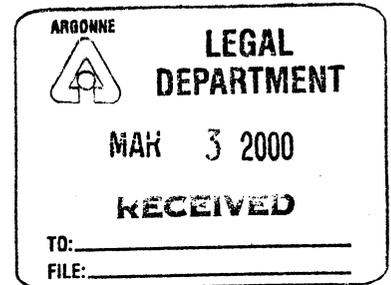




Department of Energy

Argonne Group
9800 South Cass Avenue
Argonne, Illinois 60439

MAR - 2 2000



Mr. Arthur M. Sussman
Vice President for Argonne National Laboratory
The University of Chicago
5801 South Ellis Avenue, Room 503
Chicago, Illinois 60637

→ Combined Base

Dear Mr. Sussman:

**SUBJECT: UNDERSTANDING REGARDING MODIFICATION NO. M353
TO CONTRACT NO. W-31-109-ENG-38**

This letter clarifies particular provisions that follow (as referenced by the applicable Clause as set forth in the referenced Modification No. M353 to Contract No. W-31-109-ENG-38 (the Contract)) to provide for the management and operation of Argonne National Laboratory for the Department of Energy (DOE).

1. Clause H.40 – Travel Restrictions (AL99-07). The parties agree that the referenced ceiling limitation on Contractor travel expenses applies only to Energy and Water Development Appropriations Act, 2000, accrued cost/funded expenses, and shall not apply to any other accrued cost/expenses, whether funded by any other Appropriations Act, Work-For-Others or any other sponsor-funded accrued cost/expenses, and/or by any other means.
2. Clause H.41 – Lobbying Restriction (Energy and Water Development Appropriations Act, 2000). This Clause's restriction on the Contractor's expenditure, directly or indirectly, of funds obligated on the Contract to influence matters pending before Congress has been interpreted in a memorandum dated January 8, 1999, issued by the DOE Office of General Counsel, as not extending to the Contractor's use of fee.
3. Clause H.42 – Lobbying Restriction (Department of Interior and Related Agencies Appropriations Act, 2000). This Clause's restriction on the Contractor's making available funds obligated on the Contract for any activity or publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete, has been interpreted in a memorandum dated January 8, 1999, issued by the DOE Office of General Counsel, as not extending to the Contractor's use of fee.

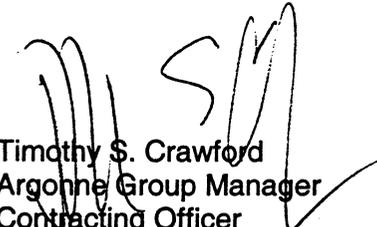
Mr. Arthur M. Sussman

- 2 -

MAR - 2 2000

If your understanding of these matters is the same as indicated above, please sign indicating your concurrence and return a duplicate original to me.

Sincerely,



Timothy S. Crawford
Argonne Group Manager
Contracting Officer

Concur:

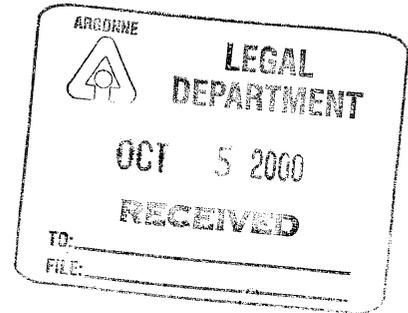
Arthur M. Sussman
Vice President for Argonne National Laboratory

cc: ~~H. C. Bernstein, ANL-LEG/201~~
Y. I. Chang, ANL-OTD/201
S. D. Golden, University of Chicago
J. W. O'Kelley, ANL-OCF/201



Department of Energy

Argonne Group
9800 South Cass Avenue
Argonne, Illinois 60439
SEP 29 2000



Mr. Arthur M. Sussman
Vice President for Argonne National Laboratory
The University of Chicago
5801 South Ellis Avenue
Chicago, Illinois 60637

Dear Mr. Sussman:

SUBJECT: CONTRACT NO. W-31-109-ENG-38 FOR OPERATION OF
ARGONNE NATIONAL LABORATORY; MODIFICATION NO. M353

Enclosed is a fully executed copy of Modification M353 which incorporates the following: new Clauses H.40 – TRAVEL RESTRICTIONS, H41 – LOBBYING RESTRICTION (ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2000), and H.42 – LOBBYING RESTRICTION (DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000); substitutes PART I, SECTION H, SPECIAL CONTRACT REQUIREMENTS TABLE OF CONTENTS dated, January 20, 2000 for the previous PART I, SECTION H, SPECIAL CONTRACT REQUIREMENTS TABLE OF CONTENTS incorporated by Modification M345; and EXHIBIT I – GRADES AND RATE RANGES of Appendix A, dated January 20, 2000 is substituted for EXHIBIT I – GRADES AND RATE RANGES previously incorporated by Modification M345; and Appendix I, dated September 1, 2000 is substituted for Appendix I, previously incorporated by Modification M345.

Should you have any questions, please call me or Sergio Martinez of my staff at (630) 252-2075.

Sincerely,

Robert C. Wunderlich
Acting Argonne Group Manager

Enclosure:
As Stated

cc: Y. I. Chang, Interim Laboratory Director, ANL, w/encl.
J. W. O'Kelley, Chief Financial Officer, ANL, w/encl. (6 cys)
R. Bouie, Acting Chief Operations Officer, ANL, w/encl.
J. R. LaFevers, Executive Director and Deputy to the Vice President
for ANL, w/encl.
Don M. Randel, President, University of Chicago, w/encl.
W. J. Hogan, Jr., Comptroller, University of Chicago, w/encl.
Y. Chang, Idaho, ANL-W, ATTN: Sharron Janning, w/encl.
M. Bartos, Assistant Chief Financial Officer/Budget Management, ANL, w/encl.
(8 cys)
W. Luck, ANL-LEG, w/encl.

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE PAGE OF PAGES
1 3

2. AMENDMENT/MODIFICATION NO. M353	3. EFFECTIVE DATE See Attached	4. REQUISITION/PURCHASE REQ. NO. 02-00CHENG38.006	5. PROJECT NO. (If applicable) N/A
--	--	---	--

6. ISSUED BY CODE U.S. Department of Energy Chicago Operations Office/Argonne Group 9800 South Cass Avenue Argonne, IL 60439	7. ADMINISTERED BY (If other than Item 6) Code
--	--

3. NAME AND ADDRESS OF CONTRACTOR (No. street, county, State and ZIP Code) The University of Chicago 5801 S. Ellis Avenue Chicago, IL 60637	<input checked="" type="checkbox"/>	9.A. AMENDMENT OF SOLICITATION NO.
		9.B. DATED (SEE ITEM 11)
		10.A. MODIFICATION OF Contract/Order NO. W-31-109-ENG-38
		10.B. DATED (SEE ITEM 13)

CODE N/A FACILITY CODE N/A

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

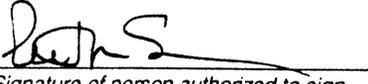
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

<input checked="" type="checkbox"/>	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	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
	D. OTHER (Specify type of modification and authority)

IMPORTANT: Contractor is not, is required to sign this document and return 3 copies to the issuing office.

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

See Page No. 2 of this Modification

5A. NAME AND TITLE OF SIGNER (Type or print) Arthur M. Sussman Vice President for Argonne National Lab.	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Sergio E. Martinez, Contracting Officer
5B. CONTRACTOR/OFFEROR  (Signature of person authorized to sign)	16B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer)
15C. DATE SIGNED 9/20/00	16C. DATE SIGNED 9/24/00

14. Description of Amendment/Modification:

1. New Clause H.40 is added to the contract as follows:

CLAUSE H.40 – TRAVEL RESTRICTIONS (AL99-07) (DEVIATION)

- (a) For contractor travel expenses incurred on or after October 1, 1999 a ceiling limitation of \$6,596,000 shall apply to all reimbursements made for contractor travel expenses under this contract. Expended funds which exceed the established ceiling will be unallowable unless otherwise authorized by the contracting officer. (Applicable only to FY2000 Energy and Water Development Appropriation Act Funds).
- (b) Notwithstanding any other provisions of the contract, the contractor further agrees that none of the funds obligated under the contract may be used to reimburse employee travel costs incurred on or after October 1, 1999 and before October 1, 2000 which exceed the rates and amounts that apply to federal employees under subchapter I of Chapter 57 of Title 5, United States Code. To the extent that this contract provides elsewhere for the reimbursement of employee travel costs which exceed the rates and amounts that apply to federal employees under subchapter I of Chapter 57 of Title 5, United States Code, the preceding limitation on reimbursement of employee travel costs applies to costs incurred on or after December 1, 1999 and before October 1, 2000. Costs which exceed these rates and amounts will be unallowable. This restriction is in addition to those prescribed elsewhere in statute or regulation.
- (c) Costs incurred for lodging, meals, and incidental expenses are considered reasonable and allowable to the extent that they do not exceed the maximum per diem rates in effect at the time of travel as set forth in:
 - (i) Federal Travel Regulations (FTR) for travel within the 48 states;
 - (ii) Joint Travel Regulations (JTR) for travel in Alaska, Hawaii, the Commonwealth of Puerto Rico, and territories and possessions of the United States; or
 - (iii) Standardized Regulations (SR) for travel allowances in foreign areas.
- (d) Subparagraph (c) does not incorporate the regulations cited above in their entirety. Only the coverages in the referenced regulations addressing the maximum per diem rates, the definitions of lodging, meals, and incidental expenses, and special or unusual situations are applicable to contractor travel.

- (e) Airfare costs in excess of the lowest customary standard, coach, or equivalent airfare offered during normal business hours are unallowable except when such accommodations require circuitous routing, require travel during unreasonable hours, excessively prolong travel, result in increased cost that would offset transportation savings, are not reasonably adequate for the physical or medical needs of the traveler, or are not reasonably available to meet mission requirements. However, in order for airfare costs in excess of the above standard airfare to be allowable, the applicable condition(s) set forth above must be documented and justified.

- 2. New Clause H.41 is added to the contract as follows:

CLAUSE H.41 – LOBBYING RESTRICTION (ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2000)

The contractor agrees that none of the funds obligated on this award shall be expended, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913. This restriction is in addition to those prescribed elsewhere in statute and regulation.

- 3. New Clause H.42 is added to the contract as follows:

CLAUSE H.42 – LOBBYING RESTRICTION (DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000)

The contractor agrees that none of the funds obligated on this award shall be made available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete. This restriction is in addition to those prescribed elsewhere in statute and regulation.

- 4. PART I, SECTION H, SPECIAL CONTRACT REQUIREMENTS TABLE OF CONTENTS dated, January 20, 2000 (attached), is substituted for the previous PART I, SECTION H, SPECIAL CONTRACT REQUIREMENTS TABLE OF CONTENTS incorporated by Modification M345
- 5. EXHIBIT I – GRADES AND RATE RANGES of Appendix A, dated January 20, 2000 (attached), is substituted for EXHIBIT I – GRADES AND RATE RANGES previously incorporated by Modification M345.
- 6. Appendix I, dated September 1, 2000 (attached), is substituted for Appendix I, previously incorporated by Modification M345.

END OF MODIFICATION

PART I

SECTION H

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471.1A	06/30/00	Identification and Protection of Unclassified Controlled Nuclear Information
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472.1B	03/24/97	Personnel Security Activities
473.2	06/30/00	Protective Force Program
473.4	05/26/00	Department of Energy Badges
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5560.1A	05/08/85	Priorities and Allocations Program

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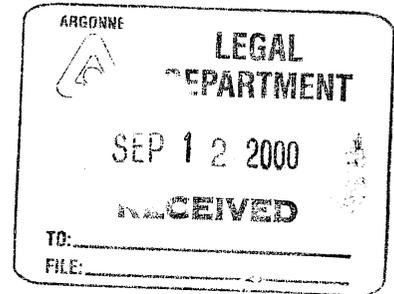
* Parts canceled by new Orders



Department of Energy

Argonne Group
9800 South Cass Avenue
Argonne, Illinois 60439

11 SEP 2000



Mr. Arthur M. Sussman
General Counsel and Vice President for
Administration and Argonne National Laboratory
The University of Chicago
5801 South Ellis Avenue
Chicago, Illinois 60637

Dear Mr. Sussman:

**SUBJECT: CONTRACT NO. W-31-109-ENG-38 FOR OPERATION OF ARGONNE
NATIONAL LABORATORY: MODIFICATION NO. M353**

Enclosed, are four copies of revised Modification M353. Apparently, a previous version of this modification dated February 3, 2000 was lost prior to full execution. Please sign three copies of the subject modification and return to this office. A fully executed copy will be returned for your records.

Modification M353 accomplishes the following: incorporates new Clauses H.40 – TRAVEL RESTRICTIONS, H41 – LOBBYING RESTRICTION (ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2000), and H.42 – LOBBYING RESTRICTION (DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000); substitutes PART I, SECTION H, SPECIAL CONTRACT REQUIREMENTS TABLE OF CONTENTS dated, January 20, 2000 for the previous PART I, SECTION H, SPECIAL CONTRACT REQUIREMENTS TABLE OF CONTENTS incorporated by Modification M345; and EXHIBIT I – GRADES AND RATE RANGES of Appendix A, dated January 20, 2000 is substituted for EXHIBIT I – GRADES AND RATE RANGES previously incorporated by Modification M345; and Appendix I, dated September 1, 2000 is substituted for Appendix I, previously incorporated by Modification M345.

Should you have any questions, please contact me at (630) 252-2075.

Sincerely,

Sergio E. Martinez, Contracting Officer
Business Management Team

Enclosure:
As Stated

cc: S. Golden, UofC
B. Luck, ANL-LEG
J. O'Kelley, ANL-OCF

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE

PAGE OF PAGES

1 | 3

2. AMENDMENT/MODIFICATION NO.

M353

3. EFFECTIVE DATE

See Attached

4. REQUISITION/PURCHASE REQ. NO.

02-00CHENG38.006

5. PROJECT NO. (If applicable)

N/A

SUED BY CODE

U.S. Department of Energy
Chicago Operations Office/Argonne Group
9800 South Cass Avenue
Argonne, IL 60439

7. ADMINISTERED BY (If other than Item 6)

Code

8. NAME AND ADDRESS OF CONTRACTOR (No. street, county, State and ZIP Code)

The University of Chicago
5801 S. Ellis Avenue
Chicago, IL 60637

(✓)

9.A. AMENDMENT OF SOLICITATION NO.

9.B. DATED (SEE ITEM 11)

10.A. MODIFICATION OF Contract/Order NO.

W-31-109-ENG-38

10.B. DATED (SEE ITEM 13)

CODE N/A

FACILITY CODE N/A

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.

- 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).
- C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
Mutual Agreement of the Parties
- D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor is not, is required to sign this document and return 3 copies to the issuing office.

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

See Page No. 2 of this Modification

15A. NAME AND TITLE OF SIGNER (Type or print)

16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)

Sergio E. Martinez, Contracting Officer

15B. CONTRACTOR/OFFEROR

15C. DATE SIGNED

16B. UNITED STATES OF AMERICA

16C. DATE SIGNED

BY

(Signature of person authorized to sign)

(Signature of Contracting Officer)

14. Description of Amendment/Modification:

1. New Clause H.40 is added to the contract as follows:

CLAUSE H.40 – TRAVEL RESTRICTIONS (AL99-07) (DEVIATION)

- (a) For contractor travel expenses incurred on or after October 1, 1999 a ceiling limitation of \$6,596,000 shall apply to all reimbursements made for contractor travel expenses under this contract. Expended funds which exceed the established ceiling will be unallowable unless otherwise authorized by the contracting officer. (Applicable only to FY2000 Energy and Water Development Appropriation Act Funds).
- (b) Notwithstanding any other provisions of the contract, the contractor further agrees that none of the funds obligated under the contract may be used to reimburse employee travel costs incurred on or after October 1, 1999 and before October 1, 2000 which exceed the rates and amounts that apply to federal employees under subchapter I of Chapter 57 of Title 5, United States Code. To the extent that this contract provides elsewhere for the reimbursement of employee travel costs which exceed the rates and amounts that apply to federal employees under subchapter I of Chapter 57 of Title 5, United States Code, the preceding limitation on reimbursement of employee travel costs applies to costs incurred on or after December 1, 1999 and before October 1, 2000. Costs which exceed these rates and amounts will be unallowable. This restriction is in addition to those prescribed elsewhere in statute or regulation.
- (c) Costs incurred for lodging, meals, and incidental expenses are considered reasonable and allowable to the extent that they do not exceed the maximum per diem rates in effect at the time of travel as set forth in:
 - (i) Federal Travel Regulations (FTR) for travel within the 48 states;
 - (ii) Joint Travel Regulations (JTR) for travel in Alaska, Hawaii, the Commonwealth of Puerto Rico, and territories and possessions of the United States; or
 - (iii) Standardized Regulations (SR) for travel allowances in foreign areas.
- (d) Subparagraph (c) does not incorporate the regulations cited above in their entirety. Only the coverages in the referenced regulations addressing the maximum per diem rates, the definitions of lodging, meals, and incidental expenses, and special or unusual situations are applicable to contractor travel.

- (e) Airfare costs in excess of the lowest customary standard, coach, or equivalent airfare offered during normal business hours are unallowable except when such accommodations require circuitous routing, require travel during unreasonable hours, excessively prolong travel, result in increased cost that would offset transportation savings, are not reasonably adequate for the physical or medical needs of the traveler, or are not reasonably available to meet mission requirements. However, in order for airfare costs in excess of the above standard airfare to be allowable, the applicable condition(s) set forth above must be documented and justified.

- 2. New Clause H.41 is added to the contract as follows:

CLAUSE H.41 – LOBBYING RESTRICTION (ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2000)

The contractor agrees that none of the funds obligated on this award shall be expended, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913. This restriction is in addition to those prescribed elsewhere in statute and regulation.

- 3. New Clause H.42 is added to the contract as follows:

CLAUSE H.42 – LOBBYING RESTRICTION (DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000)

The contractor agrees that none of the funds obligated on this award shall be made available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete. This restriction is in addition to those prescribed elsewhere in statute and regulation.

- 4. PART I, SECTION H, SPECIAL CONTRACT REQUIREMENTS TABLE OF CONTENTS dated, January 20, 2000 (attached), is substituted for the previous PART I, SECTION H, SPECIAL CONTRACT REQUIREMENTS TABLE OF CONTENTS incorporated by Modification M345
- 5. EXHIBIT I – GRADES AND RATE RANGES of Appendix A, dated January 20, 2000 (attached), is substituted for EXHIBIT I – GRADES AND RATE RANGES previously incorporated by Modification M345.
- 6. Appendix I, dated September 1, 2000 (attached), is substituted for Appendix I, previously incorporated by Modification M345.

END OF MODIFICATION

PART I

SECTION H

SPECIAL CONTRACT REQUIREMENTS

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Schedule B - Pay Schedule for Temporary Student Appointments.

Schedule C - Pay Schedule for Temporary Classifications.

Appendix I - List B

DOE Directives

ES&H ORDERS

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Chg. 1	10/26/95	
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225.1A	11/26/97	Accident Investigation
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425.1A	12/28/98	Startup and Restart of Nuclear Facilities
435.1	07/09/99	Radioactive Waste Management
Notice 440.1	07/15/97	Interim Chronic Beryllium Disease Prevention Program
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Chg. 1	10/13/95	
Chg. 2	10/26/95	
460.1A	10/02/96	Packaging and Transportation Safety
460.2	09/27/95	Departmental Material Transportation and Packaging Management
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DOE Directives

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5480.23	04/10/92	Nuclear Safety Analysis Reports
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471.2A	03/27/97	Information Security Program (expiration extended by N 471.2)
472.1B	03/24/97	Personnel Security Activities
473.2	06/30/00	Protective Force Program
473.4	05/26/00	Department of Energy Badges
473.5	06/05/00	Security Area Vouching and Piggybacking
474.1	08/11/99	Control and Accountability of Nuclear Materials
551.1A	08/25/00	Official Foreign Travel
1270.2B	06/23/92	Safeguards Agreement with the International Atomic Energy Agency
5610.2 Chg. 1	08/01/80 09/02/86	Control of Weapon Data
5631.2C* Chg. 1 Chg. 2	09/15/92 06/07/93 02/17/94	Personnel Security Program
5632.1C	07/15/94	Protection and Control of Safeguards and Security Interests
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5670.3	09/04/92	Counterintelligence Program

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413.1	12/06/95	Management Control Program (expiration extended by N 413.1)
534.1	09/29/95	Accounting
2100.8A	01/27/93	Cost Accounting, Cost Recovery, and Interagency Sharing of Information Technology Facilities
2110.1A	07/14/88	Pricing of Departmental Materials and Services
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2300.1B	06/08/92	Audit Resolution and Followup
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224.1	12/08/97	Contractor Performance-Based Business Management Process
241.1	08/17/98	Scientific and Technical Information Management
251.1A	01/30/98	Directives System
252.1	11/19/99	Technical Standards Program
350.1	09/30/96	Contractor Human Resource Management Programs
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Notice 350.5	04/15/99	Use of Facility Contractor Employees for Services to DOE in the Washington, D.C., Area
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2320.1C	05/18/92	Cooperation with the Office of Inspector General
5530.1A	09/20/91	Accident Response Group
5530.3 Chg. 1	01/14/92 04/10/92	Radiological Assistance Program

* Parts canceled by new Orders

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE

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2. AMENDMENT/MODIFICATION NO. M353	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO. 02-00CHENG38.006	5. PROJECT NO. (If applicable) N/A
ISSUED BY CODE U.S. Department of Energy Chicago Operations Office/Argonne Group 9800 South Cass Avenue Argonne, IL 60439		7. ADMINISTERED BY (If other than Item 6) Code	

8. NAME AND ADDRESS OF CONTRACTOR (No. street, county, State and ZIP Code) The University of Chicago 5801 S. Ellis Avenue Chicago, IL 60637	<input checked="" type="checkbox"/>	9.A. AMENDMENT OF SOLICITATION NO.
		9.B. DATED (SEE ITEM 11)
		10.A. MODIFICATION OF Contract/Order NO. W-31-109-ENG-38
		10.B. DATED (SEE ITEM 13) October 1, 1999
CODE N/A	FACILITY CODE N/A	

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 checked="" type="checkbox"/>	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	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
	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor is not, is required to sign this document and return 3 copies to the issuing office.

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

See Page No. 2 of this Modification

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Timothy S. Crawford, Contracting Officer
15B. CONTRACTOR/OFFEROR	16B. UNITED STATES OF AMERICA
15C. DATE SIGNED	16C. DATE SIGNED
_____ (Signature of person authorized to sign)	_____ (Signature of Contracting Officer)

Modification No. M353
Prime Contract No. W-31-109-ENG-38
Page No. 2 of 3

14. Description of Amendment/Modification:

1. New Clause H.40 is added to the contract as follows:

CLAUSE H.40 – TRAVEL RESTRICTIONS (AL99-07)

- (a) For contractor travel expenses incurred on or after October 1, 1999 a ceiling limitation of \$6,171,000 shall apply to all reimbursements made for contractor travel expenses under this contract. Expended funds which exceed the established ceiling will be unallowable unless otherwise authorized by the contracting officer.
- (b) Notwithstanding any other provisions of the contract, the contractor further agrees that none of the funds obligated under the contract may be used to reimburse employee travel costs incurred on or after October 1, 1999 and before October 1, 2000 which exceed the rates and amounts that apply to federal employees under subchapter I of Chapter 57 of Title 5, United States Code. To the extent that this contract provides elsewhere for the reimbursement of employee travel costs which exceed the rates and amounts that apply to federal employees under subchapter I of Chapter 57 of Title 5, United States Code, the preceding limitation on reimbursement of employee travel costs applies to costs incurred on or after December 1, 1999 and before October 1, 2000. Costs which exceed these rates and amounts will be unallowable. This restriction is in addition to those prescribed elsewhere in statute or regulation.
- (c) Costs incurred for lodging, meals, and incidental expenses are considered reasonable and allowable to the extent that they do not exceed the maximum per them rates in effect at the time of travel as set forth in:
- (i) Federal Travel Regulations (FTR) for travel within the 48 states;
 - (ii) Joint Travel Regulations (JTR) for travel in Alaska, Hawaii, the Commonwealth of Puerto Rico, and territories and possessions of the United States; or
 - (iii) Standardized Regulations (SR) for travel allowances in foreign areas.
- (d) Subparagraph (c) does not incorporate the regulations cited above in their entirety. Only the coverages in the referenced regulations addressing, the maximum per them rates, the definitions of lodging, meals, and incidental expenses, and special or unusual situations are applicable to contractor travel.

Modification No. M353
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- (e) Airfare costs in excess of the lowest customary standard, coach, or equivalent airfare offered during normal business hours are unallowable except when such accommodations require circuitous routing, require travel during unreasonable hours, excessively prolong travel, result in increased cost that would offset transportation savings, are not reasonably adequate for the physical or medical needs of the traveler, or are not reasonably available to meet mission requirements. However, in order for airfare costs in excess of the above standard airfare to be allowable, the applicable condition(s) set forth above must be documented and justified.
2. New Clause H.41 is added to the contract as follows:
- CLAUSE H.41 – LOBBYING RESTRICTION (ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2000)**
- The contractor agrees that none of the funds obligated on this award shall be expended, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913. This restriction is in addition to those prescribed elsewhere in statute and regulation.
3. New Clause H.42 is added to the contract as follows:
- CLAUSE H.42 – LOBBYING RESTRICTION (DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000)**
- The contractor agrees that none of the funds obligated on this award shall be made available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete. This restriction is in addition to those prescribed elsewhere in statute and regulation.
4. PART I, SECTION H, SPECIAL CONTRACT REQUIREMENTS TABLE OF CONTENTS dated, January 20, 2000 (attached), is substituted for the previous PART I, SECTION H, SPECIAL CONTRACT REQUIREMENTS TABLE OF CONTENTS incorporated by Modification M345
5. EXHIBIT I – GRADES AND RATE RANGES of Appendix A, dated January 20, 2000 (attached), is substituted for EXHIBIT I – GRADES AND RATE RANGES previously incorporated by Modification M345.
6. Appendix I, dated January 20, 2000 (attached), is substituted for Appendix I, previously incorporated by Modification M345.

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Modification No. M353
Supplemental Agreement to
Contract No. W-31-108-ENG-38

Appendix I

DOE Directives

January 20, 2000
Modification No. M353
Contract No. W-31-109-ENG-38
Appendix A
October 1, 1999 – September 30, 2000

EXHIBIT I - GRADES AND RATE RANGES

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January 20, 2000
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Chg. 2	08/13/81	
Chg. 3	11/06/87	
Chg. 4	10/17/89	
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Chg. 6	06/29/90	
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Notice 142.1	07/14/99	Unclassified Foreign Visits and Assignments
Notice 205.1	07/26/99	Unclassified Cyber Security Program
Notice 205.2	11/01/99	Foreign National Access to DOE Cyber Systems
470.1	09/28/95	Safeguards and Security Program
Chg. 1	06/21/96	(expiration extended by N 470.1)
470.2	12/23/98	Safeguards and Security Independent Oversight Program
471.1	09/25/95	Identification and Protection of Unclassified Controlled Nuclear Information (expiration extended by N 471.1)
471.2A	03/27/97	Information Security Program (expiration extended by N 471.2)
472.1B	03/24/97	Personnel Security Activities
474.1	08/11/99	Control and Accountability of Nuclear Materials
1270.2B	06/23/92	Safeguards Agreement with the International Atomic Energy Agency
1500.3	11/10/86	Foreign Travel Authorization
Chg. 1	02/05/87	
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Chg. 3	12/22/87	
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5610.2	08/01/80	Control of Weapon Data
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5631.2C*	09/15/92	Personnel Security Program
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5632.1C	07/15/94	Protection and Control of Safeguards and Security Interests
5632.7A Chg. 1	04/13/94 02/13/95	Protective Force Program
5660.1B	05/26/94	Management of Nuclear Materials
5670.3	09/04/92	Counterintelligence Program

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130.1	09/29/95	Budget Formulation Process
413.1	12/06/95	Management Control Program (expiration extended by N 413.1)
534.1	09/29/95	Accounting
2100.8A	01/27/93	Cost Accounting, Cost Recovery, and Interagency Sharing of Information Technology Facilities
2110.1A Chg. 1 Chg. 2	07/14/88 10/05/88 05/18/92	Pricing of Departmental Materials and Services
2300.1B	06/08/92	Audit Resolution and Followup
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110.3	11/03/99	Conference Management
200.1	09/30/96	Information Management Program
224.1	12/08/97	Contractor Performance-Based Business Management Process
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251.1A	01/30/98	Directives System
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350.1 Chg. 1	09/30/96 05/08/98	Contractor Human Resource Management Programs (Except as otherwise modified in Appendix A of this Contract)
Notice 350.5	04/15/99	Use of Facility Contractor Employees for Services to DOE in the Washington, D.C., Area
412.1	04/20/99	Work Authorization System
413.2	03/05/97	Laboratory Directed Research and Development
430.1A	10/14/98	Life-Cycle Asset Management
430.2	06/13/96	In-House Energy Management
442.1	02/01/99	Department of Energy Employee Concerns Program
481.1	09/30/96	Work for Others (Non-Department of Energy Funded Work)
1300.3	08/23/90	Policy on the Protection of Human Subjects
1340.1B	01/07/93	Management of Public Communications Publications and Scientific, Technical, and Engineering Publications
1350.1 Chg. 1	10/28/81 03/26/84	Audiovisual and Exhibits Management
1450.4	11/12/92	Consensual Listening-In To or Recording Telephone/Radio Conversations
2030.4B	05/18/92	Reporting Fraud, Waste, and Abuse to the Office of Inspector General
2320.1C	05/18/92	Cooperation with the Office of Inspector General
5530.1A	09/20/91	Accident Response Group
5530.3 Chg. 1	01/14/92 04/10/92	Radiological Assistance Program

* Parts canceled by new Orders