

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE OF PAGES 1 2
2. AMENDMENT/MODIFICATION NO. M217	3. EFFECTIVE DATE See Block 16C	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
6. ISSUED BY Golden Field Office U.S. Department of Energy 1617 Cole Boulevard Golden, CO 80401	CODE	7. ADMINISTERED BY (If other than Item 6) Golden Field Office U.S. Department of Energy 1617 Cole Boulevard Golden, CO 80401	CODE
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) Midwest Research Institute 425 Volker Boulevard Kansas City, MO 64110		<input type="checkbox"/>	9A. AMENDMENT OF SOLICITATION NO.
		<input type="checkbox"/>	9B. DATED (SEE ITEM 11)
		<input checked="" type="checkbox"/>	10A. MODIFICATION OF CONTRACT/ORDER NO. DE-AC36-99GO10337
			10B. DATED (SEE ITEM 13) 11/09/1998
CODE	FACILITY CODE		

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

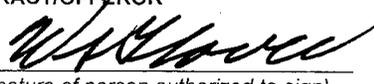
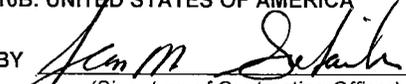
- A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority)
 THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT/ORDER NO. IN ITEM 10A.
- B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
- C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
- D. OTHER (Specify type of modification and authority)
These administrative changes are made in accordance with, H-19 "Application of DOE Contractor Requirements Documents" of this contract.

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

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

See Page 2 and the Attached Part III, Section J-List of Documents, Exhibits and Other Attachments, Attachment 2 Small Business Subcontracting Plan.

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) W.S. Glover Deputy Director and Chief Operating Officer		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Jean M. Siekerka Contracting Officer	
15B. CONTRACT/OFFEROR BY  (Signature of person authorized to sign)	15C. DATE SIGNED 4/24/08	16B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer)	16C. DATE SIGNED 4/25/08

This Modification incorporates the following significant changes to contract DE-AC36-99GO10337:

- I. Part III, Section J – LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACHMENTS, ATTACHMENT 2, SMALL BUSINESS SUBCONTRACTING PLAN is deleted and replaced with the following:

SECTION J – LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACHMENTS, ATTACHMENT 2, SMALL BUSINESS SUBCONTRACTING PLAN FY 2008 Revised from August 28, 2007

PART III

SECTION J – LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACHMENTS

ATTACHMENT 2

SMALL BUSINESS SUBCONTRACTING PLAN

FY 2008

Revised from August 28, 2007

Date: March 7, 2008

CONTRACTOR: MIDWEST RESEARCH INSTITUTE

ADDRESS: 1617 COLE BLVD. GOLDEN, CO 80401

SOLICITATION OR CONTRACT NUMBER: DE-AC36-98GO10337

ITEM/SERVICE: Management and operation of the National Renewable Energy Laboratory to perform the lead role in renewable energy research and development and to be the Nation's primary Federal laboratory for renewable energy research.

The following, together with any attachments, is hereby submitted as a Subcontracting Plan to satisfy the applicable requirements of Public Law 95-507 and the Federal Acquisition Regulations (FAR), Part 19.

1. (a) The total estimated dollar value of all planned subcontracting (to all types of business concerns) under this contract is estimated at \$65,000,000. Total estimated contract dollar value (less excluded and directed procurements) available for application is estimated at \$65,000,000. The Laboratory commits to the percentage goals for procurements placed with socioeconomic organizations for the contract cited above. Dollar values expressed are approximate projections based on the estimated dollar value of procurements available for application.
- (b) The following percentage goals (expressed in terms of a percentage of total planned subcontracting dollars less excluded and directed procurements) are applicable to the contract cited above or to the contract awarded under the solicitation cited.
 - (i) Small Business Concerns: **46.4%** of total planned subcontracting dollars under this contract will go to subcontractors who are small business concerns.
 - (ii) Small Disadvantaged Business Concerns: **5.0%** of total planned subcontracting dollars under this contract will go to subcontractors who are small disadvantaged business concerns.
 - (iii) Women-Owned Small Business Concerns: **5.0%** of total planned subcontracting dollars under this contract will go to subcontractors who are women-owned small business concerns.
 - (iv) HUBZone Small Business Concerns: **3.0%** of total planned subcontracting dollars under this contract will go to subcontractors who are HUBZone small business concerns.
 - (v) Veterans Preference: **3.0%** of total planned subcontracting dollars under this contract will go to subcontractors who are Veteran-owned small business concerns.
 - (vi) Service-disabled veterans: **3.0%** of total planned subcontracting dollars under this contract will go to subcontractors who are Service-disabled veteran-owned small business concerns.

- (c) The following estimated dollar values correspond to the percentage goals shown in (b) above.
- (i) Total estimated dollars planned to be subcontracted to small business concerns:
\$30,160,000.
 - (ii) Total estimated dollars planned to be subcontracted to small disadvantaged business concerns:
\$3,250,500.
 - (iii) Total estimated dollars planned to be subcontracted to woman-owned small business concerns:
\$3,250,000.
 - (iv) Total estimated dollars planned to be subcontracted to HUBZone small business concerns:
\$1,950,000.
 - (v) Total estimated dollars planned to be subcontracted to Veteran owned small business concerns:
\$1,950,000.
 - (vi) Total estimated dollars planned to be subcontracted to Service-disabled veteran owned small business concerns: **\$1,950,000.**
- (d) The following principal products and/or services will be subcontracted under this contract, and the distribution among small, small disadvantaged, woman-owned, HUBZone, Veterans owned, and Disable Veterans owned small business concerns is as follows:

Research and Development
Miscellaneous Consulting Services
Air filters (small types)
Acrylic Sheet
Batteries, Chargers
Cleaning and Laundry Services
Computers and Peripherals
Conduit and Coudlets
Drafting Services
Engraving Equipment & Supplies
Fasteners (screws, nuts & bolts)
Forklift Maintenance
Gloves, Calfskin & Cotton
Medical Supplies
Microscope Slides
Mill Supplies & Hardware (Drills, Bits, Handtools)
Office Supplies
On-Site Construction
Optical Lenses
O-rings
Photographs, Aerial Photograph
Polyethylene Lab. Containers
Printed Circuit Boards
Printing
Radioactive Waste Bins
Resistors
Reupholstering of Furniture
Selected Photomultiplier Tubes
Selected Test Equipment (Counters, Probes, Analyzers, Meters, and Panels)
Sign Blanks

Software
 Superconducting Wire & Cables
 Surgical Gauze
 Terminal Connectors
 Badges
 Computer Supplies
 Decals
 Hardware
 Janitorial Service & Supplies
 Labels
 Laundry Supplies and Services
 Temporary Personnel
 Welding Services (off-site)
 Word Processing Supplies (except for leased equipment where prohibited by lessor)

(e) Acquisition of construction estimated to cost \$3 million or less, including new construction, and repair and alteration of structures, shall be a small or small disadvantaged business set-aside. For acquisition in excess of \$3 million, small business or small disadvantaged business set-aside will be considered on a case-by-case basis.

(f) The following method was used in developing subcontract goals:

The product and service areas to be subcontracted were established based on historical data for the types of acquisitions normally required to meet the mission, goals and objectives under the prime contract. The small, small disadvantaged business, women-owned, HUBZone, Veteran owned, and Service-disabled veteran owned concerns areas of subcontracting opportunities were determined through DOE class set-asides, National Renewable Energy Laboratory established class set-asides, historical data for acquisitions that are available from the local market place, and a review of the current known acquisition requirements for FY 08.

(g) Indirect and overhead costs (check one below):

have been have not been

included in the goals specified in 1.(c) and 1.(d).

(h) If "have been" is checked, explain the method used in determining the proportionate share of indirect and overhead costs to be allocated as lower-tier subcontracts to small, small disadvantaged, women-owned, HUBZone, Veteran owned, and Disable Veteran owned business concerns.

Midwest Research Institute reviewed the planned major and minor construction projects for new building, and for alterations and repairs and maintenance activities to determine the potential amount of overhead costs that would be acquired through acquisitions. In addition, the various other types of services acquired (e.g., janitorial services, mowing, snow removal) with overhead costs were reviewed to determine the potential acquisitions from overhead costs.

2. The following individual will administer the lower-tier subcontracting program:

Name: **Kristin Bombeck**
 Address & Telephone: **1617 Cole Blvd., Golden, CO 80401, (303) 275-3193**
 Title: **Contracts and Business Services Office Director**

The Contracts and Business Services Director will be assisted by the Small Business Liaison, the Group Managers, and the Team Leaders in administration of the subcontracting program as defined in the Laboratory's procedures for

Socioeconomic Programs

The Small Business Liaison's specific duties, as they relate to the firm's subcontracting program are as follows:



The Small Business Development Liaison's specific duties as they relate to the firm's subcontracting program are as follows:

General overall responsibility for this company's small business program, the development, preparation and execution of individual subcontracting plans and for monitoring performance relative to contractual subcontracting requirements contained in this plan, including but not limited to:

- (a) Developing and maintaining bidders lists of small, small disadvantaged, women-owned, HUBZone, Veteran owned, and Disable Veteran owned business concerns from all possible sources.
- (b) Ensuring that procurement packages are structured to permit small, small disadvantaged, women-owned, HUBZone, Veteran owned, and Service-disabled veteran owned business concerns to participate to the maximum extent possible, within applicable laws and regulations.
- (c) Assuring inclusion of small, small disadvantaged, women-owned, HUBZone, Veteran owned, and Disable Veteran owned small business concerns in all solicitations for products or services which they are capable of providing.
- (d) Reviewing solicitations to remove statements, clauses, etc., which may tend to restrict or prohibit small and small disadvantaged business concerns participation, where possible.
- (e) Ensuring that the bid proposal review board documents its reasons for not selecting low bids submitted by small and small disadvantaged business concerns.
- (f) Ensure the establishment and maintenance of records of solicitations and subcontract award activity.
- (g) Attending or arranging for attendance of company representatives at Business Opportunity Workshops, Minority Business Enterprise Seminars, Trade Fairs, etc.
- (h) Conducting or arranging for conduct of motivational training for purchasing personnel pursuant to the intent of P. L. 95-507.
- (i) Monitoring attainment of proposed goals.
- (j) Preparing and submitting periodic subcontracting reports when required.
- (k) Additions to (or deletions from*) the duties specified above are as follows:

None

*Please provide rationale for deletion on a separate sheet.

3. The following efforts will be taken to assure that small, small disadvantaged, women-owned, HUBZone , Veteran Owned, and Service Disable Veteran owned small business concerns will have an equitable opportunity to compete for subcontracts:

(a) Outreach efforts will be made as follows:

(i) Contacts with small, small disadvantaged (minority), women-owned, HUBZone , Veteran owned, and Service Disable Veteran owned small business trade associations (identify specific disadvantaged and small business trade associations).

Rocky Mountain Minority Supplier Development Council (RMMSDC)
Rocky Mountain Small and Disadvantaged Business Opportunity Council (SADBOC)
Rocky Mountain Indian Chamber of Commerce
Hispanic Chamber of Commerce
Black Chamber of Commerce
Asian Chamber of Commerce
Women's Chamber of Commerce
National Minority Supplier Development Council

(ii) Contacts with business development organizations (identify specific business development organizations).

Rocky Mountain Minority Supplier Development Council (RMMSDC)
Rocky Mountain Small and Disadvantaged Business Opportunity Council (SADBOC)
Rocky Mountain Indian Chamber of Commerce
Hispanic Chamber of Commerce
Black Chamber of Commerce
Asian Chamber of Commerce
Colorado Women's Chamber of Commerce
Arvada Chamber of Commerce
Adams County Chamber of Commerce
Aurora Chamber of Commerce
Boulder Chamber of Commerce
Brighton Chamber of Commerce
Broomfield Chamber of Commerce
Castle Rock Chamber of Commerce
Centennial Chamber of Commerce
Denver Chamber of Commerce
Evergreen Chamber of Commerce
Golden Chamber of Commerce
Greater Englewood Chamber of Commerce
Lafayette Chamber of Commerce
Lakewood Chamber of Commerce
Louisville Chamber of Commerce
Wheat Ridge Chamber of Commerce

(iii) Attendance at small, small disadvantaged, women-owned, HUBZone , Veteran owned, and Service-disabled veteran owned business procurement conferences and trade fairs (to the extent known, identify specific procurement conferences and trade fairs and dates).

Contracts and Business Services Office personnel attend the monthly meetings of the Rocky Mountain Minority Development Council (RMMSDC), Rocky Mountain Small and Disadvantaged Business Opportunity Council (SADBOC), and attend any procurement conferences or trade fairs that occur during the year in the Denver metropolitan area and will advertise in the trade fair publications so that the Laboratory can be identified to the largest number of small, small disadvantaged, women-owned, HUBZone , Veteran owned, and Service-disabled veteran owned small business firms. In addition,

representation from the Contracts and Business Services Office is sent to the DOE small business conferences and to the Small Business Administration (SBA), Trade Fairs, and the National Minority Supplier Council Conference.

- (iv) Potential sources will continue to be requested from SBA's online CRR (formally Pro-Net) system.
- (b) The following internal efforts will be made to guide and encourage buyers:
 - (i) Workshops, seminars and training programs will be conducted.
 - (ii) Activities will be monitored to evaluate compliance with this subcontracting plan.
- (c) Small, small disadvantaged, women-owned, HUBZone, Veteran owned, and Service Disabled veteran owned business concern source lists, guides and other data identifying small, small disadvantaged, women-owned, HUBZone, Veteran owned, and Service Disabled veteran owned business concerns will be maintained and utilized by buyers in soliciting subcontracts.
- (d) Additions to (or deletions from*) the above-listed efforts are as follows:

None

*Please provide rationale for deletion on separate sheet.

- 4. Midwest Research Institute agrees that the clause entitled "Utilization of Small Business Concerns" will be included in all subcontracts which offer further subcontracting opportunities, and all subcontractors (except small business concerns) who receive subcontracts in excess of \$550,000 will be required to adopt and comply with a subcontracting plan similar to the plan required by the FAR Clause 52.219-9, Small Business Subcontracting Plan. Such plans will be reviewed by comparing them with the provisions of Public Law 95-507, and assuring that all minimum requirements of an acceptable subcontracting plan have been satisfied. The acceptability of percentage goals shall be determined on a case-by-case basis depending on the supplies/services involved, the availability and prior experience of potential small, small disadvantaged, women-owned, HUBZone, veteran owned, and service disabled veteran subcontractors. Once approved and implemented, plans will be monitored through the submission of periodic reports, and/or, as time and availability of funds permit, periodic visits to subcontractor's facilities to review applicable records and subcontracting program progress.
- 5. MRI agrees to:
 - (i) cooperate in any studies or surveys as may be required by the contracting agency or the Small Business Administration,
 - (ii) submit periodic reports in order to determine the extent of compliance by the Contractor with the subcontracting plan and with the clause entitled "Utilization of Small Business Concerns" contained in the contract,
 - (iii) submit eSRS Individual Summary Reports (Formerly Standard Form (SF) 294, Subcontracting Report for Individual Contracts) and eSRS Summary Reports (Formerly SF 295, Summary Subcontract Report), in accordance with DEAR 919.708(b) and the instructions on the reverse side of the form; and
 - (iv) ensure that its subcontractors agree to submit eSRS reports.
- 6. Midwest Research Institute agrees that it will maintain at least the following types of records to document compliance with this subcontracting plan:
 - (a) Small, small disadvantaged, women-owned, HUBZone, Veteran Owned, and Service-disabled veteran owned

business concern source lists, guides and other data identifying SB/SDB/WBE/HZ/V/DV vendors.

- (b) Organizations contacted for small, small disadvantaged, women-owned, HUBZone, Veteran owned, and Service-disabled veteran owned business sources.
- (c) On a contract-by-contract basis, records on all subcontract solicitations over \$100,000 indicating on each solicitation (1) whether small business concerns were solicited, and if not, why not; (2) whether small disadvantaged business concerns were solicited, and if not, why not; (3) whether women-owned small business concerns were solicited, (4) whether HUBZone small business concerns were solicited, and if not, why not, (5) and whether Veteran owned concerns were solicited, and if not, why not, (6) and whether Service-disabled veteran owned concerns were solicited, and if not, why not, (7) reasons for failure of solicited small, small disadvantaged, women-owned, HUBZone, veteran owned, and service-disabled veteran owned small business concerns to receive the subcontract award.
- (d) Records to support other outreach efforts: Contacts with Disadvantaged (Minority) and Small Business Trade Associations. Attendance at small, small disadvantaged, women-owned, HUBZone, veteran owned, and service-disabled veteran owned business procurement conferences and trade fairs.
- (e) Records to support internal activities to guide and encourage buyers: Workshops, seminars and training programs. Monitoring activities to evaluate compliance.
- (f) On a contract-by-contract basis, records to support subcontract award data to include name and address of subcontractors.
- (g) Records to be maintained in addition to the above are as follows:

None

Signed:

Kristin Bombeck

Typed Name:

Kristin Bombeck

Title:

Contracts and Business Services Office Director

Date:

3/14/08

Plan Accepted By:

Mary Framan

Name and Title:

Contracts Officer

Date:

3/11/08

"EFFECTIVE DATE FOR SUBCONTRACTING PLAN: Bidder or offeror to indicate budget period to which this plan applies: (Revised on 3/7/08 to coincide with DOE Policy Flash 2008-19 dated 1/29/08)

10/01/07 to 09/30/08
(Month, Day, Year) (Month, Day, Year)

EXHIBIT 1

- A. The estimated total dollars available in the Laboratory's FY 2007 budget (based on current NREL budget projections) are as follows:

Operating Funds	\$
Equipment Funds.....	
General Plant Projects.....	
Construction Funds	
Research for Non-DOE Sponsors.....	
TOTAL	<u>\$294,300,000</u>

- B. The estimated total dollars (less excluded and directed procurements) available for procurement are as follows:

Operating Funds	\$
Equipment Funds.....	
General Plant Projects.....	
Construction Funds	
TOTAL	<u>\$ 65,000,000</u>