

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE OF PAGES
			1 6
2. AMENDMENT/MODIFICATION NO. 400	3. EFFECTIVE DATE See Block 16C	4. REQUISITION/PURCHASE REQ. NO. 10SC007083	5. PROJECT NO. (If applicable)
6. ISSUED BY Berkeley Site Office U.S. Department of Energy Berkeley Site Office One Cyclotron Rd., MS90-1023 Berkeley CA 94720	CODE 06008	7. ADMINISTERED BY (If other than Item 6) Berkeley Site Office U.S. Department of Energy Berkeley Site Office One Cyclotron Rd., MS90-1023 Berkeley CA 94720	CODE 06008
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) REGENTS OF THE UNIVERSITY OF CALIFORNIA, THE Attn: JEFF WEINER C/O SPONSORED PROJECTS OFFICE 1 CYCLOTRON RD MS 46R1125 BERKELEY CA 947208099		(x) 9A. AMENDMENT OF SOLICITATION NO.	
CODE 078576738 FACILITY CODE		9B. DATED (SEE ITEM 11)	
		x 10A. MODIFICATION OF CONTRACT/ORDER NO. DE-AC02-05CH11231	
		10B. DATED (SEE ITEM 13) 04/19/2005	

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 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)

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

CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
X	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: FAR 43.103(a) and H.47 Implementation of designated Standard Clauses and Directives
	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 headings, including solicitation/contract subject matter where feasible.)

Tax ID Number: 94-2951741

DUNS Number: 078576738

This Modification to M&O Contract DE-AC02-05CH11231 accomplishes the following:

A) Clause H.30 is amended as follows:


As reads :

CLAUSE H.30 ; RESERVED

Is amended to read:

Continued ...

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 UCOP - Laboratory Management	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Maria C. Robles
15B. CONTRACTOR/OFFEROR  (Signature of person authorized to sign)	15C. DATE SIGNED 06/16/2010
16B. UNITED STATES OF AMERICA Signature on File (Signature of Contracting Officer)	16C. DATE SIGNED 06/16/2010

NAME OF OFFEROR OR CONTRACTOR
REGENTS OF THE UNIVERSITY OF CALIFORNIA, THE

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>CLAUSE H.30 ; CONTRACTOR ASSURANCE SYSTEM</p> <p>(a) The Contractor shall develop a Contractor Assurance System (CAS) that is executed by the Contractor's Board of Directors (or equivalent corporate oversight entity) and implemented throughout the Contractor's organization. This system provides reasonable assurance that the objectives of the contractor management systems are being accomplished and that the system controls will be effective and efficient. The Contractor Assurance System, at a minimum, shall include the following key attributes:</p> <p>(1) A comprehensive description of the assurance system with processes, key activities, and accountabilities clearly identified.</p> <p>(2) A method for verifying/ensuring effective assurance system processes.. Third party audits, peer reviews, independent assessments, and external certification (such as VPP and ISO 9001 or ISO 14001) may be used.</p> <p>(3) Timely notification to the Contracting Officer of significant assurance system changes prior to the changes.</p> <p>(4) Rigorous, risk-based, credible self-assessments, and feedback and improvement activities, including utilization of nationally recognized experts, and other independent reviews to assess and improve the Contractor's work process and to carry out independent risk and vulnerability studies.</p> <p>(5) Identification and correction of negative performance/compliance trends before they become significant issues.</p> <p>(6) Integration of the assurance system with other management systems including Integrated Safety Management.</p> <p>(7) Metrics and targets to assess performance, including benchmarking of key functional areas with other DOE contractors, industry and research institutions. Assure development of metrics and targets that result in efficient and cost effective performance.</p> <p>(8) Continuous feedback and performance improvement.</p> <p>(9) An implementation plan (if needed) that considers and mitigates risks.</p> <p>(10) Timely and appropriate communication to the Contracting Officer, including electronic access, Continued ...</p>				

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ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>of assurance related information.</p> <p>The initial contractor assurance system description shall be approved by the Contracting Officer.</p> <p>(b) The Government may revise its level and/or mix of oversight of this contract when the Contracting Officer determines that the assurance system is or is not operating effectively.</p> <p>B) Clause I.50 FAR 52.244-6 Subcontracts for Commercial Items (AUG 2009) is amended as follows: (1) clause date as reads: (AUG 2009) Is amended to read: (APR 2010) (2) paragraph (c) (1) (i) as reads: 52.203-12, Contractor Code of Business Ethics and Conduct (AUG 2009) Is amended to read: 52.203-13, Contractor Code of Business Ethics and Conduct (APR 2010)</p> <p>C) Clause I.120 FAR 52.203-13 Contractor Code of Business Ethics and Conduct (DEC 2008) is amended as follows: (1) clause date As reads: (DEC 2008) Is amended to read: (APR 2010) (2) paragraph (a) definitions As reads: ;Principal; means an officer, director, owner, partner, or a person having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a subsidiary, division, or business segment; and similar positions). Is amended to read: ;Principal; means an officer, director, owner, partner, or a person having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a division or business segment; and similar positions).</p> <p>D) Appendix P ; Advance Understandings Regarding Implementation of Designated Contract Clauses and Continued ...</p>				

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ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
00001	<p>Directives is amended to add an item 6 which reads as follows:</p> <p>6. Clause H.30 Contractor Assurance System. In implementing this clause the parties agree on the following:</p> <p>a. In paragraph (a) the term ;Board of Directors; shall mean the ;LBNL Contract Assurance Council;.</p> <p>b. In paragraph (a) the term ;throughout the Contractor;s organization; shall mean those portions of the University operations that are subject to contract DE-AC02-05CH11231, alternatively - ;the Laboratory;.</p> <p>E) Conformed copies of Section H, Section I, and Appendix P reflecting the above changes are attached to this modification.</p> <p>F) All other terms and conditions remain unchanged. FOB: Destination Period of Performance: 06/01/2005 to 05/31/2025</p> <p>Change Item 00001 to read as follows (amount shown is the total amount):</p> <p>THIS PERFORMANCE-BASED MANAGEMENT CONTRACT (P BMC) IS FOR THE MANAGEMENT AND OPERATION OF THE ERNEST ORLANDO LAWRENCE BERKELEY NATIONAL LABORATORY (LBNL). THE CONTRACTOR SHALL IN ACCORDANCE WITH THE PROVISIONS OF THIS CONTRACT ACCOMPLISH THE MISSIONS AND PROGRAMS ASSIGNED BY THE U.S. DEPARTMENT OF ENERGY (DOE) AND MANAGE AND OPERATE THE LABORATORY. THE LABORATORY IS ONE OF THE DOE'S OFFICE OF SCIENCE (SC) MULTI-PROGRAM LABORATORIES. THE LABORATORY IS A FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER (FFRDC) ESTABLISHED IN ACCORDANCE WITH THE FEDERAL ACQUISITION REGULATION (FAR) PART 35 AND OPERATED UNDER THIS MANAGEMENT AND OPERATING (M&O) CONTRACT AS DEFINED IN FAR 17.6 AND DEAR 917.6. Line item value is:\$3,772,544,537.07 Incrementally Funded Amount: \$3,772,544,537.07</p> <p>Continued ...</p>				3,772,544,537.07

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