 970.5223-7	SUSTAINABLE ACQUISITION PROGRAM (OCT 2010)	I-275

CLAUSE I.5 - FAR 52.203-7 –ANTI-KICKBACK PROCEDURES (OCT 2010)

(a) *Definitions.*

“Kickback,” as used in this clause, means any money, fee, commission, credit, gift, gratuity, thing of value, or compensation of any kind which is provided, directly or indirectly, to any prime Contractor, prime Contractor employee, subcontractor, or subcontractor employee for the purpose of improperly obtaining or rewarding favorable treatment in connection with a prime contract or in connection with a subcontract relating to a prime contract.

“Person,” as used in this clause, means a corporation, partnership, business association of any kind, trust, joint-stock company, or individual.

“Prime contract,” as used in this clause, means a contract or contractual action entered into by the United States for the purpose of obtaining supplies, materials, equipment, or services of any kind.

“Prime Contractor” as used in this clause, means a person who has entered into a prime contract with the United States.

“Prime Contractor employee,” as used in this clause, means any officer, partner, employee, or agent of a prime Contractor.

“Subcontract,” as used in this clause, means a contract or contractual action entered into by a prime Contractor or subcontractor for the purpose of obtaining supplies, materials, equipment, or services of any kind under a prime contract.

“Subcontractor,” as used in this clause, (1) means any person, other than the prime Contractor, who offers to furnish or furnishes any supplies, materials, equipment, or services of any kind under a prime contract or a subcontract entered into in connection with such prime contract, and (2) includes any person who offers to furnish or furnishes general supplies to the prime Contractor or a higher tier subcontractor.

“Subcontractor employee,” as used in this clause, means any officer, partner, employee, or agent of a subcontractor.

- (b) The Anti-Kickback Act of 1986 (41 U.S.C. 51-58) (the Act), prohibits any person from—
- (1) Providing or attempting to provide or offering to provide any kickback;
 - (2) Soliciting, accepting, or attempting to accept any kickback; or
 - (3) Including, directly or indirectly, the amount of any kickback in the contract price charged by a prime Contractor to the United States or in the contract price charged by a subcontractor to a prime Contractor or higher tier subcontractor.
- (c)
- (1) The Contractor shall have in place and follow reasonable procedures designed to prevent and detect possible violations described in paragraph (b) of this clause in its own operations and direct business relationships.
 - (2) When the Contractor has reasonable grounds to believe that a violation described in paragraph (b) of this clause may have occurred, the Contractor shall promptly report in writing the possible violation. Such reports shall be made to the inspector general of the contracting agency, the head of the contracting agency if the agency does not have an inspector general, or the Department of Justice.
 - (3) The Contractor shall cooperate fully with any Federal agency investigating a possible violation described in paragraph (b) of this clause.
 - (4) The Contracting Officer may (i) offset the amount of the kickback against any monies owed by the United States under the prime contract and/or (ii) direct that the Prime Contractor withhold from sums owed a subcontractor under the prime contract the amount of the kickback. The Contracting Officer may order that monies withheld under subdivision (c)(4)(ii) of this clause be paid over to the Government unless the Government has already offset those monies under subdivision (c)(4)(i) of this clause. In either case, the Prime Contractor shall notify the Contracting Officer when the monies are withheld.

- (5) The Contractor agrees to incorporate the substance of this clause, including paragraph (c)(5) but excepting paragraph (c)(1), in all subcontracts under this contract which exceed \$150,000.

(End of clause)

CLAUSE I.148 - DEAR 970.5244-1 CONTRACTOR PURCHASING SYSTEM
(AUG 2009) (DEVIATION AUG 2011 - POLICY FLASH 2011-98)

- (a) *General.* The Contractor shall develop, implement, and maintain formal policies, practices, and procedures to be used in the award of subcontracts consistent with this clause and 48 CFR subpart 970.44. The Contractor's purchasing system and methods shall be fully documented, consistently applied, and acceptable to the Department of Energy (DOE) in accordance with 48 CFR 970.4401-1. The Contractor shall maintain file documentation which is appropriate to the value of the purchase and is adequate to establish the propriety of the transaction and the price paid. The Contractor's purchasing performance will be evaluated against such performance criteria and measures as may be set forth elsewhere in this contract. DOE reserves the right at any time to require that the Contractor submit for approval any or all purchases under this contract. The Contractor shall not purchase any item or service, the purchase of which is expressly prohibited by the written direction of DOE, and shall use such special and directed sources as may be expressly required by the DOE Contracting Officer. DOE will conduct periodic appraisals of the Contractor's management of all facets of the purchasing function, including the Contractor's compliance with its approved system and methods. Such appraisals will be performed through the conduct of Contractor Purchasing System Reviews in accordance with 48 CFR subpart 44.3, or, when approved by the Contracting Officer, through the Contractor's participation in the conduct of the Balanced Scorecard performance measurement and performance management system. The Contractor's approved purchasing system and methods shall include the requirements set forth in paragraphs (b) through (y) of this clause.
- (b) *Acquisition of utility services.* Utility services shall be acquired in accordance with the requirements of subpart 970.41.
- (c) *Acquisition of Real Property.* Real property shall be acquired in accordance with 48 CFR subpart 917.74.
- (d) *Advance Notice of Proposed Subcontract Awards.* Advance notice shall be provided in accordance with 48 CFR 970.4401-3.
- (e) *Audit of Subcontractors.*
- (1) The Contractor shall provide for—
- (i) Periodic post-award audit of cost-reimbursement subcontractors at all tiers; and

- (ii) Audits, where necessary, to provide a valid basis for pre-award or cost or price analysis.
- (2) Responsibility for determining the costs allowable under each cost-reimbursement subcontract remains with the contractor or next higher-tier subcontractor. The Contractor shall provide, in appropriate cases, for the timely involvement of the Contractor and the DOE Contracting Officer in resolution of subcontract cost allowability.
 - (3) Where audits of subcontractors at any tier are required, arrangements may be made to have the cognizant Federal agency perform the audit of the subcontract. These arrangements shall be made administratively between DOE and the other agency involved and shall provide for the cognizant agency to audit in an appropriate manner in light of the magnitude and nature of the subcontract. In no case, however, shall these arrangements preclude determination by the DOE Contracting Officer of the allowability or unallowability of subcontractor costs claimed for reimbursement by the Contractor.
 - (4) Allowable costs for cost reimbursable subcontracts are to be determined in accordance with the cost principles of 48 CFR part 31, appropriate for the type of organization to which the subcontract is to be awarded, as supplemented by 48 CFR part 931. Allowable costs in the purchase or transfer from contractor-affiliated sources shall be determined in accordance with 48 CFR 970.4402-3 and 48 CFR 31.205-26(e).
- (f) *Bonds and Insurance.*
- (1) The Contractor shall require performance bonds in penal amounts as set forth in 48 CFR 28.102-2(a) for all fixed-priced and unit-priced construction subcontracts in excess of \$100,000. The Contractor shall consider the use of performance bonds in fixed-price non-construction subcontracts, where appropriate.
 - (2) For fixed-price, unit-priced and cost reimbursement construction subcontracts in excess of \$100,000, a payment bond shall be obtained on Standard Form 25A modified to name the Contractor as well as the United States of America as obligees. The penal amounts shall be determined in accordance with 48 CFR 28.102-2(b).
 - (3) For fixed-price, unit-priced and cost-reimbursement construction subcontracts greater than \$25,000, but not greater than \$100,000, the Contractor shall select two or more of the payment protections at 48 CFR 28.102-1(b), giving particular consideration to the inclusion of an irrevocable letter of credit as one of the selected alternatives.

- (4) A subcontractor may have more than one acceptable surety in both construction and other subcontracts, provided that in no case will the liability of any one surety exceed the maximum penal sum for which it is qualified for any one obligation. For subcontracts other than construction, a co-surety (two or more sureties together) may reinsure amounts in excess of their individual capacity, with each surety having the required underwriting capacity that appears on the list of acceptable corporate sureties.
- (g) *Buy American.* The Contractor shall comply with the provisions of the Buy American Act as reflected in 48 CFR 52.225-1 and 48 CFR 52.225-9. The Contractor shall forward determinations of non-availability of individual items to the DOE Contracting Officer for approval. Items in excess of \$500,000 require the prior concurrence of the Head of Contracting Activity. If, however, the Contractor has an approved purchasing system, the Head of the Contracting Activity may authorize the Contractor to make determinations of non-availability for individual items valued at \$500,000 or less.
- (h) *Construction and Architect-Engineer Subcontracts.*
- (1) *Independent Estimates.* A detailed, independent estimate of costs shall be prepared for all construction work to be subcontracted.
- (2) *Specifications.* Specifications for construction shall be prepared in accordance with the DOE publication entitled "General Design Criteria Manual."
- (3) *Prevention of Conflict of Interest.*
- (i) The Contractor shall not award a subcontract for construction to the architect-engineer firm or an affiliate that prepared the design. This prohibition does not preclude the award of a "turnkey" subcontract so long as the subcontractor assumes all liability for defects in design and construction and consequential damages.
- (ii) The Contractor shall not award both a cost-reimbursement subcontract and a fixed-price subcontract for construction or architect-engineer services or any combination thereof to the same firm where those subcontracts will be performed at the same site.
- (iii) The Contractor shall not employ the construction subcontractor or an affiliate to inspect the firm's work. The contractor shall assure that the working relationships of the construction subcontractor and the subcontractor inspecting its work and the authority of the inspector are clearly defined.

- (i) *Contractor-Affiliated Sources.* Equipment, materials, supplies, or services from a contractor-affiliated source shall be purchased or transferred in accordance with 48 CFR 970.4402-3.
- (j) *Contractor-Subcontractor Relationship.* The obligations of the Contractor under paragraph (a) of this clause, including the development of the purchasing system and methods, and purchases made pursuant thereto, shall not relieve the Contractor of any obligation under this contract (including, among other things, the obligation to properly supervise, administer, and coordinate the work of subcontractors). Subcontracts shall be in the name of the Contractor, and shall not bind or purport to bind the Government.
- (k) *Government Property.* Identification, inspection, maintenance, protection, and disposition of Government Property shall conform with the policies and principles of 48 CFR part 45, 48 CFR part 945, the Federal Property Management Regulations, 41 CFR chapter 101, the DOE Property Management Regulations, 41 CFR chapter 109, and their contracts.
- (l) *Indemnification.* Except for Price-Anderson Nuclear Hazards Indemnity, no subcontractor may be indemnified except with the prior approval of the Senior Procurement Executive.
- (m) *Leasing of Motor Vehicles.* Contractors shall comply with 48 CFR subpart 8.11 and 48 CFR subpart 908.11.
- (n) [Reserved]

[71 FR 16241, Mar. 31, 2006]
- (o) *Management, Acquisition and Use of Information Resources.* Requirements for automatic data processing resources and telecommunications facilities, services, and equipment, shall be reviewed and approved in accordance with applicable DOE Orders and regulations regarding information resources.
- (p) *Priorities, Allocations and Allotments.* Priorities, allocations and allotments shall be extended to appropriate subcontracts in accordance with the clause or clauses of this contract dealing with priorities and allocations.
- (q) *Purchase of Special Items.* Purchase of the following items shall be in accordance with the following provisions of 48 CFR subpart 8.5, 48 CFR subpart 908.71, Federal Management Regulation 41 CFR part 102, and the Federal Property Management Regulation 41 CFR chapter 101:
 - (1) Motor vehicles—48 CFR 908.7101

- (2) Aircraft—48 CFR 908.7102
 - (3) Security Cabinets—48 CFR 908.7106
 - (4) Alcohol—48 CFR 908.7107
 - (5) Helium—48 CFR subpart 8.5
 - (6) Fuels and packaged petroleum products—48 CFR 908.7109
 - (7) Coal—48 CFR 908.7110
 - (8) Arms and Ammunition—48 CFR 908.7111
 - (9) Heavy Water—48 CFR 908.7121(a)
 - (10) Precious Metals—48 CFR 908.7121(b)
 - (11) Lithium—48 CFR 908.7121(c)
 - (12) Products and services of the blind and severely handicapped—41 CFR 101-26.701
- (r) *Purchase versus Lease Determinations.* Contractors shall determine whether required equipment and property should be purchased or leased, and establish appropriate thresholds for application of lease versus purchase determinations. Such determinations shall be made—
- (1) At time of original acquisition;
 - (2) When lease renewals are being considered; and
 - (3) At other times as circumstances warrant.
- (s) *Quality Assurance.* Contractors shall provide no less protection for the Government in its subcontracts than is provided in the prime contract.
- (t) *Setoff of Assigned Subcontractor Proceeds.* Where a subcontractor has been permitted to assign payments to a financial institution, the assignment shall treat any right of setoff in accordance with 48 CFR 932.803.
- (u) *Strategic and Critical Materials.* The Contractor may use strategic and critical materials in the National Defense Stockpile.

- (v) *Termination.* When subcontracts are terminated as a result of the termination of all or a portion of this contract, the Contractor shall settle with subcontractors in conformity with the policies and principles relating to settlement of prime contracts in 48 CFR subparts 49.1, 49.2 and 49.3. When subcontracts are terminated for reasons other than termination of this contract, the Contractor shall settle such subcontracts in general conformity with the policies and principles in 48 CFR subparts 49.1, 49.2, 49.3 and 49.4. Each such termination shall be documented and consistent with the terms of this contract. Terminations which require approval by the Government shall be supported by accounting data and other information as may be directed by the Contracting Officer.
- (w) *Unclassified Controlled Nuclear Information.* Subcontracts involving unclassified uncontrolled nuclear information shall be treated in accordance with 10 CFR part 1017.
- (x) *Subcontract Flowdown Requirements.* In addition to terms and conditions that are included in the prime contract which direct application of such terms and conditions in appropriate subcontracts, the Contractor shall include the following clauses in subcontracts, as applicable:
 - (1) Davis-Bacon clauses prescribed in 48 CFR 22.407.
 - (2) Foreign Travel clause prescribed in 48 CFR 952.247-70.
 - (3) Counterintelligence clause prescribed in 48 CFR 970.0404-4(a).
 - (4) Service Contract Act clauses prescribed in 48 CFR 22.1006.
 - (5) State and local taxes clause prescribed in 48 CFR 970.2904-1.
 - (6) Cost or pricing data clauses prescribed in 48 CFR 970.1504-3-1(b).
- (y) *Legal Services.* Contractor purchases of litigation and other legal services are subject to the requirements in 10 CFR part 719 and the requirements of this clause.

SECTION/ CLAUSE NO.	FAR/DEAR REFERENCE	TITLE OF SECTION/CLAUSE
PART III - LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACHMENTS		
J.1		Appendix A - Advance Understandings on Human Resources
J.2		Appendix B - Performance Evaluation and Measurement Plan <ul style="list-style-type: none">• FY 2010 Mod M253• FY 2011 Mod M338• FY 2012 Mod M422
J.3		Appendix C - Special Financial Institution Account
J.4		Appendix D - Budget Program
J.5		Appendix E - Key Personnel
J.6		Appendix F - Reserved
J.7		Appendix G - Purchasing System Requirements
J.8		Appendix H - Small Business Subcontracting Plan <ul style="list-style-type: none">• FY 2010 Mod M253• FY 2011 Mod M338
J.9		Appendix I - DOE Directives/List B
J.10		Appendix J - Treaties and International Agreements/Waived Inventions
J.11		Appendix K - Reserved
J.12		Appendix L - Computation of Fee <ul style="list-style-type: none">• FY 2010 Mod M365• FY 2011 Mod M338• FY 2012 Mod M422
J.13		Appendix M - Contract Guidance for Preparation of Diversity Plan



U.S. DEPARTMENT OF
ENERGY

Office of
Science

U.S. DEPARTMENT OF ENERGY

AND

BROOKHAVEN SCIENCE ASSOCIATES, LLC

ATTACHMENT J.2

APPENDIX B

**PERFORMANCE EVALUATION AND
MEASUREMENT PLAN**

FISCAL YEAR 2012

BROOKHAVEN NATIONAL LABORATORY

TABLE OF CONTENTS

INTRODUCTION..... 3

I. DETERMINING THE CONTRACTOR'S PERFORMANCE RATING, AND PERFORMANCE-BASED FEE..... 4

II. PERFORMANCE GOALS, OBJECTIVES & NOTABLE OUTCOMES..... 10

GOAL 1.0 Provide for Efficient and Effective Mission Accomplishment 12

1.1 Provide Science and Technology Results with Meaningful Impact on the Field 13

1.2 Provide Quality Leadership in Science and Technology that Advances Community Goals and DOE Mission Goals. 15

GOAL 2.0 Provide for Efficient and Effective Design, Fabrication, Construction and Operations of Research Facilities 20

2.1 Provide Effective Facility Design(s) as Required to Support Laboratory Programs (i.e., activities leading up to CD-2)..... 21

2.2 Provide for the Effective and Efficient Construction of Facilities and/or Fabrication of Components (execution phase, post CD-2 to CD-4) 22

2.3 Provide Efficient and Effective Operation of Facilities..... 24

2.4 Utilization of Facility(ies) to Provide Impactful S&T Results and Benefits to External User Communities 25

GOAL 3.0 Provide Effective and Efficient Science and Technology Program Management..... 29

3.1 Provide Effective and Efficient Strategic Planning and Stewardship of Scientific Capabilities and Program Vision 30

3.2 Provide Effective and Efficient Science and Technology Project/Program/Facilities Management..... 32

3.3 Provide Efficient and Effective Communications and Responsiveness to Headquarters Needs 34

GOAL 4.0 Provide Sound and Competent Leadership and Stewardship of the Laboratory 40

4.1 Leadership and Stewardship of the Laboratory 40

4.2 Management and Operation of the Laboratory 42

4.3 Contractor Value-added 43

GOAL 5.0 Sustain Excellence and Enhance Effectiveness of Integrated Safety, Health, and Environmental Protection 45

5.1 Provide an Efficient and Effective Worker Health and Safety Program 45

5.2 Provide Efficient and Effective Environmental Management System 45

GOAL 6.0 Deliver Efficient, Effective, and Responsive Business Systems and Resources that Enable the Successful Achievement of the Laboratory Mission(s)..... 46

6.1 Provide an Efficient, Effective, and Responsive Financial Management System(s)..... 46

6.2 Provide an Efficient, Effective, and Responsive Acquisition Management System 46

6.3 Provide an Efficient, Effective, and Responsive Property Management System 46

6.4	Provide an Efficient, Effective, and Responsive Human Resources Management System and Diversity Program	46
6.5	Provide Efficient, Effective, and Responsive Management Systems for Internal Audit and Oversight; Quality; Information Management; Assurance System and Other Administrative Support Services as Appropriate.....	46
6.6	Demonstrate Effective Transfer of Technology and Commercialization of Intellectual Assets	46
GOAL 7.0	Sustain Excellence in Operating, Maintaining, and Renewing the Facility and Infrastructure Portfolio to Meet Laboratory Needs	48
7.1	Manage Facilities and Infrastructure in an Efficient and Effective Manner that Optimizes Usage, Minimizes Life Cycle Costs, and Ensures Site Capability to Meet Mission Needs.....	48
7.2	Provide Planning for and Acquire the Facilities and Infrastructure Required to Support the Continuation and Growth of Laboratory Missions and Programs.....	48
GOAL 8.0	Sustain and Enhance the Effectiveness of Integrated Safeguards and Security Management (ISSM) and Emergency Management Systems	50
8.1	Provide an Efficient and Effective Emergency Management System	50
8.2	Provide an Efficient and Effective System for Cyber-Security and National Security Systems (NSS)	50
8.3	Provide an Efficient and Effective System for the Physical Security and Protection of Special Nuclear Materials, Classified Matter, and Property	50
8.4	Provide an Efficient and Effective System for the Protection of Classified and Sensitive Information	50

INTRODUCTION

This document, the Performance Evaluation and Measurement Plan (PEMP), primarily serves as DOE's Quality Assurance/Surveillance Plan (QASP) for the evaluation of Brookhaven Science Associates (hereafter referred to as "the Contractor") performance regarding the management and operations of the Brookhaven National Laboratory (hereafter referred to as "the Laboratory") for the evaluation period from October 1, 2011, through September 30, 2012. The performance evaluation provides a standard by which to determine whether the Contractor is managerially and operationally in control of the Laboratory and is meeting the mission requirement and performance expectations/objectives of the Department as stipulated within this contract.

This document also describes the distribution of the total available performance-based fee and the methodology for determining the amount of fee earned by the Contractor as stipulated within the clauses entitled, "Determining Total Available Performance Fee and Fee Earned," "Conditional Payment of Fee, Profit, or Incentives," and "Total Available Fee: Base Fee Amount and Performance Fee Amount." In partnership with the Contractor and other key customers, the Department of Energy (DOE) Headquarters (HQ) and the Site Office have defined the measurement basis that serves as the Contractor's performance-based evaluation and fee determination.

The Performance Goals (hereafter referred to as Goals), Performance Objectives (hereafter referred to as Objectives) and set of notable outcomes discussed herein were developed in accordance with contract expectations set forth within the contract. The notable outcomes for meeting the Objectives set forth within this plan have been developed in coordination with HQ program offices as appropriate. Except as otherwise provided for within the contract, the evaluation and fee determination will rest solely on the Contractor's performance within the Performance Goals and Objectives set forth within this plan.

The overall performance against each Objective of this performance plan, to include the evaluation of notable outcomes, shall be evaluated jointly by the appropriate HQ office, major customer and/or the Site Office as appropriate. This cooperative review methodology will ensure that the overall evaluation of the Contractor results in a consolidated DOE position taking into account specific notable outcomes as well as all additional information available to the evaluating office. The Site Office shall work closely with each HQ program office or major customer throughout the year in evaluating the Contractor's performance and will provide observations regarding programs and projects as well as other management and operation activities conducted by the Contractor throughout the year.

Section I provides information on how the performance rating (grade) for the Contractor, as well as how the performance-based incentives fee earned (if any) will be determined. As applicable, also provides information on the award term eligibility requirements.

Section II provides the detailed information concerning each Goal, their corresponding Objectives, and notable outcomes identified, along with the weightings assigned to each Goal and Objective and a table for calculating the final grade for each Goal.

I. DETERMINING THE CONTRACTOR'S PERFORMANCE RATING, AND PERFORMANCE-BASED FEE

The FY 2012 Contractor performance grades for each Goal will be determined based on the weighted sum of the individual scores earned for each of the Objectives described within this document for Science and Technology (S&T) and for Management and Operations (M&O). Each Goal is composed of two or more weighted Objectives. Additionally, a set of notable outcomes has been identified to highlight key aspects/areas of performance deserving special attention by the Contractor for the upcoming fiscal year. Each notable outcome is linked to one or more Objectives, and failure to meet expectations against any notable outcome will result in a grade less than B+ for that Objective(s) (i.e., if the contractor fails to meet expectations against a notable outcome tied to an Objective under Goal 1.0, 2.0, or 3.0, the SC program office that assigned the notable outcome shall award a grade less than “B+” for the Objective(s) to which the notable outcome is linked; and if the contractor fails to meet expectations against a notable outcome tied to an Objective under Goal 4.0, 5.0, 6.0, 7.0 or 8.0, SC shall award a grade less than “B+” for the Objective(s) to which the notable outcome is linked). Performance above expectations against a notable outcome will be considered in the context of the Contractor’s entire performance with respect to the relevant Objective. The following section describes SC’s methodology for determining the Contractor’s grades at the Objective level.

Performance Evaluation Methodology:

The purpose of this section is to establish a methodology to develop grades at the Objective level. Each evaluating office shall provide a proposed grade and corresponding numerical score for each Objective (see Figure 1 for SC’s scale). Each evaluation will measure the degree of effectiveness and performance of the Contractor in meeting the corresponding Objectives.

Final Grade	A+	A	A-	B+	B	B-	C+	C	C-	D	F
Total Score	4.3-4.1	4.0-3.8	3.7-3.5	3.4-3.1	3.0-2.8	2.7-2.5	2.4-2.1	2.0-1.8	1.7-1.1	1.0-0.8	0.7-0

Figure 1. FY 2012 Contractor Letter Grade Scale

For the three S&T Goals (1.0 – 3.0) the Contractor shall be evaluated against the defined levels of performance provided for each Objective under the S&T Goals. The Contractor performance under Goal 4.0 will also be evaluated using the defined levels of performance described for the three Objectives under Goal 4.0. The descriptions for these defined levels of performance are included in Section II.

It is the DOE’s expectation that the Contractor provides for and maintains management and operational (M&O) systems that efficiently and effectively support the current mission(s) of the Laboratory and assure the Laboratory’s ability to deliver against DOE’s future needs. In evaluating the Contractor’s performance DOE shall assess the degree of effectiveness and performance in meeting each of the Objectives provided under each of the Goals. For the four M&O Goals (5.0 – 8.0) DOE will rely on a combination of the information through the Contractor’s own assurance systems, the ability of the Contractor to demonstrate the validity of this information, and DOE’s own independent assessment of the Contractor’s performance across the spectrum of its responsibilities. The latter might include, but is not limited to operational awareness (daily oversight) activities; formal assessments conducted; “For Cause” reviews (if any); and other outside agency reviews (OIG, GAO, DCAA, etc.).

The mission of the Laboratory is to deliver the science and technology needed to support Departmental missions and other sponsor's needs. Operational performance at the Laboratory meets DOE's expectations (defined as the grade of B+) for each Objective if the Contractor is performing at a level that fully supports the Laboratory's current and future science and technology mission(s). Performance that has, or has the potential to, 1) adversely impact the delivery of the current and/or future DOE/Laboratory mission(s), 2) adversely impact the DOE and or the Laboratory's reputation, or 3) does not provide the competent people, necessary facilities and robust systems necessary to ensure sustainable performance, shall be graded below expectations as defined in Figure 3, below.

The Department sets our expectations high, and expects performance at that level to optimize the efficient and effective operation of the Laboratory. Thus, the Department does not expect routine Contractor performance above expectations against the M&O Goals (5.0 – 8.0). Performance that might merit grades above B+ would need to reflect a Contractor's strong improvement in a particular area, significant contributions to the management and operations at the system of Laboratories, or recognition by external, independent entities as exemplary performance.

Definitions for the grading scale for the Goal 5.0 – 8.0 Objectives are provided in Figure I-1, below:

Letter Grade	Numerical Grade	Definition
A+	4.3-4.1	Significantly exceeds expectations of performance against all aspects of the Objective in question. The Contractor's systems function at a level that fully supports the Laboratory's current and future science and technology mission(s). Performance is notable for its significant contributions to the management and operations across the SC system of laboratories, and/or has been recognized by external, independent entities as exemplary.
A	4.0-3.8	Notably exceeds expectations of performance against all aspects of the Objective in question. The Contractor's systems function at a level that fully supports the Laboratory's current and future science and technology mission(s). Performance is notable for its contributions to the management and operations across the SC system of laboratories, and/or as been recognized by external, independent entities as exemplary.
A-	3.7-3.5	Exceeds expectations of performance against all aspects of the Objective in question. The Contractor's systems function at a level that fully supports the Laboratory's current and future science and technology mission(s).
B+	3.4-3.1	Meets expectations of performance against all aspects of the Objective in question. The Contractor's systems function at a level that fully supports the Laboratory's current and future science and technology mission(s). No performance has, or has the potential to, adversely impact 1) the delivery of the current and/or future DOE/Laboratory mission(s), 2) the DOE and/or the Laboratory's reputation, or does not 3) provide a sustainable performance platform.
B	3.0 -2.8	Just misses meeting expectations of performance against a few aspects of the Objective in question. In a few minor instances, the Contractor's systems function at a level that does not fully support the Laboratory's current and future science and technology mission, or provide a sustainable performance platform.
B-	2.7-2.5	Misses meeting expectations of performance against several aspects of the Objective in question. In several areas, the Contractor's systems function at a level that does not fully support the Laboratory's current and future science and technology mission, or provide a sustainable performance platform.

Letter Grade	Numerical Grade	Definition
C+	2.4-2.1	Misses meeting expectations of performance against many aspects of the Objective in question. In several notable areas, the Contractor's systems function at a level that does not fully support the Laboratory's current and future science and technology mission or provide a sustainable performance platform, and/or have affected the reputation of the Laboratory or DOE.
C	2.0-1.8	Significantly misses meeting expectations of performance against many aspects of the Objective in question. In many notable areas, the Contractor's systems do not support the Laboratory's current and future science and technology mission, nor provide a sustainable performance platform and may affect the reputation of the Laboratory or DOE.
C-	1.7- 1.1	Significantly misses meeting expectations of performance against most aspects of the Objective in question. In many notable areas, the Contractor's systems demonstrably hinder the Laboratory's ability to deliver on current and future science and technology mission, and have harmed the reputation of the Laboratory or DOE.
D	1.0-0.8	Most or all expectations of performance against the Objective in question are missed. Performance failures in this area have affected all parts of the Laboratory; DOE leadership engagement is required to deal with the situation and help the Contractor.
F	0.7-0	All expectations of performance against the Objective in question are missed. Performance failures in this area are not recoverable by the Contractor or DOE.

Figure I-1. Letter Grade and Numerical Grade Definitions

Calculating Individual Goal Scores and Letter Grades:

Each Objective is assigned the earned numerical score by the evaluating office as stated above. The Goal rating is then computed by multiplying the numerical score by the weight of each Objective within a Goal. These values are then added together to develop an overall numerical score for each Goal. For the purpose of determining the final Goal grade, the raw numerical score for each Goal will be rounded to the nearest tenth of a point using the standard rounding convention discussed below and then compared to Figure 2. A set of tables is provided at the end of each Performance Goal section of this document to assist in the calculation of Objective numerical scores to the Goal grade. No overall rollup grade shall be provided.

As stated above the raw numerical score from each calculation shall be carried through to the next stage of the calculation process. The raw numerical score for S&T and M&O will be rounded to the nearest tenth of a point for purposes of determining fee. A standard rounding convention of x.44 and less rounds down to the nearest tenth (here, x.4), while x.45 and greater rounds up to the nearest tenth (here, x.5).

The eight Performance Goal grades shall be used to create a report card for the laboratory (see Figure 2, below).

Performance Goal	Grade
1.0 Mission Accomplishment	
2.0 Design, Fabrication, Construction and Operations of Research Facilities	
3.0 Science and Technology Program Management	
4.0 Sound and Competent Leadership and Stewardship of the Laboratory	
5.0 Integrated Safety, Health, and Environmental Protection	
6.0 Business Systems	
7.0 Operating, Maintaining, and Renewing Facility and Infrastructure Portfolio	
8.0 Integrated Safeguards and Security Management and Emergency Management Systems	

Figure 2. Laboratory Report Card

Determining the Amount of Performance-Based Fee Earned:

SC uses the following process to determine the amount of performance-based fee earned by the contractor. The S&T score from each evaluator shall be used to determine an initial numerical score for S&T (see Table A, below), and the rollup of the scores for each M&O Performance Goal shall be used to determine an initial numerical M&O score (see Table B, below).

Program	Numerical Score	Weight¹	Weighted Score	Total Score
ASCR				
BES				
BER				
FES				
HEP				
NP				
WDTS				
NNSA				
DHS				
EM				
EERE				
FE				
IN				
Initial S&T Score				

Table A. Fiscal Year Contractor Evaluation Initial S&T Score Calculation

¹ Weight = Program budget divided by total budget

M&O Performance Goal	Numerical Score	Weight	Weighted Score	
5.0 Integrated Safety, Health, and Environmental Protection		30%		
6.0 Business Systems		30%		
7.0 Operating, Maintaining, and Renewing Facility and Infrastructure Portfolio		30%		
8.0 Integrated Safeguards and Security Management and Emergency Management Systems		10%		
Initial M&O Score				

Table B. Fiscal Year Contractor Evaluation Initial S&T Score Calculation

These initial scores will then be adjusted based on the numerical score for Goal 4.0 (see Table C, below).

	Numerical Score	Weight		
Initial S&T Score		0.75		
Goal 4.0		0.25		
Final S&T Score				
Initial M&O Score		0.75		
Goal 4.0		0.25		
Final M&O Score				

Table C. Fiscal Year Final S&T and M&O Score Calculation

The percentage of the available performance-based fee that may be earned by the Contractor shall be determined based on the final score for S&T (see Table C) and then compared to Figure 3, below. The final score for M&O from Table C shall then be utilized to determine the final fee multiplier (see Figure 3), which shall be utilized to determine the overall amount of performance-based fee earned for FY YEAR as calculated within Table D.

Overall Final Score for either S&T or M&O from Table B.	Percent S&T Fee Earned	M&O Fee Multiplier
4.3	100%	100%
4.2		
4.1		
4.0	97%	100%
3.9		
3.8		
3.7	94%	100%
3.6		
3.5		

Overall Final Score for either S&T or M&O from Table B.	Percent S&T Fee Earned	M&O Fee Multiplier
3.4	91%	100%
3.3		
3.2		
3.1		
3.0	88%	95%
2.9		
2.8		
2.7	85%	90%
2.6		
2.5		
2.4		
2.3	75%	85%
2.2		
2.1		
2.0		
1.9	50%	75%
1.8		
1.7		
1.6	0%	60%
1.5		
1.4		
1.3		
1.2		
1.1		
1.0 to 0.8	0%	0%
0.7 to 0.0	0%	0%

Figure 3. Performance-Based Fee Earned Scale

Overall Fee Determination	
Percent S&T Fee Earned	
M&O Fee Multiplier	x
Overall Earned Performance-Based Fee	

Table D. Final Percentage of Performance-Based Fee Earned Determination

Earned Fee Calculation	
Available Fee	
Overall Earned Performance -Base Fee (Table E)	x
Earned Fee	

Table E. Earned Fee Calculation

Adjustment to the Letter Grade and/or Performance-Based Fee Determination:

The lack of performance objectives and notable outcomes in this plan do not diminish the need to comply with minimum contractual requirements. Although the performance-based Goals and their corresponding Objectives shall be the primary means utilized in determining the Contractor's performance grade and/or amount of performance-based fee earned, the Contracting Officer may unilaterally adjust the rating and/or reduce the otherwise earned fee based on the Contractor's performance against all contract requirements as set forth in the Prime Contract. While reductions may be based on performance against any contract requirement, specific note should be made to contract clauses which address reduction of fee including, Standards of Contractor Performance Evaluation, DEAR 970.5215-1 – Total Available Fee: Base Fee Amount and Performance Fee Amount, and Conditional Payment of Fee, Profit, and Other Incentives – Facility Management Contracts. Data to support rating and/or fee adjustments may be derived from other sources to include, but not limited to, operational awareness (daily oversight) activities; "For Cause" reviews (if any); and other outside agency reviews (OIG, GAO, DCAA, etc.), as needed.

The adjustment of a grade and/or reduction of otherwise earned fee will be determined by the severity of the performance failure and consideration of mitigating factors. DEAR 970.5215-3 Conditional Payment of Fee, Profit, and Other Incentives – Facility Management Contracts is the mechanism used for reduction of fee as it relates to performance failures related to safeguarding of classified information and to adequate protection of environment, health and safety. Its guidance can also serve as an example for reduction of fee in other areas.

The final Contractor performance-based grades for each Goal and fee earned determination will be contained within a year-end report, documenting the results from the DOE review. The report will identify areas where performance improvement is necessary and, if required, provide the basis for any performance-based rating and/or fee adjustments made from the otherwise earned rating/fee based on Performance Goal achievements.

II. PERFORMANCE GOALS, OBJECTIVES & NOTABLE OUTCOMES

Background

The current performance-based management approach to oversight within DOE has established a new culture within the Department with emphasis on the customer-supplier partnership between DOE and the laboratory contractors. It has also placed a greater focus on mission performance, best business practices, cost management, and improved contractor accountability. Under the performance-based management system the DOE provides clear direction to the laboratories and develops annual performance plans (such as this one) to assess the contractors performance in meeting that direction in accordance with contract requirements. The DOE policy for implementing performance-based management includes the following guiding principles:

- Performance objectives are established in partnership with affected organizations and are directly aligned to the DOE strategic goals;
- Resource decisions and budget requests are tied to results; and
- Results are used for management information, establishing accountability, and driving long-term improvements.

The performance-based approach focuses the evaluation of the Contractor's performance against these Performance Goals. Progress against these Goals is measured through the use of a set of Objectives. The

success of each Objective will be measured based on demonstrated performance by the laboratory, and on a set of notable outcomes that focus laboratory leadership on the specific items that are the most important initiatives and highest risk issues the laboratory must address during the year. These notable outcomes should be objective, measurable, and results-oriented to allow for a definitive determination of whether or not the specific outcome was achieved at the end of the year.

Performance Goals, Objectives, and Notable Outcomes

The following sections describe the Performance Goals, their supporting Objectives, and associated notable outcomes for FY 2012.

GOAL 1.0 Provide for Efficient and Effective Mission Accomplishment

The science and technology programs at the Laboratory produce high-quality, original, and creative results that advance science and technology; demonstrate sustained scientific progress and impact; receive appropriate external recognition of accomplishments; and contribute to overall research and development goals of the Department and its customers.

The weight of this Goal is TBD%.

The Provide for Efficient and Effective Mission Accomplishment Goal measures the overall effectiveness and performance of the Contractor in delivering science and technology results which contribute to and enhance the DOE's mission of protecting our national and economic security by providing world-class scientific research capacity and advancing scientific knowledge by supporting world-class, peer-reviewed scientific results, which are recognized by others.

Each Objective within this Goal is to be assigned the appropriate numerical score by the Office of Science, other cognizant HQ Program Offices, and other customers as identified below. The overall Goal score from each HQ Program Office and/or customer is computed by multiplying numerical scores earned by the weight of each Objective, and summing them (see Table 1.1). The final weights to be utilized for determining weighted scores will be determined following the end of the performance period and will be based on actual cost for FY 2012.

- Office of Advanced Scientific Computing Research (ASCR) (TBD%)
- Office of Basic Energy Sciences (BES) (TBD%)
- Office of Biological and Environmental Research (BER) (TBD%)
- Office of High Energy Physics (HEP) (TBD%)
- Office of Nuclear Physics (NP) (TBD%)
- Office of Workforce Development for Teachers and Scientists (WDTS) (TBD%)
- Office of Defense Nuclear Nonproliferation (DNN) (TBD%)
- Department of Homeland Security (DHS) (TBD%)

The overall performance score and grade for this Goal will be determined by multiplying the overall score assigned by each of the offices identified above by the weightings identified for each and then summing them (see Table 1.2, below). The overall score earned is then compared to Table 1.3 to determine the overall letter grade for this Goal. The Contractor's success in meeting each Objective shall be determined based on the Contractor's performance as viewed by the Office of Science, other cognizant HQ Program Offices, and other customers for which the Laboratory conducts work. Should one or more of the HQ Program Offices choose not to provide an evaluation for this Goal and its corresponding Objectives the weighting for the remaining HQ Program Offices shall be recalculated based on their percentage of cost for FY 2012 as compared to the total cost for those remaining HQ Program Offices.

Objectives

1.1 Provide Science and Technology Results with Meaningful Impact on the Field

In assessing the performance of the Laboratory against this Objective, the following assessment elements should be considered:

- Performance of the Laboratory with respect to proposed research plans;
- Performance of the Laboratory with respect to community impact and peer review; and
- Performance of the Laboratory with respect to impact to DOE mission needs.

The following is a sampling of factors to be considered in determining the level of performance for the Laboratory against this Objective. The evaluator(s) may consider the following as measured through progress reports, peer reviews, Field Work Proposals (FWPs), Program Office reviews/oversight, etc.

- Impact of publications on the field, as measured primarily by peer review;
- Impact of S&T results on the field, as measured primarily by peer review;
- Impact of S&T results outside the field indicating broader interest;
- Impact of S&T results on DOE or other customer mission(s);
- Successful stewardship of mission-relevant research areas;
- Delivery on proposed S&T plans;
- Significant awards (Nobel Prizes, R&D 100, FLC, etc.);
- Invited talks, citations, making high-quality data available to the scientific community; and
- Development of tools and techniques that become standards or widely-used in the scientific community.

Letter Grade	Definition
A+	<p>In addition to satisfying the conditions for B+</p> <ul style="list-style-type: none"> • There are <i>significant research areas</i> for which the Laboratory has exceeded the expectations of the proposed research plans <i>in significant ways through creative, new, or unconventional methods that allow greater scientific reach than expected.</i> • S&T conducted at the Laboratory <i>has resolved one of the most critical questions in the field, or has changed the way the research community thinks about a particular field through paradigm shifting discoveries that would be considered the most influential discovery of the decade for that field.</i> • S&T conducted at the Laboratory <i>provided major advances that significantly accelerate DOE or other customer mission(s).</i>
A	<p>In addition to satisfying the conditions for B+</p> <ul style="list-style-type: none"> • There are <i>important examples</i> where the Laboratory <i>exceeded the expectations</i> of the proposed research plans <i>in significant ways through creative, new, or unconventional methods that allow greater scientific reach than expected.</i> • <i>All areas</i> of S&T conducted at the Laboratory are of <i>exceptional or outstanding</i> merit and quality. • S&T conducted at the Laboratory has <i>significant positive impact</i> to DOE or other customer missions.
A-	<p>In addition to satisfying the conditions for B+</p> <ul style="list-style-type: none"> • There are <i>important examples</i> where the Laboratory <i>exceeded the expectations</i> of the proposed research plans. • <i>Significant areas</i> of S&T conducted at the Laboratory are of <i>exceptional or outstanding</i> merit and quality. • S&T conducted at the Laboratory <i>significantly impact</i> DOE or other customer missions.

Letter Grade	Definition
B+	<p>The Laboratory has achieved each of the following objectives:</p> <ul style="list-style-type: none"> • The Laboratory has successfully executed proposed research plans. • S&T conducted at the Laboratory are of <i>high</i> scientific merit and quality • S&T conducted at the Laboratory <i>advance</i> DOE or other customer missions.
B	<ul style="list-style-type: none"> • The Laboratory has successfully executed proposed research plans. • S&T conducted at the Laboratory <i>advance</i> DOE or other customer missions. <p>BUT the Laboratory fails to meet the conditions for B+ for <i>at least one</i> of the following reasons:</p> <ul style="list-style-type: none"> • S&T conducted at the Laboratory are <i>not uniformly of high</i> merit and quality OR <i>some areas of research, previously supported, have become uncompetitive</i> OR <i>the Laboratory does not produce sufficiently competitive proposals to receive program support at a level commensurate with its unique capabilities.</i>
B-	<p>The Laboratory fails to meet the conditions for B+ for <i>at least one</i> of the following reasons:</p> <ul style="list-style-type: none"> • The Laboratory has <i>failed to successfully execute</i> proposed research plans <i>but contingencies were in place such that no funding was or will be terminated.</i> OR S&T conducted at the Laboratory <i>does little to advance</i> DOE or other customer missions. • <i>Significant areas of</i> S&T conducted at the Laboratory are <i>not of high</i> merit and quality OR <i>some areas of research, previously supported, have become uncompetitive</i> OR <i>the Laboratory do not produce sufficiently competitive proposals to receive program support at a level commensurate with its unique capabilities.</i>
C	<p>The Laboratory fails to meet the conditions for B+ for <i>at least one</i> of the following reasons:</p> <ul style="list-style-type: none"> • <i>In several significant aspects, the Laboratory failed to deliver</i> on proposed research plans <i>using available resources such that some funding was or will be terminated</i> OR S&T conducted at the Laboratory <i>failed to contribute to</i> DOE or other customer missions • <i>Significant areas of</i> S&T conducted at the Laboratory are <i>of poor</i> merit and quality OR <i>some areas of research, previously supported, have become uncompetitive</i> AND <i>the Laboratory does not produce sufficiently competitive proposals to receive program support at a level commensurate with its unique capabilities.</i>
D	<p>The Laboratory fails to meet the conditions for B+ for <i>at least one</i> of the following reasons:</p> <ul style="list-style-type: none"> • <i>Multiple program elements at the Laboratory failed to deliver</i> on proposed research plans <i>using available resources such that significant funding was or will be terminated.</i> • <i>Multiple significant areas of</i> S&T conducted at the Laboratory are <i>of poor</i> merit and quality OR <i>some areas of research, previously supported, have become uncompetitive</i> AND <i>the Laboratory does not produce sufficiently competitive proposals to receive program support at a level commensurate with its unique capabilities.</i> • S&T conducted at the Laboratory <i>failed to contribute to</i> DOE or other customer missions.
F	<p>The Laboratory fails to meet the conditions for B+ for <i>at least one</i> of the following reasons:</p> <ul style="list-style-type: none"> • <i>Multiple program elements at the Laboratory failed to deliver</i> on proposed research plans <i>using available resources resulting in total termination of funding.</i> • <i>Multiple significant areas of</i> S&T conducted at the Laboratory are <i>of poor</i> merit and quality OR <i>some areas of research, previously supported, have become uncompetitive</i> AND <i>the Laboratory does not produce sufficiently competitive proposals to receive program support at a level commensurate with its unique capabilities</i> OR <i>the Laboratory has been found to have engaged in gross scientific incompetence and/or scientific fraud.</i> • S&T conducted at the Laboratory <i>failed to contribute to</i> DOE or other customer missions.

1.2 Provide Quality Leadership in Science and Technology that Advances Community Goals and DOE Mission Goals.

In assessing the performance of the Laboratory against this Objective, the following assessment elements should be considered:

- Innovativeness / Novelty of research ideas put forward by the Laboratory;
- Extent to which Laboratory staff members take on substantive or formal leadership roles in their community;
- Extent to which Laboratory staff members take on formal leadership roles in DOE and SC activities; and
- Extent to which Laboratory staff members contribute thoughtful and thorough peer reviews and other research assessments as requested by DOE and SC.

The following is a sampling of factors to be considered in determining the level of performance for the Laboratory against this Objective. The evaluator(s) may consider the following as measured through progress reports, peer reviews, Field Work Proposals (FWPs), Program Office reviews/oversight, etc.:

- Willingness to pursue novel approaches and/or demonstration of innovative solutions to problems;
- Willingness to take on high-risk/high payoff/long-term research problems, evidence that previous risky decisions by the PI/research staff have proved to be correct and are paying off;
- The uniqueness and challenge of science pursued, recognition for doing the best work in the field;
- Extent and quality of collaborative efforts;
- Staff members visible in leadership positions in the scientific community;
- Involvement in professional organizations, National Academies panels and workshops,
- Effectiveness in driving the direction and setting the priorities of the community in a research field; and
- Success in competition for resources.

Letter Grade	Definition
A+	<p>In addition to satisfying the conditions for B+, the following conditions hold for ALL Laboratory staff:</p> <ul style="list-style-type: none"> • Laboratory staff members have <i>leadership positions</i> in professional organizations AND in <i>National Academy or equivalent panels to discuss and determine further research directions</i>; • Laboratory staff members have <i>leadership positions</i> in DOE sponsored workshops and strategic planning activities, for example, Laboratory staff members chair or co-chair DOE-sponsored workshops and strategic planning activities. • The Laboratory program consistently produces and submits competitive proposals that challenge convention and open <i>significant new fields</i> for research that are well aligned with DOE mission needs and <i>the Laboratory has a strong recognized role in setting priorities and driving the direction in key research areas and are internationally recognized leaders in the field.</i> • Laboratory staff hold <i>leadership positions</i> in multi-institutional research collaborations.

Letter Grade	Definition
A	<p>In addition to satisfying the conditions for B+</p> <ul style="list-style-type: none"> • Laboratory staff members have <i>leadership positions</i> in professional organizations AND <i>staff has contributing role in National Academy or equivalent panels to discuss further research directions</i>; • Laboratory staff members have <i>leadership positions</i> in DOE sponsored workshops and strategic planning activities. • The Laboratory program consistently produces and submits competitive proposals that challenge convention and open <i>significant new fields</i> for research that are well aligned with DOE mission needs and <i>the Laboratory has a strong recognized role in setting priorities and driving the direction in key research areas</i>. • Laboratory staff hold <i>leadership positions</i> in multi-institutional research collaborations.
A-	<p>In addition to satisfying the conditions for B+</p> <ul style="list-style-type: none"> • Laboratory staff members have <i>leadership positions</i> in professional organizations OR <i>staff has contributing role in National Academy or equivalent panels to discuss further research directions</i>; • Laboratory staff members have <i>leadership positions</i> in DOE sponsored workshops and strategic planning activities. • The Laboratory program consistently submits competitive proposals that challenge convention and open <i>significant</i> new avenues for research that are well aligned with DOE mission needs. • Laboratory staff hold <i>leadership positions</i> in multi-institutional research collaborations.
B+	<p>The Laboratory has achieved each of the following objectives:</p> <ul style="list-style-type: none"> • Laboratory staff members are <i>active participants</i> in professional organizations, committees, and activities, and take on leadership responsibilities commensurate with experience and expertise. • Laboratory staff members are <i>active participants</i> in DOE sponsored workshops and strategic planning activities. • Laboratory staff members contribute thoughtful and thorough peer review in a timely manner, when requested by DOE. • The Laboratory program consistently provides competitive proposals that challenge convention and open new avenues for research that are well aligned with DOE mission needs. • Laboratory staff are <i>active participants</i> in multi-institutional research collaborations
B	<ul style="list-style-type: none"> • Laboratory staff members contribute thoughtful and thorough peer review in a timely manner, when requested by DOE. • The Laboratory program consistently provides competitive proposals that challenge convention and open new avenues for research that are well aligned with DOE mission needs. <p>BUT the Laboratory fails to meet the conditions for B+ for <i>at least one</i> of the following reasons:</p> <ul style="list-style-type: none"> • Although <i>regular participants</i> in professional organizations, committees, and activities, <i>the extent to which staff take on leadership roles falls short of what would be expected, given the level of experience and expertise of the staff</i>. • Although <i>regular participants</i> in DOE sponsored workshops and strategic planning activities, <i>the extent to which staff take on leadership roles falls short of what would be expected, given the level of experience and expertise of the staff</i>. • Although <i>active members</i> of multi-institutional research collaborations, <i>the extent to which staff take on leadership roles falls short of what would be expected, given the level of experience and expertise of the staff</i>.

Letter Grade	Definition
B-	<ul style="list-style-type: none"> • Laboratory staff members contribute thoughtful and thorough peer review in a timely manner, when requested by DOE. <p>BUT the Laboratory fails to meet the conditions for B+ for <i>at least one</i> of the following reasons:</p> <ul style="list-style-type: none"> • The Laboratory program submits competitive proposals <i>but these either lack innovation or are not well aligned with DOE mission needs.</i> • Laboratory staff are <i>infrequent participants</i> in professional organizations, committees, and activities, and <i>the extent to which staff take on leadership roles falls short of what would be expected, given the level of experience and expertise of the staff.</i> • Laboratory staff are <i>infrequent participants</i> in DOE sponsored workshops and strategic planning activities, and <i>the extent to which staff take on leadership roles falls short of what would be expected, given the level of experience and expertise of the staff.</i> • Although <i>active members</i> of multi-institutional research collaborations, <i>the extent to which staff take on leadership roles falls short of what would be expected, given the level of experience and expertise of the staff.</i>
C	<p>The Laboratory fails to meet the conditions for B+ for <i>at least one</i> of the following reasons:</p> <ul style="list-style-type: none"> • Laboratory staff members <i>do not reliably</i> contribute thoughtful and thorough peer review in a timely manner, when requested by DOE. • <i>Some areas of research, previously supported, are no longer competitive.</i> • Laboratory staff members are <i>infrequent participants</i> in professional organizations, committees, and activities, AND <i>the extent to which staff take on leadership roles falls short of what would be expected, given the level of experience and expertise of the staff.</i> • Laboratory staff members are <i>infrequent participants</i> in DOE sponsored workshops and strategic planning activities, and <i>the extent to which staff take on leadership roles falls short of what would be expected, given the level of experience and expertise of the staff.</i> • Although Laboratory staff members are <i>active members</i> of multi-institutional research collaborations, <i>the extent to which staff take on leadership roles falls short of what would be expected, given the level of experience and expertise of the staff.</i>
D	The Laboratory fails to meet the conditions for B+ because <i>the Laboratory staff are working on problems that are no longer at the forefront of science and are considered mundane.</i>
F	Review has found the Laboratory staff to be <i>guilty of gross scientific incompetence and/or scientific fraud.</i>

Notable Outcomes

- **BES:** Deliver impactful science for the Energy Frontier Research Center: “Center for Emergent Superconductivity,” as measured by the FY 2012 Science Review. (Objective 1.1)

Program Office ¹	Letter Grade	Numerical Score	Weight	Overall Score
Office of Advanced Scientific Research				
1.1 Impact			50%	
1.2 Leadership			50%	
Overall ASCR Total				

¹ A complete listing of the S&T Goals & Objectives weightings for the SC Programs is provided within Attachment I to this plan.

Office of Basic Energy Sciences				
1.1 Impact			50%	
1.2 Leadership			50%	
Overall BES Total				
Office of Biological and Environmental Research				
1.1 Impact			60%	
1.2 Leadership			40%	
Overall BER Total				
Office of High Energy Physics				
1.1 Impact			50%	
1.2 Leadership			50%	
Overall HEP Total				
Office of Nuclear Physics				
1.1 Impact			50%	
1.2 Leadership			50%	
Overall NP Total				
Office of Workforce Development for Teachers and Scientists				
1.1 Impact			0%	
1.2 Leadership			0%	
Overall WDTS Total				
Office of Defense Nuclear Nonproliferation				
1.1 Impact			60%	
1.2 Leadership			40%	
Overall DNN Total				
Department of Homeland Security				
1.1 Impact			80%	
1.2 Leadership			20%	
Overall DHS Total				

Table 1.1 – Program Performance Goal 1.0 Score Development

Program Office	Letter Grade	Numerical Score	Funding Weight (cost)	Overall Weighted Score
Office of Advanced Scientific Research			TBD%	
Office of Basic Energy Sciences			TBD%	
Office of Biological and Environmental Research			TBD%	
Office of High Energy Physics			TBD%	
Office of Nuclear Physics			TBD%	
Office of Workforce Development for Teachers and Scientists			TBD%	
Office of Defense Nuclear Nonproliferation			TBD%	
Department of Homeland Security			TBD%	
Performance Goal 1.0 Total				

Table 1.2 – Overall Performance Goal 1.0 Score Development

Total Score	4.3-4.1	4.0-3.8	3.7-3.5	3.4-3.1	3.0-2.8	2.7-2.5	2.4-2.1	2.0-1.8	1.7-1.1	1.0-0.8	0.7-0
Final Grade	A+	A	A-	B+	B	B-	C+	C	C-	D	F

Table 1.3 – Goal Final Letter Grade

¹ The final weights to be utilized for determining weighted scores will be determined following the end of the performance period and will be based on actual cost for FY 2012.

GOAL 2.0 Provide for Efficient and Effective Design, Fabrication, Construction and Operations of Research Facilities

The Laboratory provides effective and efficient strategic planning; fabrication, construction and/or operations of Laboratory research facilities; and are responsive to the user community.

The weight of this Goal is TBD%.

The Provide for Efficient and Effective Design, Fabrication, Construction and Operations of Research Facilities Goal shall measure the overall effectiveness and performance of the Contractor in planning for and delivering leading-edge specialty research and/or user facilities to ensure the required capabilities are present to meet today's and tomorrow's complex challenges. It also measures the Contractor's innovative operational and programmatic means for implementation of systems that ensures the availability, reliability, and efficiency of these facilities; and the appropriate balance between R&D and user support.

Each Objective within this Goal is to be assigned the appropriate numerical score by the Office of Science Program Office as identified below. The overall Goal score from each Program Office is computed by multiplying numerical scores earned by the weight of each Objective, and summing them (see Table 2.1). Final weights to be utilized for determining weighted scores will be determined following the end of the performance period and will be based on actual cost for FY 2012.

- Office of Advanced Scientific Computing Research (ASCR) (TBD%)
- Office of Basic Energy Sciences (BES) (TBD%)
- Office of Biological and Environmental Research (BER) (TBD%)
- Office of High Energy Physics (HEP) (TBD%)
- Office of Nuclear Physics (NP) (TBD%)
- Office of Workforce Development for Teachers and Scientists (WDTS) (TBD%)

The overall performance score and grade for this Goal will be determined by multiplying the overall score assigned by each of the offices identified above by the weightings identified for each and then summing them (see Table 2.2 below). The overall score earned is then compared to Table 2.3 to determine the overall letter grade for this Goal. Individual Program Office weightings for each of the Objectives identified below are provided within Table 2.1. The Contractor's success in meeting each Objective shall be determined based on the Contractor's performance as viewed by DOE HQ Office of Science's (SC) Program Offices for which the Laboratory conducts work. Should one or more of the HQ Program Offices choose not to provide an evaluation for this Goal and its corresponding Objectives the weighting for the remaining HQ Program Offices shall be recalculated based on their percentage of cost for FY 2012 as compared to the total cost for those remaining HQ Program Offices.

Objectives

2.1 Provide Effective Facility Design(s) as Required to Support Laboratory Programs (i.e., activities leading up to CD-2)

In assessing the performance of the Laboratory against this Objective, the following assessment elements should be considered:

- The Laboratory’s delivery of accurate and timely information required to carry out the critical decision and budget formulation process;
- The Laboratory’s ability to meet the intent of DOE Order 413.3, Program and Project Management for the Acquisition of Capital Assets;
- The extent to which the Laboratory appropriately assesses risks and contingency needs; and
- The extent to which the Laboratory is effective in its unique management role and partnership with HQ.

The following is a sampling of factors to be considered in determining the level of performance for the Laboratory against this Objective. The evaluator(s) may consider the following as measured through progress reports, peer reviews, Field Work Proposals (FWPs), Program Office reviews/oversight, etc.

- The quality of the scientific justification for proposed facilities resulting from preconceptual R&D;
- The technical quality of conceptual and preliminary designs and the credibility of the associated cost estimates
- The credibility of plans for the full life cycle of proposed facilities including financing options;
- The leveraging of existing facilities and capabilities of the DOE Laboratory complex in plans for proposed facilities; and
- The novelty and potential impact of new technologies embodied in proposed facilities.

Letter Grade	Definition
A+	<p>In addition to satisfying all conditions for B+, the Laboratory <i>exceeds expectations</i> in all of these categories:</p> <ul style="list-style-type: none"> • The Laboratory is recognized by the research community as the leader for making the science case for the acquisition; • The Laboratory takes the initiative to demonstrate and thoroughly document the potential for transformational scientific advancement. • Approaches proposed by the Laboratory are widely regarded as innovative, novel, comprehensive, and potentially cost-effective. • Reviews repeatedly confirm strong potential for scientific discovery in areas that support the Department’s mission, and potential to change a discipline or research area’s direction. • The Laboratory identifies, analyzes and champions novel approaches for acquiring the new capability, including leveraging or extending the capability of existing facilities and financing and these efforts result in significant cost estimate and/or risk reductions without loss or, or while enhancing capability.

Letter Grade	Definition
A	In addition to satisfying all conditions for B+, <i>all</i> of the following conditions are also met: <ul style="list-style-type: none"> • The Laboratory is recognized by the research community as a leader for making the science case for the acquisition; • The Laboratory takes the initiative to demonstrate the potential for revolutionary scientific advancement working in partnership with HQ • The Laboratory identifies, analyzes, and champions, to HQ and Site office, novel approaches for acquiring the new capability, including leveraging or extending the capability of existing facilities and financing.
A-	In addition to satisfying all conditions for B+, <i>all</i> of the following conditions are also met: <ul style="list-style-type: none"> • The approaches proposed by the Laboratory are widely regarded as innovative, novel, comprehensive, and potentially cost-effective • Reviews repeatedly confirm potential for scientific discovery in areas that support the Department's mission, and potential to change a discipline or research area's direction.
B+	The Laboratory has achieved each of the following objectives: <ul style="list-style-type: none"> • The Laboratory displays leadership and commitment in the development of quality analyses, preliminary designs, and related documentation to support the approval of the mission need (CD-0), the alternative selection and cost range (CD-1) and the performance baseline (CD-2). • Documentation requested by the programs is provided in a timely and thorough manner. • The Laboratory keeps DOE apprised of the status, near-term plans and the resolution of problems on a regular basis; anticipates emerging issues that could impact plans and takes the initiative to inform DOE of possible consequences. • The Laboratory solves problems and addresses issues to avoid adverse impacts to the project.
B	The Laboratory fails to meet expectations in one of the areas listed under B+.
B-	The Laboratory fails to meet expectations in several of the areas listed under B+
C	The Laboratory fails to meet the expectations in several of the areas listed under B+ AND the required analyses and documentation developed by the Laboratory are EITHER not innovative, OR reflect a lack of commitment and leadership.
D	The Laboratory fails to meet the expectations in several of the areas listed under B+ AND the Laboratory fails to provide a compelling justification for the acquisition.
F	The Laboratory fails to meet the expectations in several of the areas listed under B+ AND the approaches proposed by the Laboratory are based on fraudulent assumptions; the science case is weak to non-existent, and the business case is seriously flawed.

2.2 Provide for the Effective and Efficient Construction of Facilities and/or Fabrication of Components (execution phase, post CD-2 to CD-4)

In assessing the performance of the Laboratory against this Objective, the following assessment elements should be considered:

- The Laboratory's adherence to DOE Order 413.3 Project Management for the Acquisition of Capital Assets;
- Successful fabrication of facility components by the Laboratory;
- The Laboratory's effectiveness in meeting construction schedule and budget;
- The quality of key Laboratory staff overseeing the project(s); and
- The extent to which the Laboratory maintains open, effective, and timely communication with HQ regarding issues and risks.

Letter Grade	Definition
A+	In addition to satisfying all conditions for A, <ul style="list-style-type: none"> • There is high confidence throughout the execution phase that the project will be completed <i>significantly</i> under budget and/or ahead of schedule while meeting or exceeding all performance baselines;
A	In addition to satisfying all conditions for B+, <ul style="list-style-type: none"> • The Laboratory has identified and implemented practices that would allow the project scope to be <i>significantly expanded</i> if such were desirable, without impact on baseline cost or schedule; • The Laboratory <i>always</i> provides <i>exemplary</i> project status reports on time to DOE and takes the initiative to communicate emerging problems or issues. • Reviews identify environment, safety and health practices to be <i>exemplary</i>. • There is high confidence throughout the execution phase that the project will meet its cost/schedule performance baseline;
A-	In addition to satisfying all conditions for B+, <ul style="list-style-type: none"> • The Laboratory has identified practices that would allow for the project scope to be expanded if such were desirable, without impact on baseline cost or schedule; • Problems are identified and corrected by the Laboratory promptly, with no impact on scope, cost or schedule • The Laboratory provides <i>particularly useful</i> project status reports on time to DOE and regularly takes the initiative to communicate emerging problems or issues. • Reviews identify environment, safety and health practices to <i>exceed expectations</i>. • There is high confidence throughout the execution phase that the project will meet its cost/schedule performance baseline;
B+	The Laboratory has achieved each of the following objectives <ul style="list-style-type: none"> • The project meets CD-2 performance measures; • The Laboratory provides sustained leadership and commitment to environment, safety and health; • Reviews regularly recognize the Laboratory for being proactive in the management of the execution phase of the project; • To a large extent, problems are identified and corrected by the Laboratory with little, or no impact on scope, cost or schedule; • DOE is kept informed of project status on a regular basis; reviews regularly indicate project is expected to meet its cost/schedule performance baseline.
B	The Laboratory provides sustained leadership and commitment to environment, safety and health BUT <ul style="list-style-type: none"> • The project fails to meet expectations in <i>one</i> of the remaining areas listed under B+.
B-	The Laboratory provides sustained leadership and commitment to environment, safety and health BUT <ul style="list-style-type: none"> • The project fails to meet expectations in <i>several</i> of the areas listed under B+
C	The Laboratory provides sustained leadership and commitment to environment, safety and health BUT The project fails to meet expectations in <i>several</i> of the areas listed under B+ AND <ul style="list-style-type: none"> • Reviews indicate project remains at risk of breaching its cost/schedule performance baseline; • Reports to DOE can vary in degree of completeness
D	The project fails to meet conditions for B+ in at least one of the following areas: <ul style="list-style-type: none"> • Reviews indicate project is likely to breach its cost/schedule performance baseline; • Laboratory commitment to environment, safety and health issues is inadequate; • Reports to DOE are largely incomplete; Laboratory commitment to the project has subsided.
F	The project fails to meet conditions for B+ in at least one of the following areas: <ul style="list-style-type: none"> • Laboratory falsifies data during project execution phase; • Shows disdain for executing the project within minimal standards for environment, safety or health, • Fails to keep DOE informed of project status; • Recent reviews indicate that the project is expected to breach its cost/schedule performance baseline.

2.3 Provide Efficient and Effective Operation of Facilities

In assessing the performance of the Laboratory against this Objective, the following assessment elements should be considered:

- The availability, reliability, performance, and efficiency of Laboratory facility(ies);
- The degree to which the facility is optimally arranged to support the user community;
- The extent to which Laboratory R&D is conducted to develop/expand the capabilities of the facility(ies);
- The Laboratory’s effectiveness in balancing resources between facility R&D and user support; and
- The quality of the process used to allocate facility time to users.

Letter Grade	Definition
A+	In addition to satisfying all conditions for B+; <i>all</i> of the following conditions are also met <ul style="list-style-type: none"> • Performance of the facility <i>exceeds</i> expectations as defined before the start of the year in all of these categories: cost of operations, users served, availability, and capability; • The schedule and the costs associated with the ramp-up to steady state operations are <i>significantly less</i> than planned and are acknowledged to be ‘leadership caliber’ by reviews; • Data on environment, safety, and health continues to be exemplary and widely regarded as among the ‘best in class’ • The Laboratory took extraordinary means to deliver an extraordinary result for the users and the program in the performance/ review period.
A	In addition to satisfying all conditions for B+; <i>all</i> of the following conditions are also met <ul style="list-style-type: none"> • Performance of the facility <i>exceeds</i> expectations as defined before the start of the year in most of these categories: cost of operations, users served, availability, and capability; • The schedule and the costs associated with the ramp-up to steady state operations are <i>less</i> than planned and are acknowledged to be ‘leadership caliber’ by reviews; • Data on environment, safety, and health continues to be <i>exemplary</i> and widely regarded as among the ‘best in class.’
A-	In addition to satisfying all conditions for B+, <i>one</i> of the following conditions is met: <ul style="list-style-type: none"> • Performance of the facility <i>exceeds</i> expectations as defined before the start of the year in any of these categories: cost of operations, users served, availability, and capability; • The schedule and the costs associated with the ramp-up to steady state operations are <i>less</i> than planned and are acknowledged to be among the best by reviews;
B+	The Laboratory has achieved each of the following objectives: <ul style="list-style-type: none"> • Performance of the facility <i>meets</i> expectations as defined before the start of the year in all of these categories: cost of operations, users served, availability, capability (for example, beam delivery, luminosity, peak performance, etc), • The schedule and the costs associated with the ramp-up to steady state operations occur as planned; • Data on environment, safety, and health continues to be very good as compared with other projects in the DOE. • User surveys meet program expectations and reflect that the Laboratory is responsive to user needs.
B	The project fails to meet expectations in <i>one</i> of the areas listed under B+.
B-	The project fails to meet expectations in <i>more than one</i> of the areas listed under B+.

Letter Grade	Definition
C	<p>Performance of the facility fails to meet expectations in <i>many</i> of the areas listed under B+; for example,</p> <ul style="list-style-type: none"> • The cost of operations is unexpectedly high and availability of the facility is unexpectedly low, the number of users is unexpectedly low, capability is well below expectations. • The facility operates at steady state, on cost and on schedule, but the reliability of performance is somewhat below planned values, <u>or</u> the facility operates at steady state, but the associated schedule and costs exceed planned values. • Commitment to environment, safety, and health is satisfactory.
D	<p>Performance of the facility fails to meet expectations in <i>many</i> of the areas listed under B+; for example,</p> <ul style="list-style-type: none"> • The cost of operations is unexpectedly high and availability of the facility is unexpectedly low; capability is well below expectations. • The facility operates somewhat below steady state, on cost and on schedule, and the reliability of performance is somewhat below planned values, <u>or</u> the facility operates at steady state, but the associated schedule and costs exceed planned values. • Commitment to environment, safety, and health is inadequate.
F	<ul style="list-style-type: none"> • The facility fails to operate; the facility operates well below steady state and/or the reliability of the performance is well below planned values. • Laboratory commitment to environment, safety, and health issues is inadequate.

2.4 Utilization of Facility(ies) to Provide Impactful S&T Results and Benefits to External User Communities

In assessing the performance of the Laboratory against this Objective, the following assessment elements should be considered:

- The extent to which the facility is being used to perform influential science;
- The Laboratory's efforts to take full advantage of the facility to generate impactful S&T results;
- The extent to which the facility is strengthened by a resident Laboratory research community that pushes the envelope of what the facility can do and/or are among the scientific leaders of the community;
- The Laboratory's ability to appropriately balance access by internal and external user communities; and
- The extent to which there is a healthy program of outreach to the scientific community.

Letter Grade	Definition
A+	<p>In addition to meeting all measures under A,</p> <ul style="list-style-type: none"> • The Laboratory took extraordinary means to deliver an extraordinary result for a new user community.
A	<p>In addition to satisfying all conditions for B+; <i>all</i> of the following conditions are met</p> <ul style="list-style-type: none"> • An <i>aggressive</i> outreach programs is in place and has been documented as attracting new communities to the facility; • Reviews consistently find that the facility capability or scope of research potential <i>significantly</i> exceeds expectations for example, due to newly discovered capabilities or exposure to new research communities; OR Reviews find that multiple disciplines are using the facility in new and novel ways that the facility is being used to pursue influential science.

Letter Grade	Definition
A-	In addition to satisfying all conditions for B+, all of the following conditions are met <ul style="list-style-type: none"> • A <i>strong</i> outreach program is in place; • Reviews find that the facility capability or scope of research potential exceeds expectations for example, due to newly discovered capabilities or exposure to new research communities; OR Reviews document how multiple disciplines are using the facility in new and novel ways and/or that the facility is being used to pursue important science.
B+	The Laboratory has achieved each of the following objectives: <ul style="list-style-type: none"> • Reviews find / validate that the facility is being used for influential science; • The scope of facility capabilities is challenged and broadened by resident users; • The Laboratory effectively manages user allocations; • The Laboratory effectively maintains the facility to required performance standards (for example, runtime, luminosity, etc) • A healthy outreach program is in place.
B	The Laboratory fails to meet expectations in <i>one</i> of the areas listed under B+
B-	The Laboratory fails to meet expectations in <i>several</i> of the areas listed under B+
C	The Laboratory fails to meet expectations in <i>many</i> of the areas listed under B+
D	Reviews find that there are few facility users, few of whom are using the facility in novel ways to produce impactful science; research base is very thin.
F	Laboratory staff does not possess capabilities to operate and/or use the facility adequately.

Notable Outcomes

- **BES:** Execute construction of NSLS-II and continue the development of the NSLS to NSLS-II transition plan. (Objectives 2.2 and 2.4)
- **NP:** Develop and execute during the FY12 RHIC run a plan for a set of measurements necessary to explore limits on the beam polarization in RHIC. (Objective 2.3)
- **NP:** Demonstrate Au beams from EBIS with sufficient intensity for the heavy ion program. (Objective 2.3)

Program Office ²	Letter Grade	Numerical Score	Weight	Overall Score
Office of Advanced Scientific Research				
2.1 Provide Effective Facility Design(s)			0%	
2.2 Provide for the Effective and Efficient Construction of Facilities and/or Fabrication of Components			0%	
2.3 Provide Efficient and Effective Operation of Facilities			0%	
2.4 Utilization of Facility(ies) to Provide Impactful S&T Results and Benefits to External User Communities			0%	
Overall ASCR Total				

² A complete listing of the S&T Goals & Objectives weightings for the SC Programs is provided within Attachment I to this plan.

Program Office²	Letter Grade	Numerical Score	Weight	Overall Score
Office of Basic Energy Sciences				
2.1 Provide Effective Facility Design(s)			20%	
2.2 Provide for the Effective and Efficient Construction of Facilities and/or Fabrication of Components			40%	
2.3 Provide Efficient and Effective Operation of Facilities			30%	
2.4 Utilization of Facility(ies) to Provide Impactful S&T Results and Benefits to External User Communities			10%	
Overall BES Total				
Office of Biological and Environmental Research				
2.1 Provide Effective Facility Design(s)			0%	
2.2 Provide for the Effective and Efficient Construction of Facilities and/or Fabrication of Components			0%	
2.3 Provide Efficient and Effective Operation of Facilities			90%	
2.4 Utilization of Facility(ies) to Provide Impactful S&T Results and Benefits to External User Communities			10%	
Overall BER Total				
Office of High Energy Physics				
2.1 Provide Effective Facility Design(s)			50%	
2.2 Provide for the Effective and Efficient Construction of Facilities and/or Fabrication of Components			50%	
2.3 Provide Efficient and Effective Operation of Facilities			0%	
2.4 Utilization of Facility(ies) to Provide Impactful S&T Results and Benefits to External User Communities			0%	
Overall HEP Total				
Office of Nuclear Physics				
2.1 Provide Effective Facility Design(s)			0%	
2.2 Provide for the Effective and Efficient Construction of Facilities and/or Fabrication of Components			0%	
2.3 Provide Efficient and Effective Operation of Facilities			85%	
2.4 Utilization of Facility(ies) to Provide Impactful S&T Results and Benefits to External User Communities			15%	
Overall NP Total				
Office of Workforce Development for Teachers and Scientists				
2.1 Provide Effective Facility Design(s)			0%	
2.2 Provide for the Effective and Efficient Construction of			0%	

Program Office ²	Letter Grade	Numerical Score	Weight	Overall Score
Facilities and/or Fabrication of Components				
2.3 Provide Efficient and Effective Operation of Facilities			0%	
2.4 Utilization of Facility(ies) to Provide Impactful S&T Results and Benefits to External User Communities			0%	
Overall WDTS Total				

Table 2.1 – Program Performance Goal 2.0 Score Development

Program Office	Letter Grade	Numerical Score	Funding Weight (cost)	Overall Weighted Score
Office of Advanced Scientific Research			TBD%	
Office of Basic Energy Sciences			TBD%	
Office of Biological and Environmental Research			TBD%	
Office of High Energy Physics			TBD%	
Office of Nuclear Physics			TBD%	
Office of Workforce Development for Teachers and Scientists			TBD%	
Performance Goal 2.0 Total				

Table 2.2 – Overall Performance Goal 2.0 Score Development³

Total Score	4.3-4.1	4.0-3.8	3.7-3.5	3.4-3.1	3.0-2.8	2.7-2.5	2.4-2.1	2.0-1.8	1.7-1.1	1.0-0.8	0.7-0
Final Grade	A+	A	A-	B+	B	B-	C+	C	C-	D	F

Table 2.3 – Goal 2.0 Final Letter Grade

³ The final weights to be utilized for determining weighted scores will be determined following the end of the performance period and will be based on actual cost for FY 2012.

GOAL 3.0 Provide Effective and Efficient Science and Technology Program Management

The Laboratory provides effective program vision and leadership; strategic planning and development of initiatives; recruits and retains a quality scientific workforce; and provides outstanding research processes, which improve research productivity.

The weight of this Goal is TBD%.

The Provide Effective and Efficient Science and Technology Program Management Goal shall measure the Contractor's overall management in executing S&T programs. Dimensions of program management covered include: 1) providing key competencies to support research programs to include key staffing requirements; 2) providing quality research plans that take into account technical risks, identify actions to mitigate risks; and 3) maintaining effective communications with customers to include providing quality responses to customer needs.

Each Objective within this Goal is to be assigned the appropriate numerical score by the Office of Science, other cognizant HQ Program Offices, and other customers as identified below. The overall Goal score from each HQ Program Office and/or customer is computed by multiplying numerical scores earned by the weight of each Objective, and summing them (see Table 3.1). The final weights to be utilized for determining weighted scores will be determined following the end of the performance period and will be based on actual cost for FY *[Year]* provided by the Program Offices listed below.

- Office of Advanced Scientific Computing Research (ASCR) (TBD%)
- Office of Basic Energy Sciences (BES) (TBD%)
- Office of Biological and Environmental Research (BER) (TBD%)
- Office of High Energy Physics (HEP) (TBD%)
- Office of Nuclear Physics (NP) (TBD%)
- Office of Workforce Development for Teachers and Scientists (WDTS) (TBD%)
- Office of Defense Nuclear Nonproliferation (DNN) (TBD%)
- Department of Homeland Security (DHS) (TBD%)

The overall performance score and grade for this Goal will be determined by multiplying the overall score assigned by each of the offices identified above by the weightings identified for each and then summing them (see Table 3.2 below). The overall score earned is then compared to Table 3.3 to determine the overall letter grade for this Goal. The Contractor's success in meeting each Objective shall be determined based on the Contractor's performance as viewed by the Office of Science, other cognizant HQ Program Offices, and other customers for which the Laboratory conducts work. Should one or more of the HQ Program Offices choose not to provide an evaluation for this Goal and its corresponding Objectives the weighting for the remaining HQ Program Offices shall be recalculated based on their percentage of cost for FY 2012 as compared to the total cost for those remaining HQ Program Offices.

Objectives

3.1 Provide Effective and Efficient Strategic Planning and Stewardship of Scientific Capabilities and Program Vision

In assessing the performance of the Laboratory against this Objective, the following assessment elements should be considered:

- The quality of the Laboratory’s strategic plan;
- The extent to which the Laboratory shows strategic vision for research
- The extent to which programs of research take advantage of Laboratory capabilities—research programs are more than the sum of their individual project parts;
- The extent to which the Laboratory undertakes research for which it is uniquely qualified;
- The extent to which lab plans are aligned with DOE mission goals;
- The extent to which the Laboratory programs are balanced between high-/low- risk research for a sustainable program; and
- The extent to which the Laboratory is able to retain and recruit staff for a sustainable program

The following is a sampling of factors to be considered in determining the level of performance for the Laboratory against this Objective. The evaluator(s) may consider the following as measured through progress reports, peer reviews, Field Work Proposals (FWPs), Program Office reviews/oversight, etc.

- Articulation of scientific vision;
- Development and maintenance of core competencies,
- Ability to attract and retain highly qualified staff;
- Efficiency and effectiveness of joint planning (e.g., workshops) with outside community;
- Creativity and robustness of ideas for new facilities and research programs; and
- Willingness to take on high-risk/high payoff/long-term research problems, evidence that the Laboratory “guessed right” in that previous risky decisions proved to be correct and are paying off.
- The depth and breadth of Laboratory research portfolio and its potential for growth.

Letter Grade	Definition
A+	In addition to satisfying the conditions for B+, the execution of the Laboratory’s strategic plan has enabled the Laboratory to achieve each of the following: <ul style="list-style-type: none"> • <i>Most</i> of the Laboratory’s core competencies are recognized as world leading; • The Laboratory has attracted and retained world-leading scientists in <i>most</i> programs; • There is evidence that previous decisions to pursue high-risk/high-payoff research proved to be correct and are paying off; • The Laboratory has succeeded in developing new core competencies of <i>outstanding</i> quality in areas both exploratory, high-risk research and research that is vital to the DOE/SC missions;

Letter Grade	Definition
A	<p>In addition to satisfying the conditions for B+, the execution of the Laboratory's strategic plan has enabled the Laboratory to achieve the following:</p> <ul style="list-style-type: none"> • <i>Several</i> of the Laboratory's core competencies are recognized as world leading; • The Laboratory has attracted and retained world-leading scientists in <i>several</i> programs; • There is evidence that previous decisions to pursue high-risk/high-payoff research proved to be correct and are paying off • The Laboratory has succeeded in developing <i>new</i> core competencies of <i>high</i> quality in areas both exploratory, high-risk research and research that is vital to the DOE/SC missions
A-	<p>In addition to satisfying the conditions for B+, the execution of the Laboratory's strategic plan has enabled the Laboratory to achieve at least one of the following:</p> <ul style="list-style-type: none"> • At least one of the Laboratory's core competencies is recognized as <i>world-leading</i>; • The Laboratory has attracted and retained <i>world-leading</i> scientists in one or more programs; • The Laboratory has a coherent plan for addressing future workforce challenges.
B+	<p>The execution of the Laboratory's strategic plan has enabled the Laboratory to achieve each of the following objectives:</p> <ul style="list-style-type: none"> • The Laboratory has articulated a coherent and compelling strategic plan that has been developed with input from external research communities and headquarters guidance, which, where appropriate, includes a coherent plan for building smaller research programs into new core competencies; and reallocates resources away from less effective programs. • The Laboratory has demonstrated the ability to attract and retain professional scientific staff in support of its strategic vision. • The portfolio of Laboratory research balances the needs for both high-risk/ high-payoff research and stewardship of mission-critical research. • The Laboratory's research portfolio takes advantage of unique capabilities at the Laboratory. • The Laboratory's research portfolio includes activities for which the Laboratory is uniquely capable.
B	<p>The Laboratory fails to satisfy one of the conditions for B+; for example</p> <ul style="list-style-type: none"> • The Laboratory's strategic plan is only <i>partially</i> coherent and is not entirely well-connected with external communities; • The portfolio of Laboratory research does <i>not</i> appropriately balance high-risk/ high-payoff research and stewardship of mission-critical research; • The Laboratory has developed and maintained <i>some, but not all</i>, of its core competencies. • The plan to attract and retain professional scientific staff is <i>lacking</i> strategic vision.
B-	<p>The Laboratory fails to satisfy <i>several</i> of the conditions for B+, including at least one of the following:</p> <ul style="list-style-type: none"> • Weak programmatic vision insufficiently connected with external communities; • Development and maintenance of only a few core competencies • little attention to maintaining the correct balance between high-risk and mission-critical research; • inability to attract and retain talented scientists in some programs.
C	<p>The Laboratory fails to satisfy <i>several</i> of the conditions for B+, including at least one of the following reasons:</p> <ul style="list-style-type: none"> • The Laboratory's strategic plan lacks strategic vision and lacks appropriate coordination with appropriate stakeholders including external research groups. • The Laboratory's strategic plan does not provide for sufficient maintenance of core competencies • Plan to attract and retain professional scientific staff is unlikely to be successful or does not focus on strategic capabilities.
D	<p>The Laboratory fails to satisfy <i>several</i> of the conditions for B+, and specifically</p> <ul style="list-style-type: none"> • The Laboratory has demonstrated little effort in developing a strategic plan. • The Laboratory has done little to develop and maintain core competencies • The Laboratory has had minimal success in attracting and retaining professional scientific staff.

Letter Grade	Definition
F	<p>The Laboratory has:</p> <ul style="list-style-type: none"> • Made limited or ineffective attempts to develop a strategic plan; • Not demonstrated the ability to develop and maintain core competencies, has failed to propose high-risk/high-reward research and has failed to steward mission-critical areas; • Failed to attract even reasonably competent scientists and technical staff.

3.2 Provide Effective and Efficient Science and Technology Project/Program/Facilities Management

In assessing the performance of the Laboratory against this Objective, the following assessment elements should be considered:

- The Laboratory's management of R&D programs and facilities according to proposed plans;
- The extent to which the Laboratory's management of projects/programs/facilities supports the Laboratory strategic plan
- Adequacy of the Laboratory's consideration of technical risks;
- The extent to which the Laboratory is successful in identifying/avoiding technical problems;
- Effectiveness in leveraging across multiple areas of research and between research and facility capabilities;
- The extent to which the Laboratory demonstrates a willingness to make tough decisions (i.e., cut programs with sub-critical mass of expertise, divert resources to more promising areas, etc.); and
- The use of LDRD and other Laboratory investments and overhead funds to improve the competitiveness of the Laboratory.

The following is a sampling of factors to be considered in determining the level of performance for the Laboratory against this Objective. The evaluator(s) may consider the following as measured through progress reports, peer reviews, Field Work Proposals (FWPs), Program Office reviews/oversight, etc.

- Laboratory plans that are reviewed by experts outside of lab management and/or include broadly-based input from within the Laboratory.

Letter Grade	Definition
A+	<p>In addition to meeting the all expectations under A,</p> <ul style="list-style-type: none"> • The Laboratory has taken extraordinary measures to deliver an extraordinary result of critical importance to DOE missions, which could include the delivery of a critical technology or insight in response to a National emergency
A	<p>In addition to satisfying the conditions for B+,</p> <ul style="list-style-type: none"> • The Laboratory's implementation of project/program/facility plans has led directly to effective R&D programs/facility operations that exceed program expectations in <i>several</i> programmatic areas. Examples are listed under A-.

Letter Grade	Definition
A-	<p>In addition to satisfying the conditions for B+,</p> <ul style="list-style-type: none"> • The Laboratory’s implementation of project/program/facility plans has led directly to effective R&D programs/facility operations that exceed program expectations in <i>more than one</i> programmatic area. Examples of performance that exceeds expectations include: • The Laboratory’s implementation of project/program/facility plans has led directly to significant cost savings and/or significantly higher productivity than expected; • Project/program/facility plans prove to be robust against changing scientific and fiscal conditions through contingency planning; • The Laboratory has demonstrated creativity and forceful leadership in development and/or proactive management of its project/program/facility plans to reduce or eliminate risk; • The Laboratory’s proposals for new initiatives are funded through reallocation of resources from less effective programs. • Research plans and management actions are proactive, not reactive, as evidenced by making hard decisions and taking strong actions; and • Management is prepared for budget fluctuations and changes in DOE program priorities – multiple contingencies are planned for; and • LDRD investments, overhead funds, and other Laboratory funds are used to strengthen lab plans and fill critical gaps in the Laboratory portfolio enabling it to respond to future DOE initiatives and/or national emergencies;
B+	<p>The Laboratory has achieved each of the following objectives:</p> <ul style="list-style-type: none"> • Project/program/facility plans exist for all major projects/programs/facilities. • Project/program/facility plans are consistent with known budgets, are based on reasonable assessments of technical risk, are well-aligned with DOE interests, provide sufficient flexibility to respond to unforeseen directives and opportunities, and effectively leverage other Laboratory resources and expertise. • The Laboratory has implemented the project/program/facility plans and has effective methods of tracking progress. • The Laboratory demonstrates willingness to make tough decisions (i.e., cut programs with sub-critical mass of expertise, divert resources to more promising areas, etc.). • The Laboratory’s implementation of project/program/facility plans has led directly to effective R&D programs/facility operations. • LDRD investments and other overhead funds are managed appropriately.
B	<ul style="list-style-type: none"> • Project/program/facility plans exist for all major projects/programs/facilities. • The Laboratory has implemented the project/program/facility plans. <p>BUT the Laboratory fails to meet <i>at least one of</i> the conditions for B+.</p>
B-	<ul style="list-style-type: none"> • Project/program/facility plans exist for all major projects/programs/facilities. • The Laboratory has implemented the project/program/facility plans. <p>BUT the Laboratory fails to meet <i>several of</i> the conditions for B+.</p>
C	<ul style="list-style-type: none"> • Project/program/facility plans exist for most major projects/programs/facilities. <p>BUT the Laboratory has failed to implement the project/program/facility plans AND the Laboratory fails to meet <i>several of</i> the conditions for B+.</p>
D	<ul style="list-style-type: none"> • Project/program/facility plans do not exist for a significant fraction of the Laboratory’s major projects/programs/facilities; <li style="text-align: center;">OR • Significant work at the Laboratory is not in alignment with the project/program/facility plans
F	The Laboratory has failed to conduct project/program/facility planning activities.

3.3 Provide Efficient and Effective Communications and Responsiveness to Headquarters Needs

In assessing the performance of the Laboratory against this Objective, the following assessment elements should be considered:

- The quality, accuracy and timeliness of the Laboratory’s response to customer requests for information;
- The extent to which the Laboratory provides point-of-contact resources and maintains effective internal communications hierarchies to facilitate efficient determination of the appropriate point-of-contact for a given issue or program element;
- The effectiveness of the Laboratory’s communications and depth of responsiveness under extraordinary or critical circumstances; and
- The effectiveness of Laboratory management in accentuating the importance of communication and responsiveness.

Letter Grade	Definition
A+	In addition to meeting the all expectations under A, <ul style="list-style-type: none"> • The Laboratory’s effective communication and extraordinary responsiveness in the face of extreme situations or a national emergency had a materially positive impact on the outcome of the event and/or DOE mission objectives
A	In addition to satisfying the conditions for B+, the Laboratory also meets all of the following: <ul style="list-style-type: none"> • Laboratory management has instilled a culture throughout the lab that emphasizes good communication practices; • Communication channels are well-defined and information is effectively conveyed; • Responses to HQ requests for information from all Laboratory representatives are prompt, thorough, correct and succinct; important or critical information is delivered in real-time; • Laboratory representatives <i>always</i> initiate a communication with HQ on emerging Laboratory issues; headquarters is never surprised to learn of emerging Laboratory issues through outside channels.
A-	In addition to satisfying the conditions for B+, <ul style="list-style-type: none"> • Laboratory management has instilled a culture throughout the lab that emphasizes good communication practices; and • Responses to requests for information are prompt, thorough, and economical/succinct at all levels of interaction; • Laboratory representatives <i>often</i> initiate communication with HQ on emerging Laboratory issues; • under critical circumstances, essential information is delivered in real-time
B+	The Laboratory has achieved each of the following objectives: <ul style="list-style-type: none"> • Staff throughout the Laboratory organization engage in good communication practices; • Responses to requests for information are prompt and thorough; • The accuracy and integrity of the information provided is never in doubt; • Up-to-date point-of-contact information is widely available for all programmatic areas; • Headquarters is always and promptly informed of both positive and negative events at the Laboratory
B	The Laboratory failed to meet the conditions for B+ <i>in a few instances</i>
B-	The Laboratory fails to meet the conditions for B+ for <i>one</i> of the following reasons: <ul style="list-style-type: none"> • Responses to requests for information do not provide the minimum requirements to meet HQ needs; While the integrity of the information provided is never in doubt, its accuracy sometimes is; • Laboratory representatives do not take the initiative to alert HQ to emerging Laboratory issues.

Letter Grade	Definition
C	<p>The Laboratory fails to meet the conditions for B+ for <i>one or more</i> of the following reasons:</p> <ul style="list-style-type: none"> • Responses to requests for information frequently fail to provide the minimum requirements to meet HQ needs • The Laboratory used outside channels or circumvented HQ in conveying critical information; • The integrity and/or accuracy of information provided is sometimes in doubt; • Laboratory management fails to demonstrate that its employees are held accountable for ensuring effective communication and responsiveness; • Laboratory representatives failed to alert HQ to emerging Laboratory issues.
D	<p>The Laboratory fails to meet the conditions for B+ for one of the following reasons:</p> <ul style="list-style-type: none"> • Laboratory staff are generally well-intentioned in communication but consistently ineffective and/or incompetent; • The Laboratory management fails to emphasize the importance of effective communication and responsiveness
F	<p>The Laboratory fails to meet the conditions for B+ for one of the following reasons</p> <ul style="list-style-type: none"> • Laboratory staff are openly hostile and/or non-responsive to requests for information – emails and phone calls are consistently ignored; • Responses to requests for information are consistently incorrect, inaccurate or fraudulent – information is not organized, is incomplete, or is fabricated.

Notable Outcomes

- **NP:** Develop and disseminate a "white paper" documenting the scientific case for an electron-ion collider. (Objective 3.1)

Program Office ⁴	Letter Grade	Numerical Score	Weight	Overall Score
Office of Advanced Scientific Research				
3.1 Effective and Efficient Strategic Planning and Stewardship			30%	
3.2 Project/Program /Facilities Management			40%	
3.3 Communications and Responsiveness			30%	
Overall ASCR Total				
Office of Basic Energy Sciences				
3.1 Effective and Efficient Strategic Planning and Stewardship			40%	
3.2 Project/Program /Facilities Management			30%	
3.3 Communications and Responsiveness			30%	
Overall BES Total				

⁴ A complete listing of the S&T Goals & Objectives weightings for the SC Programs is provided within Attachment I to this plan.

Program Office⁴	Letter Grade	Numerical Score	Weight	Overall Score
Office of Biological and Environmental Research				
3.1 Effective and Efficient Strategic Planning and Stewardship			20%	
3.2 Project/Program /Facilities Management			30%	
3.3 Communications and Responsiveness			50%	
Overall BER Total				
Office of High Energy Physics				
3.1 Effective and Efficient Strategic Planning and Stewardship			40%	
3.2 Project/Program /Facilities Management			40%	
3.3 Communications and Responsiveness			20%	
Overall HEP Total				
Office of Nuclear Physics				
3.1 Effective and Efficient Strategic Planning and Stewardship			40%	
3.2 Project/Program /Facilities Management			35%	
3.3 Communications and Responsiveness			25%	
Overall NP Total				
Office of Workforce Development for Teachers and Scientists				
3.1 Effective and Efficient Strategic Planning and Stewardship			25%	
3.2 Project/Program /Facilities Management			50%	
3.3 Communications and Responsiveness			25%	
Overall WDTS Total				
Office of Defense Nuclear Nonproliferation				
3.1 Effective and Efficient Strategic Planning and Stewardship			30%	
3.2 Project/Program /Facilities Management			20%	
3.3 Communications and Responsiveness			50%	
Overall DNN Total				
Department of Homeland Security				
3.1 Effective and Efficient Strategic Planning and Stewardship			40%	
3.2 Project/Program /Facilities Management			30%	

Program Office⁴	Letter Grade	Numerical Score	Weight	Overall Score
3.3 Communications and Responsiveness			30%	
Overall DHS Total				

Table 3.1 – Program Performance Goal 3.0 Score Development

HQ Program Office	Letter Grade	Numerical Score	Funding Weight (cost)	Overall Weighted Score
Office of Advanced Scientific Research			TBD%	
Office of Basic Energy Sciences			TBD%	
Office of Biological and Environmental Research			TBD%	
Office of High Energy Physics			TBD%	
Office of Nuclear Physics			TBD%	
Office of Workforce Development for Teachers and Scientists			TBD%	
Office of Defense Nuclear Nonproliferation			TBD%	
Department of Homeland Security			TBD%	
Performance Goal 3.0 Total				

Table 3.2 – Overall Performance Goal 3.0 Score Development⁵

Total Score	4.3-4.1	4.0-3.8	3.7-3.5	3.4-3.1	3.0-2.8	2.7-2.5	2.4-2.1	2.0-1.8	1.7-1.1	1.0-0.8	0.7-0
Final Grade	A+	A	A-	B+	B	B-	C+	C	C-	D	F

Table 3.3 – Goal 3.0 Final Letter Grade

⁵ The final weights to be utilized for determining weighted scores will be determined following the end of the performance period and will be based on actual cost for FY 2012.

Attachment I

**Program Office Goal & Objective Weightings
 Office of Science**

		ASCR	BER	BES	HEP	NP	WDTS
		Weight	Weight	Weight	Weight	Weight	Weight
Goal 1.0 Mission Accomplishment							
	<i>Goal Weight</i>	80%	55%	30%	40%	40%	0%
1.1 Impact		50%	60%	50%	50%	50%	0%
1.2 Leadership		50%	40%	50%	50%	50%	0%
Goal 2.0 Design, Fabrication, Construction and Operation of Facilities							
	<i>Goal Weight</i>	0%	20%	50%	30%	40%	0%
2.1 Design of Facility (the initiation phase and the definition phase, i.e. activities leading up to CD-2)		0%	0%	20%	50%	0%	0%
2.2 Construction of Facility / Fabrication of Components (execution phase, Post CD-2 to CD-4)		0%	0%	40%	50%	0%	0%
2.3 Operation of Facility		0%	90%	30%	0%	85%	0%
2.4 Utilization of Facility to Grow and Support Lab's Research Base and External User Community		0%	10%	10%	0%	15%	0%
Goal 3.0 Program Management							
	<i>Goal Weight</i>	20%	25%	20%	30%	20%	100%
3.1 Effective and Efficient Strategic Planning and Stewardship		30%	20%	40%	40%	40%	25%
3.2 Project/Program/Facilities Management		40%	30%	30%	40%	35%	50%
3.3 Communications and Responsiveness		30%	50%	30%	20%	25%	25%

Attachment I

**Program Office Goal & Objective Weightings
 All Other Customers⁶**

		DNN	DHS
		Weight	Weight
Goal 1.0 Mission Accomplishment			
	<i>Goal Weight</i>	50%	80%
1.1 Impact		60%	80%
1.2 Leadership		40%	20%
Goal 2.0 Design, Fabrication, Construction and Operation of Facilities			
	<i>Goal Weight</i>	0%	0%
2.1 Design of Facility (the initiation phase and the definition phase, i.e. activities leading up to CD-2)		0%	0%
2.2 Construction of Facility/Fabrication of Components (execution phase, Post CD-2 to CD-4)		0%	0%
2.3 Operation of Facility		0%	0%
2.4 Utilization of Facility to Grow and Support Lab's Research Base and External User Community		0%	0%
Goal 3.0 Program Management			
	<i>Goal Weight</i>	50%	20%
3.1 Effective and Efficient Strategic Planning and Stewardship		30%	40%
3.2 Project/Program/Facilities Management		20%	30%
3.3 Communications and Responsiveness		50%	30%

⁶ Final Goal and Objective weightings will be incorporated, as appropriate, once they are determined by each HQ Program Office and provided to the Site Office.

GOAL 4.0 Provide Sound and Competent Leadership and Stewardship of the Laboratory

This Goal evaluates the Contractor’s Leadership capabilities in leading the direction of the overall Laboratory, the responsiveness of the Contractor to issues and opportunities for continuous improvement, and corporate office involvement/commitment to the overall success of the Laboratory.

In measuring the performance of the above Objectives, the DOE evaluator(s) shall consider performance trends, outcomes and continuous improvement in overall Contractor Leadership’s planning for, integration of, responsiveness to and support for the overall success of the Laboratory. This may include, but is not limited to, the quality of Laboratory Vision/Mission strategic planning documentation and progress in realizing the Laboratory vision/mission; the ability to establish and maintain long-term partnerships/relationships with the scientific and local communities as well as private industry that advance, expand, and benefit the ongoing Laboratory mission(s) and/or provide new opportunities/capabilities; implementation of a robust assurance system; Laboratory and Corporate Office Leadership’s ability to instill responsibility and accountability down and through the entire organization; overall effectiveness of communications with DOE; understanding, management and allocation of the costs of doing business at the Laboratory commensurate with associated risks and benefits; utilization of corporate resources to establish joint appointments or other programs/projects/activities to strengthen the Laboratory; and advancing excellence in stakeholder relations to include good corporate citizenship within the local community.

Objectives:

4.1 Leadership and Stewardship of the Laboratory

By which we mean: The performance of the laboratory’s senior management team as demonstrated by their ability to do such things as:

- Define an exciting yet realistic scientific vision for the future of the laboratory,
- Make progress in realizing the vision for the laboratory,
- Establish and maintain long-term partnerships/relationships that maintain appropriate relations with the scientific and local communities, and
- Develop and leverage appropriate relations with private industry to the benefit of the laboratory and the U.S. taxpayer.

Letter Grade	Definition
A+	The Senior Leadership of the laboratory has made outstanding progress (on an order of magnitude scale) over the previous year in realizing their vision for the laboratory, and has had a demonstrable impact on the Department and the Nation. Strategic plans are of outstanding quality, have been externally recognized and referenced for their excellence, and have an impact on the vision/plans of other national laboratories. The Senior leadership of the laboratory may have been faced very difficult challenges and plotted, successfully, its own course through the difficulty, with minimal hand-holding by the Department. Partners in the scientific and local communities applaud the laboratory in national fora, and the Department is strengthened by this.

Letter Grade	Definition
A	The Senior Leadership of the laboratory has made significant progress over the previous year in realizing their vision for the laboratory, and has through this has had a demonstrable positive impact on the Office of Science and the Department. Strategic plans are of outstanding quality, and recognize and reflect the vision/plans of other national laboratories. Faced with difficult challenges, actions were taken by the Senior leadership of the laboratory to redirect laboratory activities to enhance the long-term future of the laboratory. Partners in the scientific and local communities applaud the laboratory in national fora, and the Department is strengthened by this.
A-	The laboratory senior management performs better than expected (B+ grade) in these areas.
B+	The Senior Leadership of the laboratory has made significant progress over the previous year in realizing their vision for the laboratory. Strategic plans present long range goals that are both exciting and realistic. Decisions and actions taken by the lab leadership align work, facilities, equipment and technical capabilities with the laboratory vision and plan. The Senior leadership of the laboratory faced difficult challenges and successfully plotted its own course through the difficulty, with help from the Department. Partners in the scientific and local communities are supportive of the laboratory.
B	The Senior Leadership of the laboratory has made little progress over the previous year in realizing their vision for the laboratory. Strategic plans present long range goals that are exciting and realistic; however DOE is not fully confident that the laboratory is taking the actions necessary for the goals to be achieved. The Laboratory is not fully engaged with its partners/relationships in the scientific and local communities to maximize the potential benefits these relations have for the laboratory.
C	The Senior Leadership of the laboratory has made no progress over the previous year in realizing their vision for the laboratory or aligning work, facilities, equipment and technical capabilities with the laboratory vision and plan. Strategic plans present long range goals that are either unexciting or unrealistic. Business plans exist, but they are not linked to the strategic plan and do not inspire DOE's confidence that the strategic goals will be achieved. Partnerships with the scientific and local communities with potential to advance the laboratory exist, but they may not always be consistent with the mission of or vision for the laboratory. Affected communities and stakeholders are mostly supportive of the laboratory and aligned with the management's vision for the laboratory.
D	The Senior Leadership of the laboratory has made no progress or has back-slid over the previous year in realizing their vision for the laboratory or in aligning work, facilities, equipment and technical capabilities with the laboratory vision and plan. Strategic plans present long range goals that are neither exciting nor realistic. Partnerships that may advance the Laboratory towards strategic goals are inappropriate, unidentified, or unlikely. Affected communities and stakeholders are not adequately engaged with the laboratory and indicate non-alignment with DOE priorities.
F	The Senior Leadership of the laboratory has made no progress or has back-slid over the previous year in realizing their vision for the laboratory or in or aligning work, facilities, equipment and technical capabilities with the laboratory vision and plan. Strategic plans present long range goals that are not aligned with DOE priorities or the mission of the laboratory. Partnerships that may advance the Laboratory towards strategic goals are inappropriate, unidentified, and unlikely, and/or the senior management team does not demonstrate a concerted effort to develop, leverage, and maintain relations with the scientific and local communities to assist the laboratory in achieving a successful future. Affected communities and stakeholders are openly non-supportive of the laboratory and DOE priorities.

4.2 Management and Operation of the Laboratory

By which we mean: The performance of the laboratory's senior management team as demonstrated by their ability to do such things as:

- Implement a robust contractor assurance system,
- Understand the costs of doing business at the laboratory and prioritize the management and allocation of these costs commensurate with their associated risks and benefits,
- Instill a culture of accountability and responsibility down and through the entire organization;
- Ensure good and timely communication between the laboratory and SC headquarters and the Site Office so that DOE can deal effectively with both internal and external constituencies.

Letter Grade	Definition
A+	<p>The laboratory has a nationally or internationally recognized contractor assurance system in place that integrates internal and external (corporate) evaluation processes to evaluate risk, and is working to help others internal and external to the Department establish similarly outstanding practices. The laboratory understands the drivers of cost at their lab, and are prioritizing and managing these costs commensurate with the associated risks and benefits to the laboratory and the SC laboratory system.</p> <p>Laboratory management and processes reflect a sense of accountability and responsibility with is evident down and through the entire organization. Communication between the laboratory and SC headquarters and the Site Office is such that all the national laboratories and the Department as a whole benefits.</p>
A	<p>The laboratory has improved dramatically in the last year in all of the following: building a robust and transparent contractor assurance system that integrates internal and external (corporate) evaluation processes to evaluate risk; demonstrating the use of this system in making decisions that are aligned with the laboratory's vision and strategic plan; understanding the drivers of cost at their lab, and prioritizing and managing these costs consistent with their associated risks and benefits to the laboratory and the SC laboratory system; demonstrating laboratory management and processes reflect a sense of accountability and responsibility with is evident down and through the entire organization; assuring communication between the laboratory and SC headquarters that is beneficial to both the lab and SC.</p>
A-	<p>The laboratory senior management performs better than expected (B+ grade) in these areas.</p>
B+	<p>The laboratory has a robust and transparent contractor assurance system in place that integrates internal and external (corporate) evaluation processes to evaluate risk. The laboratory can demonstrate use of this system in making decisions that are aligned with the laboratory's vision and strategic plan. The laboratory understands the drivers of cost at their lab, and are prioritizing and managing these costs commensurate with the associated risks and benefits to the laboratory and the SC laboratory system. Laboratory management and processes reflect a sense of accountability and responsibility with is evident down and through the entire organization. Communication between the laboratory and SC headquarters and the Site Office is such that there are no surprises or embarrassments.</p>
B	<p>The laboratory has a contractor assurance system in place but further improvements are necessary, or the link between the CAS and the laboratory's decision-making processes are not evident. The laboratory understands the drivers of cost at their lab, but they are not prioritizing and managing these costs as well as they should to be commensurate with the associated risks and benefits to the laboratory and the SC laboratory system. Laboratory management and processes reflect a sense of accountability and responsibility with is mostly evident down and through the entire organization. Communication between the laboratory and SC headquarters and the Site Office is such that there are no significant surprises or embarrassments.</p>

C	The laboratory lacks a robust and transparent contractor assurance system in place that integrates internal and external (corporate) evaluation processes to evaluate risk. The laboratory cannot demonstrate use of this system in making decisions that are aligned with the laboratory’s vision and strategic plan. The laboratory does not fully understand the drivers of cost at their lab, and thus are not prioritizing and managing these costs as well as they should to be commensurate with the associated risks and benefits to the laboratory and the SC laboratory system. Communication between the laboratory and SC headquarters and the Site Office is such that there has been at least one significant surprise or embarrassment.
D	The laboratory lacks a contractor assurance system, doesn’t understand the drivers of cost at their lab, and is not prioritizing and managing costs. SC HQ must intercede in management decisions. Poor communication between the laboratory and SC headquarters and the Site Office has resulted in more than one significant surprise or embarrassment.
F	Lack of management by the laboratory’s senior management has put the future of the laboratory at risk, or has significantly hurt the reputation of the Office of Science.

4.3 Contractor Value-added

By which we mean: the additional benefits that accrue to the laboratory and the Department of Energy by virtue of having this particular M&O contractor in place. Included here, typically, are things over which the laboratory leadership does not have immediate authority, such as:

- Corporate involvement/contributions to deal with challenges at the laboratory;
- Using corporate resources to establish joint appointments or other programs/projects/activities that strengthen the lab, and
- Providing other contributions to the laboratory that that enable the lab to do things that are good for the laboratory and its community and that DOE cannot supply.

Letter Grade	Definition
A+	The laboratory has been transformed as a result of the many, substantial, additional benefits that accrue to the lab as a result of this contractor’s operation of the laboratory.
A	Over the past year, the laboratory has become demonstrably stronger, better and more attractive as a place of employment as a result of the many, substantial, additional benefits that accrue to the lab as a result of this contractor’s operation of the laboratory.
A-	The laboratory senior management performs better than expected (B+ grade) in these areas.
B+	The laboratory enjoys additional benefits above and beyond those associated with managing the laboratory’s activities that accrue as a result of this contractor’s operation of the laboratory.
B	The laboratory enjoys few additional benefits that accrue as a result of this contractor’s operation of the laboratory; help by the contractor is needed to strengthen the laboratory.
C	The laboratory enjoys few additional benefits that accrue as a result of this contractor’s operation of the laboratory; the contractor seems unable to help the laboratory.
D	The laboratory enjoys few additional benefits that accrue as a result of this contractor’s operation of the laboratory; the contractor’s efforts are inconsistent with the interests of the laboratory and the Department.
F	The laboratory enjoys no additional benefits that accrue as a result of this contractor’s operation of the laboratory; the contractor’s efforts are counter-productive to the interests of the Department.

Notable Outcomes

- Demonstrate progress in broadening the customer base in areas of strategic importance to BNL. (Objective 4.1)
- Complete implementation of all remaining Blueprint Tasks. BSA will also develop a Blueprint Closure Package that demonstrates how all Blueprint tasks have been institutionalized to ensure effectiveness. (Objective 4.2)

ELEMENT	Letter Grade	Numerical Score	Objective Weight	Overall Score
Goal 4.0 – Provide Sound and Competent Leadership and Stewardship of the Laboratory				
4.1 Leadership and Stewardship of the Laboratory			33%	
4.2 Management and Operation of the Laboratory			33%	
4.3 Contractor Value-Added			34%	
Performance Goal 4.0 Total				

Table 4.1 – Performance Goal 4.0 Score Development

Total Score	4.3-4.1	4.0-3.8	3.7-3.5	3.4-3.1	3.0-2.8	2.7-2.5	2.4-2.1	2.0-1.8	1.7-1.1	1.0-0.8	0.7-0
Final Grade	A+	A	A-	B+	B	B-	C+	C	C-	D	F

Table 4.2 – Goal 4.0 Final Letter Grade

GOAL 5.0 Sustain Excellence and Enhance Effectiveness of Integrated Safety, Health, and Environmental Protection

The weight of this Goal is 30%.

This Goal evaluates the Contractor’s overall success in deploying, implementing, and improving integrated ES&H systems that efficiently and effectively support the mission(s) of the Laboratory.

- 5.1 Provide an Efficient and Effective Worker Health and Safety Program
- 5.2 Provide Efficient and Effective Environmental Management System

In measuring the performance of the above Objectives, the DOE evaluator(s) shall consider performance trends, outcomes and continuous improvement in protecting workers, the public, and the environment. This may include, but is not limited to, minimizing the occurrence of environment, safety and health (ESH) incidents; effectiveness of the Integrated Safety Management (ISM) system; effectiveness of contractor assurance, work planning, feedback, and improvement processes; the strength of the safety culture throughout the Laboratory; the effective development, implementation and maintenance of an efficient Environmental Management system; and the effectiveness of responses to identified hazards and/or incidents.

Notable Outcomes

- Strengthen the Corrective Action and Preventative Action Program to increase analytical capability, visibility and accountability for reducing the recurrence of events and issues. (Objective 5.1)

ELEMENT	Letter Grade	Numerical Score	Objective Weight	Overall Score
Goal 5.0 - Sustain Excellence and Enhance Effectiveness of Integrated Safety, Health, and Environmental Protection.				
5.1 Provide an Efficient and Effective Worker Health and Safety Program			65%	
5.2 Provide an Efficient and Effective Environmental Management System			35%	
Performance Goal 5.0 Total				

Table 5.1 – Performance Goal 5.0 Score Development

Total Score	4.3-4.1	4.0-3.8	3.7-3.5	3.4-3.1	3.0-2.8	2.7-2.5	2.4-2.1	2.0-1.8	1.7-1.1	1.0-0.8	0.7-0
Final Grade	A+	A	A-	B+	B	B-	C+	C	C-	D	F

Table 5.2 – Goal 5.0 Final Letter Grade

GOAL 6.0 Deliver Efficient, Effective, and Responsive Business Systems and Resources that Enable the Successful Achievement of the Laboratory Mission(s)

The weight of this Goal is 30%.

This Goal evaluates the Contractor’s overall success in deploying, implementing, and improving integrated business systems that efficiently and effectively support the mission(s) of the Laboratory.

- 6.1 Provide an Efficient, Effective, and Responsive Financial Management System(s)
- 6.2 Provide an Efficient, Effective, and Responsive Acquisition Management System
- 6.3 Provide an Efficient, Effective, and Responsive Property Management System
- 6.4 Provide an Efficient, Effective, and Responsive Human Resources Management System and Diversity Program
- 6.5 Provide Efficient, Effective, and Responsive Management Systems for Internal Audit and Oversight; Quality; Information Management; Assurance System and Other Administrative Support Services as Appropriate
- 6.6 Demonstrate Effective Transfer of Technology and Commercialization of Intellectual Assets

In measuring the performance of the above Objectives, the DOE evaluator(s) shall consider performance trends, outcomes and continuous improvement in the development, deployment and integration of foundational program (e.g., Quality, Financial Management, Acquisition Management, Requirements Management, and Human Resource Management) systems across the Laboratory. This may include, but is not limited to, minimizing the occurrence of management systems support issues; quality of work products; continual improvement and improvement driven by the results of audits, reviews, and other performance information; the integration of system performance metrics and trends; the degree of knowledge and appropriate utilization of established system processes/procedures by Contractor management and staff; benchmarking and performance trending analysis. The DOE evaluator(s) shall also consider the stewardship of the pipeline of innovations and resulting intellectual assets at the Laboratory along with impacts and returns created/generated as a result of technology transfer, work for others and intellectual asset deployment activities.

ELEMENT	Letter Grade	Numerical Score	Objective Weight	Overall Score
Goal 6.0 - Deliver Efficient, Effective, and Responsive Business Systems and Resources that Enable the Successful Achievement of the Laboratory Mission(s)				
6.1 Provide an Efficient, Effective, and Responsive Financial Management System(s)			20%	
6.2 Provide an Efficient, Effective, and Responsive Acquisition Management System			15%	
6.3 Provide an Efficient, Effective, and Responsive Property Management System			15%	
6.4 Provide an Efficient, Effective, and Responsive Human Resources Management System and Diversity Program			20%	
6.5 Provide Efficient, Effective, and Responsive Management Systems for Internal Audit and			10%	

ELEMENT	Letter Grade	Numerical Score	Objective Weight	Overall Score
Oversight; Quality; Information Management; Assurance System; and Other Administrative Support Services as Appropriate				
6.6 Demonstrate Effective Transfer of Technology and Commercialization of Intellectual Assets			20%	
Performance Goal 6.0 Total				

Table 6.1 – Performance Goal 6.0 Score Development

Total Score	4.3-4.1	4.0-3.8	3.7-3.5	3.4-3.1	3.0-2.8	2.7-2.5	2.4-2.1	2.0-1.8	1.7-1.1	1.0-0.8	0.7-0
Final Grade	A+	A	A-	B+	B	B-	C+	C	C-	D	F

Table 6.2 – Goal 6.0 Final Letter Grade

GOAL 7.0 Sustain Excellence in Operating, Maintaining, and Renewing the Facility and Infrastructure Portfolio to Meet Laboratory Needs

The weight of this Goal is 30%.

This Goal evaluates the overall effectiveness and performance of the Contractor in planning for, delivering, and operations of Laboratory facilities and equipment needed to ensure required capabilities are present to meet today’s and tomorrow’s mission(s) and complex challenges.

- 7.1 Manage Facilities and Infrastructure in an Efficient and Effective Manner that Optimizes Usage, Minimizes Life Cycle Costs, and Ensures Site Capability to Meet Mission Needs
- 7.2 Provide Planning for and Acquire the Facilities and Infrastructure Required to Support the Continuation and Growth of Laboratory Missions and Programs

In measuring the performance of the above Objectives, the DOE evaluator(s) shall consider performance trends, outcomes and continuous improvement in facility and infrastructure programs. This may include, but is not limited to, the management of real property assets to maintain effective operational safety, worker health, environmental protection and compliance, property preservation, and cost effectiveness; effective facility utilization, maintenance and budget execution; day-to-day management and utilization of space in the active portfolio; maintenance and renewal of building systems, structures and components associated with the Laboratory’s facility and land assets; management of energy use and conservation practices; the integration and alignment of the Laboratory’s comprehensive strategic plan with capabilities; facility planning, forecasting, and acquisition; the delivery of accurate and timely information required to carry out the critical decision and budget formulation process; quality of site and facility planning documents; and Cost and Schedule Performance Index performance for facility and infrastructure projects.

Notable Outcomes

- Develop and implement innovative strategies for addressing infrastructure needs. (Objective 7.1)
- Demonstrate progress towards Site Sustainability Plan FY 2015 goals. (Objective 7.1)
- Satisfactorily execute the funding grant for Joint Photon Sciences Institute (JPSI). (Objective 7.2)

ELEMENT	Letter Grade	Numerical Score	Objective Weight	Overall Score
Goal 7.0 - Sustain Excellence in Operating, Maintaining, and Renewing the Facility and Infrastructure Portfolio to Meet Laboratory Needs.				
7.1 Manage Facilities and Infrastructure in an Efficient and Effective Manner that Optimizes Usage, Minimizes Life Cycle Costs, and Ensures Site Capability to Meet Mission Needs			55%	
7.2 Provide Planning for and Acquire the Facilities and Infrastructure Required to support the Continuation and Growth of Laboratory Missions and Programs			45%	
Performance Goal 7.0 Total				

Table 7.1 – Performance Goal 7.0 Score Development

Total Score	4.3-4.1	4.0-3.8	3.7-3.5	3.4-3.1	3.0-2.8	2.7-2.5	2.4-2.1	2.0-1.8	1.7-1.1	1.0-0.8	0.7-0
Final Grade	A+	A	A-	B+	B	B-	C+	C	C-	D	F

Table 7.2 – Goal 7.0 Final Letter Grade

GOAL 8.0 Sustain and Enhance the Effectiveness of Integrated Safeguards and Security Management (ISSM) and Emergency Management Systems

The weight of this Goal is 10%.

This Goal evaluates the Contractor’s overall success in safeguarding and securing Laboratory assets that supports the mission(s) of the Laboratory in an efficient and effective manner and provides an effective emergency management program.

- 8.1 Provide an Efficient and Effective Emergency Management System
- 8.2 Provide an Efficient and Effective System for Cyber-Security and National Security Systems (NSS)
- 8.3 Provide an Efficient and Effective System for the Physical Security and Protection of Special Nuclear Materials, Classified Matter, and Property
- 8.4 Provide an Efficient and Effective System for the Protection of Classified and Sensitive Information

In measuring the performance of the above Objectives, the DOE evaluator(s) shall consider performance trends, outcomes and continuous improvement in the safeguards and security, cyber security and emergency management program systems. This may include, but is not limited to, the commitment of leadership to strong safeguards and security, cyber security and emergency management systems; the integration of these systems into the culture of the Laboratory; the degree of knowledge and appropriate utilization of established system processes/procedures by Contractor management and staff; maintenance and the appropriate utilization of Safeguards, Security, and Cyber risk identification, prevention, and control processes/activities; and the prevention and management controls and prompt reporting and mitigation of events as necessary.

ELEMENT	Letter Grade	Numerical Score	Objective Weight	Overall Score
Goal 8.0 - Sustain and Enhance the Effectiveness of Integrated Safeguards and Security management (ISSM) and Emergency Management Systems.				
8.1 Provide an Efficient and Effective Emergency Management System			30%	
8.2 Provide an Efficient and Effective System for Cyber-Security and National Security Systems (NSS)			30%	
8.3 Provide an Efficient and Effective System for the Physical Security and Protection of Special Nuclear Materials, Classified Matter, and Property			20%	
8.4 Provide an Efficient and Effective System for the Protection of Classified and Sensitive Information			20%	
Performance Goal 8.0 Total				

Table 8.1 – Performance Goal 8.0 Score Development

Total Score	4.3-4.1	4.0-3.8	3.7-3.5	3.4-3.1	3.0-2.8	2.7-2.5	2.4-2.1	2.0-1.8	1.7-1.1	1.0-0.8	0.7-0
Final Grade	A+	A	A-	B+	B	B-	C+	C	C-	D	F

Table 8.2 – Goal 8.0 Final Letter Grade

U.S. Department of Energy
and
Brookhaven Science Associates, LLC

ATTACHMENT J.9

APPENDIX I

DOE DIRECTIVES/LIST B

**Applicable to the Operation of
The Brookhaven National Laboratory**

**Contract No. DE-AC02-98CH10886
Modification No. M422**

APPENDIX I

DOE DIRECTIVES

There is no List A to this Appendix.

List B to this Appendix contains two parts as follows:

Part I: "Directives List"

This section contains a list of Directives that are considered by DOE as applicable to the BNL contract.

Part II: "Partial Deletions of Directives"

This section contains a list of Directives that are applicable, but have subsequently been revised by DOE to remove certain sections.

Appendix I - Part I

DOE DIRECTIVES LIST

DOE Directives may be found at the following address: <http://www.directives.doe.gov>

DATE	TYPE	NUMBER	THROUGH CHANGE	SUBJECT TITLE Contractor Requirements Document (CRD) Includes Compliance Notes as Necessary
9/29/95	Order	130.1		CRD - Budget Formulation Process
5/2/01	Policy	141.1		Department of Energy Management of Cultural Resources
9/4/08	Manual	142.2-1		CRD – Manual for Implementation of the Voluntary Offer Safeguards Agreement and Additional Protocol with the International Atomic Energy Agency
12/15/06	Order	142.2A		CRD – Voluntary Offer Safeguards Agreement and Additional Protocol with the International Atomic Energy Agency
10/14/10	Order	142.3A		CRD – Unclassified Foreign Visits and Assignments Program
5/8/08	Order	150.1		CRD – Continuity Programs
11/2/05	Order	151.1C		CRD - Comprehensive Emergency Management System
6/27/07	Order	153.1		CRD - Departmental Radiological Emergency Response Assets
12/23/08	Order	200.1A		CRD – Information Technology Management
1/7/05	Order	203.1		Limited Personal Use of Government Office Equipment Including Information Technology
5/8/01	Policy	205.1		Departmental Cyber Security Management Policy
4/17/06	Manual	205.1-3		Telecommunications Security Manual
1/16/09	Order	206.1		CRD - Department of Energy Privacy Program
6/29/07	Notice	206.4		CRD - Personal Identity Verification
4/8/11	Order	210.2A		CRD – DOE Corporate Operating Experience Program
4/19/08	Order	221.1A		CRD - Reporting Fraud, Waste, and Abuse to the Office of Inspector General
2/25/08	Order	221.2A		CRD - Cooperation with the Office of Inspector General
3/4/11	Order	225.1B		CRD - Accident Investigations
6-27-11	Order	231.1B		CRD – Environment, Safety and Health Reporting Compliance Note: This order requires additional reporting per DOE O 458.1 by August 2012.
8/19/03	Manual	231.1-2		CRD - Occurrence Reporting and Processing of Operations Information
12/13/10	Order	241.1B		CRD - Scientific and Technical Information Management
2/3/06	Order	243.1		CRD - Records Management Program
2/2/06	Order	243.2		CRD - Vital Records
4/19/10	Notice	251.79		Extension of DOE N 456.1, The Safe Handling of Unbound Engineered Nanoparticles, Until 4-19-11.
6/23/10	Notice	251.86		Extension of DOE N 234.1, Reporting of Radioactive Sealed Sources, until 5-6-11
2/23/11	Order	252.1A		CRD - Technical Standards Program

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DATE	TYPE	NUMBER	THROUGH CHANGE	SUBJECT TITLE Contractor Requirements Document (CRD) Includes Compliance Notes as Necessary
11/19/09	Order	313.1		CRD – Management and Funding of the Departments Overseas Presence
10/18/07	Order	341.1A Parts: 1.a., 1.b., 2.a., 2.a.(1), 2.a.(2), 2.a.(3), 2.a.(4)(a), 2.a.(4)(b), 2.a.(4)(d), 2.a.(4)(f), 2.a.(4)(g) and 2.a.(4)(h)		CRD - Federal Employee Health Services
2/23/10	Order	350.1	³ 2/23/10	CRD - Contractor Human Resource Management Programs
5/31/11	Order	350.2B		CRD – Use of Management and Operating or Other Facility Management Contractor Employees for Services to DOE in the Washington D.C. Area
8/17/09	Order	410.2		CRD – Management of Nuclear Materials
4/21/05	Order	412.1A		Work Authorization System
10/28/08	Order	413.1B		CRD – Internal Control Program
4/19/06	Order	413.2B	Admin Chg 1 1/31/11	CRD - Laboratory Directed Research and Development
11/29/10	Order	413.3B		CRD – Program and Project Management for the Acquisition of Capital Assets
4/25/11	Order	414.1D		CRD – Quality Assurance
2/8/11	Policy	420.1		Department of Energy Nuclear Safety Policy Compliance Note: Only applicable to BNL facilities categorized as Hazardous Category 1, 2 or 3 nuclear facilities
2/22/05	Order	420.1B	¹ 4/19/10	CRD – Facility Safety Compliance Note: The Strategic Fire Safety Plan addresses a non-compliance to this Order, which was provided to and acknowledged by DOE. It is expected to take a number of years and additional staff effort to complete.
7/21/11	Order	420.2C		CRD – Safety of Accelerator Facilities
6/29/10	Order	422.1		CRD- Conduct of Operations Compliance Note: Applicable to Hazardous Category 1, 2, or 3 nuclear facilities and other facilities as defined by BSA in a Program Plan, to be approved by BHSO, for incorporating Conduct of Operations principles into BSA operations.

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DATE	TYPE	NUMBER	THROUGH CHANGE	SUBJECT TITLE Contractor Requirements Document (CRD) Includes Compliance Notes as Necessary
4/16/10	Order	425.1D		CRD – Verification of Readiness to Start Up or Restart Nuclear Facilities Compliance Note: Only applicable to BNL facilities categorized as Hazardous Category 1, 2 or 3 nuclear facilities
4/21/10	Order	426.2		CRD - Personnel Selection, Training, Qualification, and Certification Requirements for DOE Nuclear Facilities
09/24/03	Order	430.1B	1 2/8/08	CRD – Real Property Asset Management
4/21/10	Order	433.1B		CRD - Maintenance Management Program for DOE Nuclear Facilities Compliance Note: Only applicable to BNL facilities categorized as Hazardous Category 1, 2 or 3 nuclear facilities
6/5/09	Policy	434.1		Conduct and Approval of Select Agent and Toxin Work at Department of Energy Sites
7/9/99	Order	435.1	1 8/28/01	CRD - Radioactive Waste Management
7/9/99	Manual	435.1-1	1 6/19/01	Radioactive Waste Management Manual
5/2/11	Order	436.1		CRD – Departmental Sustainability
3/7/08	Manual	441.1-1		CRD - Nuclear Material Packaging Manual
6/6/01	Order	442.1A		CRD - Department of Energy Employee Concerns Program
7/29/11	Order	442.2		CRD – Differing Professional Opinions for Technical Issues Involving Environment, Safety and Health
3/17/11	Order	443.1B		CRD – Protection of Human Research Subjects
8/2/04	Policy	450.7		DOE Environment, Safety and Health Goals
7/21/11	Order	452.8		CRD - Control of Nuclear Weapon Data
5/31/11	Order	456.1		CRD – The Safe Handling of Unbound Engineered Nanoparticles
9/15/05	Policy	456.1		Secretarial Policy Statement on Nanoscale Safety
2/11/11	Order	458.1	Admin Chg 2 6/6/11	CRD- Radiation Protection of the Public and the Environment Compliance Note: Environmental Safety and Health Directorate is currently developing an implementation/cost plan. by September 1, 2012.
5/14/10	Order	460.1C		CRD - Packaging and Transportation Safety
12/22/04	Order	460.2A		CRD - Departmental Materials Transportation and Packaging Management
6/4/08	Manual	460.2-1A		Radioactive Material Transportation Practices Manual

DOE DIRECTIVES LIST

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DATE	TYPE	NUMBER	THROUGH CHANGE	SUBJECT TITLE Contractor Requirements Document (CRD) Includes Compliance Notes as Necessary
12/20/10	Order	461.1B		CRD – Packaging and Transportation for Offsite Shipment of Materials of National Security Interest
12/29/10	Policy	470.1A		Safeguards and Security Program
10/31/02	Order	470.2B		CRD - Independent Oversight and Performance Assurance Program
8/12/08	Order	470.3B		Graded Security Protection (GPS) Policy
7/21/11	Order	470.4B		CRD – Safeguards and Security Program
1/16/09	Manual	470.4-4A*	1 10/12/10	CRD – Information Security Manual Compliance Note: This Directive is cancelled by Order 471.6, except for Section D. – Technical Surveillance Countermeasures, which will be retained in its entirety.
3/1/10	Order	471.1B		CRD - Identification and Protection of Unclassified Controlled Nuclear Information
4/9/03	Order	471.3	Admin Chg 1 1/13/11	CRD - Identifying and Protecting Official Use Only Information
4/9/03	Manual	471.3-1	Admin Chg 1 1/13/11	CRD - Manual for Identifying and Protecting Official Use Only Information
6/20/11	Order	471.6		CRD – Information Security Compliance Note: Partial deletion of Manual 470.4-4A;
7/27/11	Order	472.2		CRD – Personnel Security
6/27/11	Order	473.3		CRD - Protection Program Operations
6/27/11	Order	474.2	Admin Chg 1 8/3/11	CRD – Nuclear Material Control and Accountability
12/10/04	Order	475.1		Counterintelligence Program
2/1/11	Order	475.2A		CRD – Identifying Classified Information
1/03/01	Manual	481.1-1A	1 9/28/01	Reimbursable Work for Non-Federal Sponsored Process Manual
1/12/01	Order	482.1		CRD - DOE Facilities Technology Partnering Programs
1/12/01	Order	483.1		CRD - DOE Cooperative Research and Development Agreements
1/12/01	Manual	483.1-1		DOE Cooperative Research and Development Agreements
8/17/06	Order	484.1		CRD - Reimbursable Work for the Department of Homeland Security
11/3/04	Order	522.1		CRD - Pricing of Departmental Materials and Services
1/6/03	Order	534.1B		CRD – Accounting
6/24/08	Order	551.1C		CRD - Official Foreign Travel

DOE DIRECTIVES LIST

DOE Directives may be found at the following address: <http://www.directives.doe.gov>

DATE	TYPE	NUMBER	THROUGH CHANGE	SUBJECT TITLE Contractor Requirements Document (CRD) Includes Compliance Notes as Necessary
12/7/05	Order	580.1	1 5/8/08	CRD – Department of Energy Property Management Program
11/12/92	Order	1450.4		Consensual Listening-In to or Recording Telephone/Radio Conversations

Appendix I - Part II

PARTIAL DELETIONS OF DIRECTIVES

DATE	DOE DIRECTIVE NUMBER	SUBJECT TITLE	DELETION DIRECTIVE DATE	SECTIONS DELETED
1 10/12/10	M 470.4-4A	Information Security Manual	Order 471.6,	All, except for Section D. – Technical Surveillance Countermeasures, which will be retained in its entirety

U.S. Department of Energy
and
Brookhaven Science Associates, LLC

ATTACHMENT J.12

APPENDIX L
COMPUTATION OF FEE
FY2012

Applicable to the Operation of
The Brookhaven National Laboratory

Contract No. DE-AC02-98CH10886
Modification No. M422

**APPENDIX L
 FY2012 FEE COMPUTATION
 FEE BASIS**

For FY2012, the performance measure model has one class of performance measures in Appendix B of the Prime Contract that is directly associated with fee (fee bearing). This reflects the approved FY2012 Performance Goals, Objectives, Measures and Targets for Science & Technology and Management and Operations. The FY2012 fee structure is in consonance with the following guidelines:

1. The maximum fee is to be in consonance with fees paid for the operation of similar FFRDC laboratories and will have a single tier structure;
2. While there are no current integrated subcontractor(s), the fees for integrated subcontractor(s), when and if they are again added to the BSA management structure, are included in the total fee set forth in Section B.3 for the second quarter FY12 through the fourth quarter of FY12;
3. The fee structure is to be based on individual Target outcomes and their associated weights as determined separately;
4. The Performance Goal of Science and Technology will act as a “gate,” in that a final Grade of C (1.8) or above is required; there will be no fee if either Performance Goal outcome is D (1.0) or below.

Maximum Fee

The maximum fee that BSA can earn under this matrix for the period of October 1, 2011 through September 30, 2012 is established at \$7,400,000 if the performance goal for Science & Technology is scored 4.1 or above and Management and Operations is scored 3.1 or above. The scoring process is described in Appendix B.

Fee Matrix (Table 1)

Appendix B of the Prime Contract describes the scoring system for BSA’s performance. The “Percent S&T Fee Earned” from Appendix B is multiplied by the “M&O Fee multiple” from Appendix B to arrive at the total earned fee percentage. That percentage is then multiplied by the total available fee to arrive at BSA’s earned fee. See Fee Matrix below.

		Table 1							
		Overall Fee Determination							
Period	Percent S&T Fee Earned from Appendix B, Table C.		M&O Fee Multiplier from Appendix B, Table C.		Overall Earned Performance-Based Fee		Maximum Performance Fee		Earned Fee
10/1/11 – 9/30/12	%	X		=		X	\$ 7,400,000	=	\$