

EXCEPTION TO SF 30, APPROVED BY NARS 579

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| AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT | | | 1. CONTRACT ID CODE | PAGE OF PAGES |
| 2. AMENDMENT/MODIFICATION NO. 991 | | | 3. EFFECTIVE DATE See Block 16c. | 4. REQUISITION/PURCHASE REQ. NO. |
| 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 Attn: Andrew Boulter 1111 Franklin Street, 11 th Floor Oakland, CA 94607-5206 | | | | |
| | | | | 9B. DATED (SEE ITEM 11) |
| | | | (X) | 10A. MODIFICATION OF CONTRACT/ORDER NO. DE-AC02-05CH11231/A000 |
| CODE 003985512 | | | FACILITY CODE | 10B. DATED (SEE ITEM 13) 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 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 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) N/A 001 | | | | |
| 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: FAR 43.103(a)(3) | | | | |
| D. OTHER (Specify type of modification and authority) | | | | |
| E. IMPORTANT: Contractor ___ is not, X is required to sign this document and return 2 copies to the issuing office. | | | | |
| 14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) | | | | |
| See Page 2 | | | | |
| Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect. | | | | |
| 15A. NAME AND TITLE OF SIGNER (Type or print) | | | 16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) | |
| Nicole O. Rantz, Associate Director Business and Contracts Management | | | | |
| 15B. CONTRACTOR/OFFEROR | 15C. DATE SIGNED | 16B. UNITED STATES OF AMERICA | 16C. DATE SIGNED | |
| <i>Nicole O. Rantz</i> (Signature of person authorized to sign) | 3/23/17 | By (Signature of Contracting Officer) | | |

Approved as to legal form: *Barton Lounsbury* 3/22/2017 (Barton Lounsbury, University Counsel, Office of the General Counsel)

Block 14 “DESCRIPTION OF AMENDMENT/MODIFICATION,” continued.

The purpose of this modification is to modify Clause 970.5226-1 Diversity Plan and revise the following Appendices:

A. I.89 970.5226-1 DIVERSITY PLAN (DEC 2000)

The Contractor shall submit a Diversity Plan to the Contracting Officer for approval within 90 days after the effective date of this contract (or contract modification, if appropriate). The Contractor shall submit an update to its Plan annually. By February 1 of each fiscal year, DOE will issue its guidance to the Contractor for the annual Diversity Plan for the fiscal year. The Contractor shall submit its annual Diversity Plan to DOE no later than April 16 of each year. The Plan shall include innovative strategies for increasing opportunities to fully use the talents and capabilities of a diverse work force. The Plan shall address, at a minimum, the Contractor's approach for promoting diversity through (1) the Contractor's work force, (2) educational outreach, (3) community involvement and outreach, (4) subcontracting, (5) economic development (including technology transfer), and (6) the prevention of profiling based on race or national origin.

(End of clause)

- B. Appendix G, entitled “Purchasing System Requirements,” is revised to clarify when actions will be reviewed by the Site Office and to change the purchasing system thresholds from \$10M for cost reimbursement and \$15M for firm fixed price to \$10M for all Advanced Acquisition Plans, Solicitations, and awards of Subcontracts, including subsequent modifications that increase total estimated costs to \$10M or greater.
- C. Appendix H, entitled “Small Business Subcontracting Plan” will lower the Small Business Goal from 50% to 40%, and make administrative changes agreed to by the parties.
- D. Appendix I, DOE Directives/List B. Section J, Attachment J.9, is modified as follows:

| DOE Order | Title | Change & Explanation |
|--------------------------------|---------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| DOE O 151.1D | Comprehensive Emergency Management System | This Order is updated in the contract from DOE O 151.1C to 151.1D with an implementation effective date of 8/11/2017 |
| DOE O 221.1B | Reporting Fraud, Waste and Abuse to the Office of Inspector General | This Order is updated in the contract from DOE O 221.1A to 221.1B |
| DOE O 241.1B Chg 1 (Admin Chg) | Scientific and Technical Information Management | This Order is updated in the contract from DOE O 241.1B to 241.1B Chg 1 (Admin Chg) |

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|-------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DOE O 413.3B Chg 3 (Pg Chg), | Program and Project Management for the Acquisition of Capital Assets | This Order is updated in the contract from DOE O 413.3B to 413.3B Chg 3 (Pg Chg) with an implementation effective date contingent upon DOE updating PARS II |
| DOE O 442.2 Chg 1 (Pg Chg) | Differing Professional Opinions for Technical Issues Involving Environmental, Safety, and Health Technical Concerns | This Order is updated in the contract from DOE O 442.2 to 442.2 Chg 1 (Pg Chg)) |
| DOE O 443.1B Chg1 (Pg Chg) | Protection of Human Research Subjects | This Order is updated in the contract from DOE O 443.1B to 443.1B Chg1 (PgChg)) |
| DOE O 456.1A | The Safe Handling of Unbound Engineered Nanoparticles | This Order is updated in the contract from DOE O 456.1 to 456.1A |
| DOE O 460.1D | Hazardous Materials Packaging and Transportation Safety | This Order is updated in the contract from DOE O 460.1C to 460.1D with an implementation effective date of 4/1/2018 |
| DOE O 473.3A | Protection Program Operations | This Order is updated in the contract from DOE O 473.3 to 473.3A with an implementation effective date of 4/1/2018 |
| DOE O 474.2 Chg 4 (PgChg), | Nuclear Material Control and Accountability | This Order is updated in the contract from DOE O 474.2 to 474.2 Chg4 (PgChg) with an implementation effective date of 9/15/2017 |
| DOE O 551.1D Chg 2 (Minor Revision) | Official Foreign Travel | This Order is updated in the contract from DOE O 551.1D to 551.1D Chg 2 (Minor Revision) |
| DOE O 1450.4 | Consensual Listening-in to or Recording Telephone/Radio Conversations (restricted) | This Order is deleted from the contract; cancelled by DOE N 251.107 |

- E. Appendix M, Contract Guidance for Preparation of Diversity Plan will be deleted in its entirety and replaced with the modified Clause 970.5226-1 entitled "Diversity Plan." The Appendix is now reserved.
- F. Appendix O, entitled "Key Personnel" is updated as follows: Glenn Kubiak's title from Associate Laboratory Director for Operations/Chief Operating Officer to Laboratory Deputy Director for Operations / Chief Operating Officer, and Horst Simon from Deputy Director to Laboratory Deputy Director for Research.
- G. All other terms and conditions remained unchanged.