

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE DE-AC07-05ID14517	PAGE 1 OF 2 PAGES
2. AMENDMENT/MODIFICATION NO. M124	3. EFFECTIVE DATE See Block 16c	4. REQUISITION/PURCHASE REQ. NO. NOPR	5. PROJECT NO. (If applicable)	
6. ISSUED BY U.S. Department of Energy Idaho Operations Office (DOE-ID) Contract Management Division 1955 Fremont Avenue, MS 1240 Idaho Falls, ID 83415		CODE	7. ADMINISTERED BY (If other than Item 6) Diane C. Long, Contract Specialist (208) 526-0949	
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and Zip Code) Battelle Energy Alliance, LLC P.O. Box 1625 Idaho Falls, ID 83415			9A. AMENDMENT OF SOLICITATION NO.	
CODE			9B. DATED (SEE ITEM 11)	
FACILITY CODE			10A. MODIFICATION OF CONTRACT/ORDER NO. DE-AC07-05ID14517	
			10B. DATED (SEE ITEM 13) November 9, 2004	
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 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 ACKNOWLEDGMENT 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:
X	D. OTHER (Specify type of modification and authority): Unilateral Modification in accordance with DEAR 970.1907-1 entitled "Subcontracting Plan Requirements"

E. IMPORTANT: Contractor X is not, ___ is required to sign this document and return [] copies to the issuing office.

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

The purpose of this modification is to incorporate the approved Small Business Subcontracting Plan for the period of 10/01/08– 09/30/09.

(See Continuation)

Except as provided herein, all terms and conditions of the document referenced in Items 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) Suzette M. Olson Contracting Officer	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
BY _____ (Signature of person authorized to sign)		BY <u>Suzette M. Olson</u> (Signature of Contracting Officer)	<u>11/19/08</u>

Part III Section J, Attachment J, Small Business Subcontracting Plan is deleted in its entirety and replaced with the attached approved Small Business Subcontracting Plan (10/01/08 – 09/30/09)
(Cover page plus 8 pages)

All other terms and conditions remain unchanged.

Contract No. DE-AC07-051D14517
Section J Attachment J
ModificationNo. M124

PART III SECTION J, ATTACHMENT J
SMALL BUSINESS SUBCONTRACTING PLAN
FISCAL YEAR 2009

Idaho National Laboratory Small Business Subcontracting Plan

Contractor: Battelle Energy Alliance, LLC

Address: 2525 Fremont Avenue
 Idaho Falls, ID 83415

Period of Performance: Fiscal Year 2009 (10/01/08 — 09/30/09)

Total Dollars Planned to be Subcontracted for the Period of Performance \$290,000,000

1. Introduction

Battelle Energy Alliance, LLC (BEA) is committed to supporting the small business objectives of the U.S. Government and the Department of Energy (DOE) and recognizes that diversity in subcontracting provides a vital link to the local community, strengthens the economy, and represents best business practices. This commitment is communicated through the goals outlined in the Small Business Subcontracting plan for Fiscal Year (FY) 2009 and will remain in effect for the period of performance specified above.

2. Goals

Consistent with DOE departmental goals, 46.4% of the total dollars planned to be subcontracted by BEA from October 1, 2008 through September 30, 2009 will be subcontracted to small business.

In addition to the Small Business goal, BEA has established separate dollar and percentage goals for seven socioeconomic categories; HUBZone Small Business, Small Disadvantage Business, 8(a) Certified Small Business, Woman-Owned Small Business, Veteran-Owned Small Business, Service-Disabled Veteran-Owned Business, and Native American-Owned Small Business.

Small Business Category	Percent of Subcontracting Dollars	Dollar Amount
Small Business	46.4%	\$134,560,000
HUBZone Small Business	2%	\$5,800,000
Small Disadvantaged Business	5%	\$14,500,000
Includes 8(a) Certified goal (2% or \$5,800,000)		
Women-Owned Small Business	5%	\$14,500,000
Veteran-Owned Small Business	3%	\$8,700,000
Service-Disabled Veteran-Owned Small Business	3%	\$8,700,000
Native American-Owned Small Business	1%	\$2,900,000

In addition, BEA will emphasize utilization of Idaho based businesses through the Idaho Business Concerns goal. The Idaho Business Concerns Goal includes subcontracting to small and other than small businesses with operations in the State of Idaho. The FY 2009 goal is a percentage of the total estimated procurement.

Idaho Business Concerns Goal	Percent of Subcontracting Dollars	Dollar Amount
Idaho Business Concerns	30.0%	\$87,000,000

3. Principal Types of Supplies and Services to be Subcontracted

The principal products and services to be procured in support of the small business subcontracting plan are those associated with an extremely diverse research and development environment and are vital to the vision and mission of the INL.

BEA has established five principal procurement categories; Commodities, Construction, Equipment (major), Information Technology and Services to track and communicate opportunities. These five principal procurement categories will be presented to small businesses through the BEA Small Business Program outreach activities.

Supply or Service	SB	HubZone	SDB	8(a)	WOSB	VOSB	SDVOSB	NAB
Commodities	x	x	x	x	x	x	x	x
Construction	x	x	x	x	x	x	x	x
Equipment (major)	x	x	x	*	*	x	x	*
Information Technology	x	x	x	x	x	x	x	*
Services	x	x	x	x	x	x	x	x

*BEA will make every effort to find small businesses in these categories.

- To audit subcontracting by large or small business, identify new products and services available for small business subcontracting and expand existing products and services subcontracted to small businesses, BEA has identified primary North American Industry Classification System codes by Subsector in each the five principal procurement categories.

NAICS Subsector	Commodities	Construction	Equipment	Information Technology	Services
236		x			x
334	x		x	x	x
335	x		x		x
423	x		x	x	
551			x	x	x
517					x
541				x	x
562		x			x

4. Method Used to Develop Subcontracting Goals

The method used to establish the small business subcontracting goals are based on historical research, industry research and internal forecasts from BEA programs. The methodology behind the goals also includes key factors based on DOE directives and current contractual obligations.

The estimated procurement volume includes all anticipated contractual agreements between BEA and external performers, excluding subcontracts involving performance outside the United States and purchases from a corporation, company, or subdivision that is an affiliate of BEA.

5. Method Used to Identify Potential Sources

BEA will utilize the following resources to target and research potential small businesses, focusing on small businesses within the established seven socioeconomic categories.

- The federal government's Central Contractor Registration (CCR) database and the U.S. Small Business Administration's (SBA) Dynamic Small Business Search database and the DOE Office of Small Disadvantaged Business Utilization (OSDBU) small business database.
- Historical procurement records from procurement actions where small businesses were successful.
- Advertise significant procurement actions externally through the INL Small Business Procurement Opportunities Web pages, DOE Acquisition Forecast, Federal Business Opportunities (FedBizOpps) Web site and SBA SubNet database.

- Issue Expression of Interests through email, newspaper/publication advertising and/or Web site posting to seek small business interest in potential procurement actions.
- Sponsor small business matchmaking events and Focus-On forums to encourage the use of small business teaming and small business participation in subcontract award and performance.
- Utilize the Battelle family of DOE Laboratories (BNL, NREL, ORNL, PNNL) Small Business Program Offices and Battelle corporate Office of Supplier Diversity to research, identify and validate small business sources.
- Regional and State small business databases/directories; Buy Idaho, Idaho Economic Development Directory, Small Business Development Centers and Northwest Minority Business Council.
- Original socioeconomic databases and/or directories; National Minority and Women Owned Business Directory, VetBiz.com, etc.
- Electronic and/or hard copy small business promotional materials and correspondence.

6. **Indirect Costs**

Indirect costs have not been included in the dollar and percentage subcontracting goals.

7. **Administrator of Subcontracting Program**

The administrator of the small business program is:

Contact: Dana M. Storms

Title: Small Business Program Manager

Address: PO Box 1625
Idaho Falls, Idaho 83415-1303

Email: Dana.Storms@inl.gov Phone: (208)526-5864 FAX: (208)526-7743

The vision of the Small Business Program is to target, shape and retain small businesses to help create a Preeminent World-Class Nuclear Laboratory. This vision can be met through new and improved business practices such as inreach and outreach activities.

Inreach activities include communicating the Small Business Program objectives and working with internal customer base, including program and procurement personnel, to define procurement needs and collaborate on potential opportunities for small business. Outreach activities will focus on developing programs to connect the INL to external audiences, primarily small businesses.

A. Inreach Activities

- Work with INL Directors and program Managers to communicate laboratory goals and to identify small business opportunities within the technical programs, specifically through advanced acquisition planning initiatives managed through the Small Business Office.
- Establishment and reporting of annual Small Business Goals by BEA Organization. Provide monthly statistics to organization Directors on goal status and provide strategies to improve goal attainment.
- Hold periodic training and other meetings with the procurement staff on the Small Business Program, company goal status, and to introduce innovative ideas on how to utilize small businesses procurement activities.
- Develop useful and informative small business aides for procurement and program staff that highlight small business requirements and BEA procedures.
- Maintain business directories from regional minority purchasing councils and other sources to expand and keep current listings of small businesses all socioeconomic categories.
- Manage INL Mentor-Protégé program and coordinate with internal sponsors to identify mentoring activities and track developmental progress. Currently the INL has Mentor-Protégé Agreements with two Idaho-small businesses.

INL Mentor-Protégé (MP)	MP Agreement Date	Socioeconomic Status
International Management Solutions, LLC	02/05/2007	Woman-Owned
Portage Environmental, Inc.	03/23/2007	8(a), SDB, Native American

B. Outreach Activities

- Participate in small business trade fairs, specifically to engage small business, communicate the INL vision and mission, and promote potential procurement opportunities.

- Attend DOE-sponsored Small Business Program Manager Meetings and participate in the annual DOE Small Business Conference.
- Partner with trade associations, business development organizations, and conferences to target and identify small business.
- Counsel and communicate subcontracting opportunities with potential small businesses and mentor and arrange appropriate assistance to these firms as required and practicable.
- Participate in regional and national small business and economic development conferences, including the Idaho Governor's Small Business Opportunity Conference, Greater Idaho Falls Chamber of Commerce Business Forums, Idaho's Association of Cities conference the annual DOE Small Business Conference.
- Market and promote Mentor-Protégé Program participants by highlighting Protégé information on INL external Web site, provide opportunities to participate in small business conferences as co-exhibitors and develop marketing strategies to target other customers and DOE laboratories.

8. Providing Equitable Opportunity

BEA agrees to ensure that all small businesses will have an equitable opportunity to compete for subcontracting opportunities.

- BEA responds either verbally or in writing to each request received from all businesses (small and large) that desire an opportunity to compete for business to the maximum extent possible.
- The Small Business Program Manager may participate in the screening of purchase requisitions and may add small business as potential sources.
- Small Business Program Manager assists and encourages the program and procurement staff to identify and target small business using the CCR, DOE OSDBU small business database and SBA database.
- Staff will post solicitations and forecasted procurement opportunities to the extent practicable on INL Procurement Opportunities Web pages and in the DOE Acquisition Forecast Web site to maximize exposure to the small business community.
- When appropriate, procurements may be synopsisized in FedBizOpps in an effort to locate additional qualified small businesses for participation.

9. Flow-Down Provisions

Each purchase order and subcontract issued under the BEA Prime Contract will include the applicable clauses relating to small business subcontracting at the prescribed thresholds.

BEA's approved purchasing system requires procurement staff to include mandatory small business clauses in all solicitations for negotiated procurements exceeding \$550,000 (\$1,000,000 for construction) which may offer subcontracting opportunities.

Lower-tier subcontracting plans from large business concerns will be reviewed and approved by BEA's Small Business Program Manager. The Small Business Program Manager will provide assistance in identifying potential small business opportunities and to monitor semi-annual reporting requirements.

10. Reporting and Cooperation

BEA gives assurance to (1) submit such periodic reports, as may be required by DOE or the SBA; (2) cooperate in any studies or surveys conducted by DOE or SBA; (3) submit small business subcontracting achievement data using the Individual Subcontract Reports and Summary Subcontract Reports within the Electronic Subcontracting Reporting System (eSRS); and (4) ensure that its large business subcontractors with subcontracting plans agree to input into the eSRS.

11. Record Keeping

Below is a list of records BEA will maintain to demonstrate procedures adopted to comply with requirements and goals in the Small Business Subcontracting Plan.

- A. Source lists, guides and other data that identify suppliers and vendors.
- B. Organizations contacted in an attempt to locate all categories of small business sources.
- C. Records on each solicitation resulting in an award of more than \$100,000 indicating whether small businesses within the seven established socioeconomic categories were solicited and, if not, why not, and the reason for failure of the solicited small business concerns.
- D. Records of any outreach efforts to contact.
 - Trade associations
 - Business and economic development organizations
 - Conferences and trade fairs to locate small business

- E. Records of internal guidance and encouragement provided to BEA personnel through various inreach activities.
 - Workshops, seminars, and training programs.
 - Monitoring performance to evaluate compliance with the program's requirements

- F. Representations and Certifications of small businesses.
 - Verification of small business size status through CCR to ensure subcontractors are certified by size and NAICS

- G. Records of formal or informal semi-annual progress reviews of goals, adjusting subcontracting opportunities as needed to ensure goals are achieved.