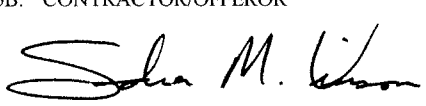



EXCEPTION TO SF 30, APPROVED BY NARS 5/79			
AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE OF PAGES 1 OF 4
2. AMENDMENT/MODIFICATION NO. M046	3. EFFECTIVE DATE See Block 16c.	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (if applicable)
6. ISSUED BY CODE		7. ADMINISTERED BY (if other than Item 6)	
U.S. Department of Energy Chicago Service Center 9800 South Cass Avenue Argonne, Illinois 60439		U.S. Department of Energy Berkeley Site Office 1 Cyclotron Road, MS 90-1023 Berkeley, CA 94720	
8. NAME AND ADDRESS OF CONTRACTOR (No., street, country, State, and ZIP Code)		()	9A. AMENDMENT OF SOLICITATION NO.
The Regents of the University of California Office of the President, Laboratory Administration 1111 Franklin Street, 5 th Floor Oakland, CA 94607-5206			
			9B. DATED (SEE ITEM 11)
		(X)	10A. MODIFICATION OF CONTRACT/ORDER NO. DE-AC02-05CH11231/A000
			10B. DATED (SEE ITEM 13)
CODE	FACILITY CODE		April 19, 2005
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 ex-tended. 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 25, and returning ____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGEMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.			
12. ACCOUNTING AND APPROPRIATION DATA (If required) See Page 2			
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.			
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN CONTRACT/ORDER NO. IN ITEM 10A.			
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation data, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103 (b).			
X C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: Clause H.14 Standards of Contractor Performance Evaluation, paragraph (a) (2). Clause I.16 Small Business Subcontracting Plan paragraph (c).			
X D. OTHER (Specify type of modification and authority) Supplemental agreement pursuant to Appendix A, Section I, paragraph (c).			
E. IMPORTANT: Contractor __ is not, <u>X</u> is required to sign this document and return <u>2</u> copies to the issuing office.			
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)			
Continued on Page 2			
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.			
15A. NAME AND TITLE OF SIGNER (Type or print) Sandra M. Vinson, Director Contracts & Administration, Laboratory Management University of California		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Charles W. Marshall, Contracting Officer U.S. Department of Energy	
15B. CONTRACTOR/OFFEROR  (Signature of person authorized to sign)	15C. DATE SIGNED 7/2/2007	16B. UNITED STATES OF AMERICA By  (Signature of Contracting Officer)	16C. DATE SIGNED 7/3/2007

a. The existing Appendix A, *Advance Understandings on Human Resources* is removed and replaced with the Appendix A *Advance Understandings on Human Resources* attached to this modification which reflects the current mutual understanding of the parties relative to the topics that should be covered in the appendix.

b. The following changes are made to Appendix B, *FY2007 Performance Evaluation and Measurement Plan*:

(1) Measure 5.2.2, the protocol:

As reads: AHDs and the associated hazards will be current as entered in the electronic version.

Is amended to read: For calculations, percent complete is the number of active AHDs authorized through the AHD database divided by the total number of active AHDs multiplied by 100. The total number of active AHDs is the sum of the active AHDs authorized through the AHD database and the number of active AHDs that exist as a “hard copy” or as a Word version that have not yet been migrated over to the new system. Closed, Expired and Draft AHDs are not included in the calculations.

(2) Measure 5.2.4, FY2007 Target:

As reads: Leadership is further strengthening LBNL’s safety program through comprehensive implementation of the Integrated Safety Management Peer Review Corrective Action Plan and follow-up recommendations of the DOE Validation Team. This implementation will also examine outcomes from a planned September 2006 ISM Review and consolidate corrective actions. All corrective actions scheduled for FY 2007 will be completed, integral with a strategy of continuous improvement.

Is amended to read: Leadership is further strengthening LBNL’s safety program through comprehensive implementation of the Corrective Action Plan for ISMS. All major activities scheduled for FY 07 will be completed, integral with a strategy of continuous improvement.

90% (B+) completion of major activities scheduled to be completed by 9/30/07 in Integrated Safety Management System (ISMS) Evaluation Corrective Action Plan.

Gradient:

A	B+	B	C	D	F
100 – 91	90	89-80	79-70	69-60	≤59

Protocol:

1. BSO will verify implementation and appropriateness of major activities.
2. LBNL will provide monthly status report of major activities completion to BSO.
3. BSO will provide feedback to LBNL within 60 days of LBNL notification of closure.
4. BSO will review Baseline Change Proposals for concurrence when changes:
 - a. Extend the Completion Date greater than 30 days beyond the established date; or,
 - b. Postpone the Completion Date until FY08.

(3) Measure 6.2.1 points are reallocated within the Property balanced scorecard as follows:

PERSPECTIVE	POINTS (As reads)	POINTS (amended to read)
Customer	20	20
Internal Business	56	46
Learning and Growth	8	10
Financial	16	24
TOTAL	100	100

(4) Measure 6.3.1 the six areas of the self-assessment are renamed as follows:

As reads:

1. HR Strategic Management

2. Employment and Career Management
3. Total Compensation and Benefits
4. Training, Development, and Performance Expectations
5. Work Environment and Employee/Labor Relations
6. Assurance and HR Business Management

Is amended to read:

1. HR Strategic Management
2. HR Operations and Program Assurance
3. Employment and Talent Management
4. Total Compensation and Benefits
5. Training and Development
6. Work Environment and Employee/Labor Relations

(5) Measure 6.4.3 FY 2007 Target and gradient are modified as follows:

As reads:

FY2007 Target: Internal Audit will report quarterly on direct and indirect hours spent by Internal Audit Staff. Direct hours will account for at least 85% of available work hours averaged over the course of the year.

Hours are calculated by taking the number of person hours available per quarter, with sick, vacation, holiday and other leave hours subtracted from that total. Direct hours include hours spent on audits, advisory services, investigations, external audit coordination, quality assurance, and system-wide development projects. Indirect hours include time spent on administration, professional development, staff meetings, etc.

Gradient/Scoring

Score	Achievement (percentage of hours spent on direct activities)
A+	90 +%
A/A-	88 – 89.9%
B+	85 – 87.9%
B	80 – 84.9%
C	75 – 79.9%
D	70 – 74.9%
F	Less than 70%

Is amended to read:

FY2007 Target: Internal Audit will report quarterly on direct and indirect hours spent by Internal Audit Staff. The percentage of direct hours will be no more than 5 percentage points below the percentage included on the approved annual audit plan, averaged over the course of the fiscal year.

Hours are calculated by taking the number of employee hours available per quarter, with sick, vacation, holiday and other leave hours excluded from that total. Direct hours include hours spent on audits, advisory services, investigations, external audit coordination, quality assurance, and system-wide development projects. Indirect hours include time spent on administration, professional development, staff meetings, etc.

Gradient/Scoring

Score	Achievement (percentage of direct hours)
A+	Plan % or higher
A/A-	No more than 3 percentage points less than Plan %
B+	No more than 5 percentage points less than Plan %
B	No more than 7 percentage points less than Plan %
C	No more than 9 percentage points less than Plan %
D	No more than 11 percentage points less than Plan %
F	More than 11 percentage points below Plan%

(6) Measure 6.4.4 FY 2007 Target and gradient are modified as follows:

As reads:

FY2007 Target: Six out of Seven of the professional staff complete continuing professional education (CPE) hours to maintain credentials/certification.

Final certification determinations are made by the certifying agency. If any staff member is not recertified by the appropriate agency, no partial credit will be given for training hours completed.

Gradient/Scoring

Score	Achievement (professional staff who complete necessary CPE hours)
A	7 of 7
B+	6 of 7
C	5 of 7
D	4 of 7
F	3 of 7

Is amended to read:

FY2007 Target: No more than one of the professional staff will not complete the required continuing professional education (CPE) hours to maintain at least one professional credential/certification.

Final certification determinations are made by the certifying agency. If any staff member is not recertified by the appropriate agency, no partial credit will be given for training hours completed.

Gradient/Scoring

Score	Achievement (number of professional staff with sufficient CPEs to maintain at least one certification/credential)
A	All
B+	All but one
C	All but two
D	All but three
F	All but four

(7) Measure 8.1.2 the gradient dates as read 9/30/06 are amended to read 9/30/07.

(8) Measure 8.1.4 the gradient dates as read 9/30/06 are amended to read 9/30/07.

(9) Measure 8.3.2 the gradient for the “A” grade level is amended to add the words: “,or peer review identifies no findings” to the end of the existing gradient narrative.

c. Appendix H, *Small Business Subcontracting Plan* for FY2006 is deleted and replaced with the attached Appendix H, *Small Business Subcontracting Plan* for FY 2007.

d. All other terms and conditions remain unchanged.

XXXXXXXXXXXXXXXXXXXXX NOTHING FOLLOWS XXXXXXXXXXXXXXXXXXXXXXXX