
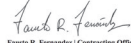


AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE		PAGE OF PAGES	
				14	
2. AMENDMENT/MODIFICATION NO.		3. EFFECTIVE DATE		4. REQUISITION/PURCHASE REQ. NO.	
0229		See Block 16C			
6. ISSUED BY		CODE		5. PROJECT NO. (If applicable)	
Brookhaven Site Office		892430		06005	
U.S. Department of Energy				Brookhaven Site Office	
Brookhaven Site Office				U.S. Department of Energy	
53 Bell Avenue				Brookhaven Site Office	
Upton NY 11973				53 Bell Avenue	
				Upton NY 11973	
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)		(x)		9A. AMENDMENT OF SOLICITATION NO.	
Brookhaven Science Associates, LLC					
Attn: Janine Mehlinger				9B. DATED (SEE ITEM 11)	
BROOKHAVEN NATIONAL LABORATORY					
BLDG. 460, PO BOX 5000				10A. MODIFICATION OF CONTRACT/ORDER NO.	
UPTON NY 119735000		x		DE-SC0012704	
				10B. DATED (SEE ITEM 13)	
CODE		FACILITY CODE		12/22/2014	
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS					
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended. <input type="checkbox"/> 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 electronic communication 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 letter or electronic communication, provided each letter or electronic communication 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)					
See Schedule					
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 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), Agreements of the parties modifying the terms of the contract.					
D. OTHER (Specify type of modification and authority)					
E. IMPORTANT: Contractor <input type="checkbox"/> is not <input checked="" type="checkbox"/> 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.)					
DUNS Number: Not Available					
UEI: R85KZ9JP3NM3					
See Page 2					
Payment:					
Payment - Direct Payment					
from U.S. Dept of Treasury					
Period of Performance: 01/05/2015 to 01/04/2025					
Except as provided herein, all terms and conditions of the document referenced in Item 9 A 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)			
Susan McKeon, Chief Financial Officer		Fausto R. Fernandez			
15B. CONTRACTOR/OFFEROR		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA	
		11/28/2022			
(Signature of person authorized to sign)				Digitally signed by FAUSTO FERNANDEZ	
				Date: 2022.11.28 11:56:17 -05'00'	
Previous edition unusable		STANDARD FORM 30 (REV. 11/2016)			
		Prescribed by GSA FAR (48 CFR) 53.243			



**14. DESCRIPTION OF AMENDMENT/MODIFICATION** continued.

**A.** This modification is issued to update the following contract section:

a. Part I, Section H Special Contract Requirements

- H.21 – Employee Compensation: Pay and Benefits
- H.47 - EPAct Data Protection
- H.48 - Contractor's Obligations Concerning U.S. Manufacturing Requirements of a Determination of Exceptional Circumstances (DEC)

b. Part III—List of Documents, Exhibits, Attachments – Section J

- Appendix B – Performance Evaluation and Measurement Plan FY 2023
- Appendix E – Key Personnel
- Appendix H – Small Business Subcontracting Plan FY 2023
- Appendix I – DOE Directives/List B

**B.** Table of Changes

**PART I, SECTION H — SPECIAL CONTRACT REQUIREMENTS**

Clause No.	Title	Change & Explanation
H.21	Employee Compensation: Pay and Benefits	<b>Change:</b> Revise clause on contractual requirements related to the Employee Compensation: Pay and Benefits Corporate H Clause, and to require Heads of Contracting Activities to establish local procedures to manage newly implemented flexibilities.  <b>Explanation:</b> This clause is revised IAW SC-PG 2022-01: On June 16, 2022, the Office of Acquisition Management issued Policy Flash 2022-35 to communicate the revisions to the contractual requirements related to the Employee Compensation: Pay and Benefits Corporate H Clause, and to require Heads of Contracting Activities to establish local procedures to manage newly implemented flexibilities relating to the Compensation Increase Plan.
H.47	EPAct Data Protection (APR 2022)	<b>Change:</b> New Clause  <b>Explanation:</b> New clause per Office of Science Policy Guidance 2022-02 and Acquisition Letter AL-2022-01. DOE recently approved the attached two H-Clauses (Attachment A) for incorporation into the DOE laboratory contracts.



H.48	Contractor's Obligations Concerning U.S. Manufacturing Requirements of a Determination of Exceptional Circumstances (DEC) (APR 2022)	<p><b>Change:</b> New Clause</p> <p><b>Explanation:</b> New clause per Office of Science Policy Guidance 2022-02 and Acquisition Letter AL-2022-01. DOE recently approved the attached two H-Clauses (Attachment A) for incorporation into the DOE laboratory contracts.</p>
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**PART III, SECTION J — LIST OF DOCUMENTS, EXHIBITS, ATTACHMENTS**

Appendix	Title	Change & Explanation
B	Performance Evaluation and Measurement Plan	<p><b>Change:</b> Delete FY 2022 plan in its entirety and replace with FY 2023 Plan.</p> <p><b>Explanation:</b> Approved by SC.</p>
E	Key Personnel	<p><b>Change:</b> Removal of Dr. Steve Coleman as Associate Laboratory Director for Environmental Safety &amp; Health and replace with Mr. Michael Clancy as Associate Laboratory Director for Environmental Safety &amp; Health (Acting).</p> <p><b>Explanation:</b> IAW Clause H.21 –Employee Compensation: Pay and Benefits (c)(1)(A)(x) and Clause I.108 – DEAR 952.215-70.</p>
H	Small Business Subcontracting Plan	<p><b>Change:</b> Delete FY 2022 plan in its entirety and replace with FY 2023 Plan.</p> <p><b>Explanation:</b> As approved by SC and U.S. SBA.</p>
I	DOE Directives/List B	<p><b>Change:</b> Added: DOE Order 472.2A, Personnel Security, dated 6/10/2022</p> <p>Deleted: DOE Order 472.2 Chg 2 (PgChg), dated 7/9/2014</p> <p>Added: DOE Order 460.2B, Departmental Materials Transportation Management, dated 6/10/2022</p> <p>Deleted: DOE Order 460.2A, dated 12/22/2004; and DOE Manual 460.2-1A, dated 6/4/2008</p>



		<p>Added: DOE Order 460.1D, Chg 1 (Ltd.Chg), Hazardous Materials Packaging and Transportation Safety, dated 6/10/2022</p> <p>Deleted: DOE Order 460.1D, dated 12/20/2016</p> <p><b>Explanation:</b> Per the BHSO/BSA Directives Process</p>
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**C. ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED.**

**END OF MODIFICATION**



## **CLAUSE H.21 - EMPLOYEE COMPENSATION: PAY AND BENEFITS**

### **(a) Contractor Employee Compensation System**

The Contractor shall develop, implement and maintain formal policies, practices and procedures to be used in the administration of its compensation system consistent with FAR 31.205-6 and DEAR 970.3102-05-6; "Compensation for Personal Services". DOE-approved standards, if any, shall be applied to the Total Compensation System. The Contractor's Total Compensation System shall be fully documented, consistently applied, and acceptable to the Contracting Officer. Periodic appraisals of contractor performance with respect to the Contractors' Total Compensation System will be conducted. Costs incurred in implementing the Total Compensation System shall be consistent with the Contractor's documented Contractor Employee Compensation Plan as approved by the Contracting Officer.

(1) The description of the Contractor Employee Compensation Program should include the following components;

- (A) Philosophy and strategy for all pay delivery programs.
- (B) System for establishing a job worth hierarchy.
- (C) Method for relating internal job worth hierarchy to external market.
- (D) System that links individual and/or group performance to compensation decisions.
- (E) Method for planning and monitoring the expenditure of funds.
- (F) Method for ensuring compliance with applicable laws and regulations.
- (G) System for communicating the programs to employees.
- (H) System for internal controls and self-assessment.
- (I) System to ensure that reimbursement of compensation, including stipends, for employees who are on joint appointments with a parent or other organization shall be on a pro-rated basis.

### **(b) Reports and Information**

The Contractor shall provide the Contracting Officer with the following reports and information with respect to pay and benefits provided under this Contract:

- (1) An Annual Contractor Salary-Wage Increase Expenditure Report to include,



at a minimum, breakouts for merit, promotion, variable pay, special adjustments, and structure movements for each pay structure showing actual against approved amounts and planned distribution of funds for the following year.

- (2) A list of the top five most highly compensated contractor employees and their total cash compensation as defined in FAR 31.205-6(p)(1)(i) at the time of Contract award, and at the time of any subsequent change to their total cash compensation no later than March 1<sup>st</sup> of each year.

Section 702 of the Bipartisan Budget Act of 2013 (BBA; Pub. L. 113-67, December 26, 2013) establishes a cap on the reimbursement of compensation costs for contractor employees, adjusted annually to reflect the change in the Employment Cost Index for all workers as calculated by the Bureau of Labor Statistics (BLS).

- (3) An Annual Compensation and Benefits Report no later than March 15<sup>th</sup> of each year.

(c) Pay and Benefit Programs

The Contractor shall maintain pay and benefit programs for its employees; provided, however, that employees scheduled to work fewer than 20 hours per week receive only those benefits required by law. Employees are eligible for benefits, subject to the terms, conditions, and limitations of each benefit program.

(1) Cash Compensation

- (A) The Contractor shall submit the following, as applicable, to the Contracting Officer for a determination of cost allowability for reimbursement under the Contract:
  - (i) Any proposed major compensation program design changes prior to implementation.
  - (ii) Variable pay programs/incentives. If not already authorized under Appendix A of the contract, a justification shall be provided with proposed costs and impacts to budget, if any.
  - (iii) A Compensation Increase Plan (CIP). A Contractor that meets the criteria, as set forth below, is not required to submit a CIP request to the Contracting Officer for an advance determination of cost allowability for a Merit Increase fund or Promotion/Adjustment fund unless Departmental policy exists to the contrary (.e.g. Secretarial Pay freeze):



- (1) The Merit Increase fund does not exceed the mean percent increase included in the annual Departmental guidance providing the WorldatWork Salary Budget Survey's salary increase projected for the CIP year. The Promotion/Adjustment fund does not exceed the mean WorldatWork promotional increases projected for the CIP year and communicated through the annual Department CIP guidance.
- (2) The budget used for both Merit Increase funds and Promotion/Adjustment funds shall be based on the payroll for the end of the previous CIP year.
- (3) Salary structure adjustments do not exceed the mean WorldatWork structure adjustments projected for the CIP year and communicated through the annual Department CIP guidance.

Please note: No later than the first day of the CIP cycle, Contractors must provide notification to the Contracting Officer of planned increases and position to market data by mutually agreed-upon employment categories.

- (iv) If a Contractor does not meet the criteria included in (iii) above, a CIP must be submitted to the Contracting Officer for an advance determination of cost allowability, unless the Contracting Officer, in accordance with subparagraph (m) obtains an audit of the Contractor's compensation and benefits system and of its incurred costs from either DCAA, or an independent public accounting firm under the DOE contract for such services. Otherwise, the CIP should include the following components and data:
  - (1) Market analysis summary, including a comparison of average pay to market average pay.
  - (2) Information regarding surveys used for comparison.
  - (3) Aging factors used for escalating survey data and supporting information.
  - (4) Projection of escalation in the market and supporting information.
  - (5) Information to support proposed structure adjustments, if any.



- (6) Analysis to support special adjustments or promotions that exceed the 1% Promotion/Adjustment fund authorized under Section 3, titled Compensation of Appendix A.
- (7) Funding requests for each pay structure to include breakouts of merit, promotions, variable pay, special adjustments, and structure movement for each Employee Group (i.e., S&E, Administrative, Technical, Exempt/Non-Exempt). (a) The proposed plan totals shall be expressed as a percentage of the payroll for the end of the previous CIP year. (b) All pay actions granted under the compensation increase plan are fully charged when they occur regardless of time of year in which the action transpires and whether the employee terminates before year end. (c) Specific payroll groups (e.g., exempt, nonexempt) for which CIP amounts are intended shall be defined by mutual agreement between the Contractor and the Contracting Officer. (d) The Contracting Officer may adjust the CIP amount after approval based on major changes in factors that significantly affect the plan amount (for example, in the event of a major reduction in force or significant ramp-up).
- (8) A discussion of the impact of budget and business constraints on the CIP amount.
- (9) Comparison of pay to relevant factors other than market average pay.
- (10) Discussion of recruitment/retention issues (e.g., turnover and hiring) relevant to the proposed increase amounts.
- (v) The Contractor may make, without CO Approval, minor shifts of merit funds between Merit and Promotion/Adjustment funds after approval of the CIP or if criteria under (c)(1)(A)(iii) was met, in order to meet the compensation requirements of its organization, subject to the following guidelines:
  - (1) Minor shift is defined as up to 25% of the specific fund from which funds are being transferred, the contractor may, with CO approval, shift additional funds in justified instances.
  - (2) Contractors will notify the Contracting Officer that funds have been shifted.
- (vi) Individual compensation actions for the top contractor official (e.g., laboratory director/plant manager or equivalent) and Key Personnel not included in the CIP. For those Key Personnel included in the CIP, DOE will approve salaries upon the initial contract award and



when Key Personnel are replaced during the life of the contract. DOE will have access to all individual salary reimbursements. This access is provided for transparency; DOE will not approve individual salary actions (except as previously stated).

- (B) The Contracting Officer's approval of individual compensation actions will be required only for the top contractor official (e.g., laboratory director/plant manager or equivalent) and Key Personnel as stated in (c)(1)(A)(vi) above. The base salary reimbursement level for the top contractor official establishes the maximum allowable salary reimbursement under the contract. The contractor shall not be reimbursed for the top contractor official's incentive compensation. The base salary reimbursement level for the top contractor official establishes the maximum allowable salary reimbursement under the contract when compared to subordinate compensation, which would include base salary and any potential incentive compensation under an incentive compensation agreement. Unusual circumstances may require a deviation for an individual on a case-by-case basis. Any such deviations must be approved by the Contracting Officer.
  - (C) Severance Pay is not payable to an employee under this Contract if the employee:
    - (i) Voluntarily separates, resigns or retires from employment, (unless associated with a workforce restructuring action in accordance with Appendix A, Section entitled Reductions in Contractor Employment),
    - (ii) Is offered employment with a successor/replacement Contractor,
    - (iii) Is offered employment with a parent or affiliated company, or
    - (iv) Is discharged for cause.
  - (D) Service Credit for purposes of determining severance pay does not include any period of prior service for which severance pay has been previously paid through a DOE cost-reimbursement contract.
- (d) Pension and Other Benefit Programs
- (1) No presumption of allowability will exist when the Contractor implements a new benefit plan, or makes changes to existing benefit plans, and the Contractor has not provided the Contracting Officer the opportunity to



review the allowability of the changes prior to implementation. The Contractor shall submit for prior approval any benefit plan changes not associated with pensions that result in increases in costs if the value of the change is \$250,000 or greater. Notification is only necessary for those benefit plan changes (excluding pension and postretirement benefit changes) valued at \$250,000 or less. The Contractor shall submit for prior approval benefit changes that result in increases to the Department's long-term pension and other actuarial liabilities that are reported in the Department's financial statement and increases in other benefits such as paid time off, insurance and employer contributions for defined contribution pension plans regardless of dollar value. Examples of benefits changes that increase the Department's long-term liabilities include defined benefit pension plan changes and postretirement benefits other than pensions. Any changes made by the Contractor shall be in accordance with and pursuant to the terms and conditions of the contract. Advance notification, rather than approval, is required for changes that do not increase costs and are not contrary to Departmental policy or written instruction.

- (2) The "Employee Benefits Value Study" and an "Employee Benefits Cost Survey Comparison" are methodologies designed to assist the Contracting Officer in contract administration and oversight. As an alternative to Employee Benefits Cost Survey Comparison, the Contracting Officer may obtain an audit of the Contractor's compensation and benefits system and of its incurred costs from either DCAA, or from DOE's independent public accounting firm (under contract with DOE), in accordance with subparagraph (m) to assist in determining whether costs are reasonable, allowable, allocable, and in accordance with the terms of the contract.
- (3) Unless otherwise stated, or as directed by the Contracting Officer, the Contractor shall submit the studies required in paragraphs (A) and (B) below. The studies shall be used by the Contractor in calculating the cost of benefits under existing benefit plans. An Employee Benefits Value (Ben-Val) Study Method using no less than 15 comparator organizations and an Employee Benefits Cost Survey comparison Method shall be used in this evaluation to establish an appropriate comparison method. In addition, the Contractor shall submit updated studies to the Contracting Officer for approval prior to the adoption of any change to a pension or other benefit plan which increases costs.
  - (A) The Ben-Val, every three years for each benefit tier (e.g., group of employees receiving a benefit package based on date of hire), which is an actuarial study of the relative value (RV) of the benefits programs offered by the Contractor to Employees measured against the RV of benefit programs offered by the Contracting Officer approved comparator companies. To the extent that the value studies do not



address post retirement benefits other than pensions, the Contractor shall provide a separate cost and plan design data comparison for the post retirement benefits other than pensions using external benchmarks derived from nationally recognized and Contracting Officer approved survey sources.

- (B) An Employee Benefits Cost Study Comparison, annually for each benefit tier that analyzes the Contractor's employee benefits cost for Employees as a percent of payroll and compares it with the cost as a percent of payroll, including geographic factor adjustments, reported by the U.S. Department of Labor's Bureau of Labor Statistics or other Contracting Officer approved broad based national survey. Alternatively, in accordance with subparagraph (m) the Contracting Officer may obtain an audit of the Contractor's compensation and benefits system and of its incurred costs from either DCAA or from DOE's independent public accounting firm (under contract with DOE), and not require the submission of an Employee Benefits Cost Study.
- (4) When the net benefit value exceeds the comparator group by more than the percentage threshold established by the Head of the Contracting Activity the Contractor shall submit a corrective action plan to the Contracting Officer for approval, when and if requested in writing by the Contracting Officer.
- (5) When the benefit costs as a percent of payroll exceed the comparator group by more than the percentage threshold established by the Head of the Contracting Activity, when and if required by the Contracting Officer, the Contractor shall submit an analysis of the specific plan costs that result in or contribute to the percent of payroll exceeding the costs of the comparator group and submit a corrective action plan if directed by the Contracting Officer.
- (6) Within two years, or longer period as agreed to between the Contractor and the Contracting Officer, of Contracting Officer acceptance of the Contractor's corrective action plan, the Contractor shall align employee benefit programs with the benefit value and cost as percent of payroll in accordance with its corrective action plan.
- (7) The Contractor may not terminate any benefit plan during the term of the Contract without the prior approval of the Contracting Officer in writing.
- (8) Cost reimbursement for post-retirement benefits other than pensions (PRBs) is contingent on DOE approved service eligibility requirements for PRB that shall be based on a minimum period of continuous employment service not less than 5 years under a DOE cost reimbursement contract(s) immediately



prior to retirement. Unless required by Federal or State law, advance funding of PRBs is not allowable.

- (9) Each Contractor sponsoring a Defined Benefit pension plan and/or postretirement benefit plan will participate in the annual plan management process which includes written responses to a questionnaire regarding plan management, providing forecasted estimates of future reimbursements in connection with the plan(s) and participating in a conference call to discuss the Contractor submission (see (f)(6) below for Pension Management Plan requirements).
  - (10) Each Contractor will respond to quarterly data calls issued through iBenefits, or its successor system.
- (e) Establishment and Maintenance of Pension Plans for which DOE Reimburses Costs
- (1) Employees working for the Contractor shall only accrue credit for service under this Contract after the date of Contract award.
  - (2) Except for Commingled Plans in existence as of the effective date of the Contract, any pension plan maintained by the Contractor for which DOE reimburses costs, shall be maintained as a separate pension plan distinct from any other pension plan that provides credit for service not performed under a DOE cost-reimbursement contract. When deemed appropriate by the Contracting Officer, Commingled Plans shall be converted to separate plans at the time of new contract award or the extension of a contract.
- (f) Basic Requirements

The Contractor shall adhere to the requirements set forth below in the establishment and administration of pension plans that are reimbursed by DOE pursuant to cost reimbursement contracts for management and operation of DOE facilities and pursuant to other cost reimbursement facilities contracts. Pension Plans include Defined Benefit and Defined Contribution plans.

- (1) The Contractor shall become a sponsor of the existing pension and other benefit plans (or comparable successor plans), including other PRB plans, as applicable, with responsibility for management and administration of the plans. The Contractor shall be responsible for maintaining the qualified status of those plans consistent with the requirements of ERISA and the Internal Revenue Code (IRC). The Contractor shall carry over the length of service



credit and leave balances accrued as of the date of the Contractor's assumption of Contract performance.

- (2) Each Contractor defined benefit and defined contribution pension plan shall be subjected to a limited-scope audit annually that satisfies the requirements of ERISA section 103, except that every third year the contractor must conduct a full-scope audit of defined benefit plan(s) satisfying ERISA section 103. Alternatively, the contractor may conduct a full-scope audit satisfying ERISA section 103 annually. In all cases, the Contractor must submit the audit results to the Contracting Officer. In years in which a limited scope audit is conducted, the Contractor must provide the Contracting Officer with a copy of the qualified trustee or custodian's certification regarding the investment information that provides the basis for the plan sponsor to satisfy reporting requirements under ERISA section 104.

While there is no requirement to submit a full scope audit for defined contribution plans, contractors are responsible for maintaining adequate controls for ensuring that defined contribution plan assets are correctly recorded and allocated to plan participants.

- (3) For existing Commingled Plans, the Contractor shall maintain and provide annual separate accounting of DOE liabilities and assets as for a Separate Plan.
- (4) For existing Commingled Plans, the Contractor shall be liable for any shortfall in the plan assets caused by funding or events unrelated to DOE contracts.
- (5) The Contractor shall comply with the requirements of ERISA if applicable to the pension plan and any other applicable laws.
- (6) The Pension Management Plan (PMP) shall include a discussion of the Contractor's plans for management and administration of all pension plans consistent with the terms of the Contract. The PMP shall be submitted in the iBenefits system, or its successor system no later than January 31st of each applicable year. A full description of the necessary reporting will be provided in the annual management plan data request. Within sixty (60) days after the date of the submission, appropriate Contractor representatives shall participate in a conference call to discuss the Contractor's PMP submission and any other current plan issues or concerns.



(g) Reimbursement of Contractors for Contributions to Defined Benefit Pension Plans

- (1) Contractors that sponsor single employer or multiple employer defined benefit pension plans will be reimbursed for the annual required minimum contributions under the Employee Retirement Income Security Act (ERISA), as amended by the Pension Protection Act (PPA) of 2006 and any other subsequent amendments. Reimbursement above the annual minimum required contribution will require prior approval of the Contracting Officer. Minimum required contribution amounts will take into consideration all pre-funding balances and funding standard carryover balances. Early in the fiscal year but no later than the end of November, the Contractor requesting above the minimum may submit/update a business case for funding above the minimum if preliminary approval is needed prior to the Pension Management Plan process. The business case shall include a projection of the annual minimum required contribution and the proposed contribution above the minimum. The submission of the business case will provide the opportunity for the Department to provide preliminary approval, within 30 days after contractor submission, pending receipt of final estimates, generally after January 1st of the calendar year. Final approval of funding will be communicated by the Head of Contracting Activity (HCA) when discount rates are finalized and it is known whether there are any budget issues with the proposed contribution amount.
- (2) Contractors that sponsor multi-employer DB pension plans will be reimbursed for pension contributions in the amounts necessary to ensure that the plans are funded to meet the annual minimum requirement under ERISA, as amended by the PPA. However, reimbursement for pension contributions above the annual minimum contribution required under ERISA, as amended by the PPA, will require prior approval of the Contracting Officer and will be considered on a case by case basis. Reimbursement amounts will take into consideration all pre-funding balances and funding standard carryover balances. Early in the fiscal year but no later than the end of November, the Contractor requesting above the minimum may submit/update a business case for funding above the minimum if preliminary approval is needed prior to the Pension Management Plan process. The business case shall include a projection of the annual minimum required contribution and the proposed contribution above the minimum. The submission of the business case will provide the opportunity for the Department to provide preliminary approval, within 30 days after contractor submission, pending receipt of final estimates, generally after January 1st of the calendar year. Final approval of funding will be communicated by the HCA when discount rates are finalized and it is



known whether there are any budget issues with the proposed contribution amount.

(h) Reporting Requirements for Designated Contracts

The following reports shall be submitted to DOE as soon as possible after the last day of the plan year by the Contractor responsible for each designated pension plan funded by DOE but no later than the dates specified below:

- (1) Actuarial Valuation Reports. The annual actuarial valuation report for each DOE-reimbursed pension plan and when a pension plan is commingled, the Contractor shall submit separate reports for DOE's portion and the plan total by the due date for filing IRS Form 5500.
- (2) Forms 5300. Copies of all forms in the 5300 series submitted to the IRS that document the establishment, amendment, termination, spin-off, or merger of a plan submitted to the IRS.

(i) Changes to Pension and PRB Plans

No presumption of allowability will exist when the Contractor makes changes to existing pension plans or PRB plans, and the Contractor has not provided the Contracting Officer the opportunity to review the allowability of the changes prior to implementation. The Contractor shall submit for prior approval changes that result in increases to the Department's long-term pension and PRB liabilities that are reported in the Department's financial statement. Examples of changes that increase the Department's long-term liabilities include defined benefit pension plan changes and PRB plan changes. At least sixty (60) days prior to the adoption of any changes to a pension plan, the Contractor shall submit the information required below to the Contracting Officer. The Contracting Officer must approve plan changes that increase costs that increase the Department's long-term liabilities as part of a determination as to whether the costs are deemed allowable pursuant to FAR 31.205-6, as supplemented by DEAR 970.3102-05-6.

- (1) For proposed changes to pension plans and pension plan funding, the Contractor shall provide the following to the Contracting Officer:
  - (A) a copy of the current plan document (as conformed to show all prior plan amendments), with the proposed new amendment indicated in redline/strikeout;
  - (B) an analysis of the impact of any proposed changes on actuarial accrued liabilities and costs;



- (C) except in circumstances where the Contracting Officer indicates that it is unnecessary, a legal explanation of the proposed changes from the counsel used by the plan for purposes of compliance with all legal requirements applicable to private sector defined benefit pension plans;
  - (D) the Summary Plan Description; and,
  - (E) any such additional information as requested by the Contracting Officer.
- (2) Contractors shall submit new benefit plans and changes to plan design or funding methodology with justification to the Contracting Officer for approval, as applicable [see (d)(1) above]. The justification must:
- (A) demonstrate the effect of the plan changes on the contract net benefit value or percent of payroll benefit costs,
  - (B) provide the dollar estimate of savings or costs, and
  - (C) provide the basis of determining the estimated savings or cost.

(j) Terminating Operations

When operations at a designated DOE facility are terminated and no further work is to occur under the prime contract, the following apply:

- (1) No further benefits for service shall accrue.
- (2) The Contractor shall provide a determination statement in its settlement proposal, defining and identifying all liabilities and assets attributable to the DOE contract.
- (3) The Contractor shall base its pension liabilities attributable to DOE contract work on the market value of annuities or lump sum payments or dispose of such liabilities through a competitive purchase of annuities or lump sum payouts.
- (4) Assets shall be determined using the “accrual-basis market value” on the date of termination of operations.
- (5) DOE and the Contractor(s) shall establish an effective date for spinoff or plan termination. On the same day as the Contractor notifies the IRS of the spinoff or plan termination, all plan assets assigned to a spun-off or terminating plan shall be placed in a low-risk liability matching portfolio until



the successor trustee, or an insurance company, is able to assume stewardship of those assets.

(k) Terminating Plans

- (1) DOE contractors shall not terminate any pension plan (Commingled or site specific) without requesting Departmental approval at least 60 days prior to the scheduled date of plan termination.
- (2) To the extent possible, the Contractor shall satisfy plan liabilities to plan participants by the purchase of annuities through competitive bidding on the open annuity market or lump sum payouts. The Contractor shall apply the assumptions and procedures of the Pension Benefit Guaranty Corporation.
- (3) Funds to be paid or transferred to any party as a result of settlements relating to pension plan termination or reassignment shall accrue interest from the effective date of termination or reassignment until the date of payment or transfer.
- (4) If ERISA or IRC rules prevent a full transfer of excess DOE reimbursed assets from the terminated plan, the Contractor shall pay any deficiency directly to DOE according to a schedule of payments to be negotiated by the parties.
- (5) On or before the same day as the Contractor notifies the IRS of the spinoff or plan termination, all plan assets assigned to a spun-off or terminating plan shall be placed in a low-risk liability matching portfolio until the successor trustee, or an insurance company, is able to assume stewardship of those assets.
- (6) DOE liability to a Commingled pension plan shall not exceed that portion which corresponds to DOE contract service. The DOE shall have no other liability to the plan, to the plan sponsor, or to the plan participants.
- (7) After all liabilities of the plan are satisfied, the Contractor shall return to DOE an amount equaling the asset reversion from the plan termination and any earnings which accrue on that amount because of a delay in the payment to DOE. Such amount and such earnings shall be subject to DOE audit. To effect the purposes of this paragraph, DOE and the contractor may stipulate to a schedule of payments.



(l) Special Programs

Contractors must advise DOE and receive prior approval for each early-out program, window benefit, disability program, plan-loan feature, employee contribution refund, asset reversion, or incidental benefit.

(m) Alternate Contractor Human Resource Requirements

(1) Alternatively, the Contracting Officer may obtain an audit of the Contractor's compensation and benefits system and of its incurred costs from either DCAA or from DOE's independent public accounting firm (under contract with DOE); if the Contracting Officer does, the Contractor will not be required to submit the:

(A) Compensation Increase Plan; and/or

(B) Employee Benefits Cost Study.

(n) Definitions

- (1) Commingled Plans. Cover employees from the Contractor's private operations and its DOE contract work.
- (2) Current Liability. The sum of all plan liabilities to employees and their beneficiaries. Current liability includes only benefits accrued to the date of valuation. This liability is commonly expressed as a present value.
- (3) Defined Benefit Pension Plan. Provides a specific benefit at retirement that is determined pursuant to the formula in the pension plan document.
- (4) Defined Contribution Pension Plan. Provides benefits to each participant based on the amount held in the participant's account. Funds in the account may be comprised of employer contributions, employee contributions, investment returns on behalf of that plan participant and/or other amounts credited to the participant's account.
- (5) Designated Contract. For purposes of this clause, a contract (other than a prime cost reimbursement contract for management and operation of a DOE facility) for which the Head of the Departmental Contracting Activity determines that advance pension understandings are necessary or where there is a continuing Departmental obligation to the pension plan.
- (6) Pension Fund. The portfolio of investments and cash provided by employer and employee contributions and investment returns. A pension fund exists to



defray pension plan benefit outlays and (at the option of the plan sponsor) the administrative expenses of the plan.

- (7) Separate Accounting. Account records established and maintained within a commingled plan for assets and liabilities attributable to DOE contract service. NOTE: The assets so represented are not for the exclusive benefit of any one group of plan participants.
- (8) Separate Plan. Must satisfy IRC Sec. 414(l) definition of a single plan, designate assets for the exclusive benefit of employees under DOE contract, exist under a separate plan document (having its own Department of Labor plan number) that is distinct from corporate plan documents and identify the Contractor as the plan sponsor.
- (9) Spun-off Plan. A new plan which satisfies IRC Reg. 1.414 (l)-1 requirements for a single plan, and which is created by separating assets and liabilities from a larger original plan. The funding level of each individual participant's benefits shall be no less than before the event, when calculated on a "plan termination basis."



**CLAUSE H.47 - EPACT DATA PROTECTION (APR 2022)**

It authorizes SC laboratories, with DOE concurrence, to protect data generated in the performance of certain work funded under Energy Policy Act of 2005 (EPAct 2005) or the Energy Policy Act of 1992 (EPAct 1992). It is anticipated that this clause will be used by laboratories to authorize data protection when performing work under a Work Authorization (WAS) funded under EPAct, typically with an industrial partner.



**CLAUSE H.48 - CONTRACTOR'S OBLIGATIONS CONCERNING U.S.  
MANUFACTURING REQUIREMENTS OF A DETERMINATION OF  
EXCEPTIONAL CIRCUMSTANCES (DEC) (APR 2022)**

It directs SC laboratories to follow the requirements of the applicable DEC, including, but not limited to, any U.S. Manufacturing Plans or Commercialization Plans. While AL-2022-01 added the S&E DEC to laboratory contracts, there are other DEC's which affect U.S. Manufacturing. For example, the "Energy Efficiency, Storage, Integration and Related Technologies, Renewable Energy, and Advanced Energy Technologies which is funded by the Office of Energy Efficiency and Renewable Energy (EERE) or the Advanced Research Projects Agency – Energy (ARPA-E)" DEC, the "Cybersecurity, Energy Security, and Emergency Response" DEC and the "Quantum Information Science Technologies" DEC's all include enhanced U.S. Manufacturing requirements. This clause clarifies that laboratories must comply with the U.S. Manufacturing requirements in a DEC.





**U.S. DEPARTMENT OF ENERGY**

**AND**

**BROOKHAVEN SCIENCE ASSOCIATES, LLC**

**APPENDIX B**

**PERFORMANCE EVALUATION AND  
MEASUREMENT PLAN**

**FISCAL YEAR 2023**

**BROOKHAVEN NATIONAL LABORATORY**



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## INTRODUCTION

This document, the Performance Evaluation and Measurement Plan (PEMP), primarily serves as DOE's Quality Assurance/Surveillance Plan (QASP) for the evaluation of Brookhaven Science Associates (hereafter referred to as "the Contractor") performance regarding the management and operations of the Brookhaven National Laboratory (hereafter referred to as "the Laboratory") for the evaluation period from October 1, 2022, through September 30, 2023. The performance evaluation provides a standard by which to determine whether the Contractor is managerially and operationally in control of the Laboratory and is meeting the mission requirement and performance expectations/objectives of the Department as stipulated within this contract.

This document also describes the distribution of the total available performance-based fee and the methodology for determining the amount of fee earned by the Contractor as stipulated within the clauses entitled, "Determining Total Available Performance Fee and Fee Earned," "Conditional Payment of Fee, Profit, or Incentives," and "Total Available Fee: Base Fee Amount and Performance Fee Amount." In partnership with the Contractor and other key customers, the Department of Energy (DOE) Headquarters (HQ) and the Site Office have defined the measurement basis that serves as the Contractor's performance-based evaluation and fee determination.

The Performance Goals (hereafter referred to as Goals), Performance Objectives (hereafter referred to as Objectives) and set of notable outcomes discussed herein were developed in accordance with contract expectations set forth within the contract. The notable outcomes for meeting the Objectives set forth within this plan have been developed in coordination with HQ program offices as appropriate. Except as otherwise provided for within the contract, the evaluation and fee determination will rest solely on the Contractor's performance within the Performance Goals and Objectives set forth within this plan.

The overall performance against each Objective of this performance plan, to include the evaluation of notable outcomes, shall be evaluated jointly by the appropriate HQ office, major customer and/or the Site Office as appropriate. This cooperative review methodology will ensure that the overall evaluation of the Contractor results in a consolidated DOE position taking into account specific notable outcomes as well as all additional information available to the evaluating office. The Site Office shall work closely with each HQ program office or major customer throughout the year in evaluating the Contractor's performance and will provide observations regarding programs and projects as well as other management and operation activities conducted by the Contractor throughout the year.

Section I provides information on how the performance rating (grade) for the Contractor, as well as how the performance-based incentives fee earned (if any) will be determined. As applicable, also provides information on the award term eligibility requirements.

Section II provides the detailed information concerning each Goal, its corresponding Objectives, and notable outcomes identified, along with the weightings assigned to each Goal and Objective and a table for calculating the final grade for each Goal.

### **I. DETERMINING THE CONTRACTOR'S PERFORMANCE RATING, AND PERFORMANCE-BASED FEE AND AWARD TERM ELIGIBILITY (as applicable)**

The FY 2023 Contractor performance grade for each Goal will be determined based on the weighted sum of the individual scores earned for each of the Objectives described within this document for Contractor/Laboratory Leadership, and for Management and Operations (M&O). For each Science and Technology (S&T) Goal, an initial weighted sum will be calculated analogously for each evaluating office,



and a cost-based weighted sum of these initial sums will determine the Contractor performance grade. Each Goal is composed of two or more weighted Objectives. Additionally, a set of notable outcomes has been identified to highlight key aspects/areas of performance deserving special attention by the Contractor for the upcoming fiscal year. Each notable outcome is linked to one or more Objectives, and failure to meet expectations against any notable outcome will result in a grade less than B+ for that Objective(s). That is, if the contractor fails to meet expectations against a notable outcome tied to an Objective under Goal 1.0, 2.0, or 3.0, the SC program office that assigned the notable outcome shall award a grade less than “B+” for the Objective(s) to which the notable outcome is linked; and if the contractor fails to meet expectations against a notable outcome tied to an Objective under Goal 4.0, 5.0, 6.0, 7.0 or 8.0, SC shall award a grade less than “B+” for the Objective(s) to which the notable outcome is linked. Performance above expectations against a notable outcome will be considered in the context of the Contractor’s entire performance with respect to the relevant Objective. The following section describes SC’s methodology for determining the Contractor’s grades at the Objective level.

Performance Evaluation Methodology:

The purpose of this section is to establish a methodology to develop grades at the Objective level. Each evaluating office shall provide a proposed grade and corresponding numerical score for each Objective (see Figure 1 for SC’s scale). Each evaluation will measure the degree of effectiveness and performance of the Contractor in meeting the corresponding Objectives.

Final Grade	A+	A	A-	B+	B	B-	C+	C	C-	D	F
<b>Total Score</b>	<b>4.3-4.1</b>	<b>4.0-3.8</b>	<b>3.7-3.5</b>	<b>3.4-3.1</b>	<b>3.0-2.8</b>	<b>2.7-2.5</b>	<b>2.4-2.1</b>	<b>2.0-1.8</b>	<b>1.7-1.1</b>	<b>1.0-0.8</b>	<b>0.7-0</b>

**Figure 1. FY 2023 Contractor Letter Grade Scale**

For the three S&T Goals (1.0 – 3.0) the Contractor shall be evaluated against the defined levels of performance provided for each Objective under the S&T Goals. The Contractor performance under Goal 4.0 will also be evaluated using the defined levels of performance described for the four Objectives under Goal 4.0. The descriptions for these defined levels of performance are included in Section II.

It is the DOE’s expectation that the Contractor provides for and maintains management and operational (M&O) systems that efficiently and effectively support the current mission(s) of the Laboratory and assure the Laboratory’s ability to deliver against DOE’s future needs. In evaluating the Contractor’s performance DOE shall assess the degree of effectiveness and performance in meeting each of the Objectives provided under each of the Goals. For the four M&O Goals (5.0 – 8.0) DOE will rely on a combination of the information through the Contractor’s own assurance systems, the ability of the Contractor to demonstrate the validity of this information, and DOE’s own independent assessment of the Contractor’s performance across the spectrum of its responsibilities. The latter might include, but is not limited to operational awareness (daily oversight) activities; formal assessments conducted; “For Cause” reviews (if any); and other outside agency reviews (OIG, GAO, DCAA, etc.).

The mission of the Laboratory is to deliver the science and technology needed to support Departmental missions and other sponsors’ needs. Operational performance at the Laboratory meets DOE’s expectations (defined as the grade of B+) for each Objective if the Contractor is performing at a level that fully supports the Laboratory’s current and future science and technology mission(s). Performance that does, or has the potential to, 1) adversely impact the delivery of the current and/or future DOE/Laboratory mission(s), 2) adversely impact the DOE and or the Laboratory’s reputation, or 3) fail to provide the competent people,



necessary facilities and robust systems necessary to ensure sustainable performance, shall be graded below expectations as defined in Figure I-1, below.

The Department sets our expectations high, and expects performance at that level to optimize the efficient and effective operation of the Laboratory. Thus, the Department does not expect routine Contractor performance above expectations against the M&O Goals (5.0 – 8.0). Performance that might merit grades above B+ would need to reflect a Contractor’s significant contributions to the management and operations at the system of Laboratories, or recognition by external, independent entities as exemplary performance.

Definitions for the grading scale for the Goal 5.0 – 8.0 Objectives are provided in Figure I-1, below:

Letter Grade	Numerical Grade	Definition
A+	4.3-4.1	Significantly exceeds expectations of performance against all aspects of the Objective in question. The Contractor’s systems function at a level that fully supports the Laboratory’s current and future science and technology mission(s). Performance is notable for its significant contributions to the management and operations across the SC system of laboratories, and/or has been recognized by external, independent entities as exemplary.
A	4.0-3.8	Notably exceeds expectations of performance against all aspects of the Objective in question. The Contractor’s systems function at a level that fully supports the Laboratory’s current and future science and technology mission(s). Performance is notable for its contributions to the management and operations across the SC system of laboratories, and/or as been recognized by external, independent entities as exemplary.
A-	3.7-3.5	Exceeds expectations of performance against all aspects of the Objective in question. The Contractor’s systems function at a level that fully supports the Laboratory’s current and future science and technology mission(s).
B+	3.4-3.1	Meets expectations of performance against all aspects of the Objective in question. The Contractor’s systems function at a level that fully supports the Laboratory’s current and future science and technology mission(s). No performance has, or has the potential to, adversely impact 1) the delivery of the current and/or future DOE/Laboratory mission(s), 2) the DOE and/or the Laboratory’s reputation, or does not 3) provide a sustainable performance platform.
B	3.0 -2.8	Just misses meeting expectations of performance against a few aspects of the Objective in question. In a few minor instances, the Contractor’s systems function at a level that does not fully support the Laboratory’s current and future science and technology mission, or provide a sustainable performance platform.
B-	2.7-2.5	Misses meeting expectations of performance against several aspects of the Objective in question. In several areas, the Contractor’s systems function at a level that does not fully support the Laboratory’s current and future science and technology mission, or provide a sustainable performance platform.
C+	2.4-2.1	Misses meeting expectations of performance against many aspects of the Objective in question. In several notable areas, the Contractor’s systems function at a level that does not fully support the Laboratory’s current and future science and technology mission or provide a sustainable performance platform, and/or have affected the reputation of the Laboratory or DOE.
C	2.0-1.8	Significantly misses meeting expectations of performance against many aspects of the Objective in question. In many notable areas, the Contractor’s systems do not support the Laboratory’s current and future science and technology mission, nor provide a sustainable performance platform and may affect the reputation of the Laboratory or DOE.
C-	1.7- 1.1	Significantly misses meeting expectations of performance against most aspects of the Objective in question. In many notable areas, the Contractor’s systems demonstrably hinder the Laboratory’s ability to deliver on current and future science and technology mission, and have harmed the reputation of the Laboratory or DOE.



Letter Grade	Numerical Grade	Definition
D	1.0-0.8	Most or all expectations of performance against the Objective in question are missed. Performance failures in this area have affected all parts of the Laboratory; DOE leadership engagement is required to deal with the situation and help the Contractor.
F	0.7-0	All expectations of performance against the Objective in question are missed. Performance failures in this area are not recoverable by the Contractor or DOE.

**Figure I-1. Letter Grade and Numerical Grade Definitions for Objectives under M&O Goals**

Calculating Individual Goal Scores and Letter Grades:

Each Objective is assigned the earned numerical score by each evaluating office as stated above. For an evaluating office, the Goal score is then computed by multiplying each Objective numerical score under that Goal by the weight assigned to that Objective by that office, and then adding these values together. For Goals 4.0-8.0, this determines the overall Goal score. For Goals 1.0-3.0, the overall Goal score is calculated by multiplying each evaluating office's Goal score by the office's cost-based weight, and then adding them. For the purpose of determining the eight Goal grades, the unrounded raw overall numerical score for each Goal will be rounded to the nearest tenth of a point using the standard rounding convention discussed below following Figure 2, and then will be compared to Figure 1. A set of tables is provided at the end of each Performance Goal section of this document to assist in the calculation from Objective numerical scores to the Goal grade. No overall rollup grade shall be provided.

The eight Performance Goal grades shall be used to create a report card for the laboratory (see Figure 2, below).

Performance Goal	Grade
1.0 Mission Accomplishment	
2.0 Design, Fabrication, Construction and Operations of Research Facilities	
3.0 Science and Technology Program Management	
4.0 Sound and Competent Leadership and Stewardship of the Laboratory	
5.0 Integrated Safety, Health, and Environmental Protection	
6.0 Business Systems	
7.0 Operating, Maintaining, and Renewing Facility and Infrastructure Portfolio	
8.0 Integrated Safeguards and Security Management and Emergency Management Systems	

**Figure 2. Laboratory Report Card**

Although rounded to convert to letter grades, the unrounded raw numerical score from each calculation shall be carried through to the next stage of the calculation process. The unrounded raw numerical score for weighted final S&T and weighted final M&O will be rounded to the nearest tenth of a point for purposes of determining fee. A standard rounding convention of x.44 and less rounds down to the nearest tenth (here, x.4), while x.45 and greater rounds up to the nearest tenth (here, x.5).

Determining the Amount of Performance-Based Fee Earned:

SC uses the following process to determine the amount of performance-based fee earned by the contractor. The overall Goal scores for each S&T Performance Goal shall be used to determine an initial numerical score for S&T (see Table A, below), and the overall Goal scores for each M&O Performance Goal shall be used to determine an initial numerical M&O score (see Table B, below).



S&T Performance Goal	Numerical Score	Weight <sup>1</sup>		
1.0 Mission Accomplishment		≥30%		
2.0 Design, Fabrication, Construction and Operation of Research Facilities				
3.0 Science and Technology Program Management		25%		
<b>Initial S&amp;T Score</b>				

**Table A: Fiscal Year Contractor Evaluation Initial S&T Score Calculation**

<sup>1</sup> For Goals 1.0 and 2.0, the weights are based on total fiscal year costs for all evaluating programs distributed between these Goals 1.0 and 2.0; however, a minimum weight of 30% for Goal 1.0 is required regardless of cost distribution. For Goal 3.0, the weight is set as a fixed percentage for all laboratories.

M&O Performance Goal	Numerical Score	Weight		
5.0 Integrated Safety, Health, and Environmental Protection		30%		
6.0 Business Systems		30%		
7.0 Operating, Maintaining, and Renewing Facility and Infrastructure Portfolio		30%		
8.0 Integrated Safeguards and Security Management and Emergency Management Systems		10%		
<b>Initial M&amp;O Score</b>				

**Table B. Fiscal Year Contractor Evaluation Initial M&O Score Calculation**

These initial scores will then be adjusted based on the numerical score for Goal 4.0 (see Table C, below).

	Numerical Score	Weight		
Initial S&T Score		0.75		
Goal 4.0		0.25		
<b>Final S&amp;T Score</b>				
Initial M&O Score		0.75		
Goal 4.0		0.25		
<b>Final M&amp;O Score</b>				

**Table C. Fiscal Year Final S&T and M&O Score Calculation**

The percentage of the available performance-based fee that may be earned by the Contractor shall be determined based on the final score for S&T (see Table C) and then compared to Figure 3, below. The final score for M&O from Table C shall then be utilized to determine the final fee multiplier (see Figure 3), which shall be utilized to determine the overall amount of performance-based fee earned for FY 2023 as calculated within Table D.



Overall Final Score for either S&T or M&O from Table C.	Percent S&T Fee Earned	M&O Fee Multiplier
4.3	100%	100%
4.2		
4.1		
4.0	97%	100%
3.9		
3.8		
3.7	94%	100%
3.6		
3.5		
3.4	91%	100%
3.3		
3.2		
3.1		
3.0	88%	95%
2.9		
2.8		
2.7	85%	90%
2.6		
2.5		
2.4	75%	85%
2.3		
2.2		
2.1		
2.0	50%	75%
1.9		
1.8		
1.7	0%	60%
1.6		
1.5		
1.4		
1.3		
1.2		
1.1		
1.0 to 0.8	0%	0%
0.7 to 0.0	0%	0%

Figure 3. Performance-Based Fee Earned Scale

Overall Fee Determination	
Percent S&T Fee Earned	
M&O Fee Multiplier	x
Overall Earned Performance-Based Fee	

Table D. Final Percentage of Performance-Based Fee Earned Determination



The Federal Acquisition Regulations (FAR) requirements for using and administering cost-plus-award-fee contracts were modified to provide for a five-level adjectival grading system with associated levels of available fee.<sup>1</sup> SC has addressed the FAR Part 16 language by mapping its standard numerical scores and associated fee determinations to the FAR Adjectival Rating System, as noted in Figure 4.

<b>Range of Overall Final Score for S&amp;T from Figure 3.</b>	<b>FAR Adjectival Rating</b>	<b>Maximum Performance-Fee Pool Available to be Earned</b>
<b>3.1 to 4.3</b>	<b>Excellent</b>	<b>100%</b>
<b>2.5 to 3.0</b>	<b>Very Good</b>	<b>88%</b>
<b>2.1 to 2.4</b>	<b>Good</b>	<b>75%</b>
<b>1.8 to 2.0</b>	<b>Satisfactory</b>	<b>50%</b>
<b>0.0 to 1.7</b>	<b>Unsatisfactory</b>	<b>0%</b>

**Figure 4. Crosswalk of SC Numerical Scores and the FAR Part 16 Adjectival Rating System**

Adjustment to the Letter Grade and/or Performance-Based Fee Determination:

The lack of performance objectives and notable outcomes in this plan does not diminish the need to comply with minimum contractual requirements. Although the performance-based Goals and their corresponding Objectives shall be the primary means utilized in determining the Contractor's performance grade and/or amount of performance-based fee earned, the Contracting Officer may unilaterally adjust the rating and/or reduce the otherwise earned fee based on the Contractor's performance against all contract requirements as set forth in the Prime Contract. While reductions may be based on performance against any contract requirement, specific note should be made to contract clauses which address reduction of fee including, Standards of Contractor Performance Evaluation, DEAR 970.5215-1 – Total Available Fee: Base Fee Amount and Performance Fee Amount, and Conditional Payment of Fee, Profit, and Other Incentives – Facility Management Contracts. Data to support rating and/or fee adjustments may be derived from other sources to include, but not limited to, operational awareness (daily oversight) activities; "For Cause" reviews (if any); and other outside agency reviews (OIG, GAO, DCAA, etc.), as needed.

The adjustment of a grade and/or reduction of otherwise earned fee will be determined by the severity of the performance failure and consideration of mitigating factors. DEAR 970.5215-3 Conditional Payment of Fee, Profit, and Other Incentives – Facility Management Contracts is the mechanism used for reduction of fee as it relates to performance failures related to safeguarding of classified information and to adequate protection of environment, health and safety. Its guidance can also serve as an example for reduction of fee in other areas.

<sup>1</sup> See Policy Flash 2010-05, *Federal Acquisition Circular 2005-37*.



The final Contractor performance-based grades for each Goal and fee earned determination will be contained within a year-end report, documenting the results from the DOE review. The report will identify areas where performance improvement is necessary and, if required, provide the basis for any performance-based rating and/or fee adjustments made from the otherwise earned rating/fee based on Performance Goal achievements.

Determining Award Term Eligibility:

Pursuant to Section F.2 “Award Term Incentive,” the Contractor may also earn additional award term of 12 months during this evaluation period by meeting or exceeding performance expectations. Contractor eligibility for award term extensions is delineated in Section F.2(b) of the contract.



## **II. PERFORMANCE GOALS, OBJECTIVES & NOTABLE OUTCOMES**

### **Background**

The current performance-based management approach to oversight within DOE has established a new culture within the Department with emphasis on the customer-supplier partnership between DOE and the laboratory contractors. It has also placed a greater focus on mission performance, best business practices, cost management, and improved contractor accountability. Under the performance-based management system the DOE provides clear direction to the laboratories and develops annual performance plans (such as this one) to assess the contractors' performance in meeting that direction in accordance with contract requirements. The DOE policy for implementing performance-based management includes the following guiding principles:

- Performance objectives are established in partnership with affected organizations and are directly aligned to the DOE strategic goals;
- Resource decisions and budget requests are tied to results; and
- Results are used for management information, establishing accountability, and driving long-term improvements.

The performance-based approach focuses the evaluation of the Contractor's performance against these Performance Goals. Progress against these Goals is measured through the use of a set of Objectives. The success of each Objective will be measured based on demonstrated performance by the laboratory, and on a set of notable outcomes that focus laboratory leadership on the specific items that are the most important initiatives and highest risk issues the laboratory must address during the fiscal year. These notable outcomes should be objective, measurable, and results-oriented to allow for a definitive determination of whether or not the specific outcome was achieved at the end of the year.

### **Performance Goals, Objectives, and Notable Outcomes**

The following sections describe the Performance Goals, their supporting Objectives, and associated notable outcomes for FY 2023.



## **GOAL 1.0      Provide for Efficient and Effective Mission Accomplishment**

**The science and technology programs at the Laboratory produce high-quality, original, and creative results that advance science and technology; demonstrate sustained scientific progress and impact; receive appropriate external recognition of accomplishments; and contribute to overall research and development goals of the Department and its customers.**

The weight of this Goal is TBD%.

The Provide for Efficient and Effective Mission Accomplishment Goal measures the overall effectiveness and performance of the Contractor in delivering science and technology results which contribute to and enhance the DOE's (or other relevant supporting agencies') mission of protecting our national and economic security by providing world-class scientific research capacity and advancing scientific knowledge by supporting world-class, peer-reviewed scientific results, which are recognized by others.

Each Objective within this Goal is to be assigned the appropriate numerical score by the Office of Science Program Offices, other cognizant HQ Program Offices, and other customers as identified below. The Goal score from each HQ Program Office and/or customer is computed by multiplying each Objective numerical score by the associated weight assigned by that Office/customer, and summing them (see Table 1.1).

- Office of Accelerator R&D and Production (ARDAP)
- Office of Advanced Scientific Computing Research (ASCR)
- Office of Basic Energy Sciences (BES)
- Office of Biological and Environmental Research (BER)
- Office of High Energy Physics (HEP)
- Office of Isotope R&D and Production (IP)
- Office of Nuclear Physics (NP)
- Office of Workforce Development for Teachers and Scientists (WDTS)
- National Nuclear Security Administration (NNSA)
- Nuclear Regulatory Commission (NRC)
- Department of Homeland Security (DHS)
- Office of Technology Transitions (OTT)

The overall Performance Goal score and grade will be determined by multiplying the Goal score assigned by each of the offices identified above by the cost-based weightings identified for each and then summing them (see Table 1.2, below). The cost-based weights to be utilized for determining the overall score will be determined following the end of the performance period and will be based on actual cost for FY 2023. The overall score earned is then compared to Table 1.3 to determine the overall letter grade for this Goal. The Contractor's success in meeting each Objective shall be determined based on the Contractor's performance as viewed by the Office of Science Program Offices, other cognizant HQ Program Offices, and other customers for which the Laboratory conducts work. Should one or more of the HQ Program Offices choose not to provide an evaluation for this Goal and its corresponding Objectives, the weighting for the remaining HQ Program Offices shall be recalculated based on their percentage of cost for FY 2023 as compared to the total cost for those remaining HQ Program Offices.

### **Objectives**

#### **1.1 Provide Science and Technology Results with Meaningful Impact on the Field**



In assessing the performance of the Laboratory against this Objective, the following assessment elements should be considered:

- Performance of the Laboratory with respect to proposed research plans;
- Performance of the Laboratory with respect to community impact and peer review; and
- Performance of the Laboratory with respect to impact to DOE (or other customer) mission needs.

The following is a sampling of factors to be considered in determining the level of performance for the Laboratory against this Objective. The evaluator(s) may consider the following as measured through progress reports, peer reviews, Field Work Proposals (FWPs), Program Office reviews/oversight, etc.

- Impact of publications on the field, as measured primarily by peer review;
- Impact of S&T results on the field, as measured primarily by peer review;
- Impact of S&T results outside the field indicating broader interest;
- Impact of S&T results on DOE or other customer mission(s);
- Successful stewardship of mission-relevant research areas;
- Delivery on proposed S&T plans;
- Significant awards (Nobel Prizes, R&D 100, FLC, etc.);
- Invited talks, citations, making high-quality data available to the scientific community; and
- Development of tools and techniques that become standards or widely-used in the scientific community.

Letter Grade	Definition
A+	<p>In addition to satisfying the conditions for B+</p> <ul style="list-style-type: none"> <li>• There are <i>significant research areas</i> for which the Laboratory <i>has exceeded the expectations</i> of the proposed research plans <i>in significant ways through creative, new, or unconventional methods that allow greater scientific reach than expected</i>.</li> <li>• S&amp;T conducted at the Laboratory <i>has resolved one of the most critical questions in the field, or has changed the way the research community thinks about a particular field through paradigm shifting discoveries that would be considered the most influential discovery of the decade for that field</i>.</li> <li>• S&amp;T conducted at the Laboratory <i>provided major advances that significantly accelerate DOE or other customer mission(s)</i>.</li> </ul>
A	<p>In addition to satisfying the conditions for B+</p> <ul style="list-style-type: none"> <li>• There are <i>important examples</i> where the Laboratory <i>exceeded the expectations</i> of the proposed research plans <i>in significant ways through creative, new, or unconventional methods that allow greater scientific reach than expected</i>.</li> <li>• <i>All areas</i> of S&amp;T conducted at the Laboratory are of <i>exceptional or outstanding</i> merit and quality.</li> <li>• S&amp;T conducted at the Laboratory <i>has significant positive impact</i> to DOE or other customer missions.</li> </ul>
A-	<p>In addition to satisfying the conditions for B+</p> <ul style="list-style-type: none"> <li>• There are <i>important examples</i> where the Laboratory <i>exceeded the expectations</i> of the proposed research plans.</li> <li>• <i>Significant areas</i> of S&amp;T conducted at the Laboratory are of <i>exceptional or outstanding</i> merit and quality.</li> <li>• S&amp;T conducted at the Laboratory <i>significantly impact</i> DOE or other customer missions.</li> </ul>
B+	<p>The Laboratory has achieved each of the following objectives:</p> <ul style="list-style-type: none"> <li>• The Laboratory has successfully executed proposed research plans.</li> <li>• S&amp;T conducted at the Laboratory are of <i>high</i> scientific merit and quality</li> <li>• S&amp;T conducted at the Laboratory <i>advance</i> DOE or other customer missions.</li> </ul>



Letter Grade	Definition
B	<ul style="list-style-type: none"> <li>The Laboratory has successfully executed proposed research plans.</li> <li>S&amp;T conducted at the Laboratory <i>advance</i> DOE or other customer missions.</li> </ul> <p>BUT the Laboratory fails to meet the conditions for B+ for <i>at least one</i> of the following reasons:</p> <ul style="list-style-type: none"> <li>S&amp;T conducted at the Laboratory are <i>not uniformly of high merit and quality</i> OR <i>some areas of research, previously supported, have become uncompetitive</i> OR <i>the Laboratory does not produce sufficiently competitive proposals to receive program support at a level commensurate with its unique capabilities</i>.</li> </ul>
B-	<p>The Laboratory fails to meet the conditions for B+ for <i>at least one</i> of the following reasons:</p> <ul style="list-style-type: none"> <li>The Laboratory has <i>failed to successfully execute</i> proposed research plans <i>but contingencies were in place such that no funding was or will be terminated</i>. OR S&amp;T conducted at the Laboratory <i>does little to advance</i> DOE or other customer missions.</li> <li><i>Significant areas of</i> S&amp;T conducted at the Laboratory are <i>not of high merit and quality</i> OR <i>some areas of research, previously supported, have become uncompetitive</i> OR <i>the Laboratory do not produce sufficiently competitive proposals to receive program support at a level commensurate with its unique capabilities</i>.</li> </ul>
C	<p>The Laboratory fails to meet the conditions for B+ for <i>at least one</i> of the following reasons:</p> <ul style="list-style-type: none"> <li><i>In several significant aspects</i>, the Laboratory <i>failed to deliver on</i> proposed research plans <i>using available resources such that some funding was or will be terminated</i> OR S&amp;T conducted at the Laboratory <i>failed to contribute to</i> DOE or other customer missions.</li> <li><i>Significant areas of</i> S&amp;T conducted at the Laboratory are <i>of poor merit and quality</i> OR <i>some areas of research, previously supported, have become uncompetitive</i> AND <i>the Laboratory does not produce sufficiently competitive proposals to receive program support at a level commensurate with its unique capabilities</i>.</li> </ul>
D	<p>The Laboratory fails to meet the conditions for B+ for <i>at least one</i> of the following reasons:</p> <ul style="list-style-type: none"> <li><i>Multiple program elements at</i> the Laboratory <i>failed to deliver on</i> proposed research plans <i>using available resources such that significant funding was or will be terminated</i>.</li> <li><i>Multiple significant areas of</i> S&amp;T conducted at the Laboratory are <i>of poor merit and quality</i> OR <i>some areas of research, previously supported, have become uncompetitive</i> AND <i>the Laboratory does not produce sufficiently competitive proposals to receive program support at a level commensurate with its unique capabilities</i>.</li> <li>S&amp;T conducted at the Laboratory <i>failed to contribute to</i> DOE or other customer missions.</li> </ul>
F	<p>The Laboratory fails to meet the conditions for B+ for <i>at least one</i> of the following reasons:</p> <ul style="list-style-type: none"> <li><i>Multiple program elements at</i> the Laboratory <i>failed to deliver on</i> proposed research plans <i>using available resources resulting in total termination of funding</i>.</li> <li><i>Multiple significant areas of</i> S&amp;T conducted at the Laboratory are <i>of poor merit and quality</i> OR <i>some areas of research, previously supported, have become uncompetitive</i> AND <i>the Laboratory does not produce sufficiently competitive proposals to receive program support at a level commensurate with its unique capabilities</i> OR <i>the Laboratory has been found to have engaged in gross scientific incompetence and/or scientific fraud</i>.</li> <li>S&amp;T conducted at the Laboratory <i>failed to contribute to</i> DOE or other customer missions.</li> </ul>

## 1.2 Provide Quality Leadership in Science and Technology that Advances Community Goals and DOE Mission Goals.

In assessing the performance of the Laboratory against this Objective, the following assessment elements should be considered:

- Innovativeness / Novelty of research ideas put forward by the Laboratory;



- Extent to which Laboratory staff members take on substantive or formal leadership roles in their community;
- Extent to which Laboratory staff members take on formal leadership roles in DOE, SC and/or other customer activities;
- Extent to which Laboratory staff members contribute thoughtful and thorough peer reviews and other research assessments as requested by DOE, SC or other supporting customers; and
- Extent to which Laboratory staff members champion Laboratory and Community goals to foster diversity, equity, inclusion, and accessibility in the work environment and in the S&T field.

The following is a sampling of factors to be considered in determining the level of performance for the Laboratory against this Objective. The evaluator(s) may consider the following as measured through progress reports, peer reviews, Field Work Proposals (FWPs), Program Office reviews/oversight, etc.:

- Willingness to pursue novel approaches and/or demonstration of innovative solutions to problems;
- Willingness to take on high-risk/high payoff/long-term research problems, evidence that previous risky decisions by the PI/research staff have proved to be correct and are paying off;
- The uniqueness and challenge of science pursued, recognition for doing the best work in the field;
- Extent and quality of collaborative efforts;
- Staff members visible in leadership positions in the scientific community;
- Involvement in professional organizations, National Academies panels and workshops;
- Effectiveness in driving the direction and setting the priorities of the community in a research field;
- Success in competition for resources; and
- Extent and quality of efforts to create new opportunities for the support and mentoring of project personnel (students, postdocs, and/or research staff) from demographic backgrounds historically underrepresented in the field.

Letter Grade	Definition
A+	<p>In addition to satisfying the conditions for B+, the following conditions hold for ALL Laboratory staff:</p> <ul style="list-style-type: none"> <li>• Laboratory staff members have <i>leadership positions</i> in professional organizations AND <i>in National Academy or equivalent panels to discuss and determine further research directions</i>;</li> <li>• Laboratory staff members have <i>leadership positions</i> in DOE and/or in other supporting agency's sponsored workshops and strategic planning activities, for example, Laboratory staff members chair or co-chair DOE-sponsored or other supporting agency-sponsored workshops and strategic planning activities.</li> <li>• The Laboratory program consistently produces and submits competitive proposals that challenge convention and open <i>significant new fields</i> for research that are well aligned with DOE and/or other supporting agency's mission needs and <i>the Laboratory has a strong recognized role in setting priorities and driving the direction in key research areas and are internationally recognized leaders in the field</i>.</li> <li>• Laboratory staff hold <i>leadership positions</i> in multi-institutional research collaborations.</li> </ul>
A	<p>In addition to satisfying the conditions for B+</p> <ul style="list-style-type: none"> <li>• Laboratory staff members have <i>leadership positions</i> in professional organizations AND <i>staff has contributing role in National Academy or equivalent panels to discuss further research directions</i>;</li> <li>• Laboratory staff members have <i>leadership positions</i> in DOE and/or in other supporting agency's sponsored workshops and strategic planning activities.</li> <li>• The Laboratory program consistently produces and submits competitive proposals that challenge convention and open <i>significant new fields</i> for research that are well aligned with DOE or other supporting agency's mission needs and <i>the Laboratory has a strong recognized role in setting priorities and driving the direction in key research areas</i>.</li> <li>• Laboratory staff hold <i>leadership positions</i> in multi-institutional research collaborations.</li> </ul>



Letter Grade	Definition
A-	<p>In addition to satisfying the conditions for B+</p> <ul style="list-style-type: none"> <li>Laboratory staff members have <i>leadership positions</i> in professional organizations OR <i>staff has contributing role in National Academy or equivalent panels to discuss further research directions</i>;</li> <li>Laboratory staff members have <i>leadership positions</i> in DOE and/or other supporting agency's sponsored workshops and strategic planning activities.</li> <li>The Laboratory program consistently submits competitive proposals that challenge convention and open <i>significant</i> new avenues for research that are well aligned with DOE or other supporting agency's mission needs.</li> <li>Laboratory staff hold <i>leadership positions</i> in multi-institutional research collaborations.</li> </ul>
B+	<p>The Laboratory has achieved each of the following objectives:</p> <ul style="list-style-type: none"> <li>Laboratory staff members are <i>active participants</i> in professional organizations, committees, and activities, and take on leadership responsibilities commensurate with experience and expertise.</li> <li>Laboratory staff members are <i>active participants</i> in DOE and/or other supporting agency's sponsored workshops and strategic planning activities and.</li> <li>Laboratory staff members contribute thoughtful thorough peer review in a timely manner, when requested by DOE or other supporting agencies.</li> <li>The Laboratory program consistently provides competitive proposals that challenge convention and open new avenues for research that are well aligned with DOE or other supporting agency's mission needs.</li> <li>Laboratory staff are <i>active participants</i> in multi-institutional research collaborations</li> </ul>
B	<ul style="list-style-type: none"> <li>Laboratory staff members contribute thoughtful and thorough peer review in a timely manner, when requested by DOE and/or other supporting agencies.</li> <li>The Laboratory program consistently provides competitive proposals that challenge convention and open new avenues for research that are well aligned with DOE and/or other supporting agency's mission needs.</li> </ul> <p>BUT the Laboratory fails to meet the conditions for B+ for <i>at least one</i> of the following reasons:</p> <ul style="list-style-type: none"> <li>Although <i>regular participants</i> in professional organizations, committees, and activities, <i>the extent to which staff take on leadership roles falls short of what would be expected, given the level of experience and expertise of the staff</i>.</li> <li>Although <i>regular participants</i> in DOE and/or other supported agency's sponsored workshops and strategic planning activities, <i>the extent to which staff take on leadership roles falls short of what would be expected, given the level of experience and expertise of the staff</i>.</li> <li>Although <i>active members</i> of multi-institutional research collaborations, <i>the extent to which staff take on leadership roles falls short of what would be expected, given the level of experience and expertise of the staff</i>.</li> </ul>
B-	<ul style="list-style-type: none"> <li>Laboratory staff members contribute thoughtful and thorough peer review in a timely manner, when requested by DOE or other supporting agencies.</li> </ul> <p>BUT the Laboratory fails to meet the conditions for B+ for <i>at least one</i> of the following reasons:</p> <ul style="list-style-type: none"> <li>The Laboratory program submits competitive proposals <i>but these either lack innovation or are not well aligned with DOE or other supporting agency's mission needs</i>.</li> <li>Laboratory staff are <i>infrequent participants</i> in professional organizations, committees, and activities, and <i>the extent to which staff take on leadership roles falls short of what would be expected, given the level of experience and expertise of the staff</i>.</li> <li>Laboratory staff are <i>infrequent participants</i> in DOE or other supported agency's sponsored workshops and strategic planning activities, and <i>the extent to which staff take on leadership roles falls short of what would be expected, given the level of experience and expertise of the staff</i>.</li> <li>Although <i>active members</i> of multi-institutional research collaborations, <i>the extent to which staff take on leadership roles falls short of what would be expected, given the level of experience and expertise of the staff</i>.</li> </ul>



Letter Grade	Definition
C	The Laboratory fails to meet the conditions for B+ for <i>at least one</i> of the following reasons: <ul style="list-style-type: none"> <li>Laboratory staff members <i>do not reliably</i> contribute thoughtful and thorough peer review in a timely manner, when requested by DOE or other supporting agencies.</li> <li><i>Some areas of research, previously supported, are no longer competitive.</i></li> <li>Laboratory staff members are <i>infrequent participants</i> in professional organizations, committees, and activities, <i>AND the extent to which staff take on leadership roles falls short of what would be expected, given the level of experience and expertise of the staff.</i></li> <li>Laboratory staff members are <i>infrequent participants</i> in DOE or other supported agency's sponsored workshops and strategic planning activities, and <i>the extent to which staff take on leadership roles falls short of what would be expected, given the level of experience and expertise of the staff.</i></li> <li>Although Laboratory staff members are <i>active members of</i> multi-institutional research collaborations, <i>the extent to which staff take on leadership roles falls short of what would be expected, given the level of experience and expertise of the staff.</i></li> </ul>
D	The Laboratory fails to meet the conditions for B+ because <i>the Laboratory staff are working on problems that are no longer at the forefront of science and are considered mundane.</i>
F	Review has found the Laboratory staff to be <i>guilty of gross scientific incompetence and/or scientific fraud.</i>

### Notable Outcomes

- BES:** Deliver impactful science to advance the integrated research objectives for the Center for Hybrid Approaches in Solar Energy to Liquid Fuels, part of the Solar Fuels Hub program, as measured by the FY 2023 progress reports and annual review. (Objective 1.1)
- BES:** Contribute to establishing the synergistic research program and deliver impactful science from the BNL-led QIS Center, as measured by the FY 2023 trimester reports, annual report, common goals and milestones report, research publications and highlights, and participation in periodic conference calls. (Objective 1.2)
- NP:** Initiate commissioning of the super Pioneering High Energy Nuclear Interaction Experiment (sPHENIX) and demonstrate successful integration of all detector subsystems. (Objective 1.2)

Program Office <sup>2</sup>	Letter Grade	Numerical Score	Weight	Overall Score
<b>Office of Accelerator R&amp;D and Production</b>				
1.1 Impact			50%	
1.2 Leadership			50%	
Overall ARDAP Total				
<b>Office of Advanced Scientific Computing Research</b>				
1.1 Impact			50%	
1.2 Leadership			50%	
Overall ASCR Total				
<b>Office of Biological and Environmental Research</b>				
1.1 Impact			60%	

<sup>2</sup> A complete listing of the Objectives weightings under the S&T Goals for the SC Programs and other customers is provided within Attachment I to this plan.



1.2 Leadership			40%	
Overall BER Total				
<b>Office of High Energy Physics</b>				
1.1 Impact			50%	
1.2 Leadership			50%	
Overall HEP Total				
<b>Office of Nuclear Physics</b>				
1.1 Impact			50%	
1.2 Leadership			50%	
Overall NP Total				
<b>National Nuclear Security Administration</b>				
1.1 Impact			61%	
1.2 Leadership			39%	
Overall NNSA Total				
<b>Office of Workforce Development for Teachers and Scientists</b>				
1.1 Impact			80%	
1.2 Leadership			20%	
Overall WDTs Total				
<b>Nuclear Regulatory Commission</b>				
1.1 Impact			50%	
1.2 Leadership			50%	
Overall NRC Total				
<b>Office of Basic Energy Sciences</b>				
1.1 Impact			50%	
1.2 Leadership			50%	
Overall BES Total				
<b>Office of Isotope R&amp;D and Production</b>				
1.1 Impact			50%	
1.2 Leadership			50%	
Overall IP Total				
<b>Department of Homeland Security</b>				
1.1 Impact			60%	
1.2 Leadership			40%	
Overall DHS Total				
<b>Office of Technology Transitions</b>				
1.1 Impact			50%	
1.2 Leadership			50%	
Overall OTT Total				

**Table 1.1 – Program Performance Goal 1.0 Score Development**

Program Office <sup>2</sup>	Letter Grade	Numerical Score	Funding Weight (cost)	Overall Weighted Score
Office of Accelerator R&D and Production				
Office of Advanced Scientific Computing Research				
Office of Biological and Environmental Research				
Office of High Energy Physics				
Office of Nuclear Physics				
National Nuclear Security Administration				



<b>Program Office<sup>2</sup></b>	<b>Letter Grade</b>	<b>Numerical Score</b>	<b>Funding Weight (cost)</b>	<b>Overall Weighted Score</b>
<b>Office of Workforce Development for Teachers and Scientists</b>				
<b>Nuclear Regulatory Commission</b>				
<b>Office of Basic Energy Sciences</b>				
<b>Office of Isotope R&amp;D and Production</b>				
<b>Department of Homeland Security</b>				
<b>Office of Technology Transitions</b>				
<b>Performance Goal 1.0 Total</b>				

**Table 1.2 – Overall Performance Goal 1.0 Score Development<sup>3</sup>**

<b>Total Score</b>	<b>4.3-4.1</b>	<b>4.0-3.8</b>	<b>3.7-3.5</b>	<b>3.4-3.1</b>	<b>3.0-2.8</b>	<b>2.7-2.5</b>	<b>2.4-2.1</b>	<b>2.0-1.8</b>	<b>1.7-1.1</b>	<b>1.0-0.8</b>	<b>0.7-0</b>
Final Grade	A+	A	A-	B+	B	B-	C+	C	C-	D	F

**Table 1.3 – Goal 1.0 Final Letter Grade**

<sup>3</sup> The final weights to be utilized for determining weighted scores will be determined following the end of the performance period and will be based on actual cost for FY 2023.



**GOAL 2.0      Provide for Efficient and Effective Design, Fabrication, Construction and Operations of Research Facilities**

**The Laboratory provides effective and efficient strategic planning; fabrication, construction and/or operations of Laboratory research facilities; and are responsive to the user community.**

The weight of this Goal is TBD%.

The Provide for Efficient and Effective Design, Fabrication, Construction and Operations of Research Facilities Goal shall measure the overall effectiveness and performance of the Contractor in planning for and delivering leading-edge specialty research and/or user facilities to ensure that the required capabilities are present to meet today's and tomorrow's complex challenges. It also measures the Contractor's innovative operational and programmatic means for implementation of systems that ensures the availability, reliability, and efficiency of these facilities; and the appropriate balance between R&D and user support.

Each Objective within this Goal is to be assigned the appropriate numerical score by the Office of Science Program Office as identified below. The Goal score from each Program Office is computed by multiplying each Objective numerical score by the associated weight assigned by that Office, and summing them (see Table 2.1).

- Office of Accelerator R&D and Production (ARDAP)
- Office of Basic Energy Sciences (BES)
- Office of Biological and Environmental Research (BER)
- Office of High Energy Physics (HEP)
- Office of Isotope R&D and Production (IP)
- Office of Nuclear Physics (NP)

The overall Performance Goal score and grade will be determined by multiplying the Goal score assigned by each of the offices identified above by the cost-based weightings identified for each and then summing them (see Table 2.2 below). The cost-based weights to be utilized for determining the overall score will be determined following the end of the performance period and will be based on actual cost for FY 2023. The overall score earned is then compared to Table 2.3 to determine the overall letter grade for this Goal. The Contractor's success in meeting each Objective shall be determined based on the Contractor's performance as viewed by DOE HQ Office of Science's (SC) Program Offices for which the Laboratory conducts work. Should one or more of the HQ Program Offices choose not to provide an evaluation for this Goal and its corresponding Objectives, the weighting for the remaining HQ Program Offices shall be recalculated based on their percentage of cost for FY 2023 as compared to the total cost for those remaining HQ Program Offices.

**Objectives**

**2.1 Provide Effective Facility Design(s) as Required to Support Laboratory Programs (i.e., activities leading up to CD-2)**

In assessing the performance of the Laboratory against this Objective, the following assessment elements should be considered:

- The Laboratory's delivery of accurate and timely information required to carry out the critical decision and budget formulation process;
- The Laboratory's ability to meet the intent of DOE Order 413.3, Program and Project Management for the Acquisition of Capital Assets;



- The extent to which the Laboratory appropriately assesses risks and contingency needs; and
- The extent to which the Laboratory is effective in its unique management role and partnership with HQ.

The following is a sampling of factors to be considered in determining the level of performance for the Laboratory against this Objective. The evaluator(s) may consider the following as measured through progress reports, peer reviews, Field Work Proposals (FWPs), Program Office reviews/oversight, etc.

- The quality of the scientific justification for proposed facilities resulting from preconceptual R&D;
- The technical quality of conceptual and preliminary designs and the credibility of the associated cost estimates;
- The credibility of plans for the full life cycle of proposed facilities including financing options;
- The leveraging of existing facilities and capabilities of the DOE Laboratory complex in plans for proposed facilities; and
- The novelty and potential impact of new technologies embodied in proposed facilities.

Letter Grade	Definition
A+	In addition to satisfying all conditions for B+, the Laboratory <i>exceeds expectations</i> in <i>all</i> of these categories: <ul style="list-style-type: none"> <li>• The Laboratory is recognized by the research community as the leader for making the science case for the acquisition;</li> <li>• The Laboratory takes the initiative to demonstrate and thoroughly document the potential for transformational scientific advancement.</li> <li>• Approaches proposed by the Laboratory are widely regarded as innovative, novel, comprehensive, and potentially cost-effective.</li> <li>• Reviews repeatedly confirm strong potential for scientific discovery in areas that support the Department's mission, and potential to change a discipline or research area's direction.</li> <li>• The Laboratory identifies, analyzes and champions novel approaches for acquiring the new capability, including leveraging or extending the capability of existing facilities and financing and these efforts result in significant cost estimate and/or risk reductions without loss or, or while enhancing capability.</li> </ul>
A	In addition to satisfying all conditions for B+, <i>all</i> of the following conditions are also met: <ul style="list-style-type: none"> <li>• The Laboratory is recognized by the research community as a leader for making the science case for the acquisition;</li> <li>• The Laboratory takes the initiative to demonstrate the potential for revolutionary scientific advancement working in partnership with HQ</li> <li>• The Laboratory identifies, analyzes, and champions, to HQ and Site office, novel approaches for acquiring the new capability, including leveraging or extending the capability of existing facilities and financing.</li> </ul>
A-	In addition to satisfying all conditions for B+, <i>all</i> of the following conditions are also met: <ul style="list-style-type: none"> <li>• The approaches proposed by the Laboratory are widely regarded as innovative, novel, comprehensive, and potentially cost-effective</li> <li>• Reviews repeatedly confirm potential for scientific discovery in areas that support the Department's mission, and potential to change a discipline or research area's direction.</li> </ul>



Letter Grade	Definition
B+	The Laboratory has achieved each of the following objectives: <ul style="list-style-type: none"> <li>• The Laboratory displays leadership and commitment in the development of quality analyses, preliminary designs, and related documentation to support the approval of the mission need (CD-0), the alternative selection and cost range (CD-1) and the performance baseline (CD-2).</li> <li>• Documentation requested by the programs is provided in a timely and thorough manner.</li> <li>• The Laboratory keeps DOE apprised of the status, near-term plans and the resolution of problems on a regular basis; anticipates emerging issues that could impact plans and takes the initiative to inform DOE of possible consequences.</li> <li>• The Laboratory solves problems and addresses issues to avoid adverse impacts to the project.</li> </ul>
B	The Laboratory fails to meet expectations in one of the areas listed under B+.
B-	The Laboratory fails to meet expectations in several of the areas listed under B+
C	The Laboratory fails to meet the expectations in several of the areas listed under B+ AND the required analyses and documentation developed by the Laboratory are EITHER not innovative, OR reflect a lack of commitment and leadership.
D	The Laboratory fails to meet the expectations in several of the areas listed under B+ AND the Laboratory fails to provide a compelling justification for the acquisition.
F	The Laboratory fails to meet the expectations in several of the areas listed under B+ AND the approaches proposed by the Laboratory are based on fraudulent assumptions; the science case is weak to non-existent, and the business case is seriously flawed.

## 2.2 Provide for the Effective and Efficient Construction of Facilities and/or Fabrication of Components (execution phase, post CD-2 to CD-4)

In assessing the performance of the Laboratory against this Objective, the following assessment elements should be considered:

- The Laboratory's adherence to DOE Order 413.3, Program and Project Management for the Acquisition of Capital Assets;
- Successful fabrication of facility components by the Laboratory;
- The Laboratory's effectiveness in meeting construction schedule and budget;
- The quality of key Laboratory staff overseeing the project(s); and
- The extent to which the Laboratory maintains open, effective, and timely communication with HQ regarding issues and risks.

Letter Grade	Definition
A+	In addition to satisfying all conditions for A, <ul style="list-style-type: none"> <li>• There is high confidence throughout the execution phase that the project will be completed <i>significantly</i> under budget and/or ahead of schedule while meeting or exceeding all performance baselines;</li> </ul>
A	In addition to satisfying all conditions for B+, <ul style="list-style-type: none"> <li>• The Laboratory has identified and implemented practices that would allow the project scope to be <i>significantly expanded</i> if such were desirable, without impact on baseline cost or schedule;</li> <li>• The Laboratory <i>always</i> provides <i>exemplary</i> project status reports on time to DOE and takes the initiative to communicate emerging problems or issues.</li> <li>• Reviews identify environment, safety and health practices to be <i>exemplary</i>.</li> <li>• There is high confidence throughout the execution phase that the project will meet its cost/schedule performance baseline;</li> </ul>



Letter Grade	Definition
A-	In addition to satisfying all conditions for B+, <ul style="list-style-type: none"> <li>The Laboratory has identified practices that would allow for the project scope to be expanded if such were desirable, without impact on baseline cost or schedule;</li> <li>Problems are identified and corrected by the Laboratory promptly, with no impact on scope, cost or schedule</li> <li>The Laboratory provides <i>particularly useful</i> project status reports on time to DOE and regularly takes the initiative to communicate emerging problems or issues.</li> <li>Reviews identify environment, safety and health practices to <i>exceed expectations</i>.</li> <li>There is high confidence throughout the execution phase that the project will meet its cost/schedule performance baseline;</li> </ul>
B+	The Laboratory has achieved each of the following objectives <ul style="list-style-type: none"> <li>The project meets CD-2 performance measures;</li> <li>The Laboratory provides sustained leadership and commitment to environment, safety and health;</li> <li>Reviews regularly recognize the Laboratory for being proactive in the management of the execution phase of the project;</li> <li>To a large extent, problems are identified and corrected by the Laboratory with little, or no impact on scope, cost or schedule;</li> <li>DOE is kept informed of project status on a regular basis; reviews regularly indicate project is expected to meet its cost/schedule performance baseline.</li> </ul>
B	The Laboratory provides sustained leadership and commitment to environment, safety and health BUT <ul style="list-style-type: none"> <li>The project fails to meet expectations in <i>one</i> of the remaining areas listed under B+.</li> </ul>
B-	The Laboratory provides sustained leadership and commitment to environment, safety and health BUT <ul style="list-style-type: none"> <li>The project fails to meet expectations in <i>several</i> of the areas listed under B+</li> </ul>
C	The Laboratory provides sustained leadership and commitment to environment, safety and health BUT The project fails to meet expectations in <i>several</i> of the areas listed under B+ AND <ul style="list-style-type: none"> <li>Reviews indicate project remains at risk of breaching its cost/schedule performance baseline;</li> <li>Reports to DOE can vary in degree of completeness</li> </ul>
D	The project fails to meet conditions for B+ in at least one of the following areas: <ul style="list-style-type: none"> <li>Reviews indicate project is likely to breach its cost/schedule performance baseline;</li> <li>Laboratory commitment to environment, safety and health issues is inadequate;</li> <li>Reports to DOE are largely incomplete; Laboratory commitment to the project has subsided.</li> </ul>
F	The project fails to meet conditions for B+ in at least one of the following areas: <ul style="list-style-type: none"> <li>Laboratory falsifies data during project execution phase;</li> <li>Shows disdain for executing the project within minimal standards for environment, safety or health,</li> <li>Fails to keep DOE informed of project status;</li> <li>Recent reviews indicate that the project is expected to breach its cost/schedule performance baseline.</li> </ul>

## 2.3 Provide Efficient and Effective Operation of Facilities

In assessing the performance of the Laboratory against this Objective, the following assessment elements should be considered:

- The availability, reliability, performance, and efficiency of Laboratory facility(ies);
- The degree to which the facility is optimally arranged to support the user community;
- The extent to which Laboratory R&D is conducted to develop/expand the capabilities of the facility(ies);
- The Laboratory's effectiveness in balancing resources between facility R&D and user support;



- The quality of the process used to allocate facility time to users; and
- The extent to which the facility’s process for allocating facility time provides access to new users, including users from backgrounds and institutions historically underrepresented in the user community.

Letter Grade	Definition
A+	In addition to satisfying all conditions for B+; <i>all</i> of the following conditions are also met <ul style="list-style-type: none"> <li>• Performance of the facility <i>exceeds</i> expectations as defined before the start of the year in all of these categories: cost of operations, users served, availability, and capability;</li> <li>• The schedule and the costs associated with the ramp-up to steady state operations are <i>significantly less</i> than planned and are acknowledged to be ‘leadership caliber’ by reviews;</li> <li>• Data on environment, safety, and health continues to be exemplary and widely regarded as among the ‘best in class’</li> <li>• The Laboratory took extraordinary means to deliver an extraordinary result for the users and the program in the performance/ review period.</li> </ul>
A	In addition to satisfying all conditions for B+; <i>all</i> of the following conditions are also met <ul style="list-style-type: none"> <li>• Performance of the facility <i>exceeds</i> expectations as defined before the start of the year in most of these categories: cost of operations, users served, availability, and capability;</li> <li>• The schedule and the costs associated with the ramp-up to steady state operations are <i>less</i> than planned and are acknowledged to be ‘leadership caliber’ by reviews;</li> <li>• Data on environment, safety, and health continues to be <i>exemplary</i> and widely regarded as among the ‘best in class.’</li> </ul>
A-	In addition to satisfying all conditions for B+, <i>one</i> of the following conditions is met: <ul style="list-style-type: none"> <li>• Performance of the facility <i>exceeds</i> expectations as defined before the start of the year in any of these categories: cost of operations, users served, availability, and capability;</li> <li>• The schedule and the costs associated with the ramp-up to steady state operations are <i>less</i> than planned and are acknowledged to be among the best by reviews;</li> </ul>
B+	The Laboratory has achieved each of the following objectives: <ul style="list-style-type: none"> <li>• Performance of the facility <i>meets</i> expectations as defined before the start of the year in all of these categories: cost of operations, users served, availability, capability (for example, beam delivery, luminosity, peak performance, etc.),</li> <li>• The schedule and the costs associated with the ramp-up to steady state operations occur as planned;</li> <li>• Data on environment, safety, and health continues to be very good as compared with other projects in the DOE.</li> <li>• User surveys meet program expectations and reflect that the Laboratory is responsive to user needs.</li> </ul>
B	The project fails to meet expectations in <i>one</i> of the areas listed under B+.
B-	The project fails to meet expectations in <i>more than one</i> of the areas listed under B+.
C	Performance of the facility fails to meet expectations in <i>many</i> of the areas listed under B+; for example, <ul style="list-style-type: none"> <li>• The cost of operations is unexpectedly high and availability of the facility is unexpectedly low, the number of users is unexpectedly low, capability is well below expectations.</li> <li>• The facility operates at steady state, on cost and on schedule, but the reliability of performance is somewhat below planned values, <b>or</b> the facility operates at steady state, but the associated schedule and costs exceed planned values.</li> <li>• Commitment to environment, safety, and health is satisfactory.</li> </ul>
D	Performance of the facility fails to meet expectations in <i>many</i> of the areas listed under B+; for example, <ul style="list-style-type: none"> <li>• The cost of operations is unexpectedly high and availability of the facility is unexpectedly low; capability is well below expectations.</li> <li>• The facility operates somewhat below steady state, on cost and on schedule, and the reliability of performance is somewhat below planned values, <b>or</b> the facility operates at steady state, but the associated schedule and costs exceed planned values.</li> <li>• Commitment to environment, safety, and health is inadequate.</li> </ul>



Letter Grade	Definition
F	<ul style="list-style-type: none"> <li>The facility fails to operate; the facility operates well below steady state <b>and/or</b> the reliability of the performance is well below planned values.</li> <li>Laboratory commitment to environment, safety, and health issues is inadequate.</li> </ul>

## 2.4 Utilization of Facility(ies) to Provide Impactful S&T Results and Benefits to External User Communities

In assessing the performance of the Laboratory against this Objective, the following assessment elements should be considered:

- The extent to which the facility is being used to perform influential science;
- The Laboratory's efforts to take full advantage of the facility to generate impactful S&T results;
- The extent to which the facility is strengthened by a resident Laboratory research community that pushes the envelope of what the facility can do and/or are among the scientific leaders of the community;
- The Laboratory's ability to appropriately balance access by internal and external user communities; and
- The extent to which there is a healthy program of outreach and technical assistance (e.g., proposal writing workshops) to the scientific community.

Letter Grade	Definition
A+	In addition to meeting all measures under A, <ul style="list-style-type: none"> <li>The Laboratory took extraordinary means to deliver an extraordinary result for a new user community.</li> </ul>
A	In addition to satisfying all conditions for B+; <i>all</i> of the following conditions are met <ul style="list-style-type: none"> <li>An <i>aggressive</i> outreach programs is in place and has been documented as attracting new communities to the facility;</li> <li>Reviews consistently find that the facility capability or scope of research potential <i>significantly</i> exceeds expectations for example, due to newly discovered capabilities or exposure to new research communities; OR Reviews find that multiple disciplines are using the facility in new and novel ways that the facility is being used to pursue influential science.</li> </ul>
A-	In addition to satisfying all conditions for B+, all of the following conditions are met <ul style="list-style-type: none"> <li>A <i>strong</i> outreach program is in place;</li> <li>Reviews find that the facility capability or scope of research potential exceeds expectations for example, due to newly discovered capabilities or exposure to new research communities; OR Reviews document how multiple disciplines are using the facility in new and novel ways and/or that the facility is being used to pursue important science.</li> </ul>
B+	The Laboratory has achieved each of the following objectives: <ul style="list-style-type: none"> <li>Reviews find / validate that the facility is being used for influential science;</li> <li>The scope of facility capabilities is challenged and broadened by resident users;</li> <li>The Laboratory effectively manages user allocations;</li> <li>The Laboratory effectively maintains the facility to required performance standards (for example, runtime, luminosity, etc.)</li> <li>A healthy outreach program is in place.</li> </ul>
B	The Laboratory fails to meet expectations in <i>one</i> of the areas listed under B+
B-	The Laboratory fails to meet expectations in <i>several</i> of the areas listed under B+
C	The Laboratory fails to meet expectations in <i>many</i> of the areas listed under B+
D	Reviews find that there are few facility users, few of whom are using the facility in novel ways to produce impactful science; research base is very thin.



Letter Grade	Definition
F	Laboratory staff does not possess capabilities to operate and/or use the facility adequately.

### Notable Outcomes

- **HEP:** The lab will maintain progress on the LUSec-Night Project according to the current project plan. (Objective 2.2)
- **IP:** Complete refurbishment and initiate commissioning of the EBCO cyclotron. (Objective 2.3)
- **NP:** Effectively manage the Electron-Ion Collider project in accordance with DOE Order 413.3B to safely deliver the project scope, including planned research and development and preliminary engineering design activities. Performance will be assessed based on the work planned and accomplished during FY 2023. (Objective 2.1)

Program Office <sup>4</sup>	Letter Grade	Numerical Score	Weight	Overall Score
<b>Office of Basic Energy Sciences</b>				
2.1 Provide Effective Facility Design(s)			0%	
2.2 Provide for the Effective and Efficient Construction of Facilities and/or Fabrication of Components			15%	
2.3 Provide Efficient and Effective Operation of Facilities			45%	
2.4 Utilization of Facility(ies) to Provide Impactful S&T Results and Benefits to External User Communities			40%	
Overall BES Total				
<b>Office of Biological and Environmental Research</b>				
2.1 Provide Effective Facility Design(s)			0%	
2.2 Provide for the Effective and Efficient Construction of Facilities and/or Fabrication of Components			0%	
2.3 Provide Efficient and Effective Operation of Facilities			90%	
2.4 Utilization of Facility(ies) to Provide Impactful S&T Results and Benefits to External User Communities			10%	
Overall BER Total				
<b>Office of High Energy Physics</b>				
2.1 Provide Effective Facility Design(s)			20%	
2.2 Provide for the Effective and Efficient Construction of Facilities and/or Fabrication of Components			80%	
2.3 Provide Efficient and Effective Operation of Facilities			0%	
2.4 Utilization of Facility(ies) to Provide Impactful S&T Results and Benefits to External User Communities			0%	
Overall HEP Total				
<b>Office of Nuclear Physics</b>				
2.1 Provide Effective Facility Design(s)			30%	
2.2 Provide for the Effective and Efficient Construction of Facilities and/or Fabrication of Components			0%	
2.3 Provide Efficient and Effective Operation of Facilities			55%	
2.4 Utilization of Facility(ies) to Provide Impactful S&T Results and Benefits to External User Communities			15%	

<sup>4</sup> A complete listing of the Objectives weightings under the S&T Goals for the SC Programs and other customers is provided within Attachment I to this plan.



Program Office <sup>4</sup>	Letter Grade	Numerical Score	Weight	Overall Score
Overall NP Total				
<b>Office of Isotope R&amp;D and Production</b>				
2.1 Provide Effective Facility Design(s)			0%	
2.2 Provide for the Effective and Efficient Construction of Facilities and/or Fabrication of Components			0%	
2.3 Provide Efficient and Effective Operation of Facilities			90%	
2.4 Utilization of Facility(ies) to Provide Impactful S&T Results and Benefits to External User Communities			10%	
Overall IP Total				
<b>Office of Accelerator R&amp;D and Production</b>				
2.1 Provide Effective Facility Design(s)			0%	
2.2 Provide for the Effective and Efficient Construction of Facilities and/or Fabrication of Components			0%	
2.3 Provide Efficient and Effective Operation of Facilities			50%	
2.4 Utilization of Facility(ies) to Provide Impactful S&T Results and Benefits to External User Communities			50%	
Overall ARDAP Total				

**Table 2.1 – Program Performance Goal 2.0 Score Development**

Program Office	Letter Grade	Numerical Score	Funding Weight (cost)	Overall Weighted Score
Office of Basic Energy Sciences				
Office of Biological and Environmental Research				
Office of High Energy Physics				
Office of Nuclear Physics				
Office of Isotope R&D and Production				
Office of Accelerator R&D and Production				
Performance Goal 2.0 Total				

**Table 2.2 – Overall Performance Goal 2.0 Score Development<sup>5</sup>**

Total Score	4.3-4.1	4.0-3.8	3.7-3.5	3.4-3.1	3.0-2.8	2.7-2.5	2.4-2.1	2.0-1.8	1.7-1.1	1.0-0.8	0.7-0
Final Grade	A+	A	A-	B+	B	B-	C+	C	C-	D	F

**Table 2.3 – Goal 2.0 Final Letter Grade**

<sup>5</sup> The final weights to be utilized for determining weighted scores will be determined following the end of the performance period and will be based on actual cost for FY 2023.



### **GOAL 3.0 Provide Effective and Efficient Science and Technology Program Management**

**The Laboratory provides effective program vision and leadership; strategic planning and development of initiatives; recruits and retains a quality scientific workforce; and provides outstanding research processes, which improve research productivity.**

The weight of this Goal is 25%.

The Provide Effective and Efficient Science and Technology Program Management Goal shall measure the Contractor's overall management in executing S&T programs. Dimensions of program management covered include: 1) providing key competencies to support research programs to include key staffing requirements; 2) providing quality research plans that take into account technical risks, identify actions to mitigate risks; and 3) maintaining effective communications with customers to include providing quality responses to customer needs.

Each Objective within this Goal is to be assigned the appropriate numerical score by the Office of Science Program Offices, other cognizant HQ Program Offices, and other customers as identified below. The Goal score from each HQ Program Office and/or customer is computed by multiplying each Objective numerical score by the associated weight assigned by that Office/customer, and summing them (see Table 3.1).

- Office of Advanced Scientific Computing Research (ASCR)
- Office of Basic Energy Sciences (BES)
- Office of Biological and Environmental Research (BER)
- Office of High Energy Physics (HEP)
- Office of Nuclear Physics (NP)
- National Nuclear Security Administration (NNSA)
- Office of Workforce Development for Teachers and Scientists (WDTS)
- Nuclear Regulatory Commission (NRC)
- Office of Accelerator R&D and Production (ARDAP)
- Office of Isotope R&D and Production (IP)
- Department of Homeland Security (DHS)
- Office of Technology Transitions (OTT)

The overall Performance Goal score and grade will be determined by multiplying the Goal score assigned by each of the offices identified above by the cost-based weightings identified for each and then summing them (see Table 3.2 below). The cost-based weights to be utilized for determining the overall score will be determined following the end of the performance period and will be based on actual cost for FY 2023. The overall score earned is then compared to Table 3.3 to determine the overall letter grade for this Goal. The Contractor's success in meeting each Objective shall be determined based on the Contractor's performance as viewed by the Office of Science Program Offices, other cognizant HQ Program Offices, and other customers for which the Laboratory conducts work. Should one or more of the HQ Program Offices choose not to provide an evaluation for this Goal and its corresponding Objectives, the weighting for the remaining HQ Program Offices shall be recalculated based on their percentage of cost for FY 2023 as compared to the total cost for those remaining HQ Program Offices.

#### **Objectives**

##### **3.1 Provide Effective and Efficient Strategic Planning and Stewardship of Scientific Capabilities and Program Vision**



In assessing the performance of the Laboratory against this Objective, the following assessment elements should be considered:

- The quality of the Laboratory’s strategic plan;
- The extent to which the Laboratory shows strategic vision for research;
- The extent to which programs of research take advantage of Laboratory capabilities—research programs are more than the sum of their individual project parts;
- The extent to which the Laboratory undertakes research for which it is uniquely qualified;
- The extent to which lab plans are aligned with DOE or other supporting agency’s mission goals;
- The extent to which the Laboratory programs are balanced between high-/low- risk research for a sustainable program; and
- The extent to which the Laboratory is able to retain and recruit high quality staff for a sustainable program, including staff from backgrounds historically underrepresented in the field.

The following is a sampling of factors to be considered in determining the level of performance for the Laboratory against this Objective. The evaluator(s) may consider the following as measured through progress reports, peer reviews, Field Work Proposals (FWPs), Program Office reviews/oversight, etc.

- Articulation of scientific vision;
- Development and maintenance of core competencies;
- Ability to attract and retain highly qualified staff;
- Efficiency and effectiveness of joint planning (e.g., workshops) with outside community;
- Creativity and robustness of ideas for new facilities and research programs;
- Willingness to take on high-risk/high payoff/long-term research problems, evidence that the Laboratory “guessed right” in that previous risky decisions proved to be correct and are paying off; and
- The depth and breadth of Laboratory research portfolio and its potential for growth.

Letter Grade	Definition
A+	In addition to satisfying the conditions for B+, the execution of the Laboratory’s strategic plan has enabled the Laboratory to achieve each of the following: <ul style="list-style-type: none"> <li>• <i>Most</i> of the Laboratory’s core competencies are recognized as world leading;</li> <li>• The Laboratory has attracted and retained world-leading scientists in <i>most</i> programs;</li> <li>• There is evidence that previous decisions to pursue high-risk/high-payoff research proved to be correct and are paying off;</li> <li>• The Laboratory has succeeded in developing new core competencies of <i>outstanding</i> quality in areas both exploratory, high-risk research and research that is vital to the DOE/SC or other supporting agency’s missions.</li> </ul>
A	In addition to satisfying the conditions for B+, the execution of the Laboratory’s strategic plan has enabled the Laboratory to achieve the following: <ul style="list-style-type: none"> <li>• <i>Several</i> of the Laboratory’s core competencies are recognized as world leading;</li> <li>• The Laboratory has attracted and retained world-leading scientists in <i>several</i> programs;</li> <li>• There is evidence that previous decisions to pursue high-risk/high-payoff research proved to be correct and are paying off</li> <li>• The Laboratory has succeeded in developing <i>new</i> core competencies of <i>high</i> quality in areas both exploratory, high-risk research and research that is vital to the DOE/SC or other supporting agency’s missions.</li> </ul>



Letter Grade	Definition
A-	In addition to satisfying the conditions for B+, the execution of the Laboratory's strategic plan has enabled the Laboratory to achieve at least one of the following: <ul style="list-style-type: none"> <li>At least one of the Laboratory's core competencies is recognized as <i>world-leading</i>;</li> <li>The Laboratory has attracted and retained <i>world-leading</i> scientists in one or more programs;</li> <li>The Laboratory has a coherent plan for addressing future workforce challenges.</li> </ul>
B+	The execution of the Laboratory's strategic plan has enabled the Laboratory to achieve each of the following objectives: <ul style="list-style-type: none"> <li>The Laboratory has articulated a coherent and compelling strategic plan that has been developed with input from external research communities and headquarters guidance, which, where appropriate, includes a coherent plan for building smaller research programs into new core competencies; and reallocates resources away from less effective programs.</li> <li>The Laboratory has demonstrated the ability to attract and retain professional scientific staff in support of its strategic vision.</li> <li>The portfolio of Laboratory research balances the needs for both high-risk/ high-payoff research and stewardship of mission-critical research.</li> <li>The Laboratory's research portfolio takes advantage of unique capabilities at the Laboratory.</li> <li>The Laboratory's research portfolio includes activities for which the Laboratory is uniquely capable.</li> </ul>
B	The Laboratory fails to satisfy one of the conditions for B+; for example <ul style="list-style-type: none"> <li>The Laboratory's strategic plan is only <i>partially</i> coherent and is not entirely well-connected with external communities;</li> <li>The portfolio of Laboratory research does <i>not</i> appropriately balance high-risk/ high-payoff research and stewardship of mission-critical research;</li> <li>The Laboratory has developed and maintained <i>some, but not all</i>, of its core competencies.</li> <li>The plan to attract and retain professional scientific staff is <i>lacking</i> strategic vision.</li> </ul>
B-	The Laboratory fails to satisfy <i>several</i> of the conditions for B+, including at least one of the following: <ul style="list-style-type: none"> <li>Weak programmatic vision insufficiently connected with external communities;</li> <li>Development and maintenance of only a few core competencies</li> <li>Little attention to maintaining the correct balance between high-risk and mission-critical research;</li> <li>Inability to attract and retain talented scientists in some programs.</li> </ul>
C	The Laboratory fails to satisfy <i>several</i> of the conditions for B+, including at least one of the following reasons: <ul style="list-style-type: none"> <li>The Laboratory's strategic plan lacks strategic vision and lacks appropriate coordination with appropriate stakeholders including external research groups.</li> <li>The Laboratory's strategic plan does not provide for sufficient maintenance of core competencies</li> <li>Plan to attract and retain professional scientific staff is unlikely to be successful or does not focus on strategic capabilities.</li> </ul>
D	The Laboratory fails to satisfy <i>several</i> of the conditions for B+, and specifically <ul style="list-style-type: none"> <li>The Laboratory has demonstrated little effort in developing a strategic plan.</li> <li>The Laboratory has done little to develop and maintain core competencies</li> <li>The Laboratory has had minimal success in attracting and retaining professional scientific staff.</li> </ul>
F	The Laboratory has: <ul style="list-style-type: none"> <li>Made limited or ineffective attempts to develop a strategic plan;</li> <li>Not demonstrated the ability to develop and maintain core competencies, has failed to propose high-risk/high-reward research and has failed to steward mission-critical areas;</li> <li>Failed to attract even reasonably competent scientists and technical staff.</li> </ul>

### 3.2 Provide Effective and Efficient Science and Technology Project/Program/Facilities Management

In assessing the performance of the Laboratory against this Objective, the following assessment elements should be considered:



- The Laboratory’s management of R&D programs and facilities according to proposed plans;
- The extent to which the Laboratory’s management of projects/programs/facilities supports the Laboratory strategic plan;
- Adequacy of the Laboratory’s consideration of technical risks;
- The extent to which the Laboratory is successful in identifying/avoiding technical problems;
- Effectiveness in leveraging across multiple areas of research and between research and facility capabilities;
- The extent to which the Laboratory demonstrates a willingness to make tough decisions (i.e., cut programs with sub-critical mass of expertise, divert resources to more promising areas, etc.);
- The use of LDRD and other Laboratory investments and overhead funds to improve the competitiveness of the Laboratory; and
- The extent to which the Laboratory management fosters a safe, inclusive, and professional work environment and promotes staff professional development and growth.

The following is a sampling of factors to be considered in determining the level of performance for the Laboratory against this Objective. The evaluator(s) may consider the following as measured through progress reports, peer reviews, Field Work Proposals (FWPs), Program Office reviews/oversight, etc.

- Laboratory plans that are reviewed by experts outside of lab management and/or include broadly-based input from within the Laboratory.

Letter Grade	Definition
A+	In addition to meeting the all expectations under A, <ul style="list-style-type: none"> <li>• The Laboratory has taken extraordinary measures to deliver an extraordinary result of critical importance to DOE or other relevant supporting agency’s missions, which could include the delivery of a critical technology or insight in response to a National emergency.</li> </ul>
A	In addition to satisfying the conditions for B+, <ul style="list-style-type: none"> <li>• The Laboratory’s implementation of project/program/facility plans has led directly to effective R&amp;D programs/facility operations that exceed program expectations in <i>several</i> programmatic areas. Examples are listed under A-.</li> </ul>
A-	In addition to satisfying the conditions for B+, <ul style="list-style-type: none"> <li>• The Laboratory’s implementation of project/program/facility plans has led directly to effective R&amp;D programs/facility operations that exceed program expectations in <i>more than one</i> programmatic area. Examples of performance that exceeds expectations include:</li> <li>• The Laboratory’s implementation of project/program/facility plans has led directly to significant cost savings and/or significantly higher productivity than expected;</li> <li>• Project/program/facility plans prove to be robust against changing scientific and fiscal conditions through contingency planning;</li> <li>• The Laboratory has demonstrated creativity and forceful leadership in development and/or proactive management of its project/program/facility plans to reduce or eliminate risk;</li> <li>• The Laboratory’s proposals for new initiatives are funded through reallocation of resources from less effective programs.</li> <li>• Research plans and management actions are proactive, not reactive, as evidenced by making hard decisions and taking strong actions; and</li> <li>• Management is prepared for budget fluctuations and changes in DOE or other supporting agency’s program priorities – multiple contingencies are planned for; and</li> <li>• LDRD investments, overhead funds, and other Laboratory funds are used to strengthen lab plans and fill critical gaps in the Laboratory portfolio enabling it to respond to future DOE or other relevant supporting agency’s initiatives and/or national emergencies.</li> </ul>



Letter Grade	Definition
B <sup>+</sup>	<p>The Laboratory has achieved each of the following objectives:</p> <ul style="list-style-type: none"> <li>• Project/program/facility plans exist for all major projects/programs/facilities.</li> <li>• Project/program/facility plans are consistent with known budgets, are based on reasonable assessments of technical risk, are well-aligned with DOE or other relevant supporting agency's interests, provide sufficient flexibility to respond to unforeseen directives and opportunities, and effectively leverage other Laboratory resources and expertise.</li> <li>• The Laboratory has implemented the project/program/facility plans and has effective methods of tracking progress.</li> <li>• The Laboratory demonstrates willingness to make tough decisions (i.e., cut programs with sub-critical mass of expertise, divert resources to more promising areas, etc.).</li> <li>• The Laboratory's implementation of project/program/facility plans has led directly to effective R&amp;D programs/facility operations.</li> <li>• LDRD investments and other overhead funds are managed appropriately.</li> </ul>
B	<ul style="list-style-type: none"> <li>• Project/program/facility plans exist for all major projects/programs/facilities.</li> <li>• The Laboratory has implemented the project/program/facility plans.</li> </ul> <p>BUT the Laboratory fails to meet <i>at least one of</i> the conditions for B<sup>+</sup>.</p>
B-	<ul style="list-style-type: none"> <li>• Project/program/facility plans exist for all major projects/programs/facilities.</li> <li>• The Laboratory has implemented the project/program/facility plans.</li> </ul> <p>BUT the Laboratory fails to meet <i>several of</i> the conditions for B<sup>+</sup>.</p>
C	<ul style="list-style-type: none"> <li>• Project/program/facility plans exist for most major projects/programs/facilities.</li> </ul> <p>BUT the Laboratory has failed to implement the project/program/facility plans AND the Laboratory fails to meet <i>several of</i> the conditions for B<sup>+</sup>.</p>
D	<ul style="list-style-type: none"> <li>• Project/program/facility plans do not exist for a significant fraction of the Laboratory's major projects/programs/facilities;</li> <li>OR</li> <li>• Significant work at the Laboratory is not in alignment with the project/program/facility plans</li> </ul>
F	The Laboratory has failed to conduct project/program/facility planning activities.

### 3.3 Provide Efficient and Effective Communications and Responsiveness to Headquarters Needs

In assessing the performance of the Laboratory against this Objective, the following assessment elements should be considered:

- The quality, accuracy and timeliness of the Laboratory's response to customer requests for information;
- The extent to which the Laboratory provides point-of-contact resources and maintains effective internal communications hierarchies to facilitate efficient determination of the appropriate point-of-contact for a given issue or program element;
- The effectiveness of the Laboratory's communications and depth of responsiveness under extraordinary or critical circumstances; and
- The effectiveness of Laboratory management in accentuating the importance of communication and responsiveness.

Letter Grade	Definition
A <sup>+</sup>	<p>In addition to meeting the all expectations under A,</p> <ul style="list-style-type: none"> <li>• The Laboratory's effective communication and extraordinary responsiveness in the face of extreme situations or a national emergency had a materially positive impact on the outcome of the event and/or DOE or other relevant supporting agency's mission objectives</li> </ul>



Letter Grade	Definition
A	In addition to satisfying the conditions for B+, the Laboratory also meets all of the following: <ul style="list-style-type: none"> <li>• Laboratory management has instilled a culture throughout the lab that emphasizes good communication practices;</li> <li>• Communication channels are well-defined and information is effectively conveyed;</li> <li>• Responses to HQ requests for information from all Laboratory representatives are prompt, thorough, correct and succinct; important or critical information is delivered in real-time;</li> <li>• Laboratory representatives <i>always</i> initiate a communication with HQ on emerging Laboratory issues; headquarters is never surprised to learn of emerging Laboratory issues through outside channels.</li> </ul>
A-	In addition to satisfying the conditions for B+, <ul style="list-style-type: none"> <li>• Laboratory management has instilled a culture throughout the lab that emphasizes good communication practices;</li> <li>• Responses to requests for information are prompt, thorough, and economical/succinct at all levels of interaction;</li> <li>• Laboratory representatives <i>often</i> initiate communication with HQ on emerging Laboratory issues; and</li> <li>• under critical circumstances, essential information is delivered in real-time</li> </ul>
B+	The Laboratory has achieved each of the following objectives: <ul style="list-style-type: none"> <li>• Staff throughout the Laboratory organization engage in good communication practices;</li> <li>• Responses to requests for information are prompt and thorough;</li> <li>• The accuracy and integrity of the information provided is never in doubt;</li> <li>• Up-to-date point-of-contact information is widely available for all programmatic areas; and</li> <li>• Headquarters is always and promptly informed of both positive and negative events at the Laboratory</li> </ul>
B	The Laboratory failed to meet the conditions for B+ <i>in a few instances</i>
B-	The Laboratory fails to meet the conditions for B+ for <i>one</i> of the following reasons: <p>Responses to requests for information do not provide the minimum requirements to meet HQ needs;</p> <ul style="list-style-type: none"> <li>• While the integrity of the information provided is never in doubt, its accuracy sometimes is;</li> <li>• Laboratory representatives do not take the initiative to alert HQ to emerging Laboratory issues.</li> </ul>
C	The Laboratory fails to meet the conditions for B+ for <i>one or more</i> of the following reasons: <ul style="list-style-type: none"> <li>• Responses to requests for information frequently fail to provide the minimum requirements to meet HQ needs</li> <li>• The Laboratory used outside channels or circumvented HQ in conveying critical information;</li> <li>• The integrity and/or accuracy of information provided is sometimes in doubt;</li> <li>• Laboratory management fails to demonstrate that its employees are held accountable for ensuring effective communication and responsiveness;</li> <li>• Laboratory representatives failed to alert HQ to emerging Laboratory issues.</li> </ul>
D	The Laboratory fails to meet the conditions for B+ for one of the following reasons: <ul style="list-style-type: none"> <li>• Laboratory staff are generally well-intentioned in communication but consistently ineffective and/or incompetent;</li> <li>• The Laboratory management fails to emphasize the importance of effective communication and responsiveness</li> </ul>
F	The Laboratory fails to meet the conditions for B+ for one of the following reasons <ul style="list-style-type: none"> <li>• Laboratory staff are openly hostile and/or non-responsive to requests for information – emails and phone calls are consistently ignored;</li> <li>• Responses to requests for information are consistently incorrect, inaccurate or fraudulent – information is not organized, is incomplete, or is fabricated.</li> </ul>



## **Notable Outcomes**

- **HEP:** Develop a long-term plan by March 2023 for the HEP Theory group that fits within planned resources, including staffing projections, and strategic directions that can leverage lab or SC initiatives as appropriate. (Objective 3.2)
- **IP:** Develop and begin using metrics to track the effectiveness of the BNL Isotope Program (for example, ARR success, mean time for a new target to be approved) to better meet the dynamic needs of the DOE Isotope Program as part of a DOE Mission Essential Function. (Objective 3.2)

<b>Program Office<sup>6</sup></b>	<b>Letter Grade</b>	<b>Numerical Score</b>	<b>Weight</b>	<b>Overall Score</b>
<b>Office of Advanced Scientific Computing Research</b>				
3.1 Effective and Efficient Strategic Planning and Stewardship			30%	
3.2 Project/Program /Facilities Management			40%	
3.3 Communications and Responsiveness			30%	
<b>Overall ASCR Total</b>				
<b>Office of Basic Energy Sciences</b>				
3.1 Effective and Efficient Strategic Planning and Stewardship			30%	
3.2 Project/Program /Facilities Management			40%	
3.3 Communications and Responsiveness			30%	
<b>Overall BES Total</b>				
<b>Office of Biological and Environmental Research</b>				
3.1 Effective and Efficient Strategic Planning and Stewardship			20%	
3.2 Project/Program /Facilities Management			30%	
3.3 Communications and Responsiveness			50%	
<b>Overall BER Total</b>				
<b>Office of High Energy Physics</b>				
3.1 Effective and Efficient Strategic Planning and Stewardship			30%	
3.2 Project/Program /Facilities Management			40%	
3.3 Communications and Responsiveness			30%	
<b>Overall HEP Total</b>				
<b>Office of Nuclear Physics</b>				
3.1 Effective and Efficient Strategic Planning and Stewardship			30%	
3.2 Project/Program /Facilities Management			40%	
3.3 Communications and Responsiveness			30%	
<b>Overall NP Total</b>				
<b>National Nuclear Security Administration</b>				
3.1 Effective and Efficient Strategic Planning and Stewardship			36%	
3.2 Project/Program /Facilities Management			35%	
3.3 Communications and Responsiveness			29%	
<b>Overall NNSA Total</b>				

<sup>6</sup> A complete listing of the Objectives weightings under the S&T Goals for the SC Programs and other customers is provided within Attachment I to this plan.



<b>Program Office<sup>6</sup></b>	<b>Letter Grade</b>	<b>Numerical Score</b>	<b>Weight</b>	<b>Overall Score</b>
<b>Office of Workforce Development for Teachers and Scientists</b>				
3.1 Effective and Efficient Strategic Planning and Stewardship			20%	
3.2 Project/Program /Facilities Management			50%	
3.3 Communications and Responsiveness			30%	
<b>Overall WDTS Total</b>				
<b>Nuclear Regulatory Commission</b>				
3.1 Effective and Efficient Strategic Planning and Stewardship			34%	
3.2 Project/Program /Facilities Management			33%	
3.3 Communications and Responsiveness			33%	
<b>Overall NRC Total</b>				
<b>Office of Accelerator R&amp;D and Production</b>				
3.1 Effective and Efficient Strategic Planning and Stewardship			40%	
3.2 Project/Program /Facilities Management			40%	
3.3 Communications and Responsiveness			20%	
<b>Overall ARDAP Total</b>				
<b>Office of Isotope R&amp;D Production</b>				
3.1 Effective and Efficient Strategic Planning and Stewardship			30%	
3.2 Project/Program /Facilities Management			40%	
3.3 Communications and Responsiveness			30%	
<b>Overall IRP Total</b>				
<b>Department of Homeland Security</b>				
3.1 Effective and Efficient Strategic Planning and Stewardship			35%	
3.2 Project/Program /Facilities Management			35%	
3.3 Communications and Responsiveness			30%	
<b>Overall IP Total</b>				
<b>Office of Technology Transitions</b>				
3.1 Effective and Efficient Strategic Planning and Stewardship			34%	
3.2 Project/Program /Facilities Management			33%	
3.3 Communications and Responsiveness			33%	
<b>Overall IP Total</b>				

**Table 3.1 – Program Performance Goal 3.0 Score Development**

<b>HQ Program Office</b>	<b>Letter Grade</b>	<b>Numerical Score</b>	<b>Funding Weight (cost)</b>	<b>Overall Weighted Score</b>
<b>Office of Advanced Scientific Computing Research</b>				
<b>Office of Basic Energy Sciences</b>				
<b>Office of Biological and Environmental Research</b>				
<b>Office of High Energy Physics</b>				
<b>Office of Nuclear Physics</b>				
<b>National Nuclear Security Administration</b>				



HQ Program Office	Letter Grade	Numerical Score	Funding Weight (cost)	Overall Weighted Score
Office of Workforce Development for Teachers and Scientists				
Nuclear Regulatory Commission				
Office of Accelerator R&D and Production				
Office of Isotope R&D and Production				
Department of Homeland Security				
Office of Technology Transitions				
Performance Goal 3.0 Total				

**Table 3.2 – Overall Performance Goal 3.0 Score Development<sup>7</sup>**

Total Score	4.3-4.1	4.0-3.8	3.7-3.5	3.4-3.1	3.0-2.8	2.7-2.5	2.4-2.1	2.0-1.8	1.7-1.1	1.0-0.8	0.7-0
Final Grade	A+	A	A-	B+	B	B-	C+	C	C-	D	F

**Table 3.3 – Goal 3.0 Final Letter Grade**

<sup>7</sup>. The final weights to be utilized for determining weighted scores will be determined following the end of the performance period and will be based on actual cost for FY 2023.



## Attachment I

### Program Office Goal & Objective Weightings Office of Science

	ASCR	BER	BES	HEP	NP	WDTS	ARDAP	IP
	Weight	Weight	Weight	Weight	Weight	Weight	Weight	Weight
<b>Goal 1.0 Mission Accomplishment</b>								
1.1 Impact	50%	60%	50%	50%	50%	80%	50%	50%
1.2 Leadership	50%	40%	50%	50%	50%	20%	50%	50%
<b>Goal 2.0 Design, Fabrication, Construction and Operation of Facilities</b>								
2.1 Design of Facility (the initiation phase and the definition phase, i.e. activities leading up to CD-2)	0%	0%	0%	20%	30%	0%	0%	0%
2.2 Construction of Facility / Fabrication of Components (execution phase, Post CD-2 to CD-4)	0%	0%	15%	80%	0%	0%	0%	0%
2.3 Operation of Facility	0%	90%	45%	0%	55%	0%	50%	90%
2.4 Utilization of Facility to Grow and Support Lab's Research Base and External User Community	0%	10%	40%	0%	15%	0%	50%	10%
<b>Goal 3.0 Program Management</b>								
3.1 Effective and Efficient Strategic Planning and Stewardship	30%	20%	30%	30%	30%	20%	40%	30%
3.2 Project/Program/Facilities Management	40%	30%	40%	40%	40%	50%	40%	40%
3.3 Communications and Responsiveness	30%	50%	30%	30%	30%	30%	20%	30%



## Attachment I

### Program Office Goal & Objective Weightings All Other Customers<sup>8</sup>

	NNSA	NRC	DHS	OTT
	Weight	Weight	Weight	Weight
<b>Goal 1.0 Mission Accomplishment</b>				
1.1 Impact	61%	50%	60%	50%
1.2 Leadership	39%	50%	40%	50%
<b>Goal 3.0 Program Management</b>				
3.1 Effective and Efficient Strategic Planning and Stewardship	36%	34%	35%	34%
3.2 Project/Program/Facilities Management	35%	33%	35%	33%
3.3 Communications and Responsiveness	29%	33%	30%	33%

<sup>8</sup> Objective weightings indicated for non-science customers are reflective of FY 2023 weightings and will be updated as those customers provide their weightings. Final Objective weightings will be incorporated, as appropriate, once they are determined by each HQ Program Office and provided to the Site Office. Should a HQ Program Office fail to provide final Objective weightings before the end of the first quarter FY 2023 the preliminary weightings provided shall become final.



#### **GOAL 4.0 Provide Sound and Competent Leadership and Stewardship of the Laboratory**

**This Goal evaluates the Contractor’s Leadership capabilities in leading the direction of the overall Laboratory, the responsiveness of the Contractor to issues and opportunities for continuous improvement, and corporate office involvement/commitment to the overall success of the Laboratory.**

In measuring the performance of the above Objectives, the DOE evaluator(s) shall consider performance trends and outcomes in overall Contractor Leadership’s planning for, integration of, responsiveness to and support for the overall success of the Laboratory. This may include, but is not limited to, the quality of Laboratory Vision/Mission strategic planning documentation and progress in realizing the Laboratory vision/mission; the ability to identify and address the Laboratory’s diversity, equity, inclusion, and accessibility challenges effectively; the ability to establish and maintain long-term partnerships/relationships with the scientific and local communities as well as private industry that advance, expand, and benefit the ongoing Laboratory mission(s) and/or provide new opportunities/capabilities; implementation of a robust assurance system; Laboratory Leadership’s ability to facilitate and effectively manage external engagements and partnerships; Laboratory and Corporate Office Leadership’s ability to instill responsibility and accountability down and through the entire organization; overall effectiveness of communications with DOE; understanding, management and allocation of the costs of doing business at the Laboratory commensurate with associated risks and benefits; utilization of corporate resources to establish joint appointments or other programs/projects/activities to strengthen the Laboratory; and advancing excellence in stakeholder relations to include good corporate citizenship within the local community.

#### **Objectives:**

##### **4.1 Leadership and Stewardship of the Laboratory**

***By which we mean:*** The performance of the laboratory’s senior management team as demonstrated by their ability to do such things as:

- Define an exciting yet realistic scientific vision for the future of the laboratory;
- Make progress in realizing the vision for the laboratory; and,
- Establish and maintain long-term partnerships/relationships that maintain appropriate relations with the scientific and local communities.

<b>Letter Grade</b>	<b>Definition</b>
A+	The Senior Leadership of the laboratory has made outstanding progress (on an order of magnitude scale) over the previous year in realizing their vision for the laboratory, and has had a demonstrable impact on the Department and the Nation. Strategic plans are of outstanding quality, have been externally recognized and referenced for their excellence, and have an impact on the vision/plans of other national laboratories. The Senior leadership of the laboratory may have been faced very difficult challenges and plotted, successfully, its own course through the difficulty, with minimal hand-holding by the Department. Partners in the scientific and local communities applaud the laboratory in national fora, and the Department is strengthened by this.
A	The Senior Leadership of the laboratory has made significant progress over the previous year in realizing their vision for the laboratory, and has through this has had a demonstrable positive impact on the Office of Science and the Department. Strategic plans are of outstanding quality, and recognize and reflect the vision/plans of other national laboratories. Faced with difficult challenges, actions were taken by the Senior leadership of the laboratory to redirect laboratory activities to enhance the long-term future of the laboratory. Partners in the scientific and local communities applaud the laboratory in national fora, and the Department is strengthened by this.



Letter Grade	Definition
A-	The laboratory senior management performs better than expected (B+ grade) in these areas.
B+	The Senior Leadership of the laboratory has made significant progress over the previous year in realizing their vision for the laboratory. Strategic plans present long range goals that are both exciting and realistic. Decisions and actions taken by the lab leadership align work, facilities, equipment and technical capabilities with the laboratory vision and plan. The Senior leadership of the laboratory faced difficult challenges and successfully plotted its own course through the difficulty, with help from the Department. Partners in the scientific and local communities are supportive of the laboratory.
B	The Senior Leadership of the laboratory has made little progress over the previous year in realizing their vision for the laboratory. Strategic plans present long range goals that are exciting and realistic; however DOE is not fully confident that the laboratory is taking the actions necessary for the goals to be achieved. The Laboratory is not fully engaged with its partners/relationships in the scientific and local communities to maximize the potential benefits these relations have for the laboratory.
C	The Senior Leadership of the laboratory has made no progress over the previous year in realizing their vision for the laboratory or aligning work, facilities, equipment and technical capabilities with the laboratory vision and plan. Strategic plans present long range goals that are either unexciting or unrealistic. Business plans exist, but they are not linked to the strategic plan and do not inspire DOE's confidence that the strategic goals will be achieved. Partnerships with the scientific and local communities with potential to advance the laboratory exist, but they may not always be consistent with the mission of or vision for the laboratory. Affected communities and stakeholders are mostly supportive of the laboratory and aligned with the management's vision for the laboratory.
D	The Senior Leadership of the laboratory has made no progress or has back-slid over the previous year in realizing their vision for the laboratory or in aligning work, facilities, equipment and technical capabilities with the laboratory vision and plan. Strategic plans present long range goals that are neither exciting nor realistic. Partnerships that may advance the Laboratory towards strategic goals are inappropriate, unidentified, or unlikely. Affected communities and stakeholders are not adequately engaged with the laboratory and indicate non-alignment with DOE priorities.
F	The Senior Leadership of the laboratory has made no progress or has back-slid over the previous year in realizing their vision for the laboratory or in or aligning work, facilities, equipment and technical capabilities with the laboratory vision and plan. Strategic plans present long range goals that are not aligned with DOE priorities or the mission of the laboratory. Partnerships that may advance the Laboratory towards strategic goals are inappropriate, unidentified, and unlikely, and/or the senior management team does not demonstrate a concerted effort to develop, leverage, and maintain relations with the scientific and local communities to assist the laboratory in achieving a successful future. Affected communities and stakeholders are openly non-supportive of the laboratory and DOE priorities.

## 4.2 Management and Operation of the Laboratory

**By which we mean:** The performance of the laboratory's senior management team as demonstrated by their ability to do such things as:

- Implement a robust contractor assurance system,
- Understand the costs of doing business at the laboratory and prioritize the management and allocation of these costs commensurate with their associated risks and benefits,
- Instill a culture of accountability and responsibility down and through the entire organization; and,
- Ensure good and timely communication between the laboratory and SC headquarters and the Site Office so that DOE can deal effectively with both internal and external constituencies.



Letter Grade	Definition
A+	The laboratory has a nationally or internationally recognized contractor assurance system in place that integrates internal and external (corporate) evaluation processes to evaluate risk, and is working to help others internal and external to the Department establish similarly outstanding practices. The laboratory understands the drivers of cost at their lab, and are prioritizing and managing these costs commensurate with the associated risks and benefits to the laboratory and the SC laboratory system. Laboratory management and processes reflect a sense of accountability and responsibility with is evident down and through the entire organization. Communication between the laboratory and SC headquarters and the Site Office is such that all the national laboratories and the Department as a whole benefits.
A	The laboratory has improved dramatically in the last year in all of the following: building a robust and transparent contractor assurance system that integrates internal and external (corporate) evaluation processes to evaluate risk; demonstrating the use of this system in making decisions that are aligned with the laboratory's vision and strategic plan; understanding the drivers of cost at their lab, and prioritizing and managing these costs consistent with their associated risks and benefits to the laboratory and the SC laboratory system; demonstrating laboratory management and processes reflect a sense of accountability and responsibility with is evident down and through the entire organization; assuring communication between the laboratory and SC headquarters that is beneficial to both the lab and SC.
A-	The laboratory senior management performs better than expected (B+ grade) in these areas.
B+	The laboratory has a robust and transparent contractor assurance system in place that integrates internal and external (corporate) evaluation processes to evaluate risk. The laboratory can demonstrate use of this system in making decisions that are aligned with the laboratory's vision and strategic plan. The laboratory understands the drivers of cost at their lab, and are prioritizing and managing these costs commensurate with the associated risks and benefits to the laboratory and the SC laboratory system. Laboratory management and processes reflect a sense of accountability and responsibility with is evident down and through the entire organization. Communication between the laboratory and SC headquarters and the Site Office is such that there are no surprises or embarrassments.
B	The laboratory has a contractor assurance system in place but further improvements are necessary, or the link between the CAS and the laboratory's decision-making processes are not evident. The laboratory understands the drivers of cost at their lab, but they are not prioritizing and managing these costs as well as they should to be commensurate with the associated risks and benefits to the laboratory and the SC laboratory system. Laboratory management and processes reflect a sense of accountability and responsibility with is mostly evident down and through the entire organization. Communication between the laboratory and SC headquarters and the Site Office is such that there are no significant surprises or embarrassments.
C	The laboratory lacks a robust and transparent contractor assurance system in place that integrates internal and external (corporate) evaluation processes to evaluate risk. The laboratory cannot demonstrate use of this system in making decisions that are aligned with the laboratory's vision and strategic plan. The laboratory does not fully understand the drivers of cost at their lab, and thus are not prioritizing and managing these costs as well as they should to be commensurate with the associated risks and benefits to the laboratory and the SC laboratory system. Communication between the laboratory and SC headquarters and the Site Office is such that there has been at least one significant surprise or embarrassment.
D	The laboratory lacks a contractor assurance system, doesn't understand the drivers of cost at their lab, and is not prioritizing and managing costs. SC HQ must intercede in management decisions. Poor communication between the laboratory and SC headquarters and the Site Office has resulted in more than one significant surprise or embarrassment.
F	Lack of management by the laboratory's senior management has put the future of the laboratory at risk, or has significantly hurt the reputation of the Office of Science.



### 4.3 Advancing Laboratory Diversity, Equity, Inclusion and Accessibility

**By which we mean:** The performance of the laboratory's senior management team as demonstrated by their ability to do such things as:

- Implement an effective laboratory-wide diversity, equity, inclusion, and accessibility (DEIA) strategy that is data-driven and grounded in evidence-based practices and show measurable progress towards achieving DEIA goals.
- Understand the laboratories' DEIA challenges and opportunities for improvement through multiple methods of engaging personnel (laboratory staff, students, and visiting researchers), and internal and external reviews.
- Foster a culture at the laboratory that encourages all personnel to value a diversity of people, ideas, cultures, and backgrounds and that attracts and retains diverse personnel and promotes a sense of belonging.
- Hold all personnel accountable for conducting themselves in a manner that is respectful, ethical, and professional and address issues through timely, fair, and transparent processes.

Letter Grade	Definition
A+	The laboratory has made outstanding progress year over year in advancing its DEIA goals and objectives and can demonstrate, with data, progress in the areas of respectful and inclusive laboratory culture, attracting and retaining a diverse workforce, and equitable decision making. Internal and external review processes provide evidence that the laboratory's actions are directly contributing to an inclusive, positive, respectful, and professional laboratory culture. The laboratory is attracting and retaining an increasingly diverse workforce across a number of job categories and across its STEM training programs. The laboratory's senior managers are externally recognized as champions of DEIA in their respective fields. The laboratory has been externally recognized and referenced for their excellence in advancing DEIA in the workplace.
A	The laboratory has made significant progress over the previous year in advancing its DEIA goals and objectives and can demonstrate progress in a number of areas with data. Decisions and actions taken by the lab senior management are informed by evidence-based practices and demonstrate that DEIA principles are foundational to advancing the laboratory's S&T strategy. Processes established across the laboratory reflect a sense of responsibility and accountability for DEIA across the laboratory at all levels of management. Internal and external review processes are providing evidence that the laboratory's actions are contributing to an inclusive, positive, respectful, and professional laboratory culture. The laboratory is attracting and retaining an increasingly diverse workforce in a number of job categories, including in the lab's STEM training programs.
A-	The laboratory senior management performs better than expected (B+ grade) in these areas.
B+	The laboratory has made significant progress over the previous year in advancing its DEIA goals and objectives and can demonstrate this progress with data. The laboratory's senior management are clear champions of DEIA, which is evident in their communications and in their actions. The laboratory understands its primary DEIA challenges, and major actions taken aligned with the lab's DEIA strategy are directly addressing those challenges. The laboratory's internal and external review processes are effective at informing how the laboratory's actions are contributing to an inclusive, positive, respectful, and professional laboratory culture. Decisions and actions taken by the lab senior management demonstrate that DEIA principles are integrating into laboratory work and decision-making. The laboratory is attracting and retaining an increasingly diverse workforce.



Letter Grade	Definition
B	The laboratory has made little progress over the previous year in advancing its DEIA goals and objectives. The laboratory has clearly articulated its DEIA challenges, however DOE is not fully confident that the actions taken by the laboratory are sufficiently aligned to address the DEIA challenges. The laboratory has internal and external review processes for assessing laboratory culture, however the laboratory is slow to respond to the DEIA related feedback from DOE-led reviews. Decisions and actions taken by the lab senior management show support for DEIA principles, however DOE is not fully confident that DEIA principles are integrating into laboratory work and decision-making. The laboratory has made little progress in attracting and/or retaining an increasingly diverse workforce.
C	The laboratory has made no visible progress over the previous year in advancing its DEIA goals and objectives, and the lab lacks processes that support a data-driven approach for measuring progress. The laboratory has articulated a set of DEIA challenges, but DOE is not confident the laboratory has conducted the evaluations necessary to fully assess the lab's DEIA challenges as experienced by laboratory personnel. The laboratory's internal and external review processes are inadequate for assessing whether the lab is supporting an inclusive, positive, and professional laboratory culture, and/or the laboratory is unresponsive to the DEIA related feedback from DOE-led reviews. The laboratory's senior management are champions of DEIA in their communications, but laboratory management and staff are not held accountable for implementation of the laboratory's DEIA goals. The laboratory has made no progress in attracting and/or retaining an increasingly diverse workforce.
D	The laboratory has made no progress or has back-slid over the previous year in advancing its DEIA goals and objectives. The laboratory blames external factors (e.g., geographic location, competition with industry, pipeline challenges) as its primary DEIA challenges rather than recognizing the DEIA challenges that exist within the laboratory's control, resulting in a lab DEIA strategy that is unlikely guide leadership and staff in advancing DEIA at the laboratory. Decision-making processes regarding hires, promotions, professional and leadership opportunities, and/or or addressing misconduct that do not incorporate DEIA principles may lead to real or perceived inequities among the laboratory workforce, contribute to low morale, and/or lead to regrettable workforce attrition. Lack of focus or prioritization on DEIA supporting initiatives impacts the ability of the laboratory to hire or retain individuals from diverse backgrounds and/or impacts that ability of the laboratory to maintain a workplace culture where everyone can thrive and contribute to the mission.
F	Lack of leadership by the laboratory's senior management in advancing DEIA at the laboratory has put the laboratory at risk of being unable to attract and retain the diverse, skilled workforce needed to carry out the mission of the laboratory, and/or has significantly hurt the reputation of the Office of Science and the Department of Energy.

#### 4.4 Leadership of External Engagements and Partnerships

**By which we mean:** the performance of the laboratory leadership team to achieve the following:

- Establish a vision for shepherding technology transfer and commercialization, education and workforce development, and community-based activities at the laboratory that align with the laboratory's unique expertise, facilities, and technology portfolio with the intent of advancing the DOE mission, national security, and economic prosperity for the United States;
- Identify potential partners, implement outreach activities, and manage external engagements to accomplish technology transfer and commercialization, education and workforce development, and community-based objectives and to develop feedback loops with industry, academia, and community groups that inform planned and ongoing mission activities in the laboratory;
- Develop and leverage appropriate relationships with industry, academia, local, state, and federal government, community groups, and tribes (e.g., public-private partnerships and long-term research relationships) to benefit the laboratory, DOE, the local and regional population, and the U.S. taxpayer;



- Facilitate regional partnerships and initiatives with industry, academia (including HBCUs, MSIs, and community colleges), K-12 schools, local, state, and federal government organizations, regional economic development organizations, community groups, and tribes, among other groups (e.g., STEM outreach programs) that contribute to the local economy, workforce development, and community-based activities; and,
- Foster a culture of entrepreneurship and community engagement at the laboratory that encourages staff at all levels to consider potential technology transfer and commercialization, education and workforce development, and community-based opportunities within their program work and other laboratory activities.



Letter Grade	Definition
A+	<p>Laboratory leadership has an exemplary vision for shepherding technology transfer and commercialization, education and workforce development, and community-based activities at the laboratory that aligns with the laboratory’s unique expertise, facilities, and technology portfolio with the intent of advancing the DOE mission, national security, and economic prosperity for the United States.</p> <p>The laboratory is recognized across the DOE complex for its preeminent leadership and excellence in:</p> <ul style="list-style-type: none"> <li>• identifying, engaging, and leveraging relationships with industry, other labs, academia, local, state, and federal government, community groups, and tribes to drive technology transfer and commercialization, education and workforce development, and community-based activities that benefit the laboratory, the DOE, the local and regional population, and the U.S. taxpayer;</li> <li>• facilitating regional partnerships and initiatives that contribute to the local economy, workforce development, and community-based activities; and,</li> <li>• fostering a culture of entrepreneurship and community engagement at the laboratory that encourages staff at all levels to consider potential technology transfer and commercialization, education and workforce development, and community-based opportunities within their program work and other laboratory activities.</li> </ul> <p>The laboratory is recognized across the complex for being highly effective in developing national and regional public and private partnerships that significantly enhance DOE and laboratory outreach efforts and scientific missions. The laboratory staff are strongly encouraged to seek out and pursue potential technology transfer and commercialization, education and workforce development, and community-based activities that are clearly connected and/or complementary to their research and opportunities are available for staff to pursue such activities. The laboratory can demonstrate how this outreach informs their ongoing technology transfer and commercialization, education and workforce development, and community-based efforts and they are at the forefront of commercialization, education and workforce development, and community-based outcomes.</p>



A	<p>Laboratory leadership has a substantive vision for shepherding technology transfer and commercialization education and workforce development, and community-based activities at the laboratory that aligns with the laboratory’s unique expertise, facilities, and technology portfolio with the intent of advancing the DOE mission, national security, and economic prosperity for the United States.</p> <p>The laboratory demonstrates leadership and excellence in:</p> <ul style="list-style-type: none"> <li>• identifying, engaging, and leveraging relationships with industry, other labs, academia, local, state, and federal government, community groups, and tribes to drive technology transfer and commercialization, education and workforce development, and community-based activities that benefit the laboratory, the DOE, the local and regional population, and the U.S. taxpayer;</li> <li>• facilitating regional partnerships and initiatives that contribute to the local economy, workforce development, and community-based activities; and,</li> <li>• fostering a culture of entrepreneurship and community engagement at the laboratory that encourages staff at all levels to consider potential technology transfer and commercialization, education and workforce development, and community-based opportunities within their program work and other laboratory activities.</li> </ul> <p>The laboratory is highly effective in developing national and regional public and private partnerships that significantly enhance DOE and laboratory outreach efforts and scientific missions. The laboratory staff are encouraged to seek out and pursue potential technology transfer and commercialization, education and workforce development, and community-based activities that are clearly connected and/or complementary to their research and opportunities are available for staff to pursue such activities. The laboratory can demonstrate how this outreach informs their ongoing technology transfer and commercialization, education and workforce development, and community assistance efforts and they are at the forefront of commercialization, education and workforce development, and community-based outcomes.</p>
A-	Laboratory leadership performs better than expected (B+ grade) in these areas.



B+	<p>Laboratory leadership has a vision for shepherding technology transfer and commercialization, education and workforce development, and community-based activities at the laboratory that aligns with the laboratory's unique expertise, facilities, and technology portfolio with the intent of advancing the DOE mission, national security, and economic prosperity for the United States.</p> <p>The laboratory demonstrates effectiveness in:</p> <ul style="list-style-type: none"> <li>identifying, engaging, and leveraging relationships with industry, other labs, academia, local, state, and federal government, community groups, and tribes to drive technology transfer and commercialization, education and workforce development, and community-based activities that benefit the laboratory, the DOE, the local and regional population, and the U.S. taxpayer;</li> <li>facilitating regional partnerships and initiatives that contribute to the local economy, workforce development, and community-based activities; and,</li> <li>fostering a culture of entrepreneurship and community engagement at the laboratory that encourages staff at all levels to consider potential technology transfer and commercialization, education and workforce development, and community-based opportunities within their program work and other laboratory activities.</li> </ul> <p>The laboratory is effective in developing national and regional public and private partnerships that enhance DOE and laboratory outreach efforts and scientific missions. The laboratory staff are encouraged to seek out and pursue potential technology transfer and commercialization, education and workforce development, and community-based activities that are clearly connected and/or complementary to their research and opportunities are available for staff to pursue such activities. The laboratory can demonstrate how this outreach informs their ongoing technology transfer and commercialization, education and workforce development, and community-based efforts and they have strong evidence of progress in commercialization, education and workforce development, and community-based outcomes.</p>
B	<p>Laboratory leadership performs below (B+ grade) in these areas. Laboratory leadership supports development of a vision for technology transfer and commercialization, education and workforce development, and community-based activities at the laboratory; however, this vision is not fully realized and requires more work in more than one of the areas described above including, but not limited to, identifying, engaging, and leveraging relationships with potential external partners, facilitating regional partnerships and initiatives that contribute to the local economy, workforce development, and community-based activities, and/or overcoming challenges in capturing intellectual property. The laboratory staff are allowed but not encouraged to seek out and pursue potential technology transfer and commercialization, education and workforce development, and community-based activities. The laboratory has developed few partnerships that will advance DOE and laboratory outreach and technology transfer and commercialization, education and workforce development, and community-based activities, and they have average commercialization, education and workforce development, and community-based outcomes.</p>
C	<p>The laboratory lacks a vision and the mechanisms to implement a strategy to promote technology transfer and commercialization, education and workforce development, and community-based activities at the laboratory and has little success in developing partnerships and there has been limited commercialization, education and workforce development, and community-based outcomes.</p>
D	<p>Laboratory leadership lacks a vision and has not supported the mechanisms/resources necessary to develop or implement an external engagement strategy to promote technology transfer and commercialization, education and workforce development, and community-based activities at the laboratory including partnership efforts. Laboratory staff are discouraged from seeking out opportunities to solicit external partner input and are also discouraged from identifying potential activities for technology transfer and commercialization, education and workforce development, and community-based and from engaging in efforts to protect intellectual property.</p>
F	<p>Lack of vision and resources by the laboratory's senior management has hindered the ability of the laboratory to identify, plan, and engage external partners to develop and promote technology transfer and commercialization, education and workforce development, and community-based activities at the laboratory that align with the laboratory's unique expertise, facilities, and technology portfolio; this failure has significantly hurt the Department's ability to achieve its mission.</p>



#### 4.5 Contractor Value-added

**By which we mean:** the additional benefits that accrue to the laboratory and the Department of Energy by virtue of having this particular M&O contractor in place. Included here, typically, are things over which the laboratory leadership does not have immediate authority, such as:

- Corporate involvement/contributions that facilitate DOE strategic plans and program initiatives and/or deal with operational challenges at the laboratory;
- Using corporate resources to enhance DOE mission objectives by establishing programs/projects/activities that strengthen the laboratory (e.g., joint appointments, integrated research initiatives, novel educational opportunities), and
- Providing other contributions that enable the laboratory to do things that are good for DOE, the laboratory and its community and that DOE cannot supply.

Letter Grade	Definition
A+	The laboratory has been transformed as a result of the many, substantial, additional benefits that accrue to the laboratory as a result of this contractor's support and operation of the laboratory.
A	Over the past year, the laboratory has become demonstrably stronger, better and more attractive as a place of employment as a result of the many, substantial, additional benefits that accrue to the laboratory as a result of this contractor's support and operation of the laboratory.
A-	The laboratory senior management performs better than expected (B+ grade) in these areas.
B+	The laboratory enjoys additional benefits above and beyond those associated with managing the laboratory's activities that accrue as a result of this contractor's support and operation of the laboratory.
B	The laboratory enjoys few additional benefits that accrue as a result of this contractor's operation of the laboratory; help by the contractor is needed to strengthen the laboratory.
C	The laboratory enjoys few additional benefits that accrue as a result of this contractor's operation of the laboratory; the contractor seems unable to help the laboratory.
D	The laboratory enjoys few additional benefits that accrue as a result of this contractor's operation of the laboratory; the contractor's efforts are inconsistent with the interests of the laboratory and the Department.
F	The laboratory enjoys no additional benefits that accrue as a result of this contractor's operation of the laboratory; the contractor's efforts are counter-productive to the interests of the Department.

#### Notable Outcomes

- None

ELEMENT	Letter Grade	Numerical Score	Objective Weight	Overall Score
<b>Goal 4.0 – Provide Sound and Competent Leadership and Stewardship of the Laboratory</b>				
4.1 Leadership and Stewardship of the Laboratory			30%	
4.2 Management and Operation of the Laboratory			25%	
4.3 Advancing Laboratory Diversity, Equity, Inclusion and Accessibility			10%	
4.4 Leadership of External Engagements and Partnerships			10%	
4.5 Contractor Value-Added			25%	
<b>Performance Goal 4.0 Total</b>				

**Table 4.1 – Performance Goal 4.0 Score Development**



<b>Total Score</b>	<b>4.3- 4.1</b>	<b>4.0- 3.8</b>	<b>3.7- 3.5</b>	<b>3.4- 3.1</b>	<b>3.0- 2.8</b>	<b>2.7- 2.5</b>	<b>2.4- 2.1</b>	<b>2.0- 1.8</b>	<b>1.7- 1.1</b>	<b>1.0-0.8</b>	<b>0.7-0</b>
Final Grade	A+	A	A-	B+	B	B-	C+	C	C-	D	F

**Table 4.2 – Goal 4.0 Final Letter Grade**



**GOAL 5.0 Sustain Excellence and Enhance Effectiveness of Integrated Safety, Health, and Environmental Protection**

The weight of this Goal is 30%.

**This Goal evaluates the Contractor’s overall success in deploying, implementing, and improving integrated ES&H systems that efficiently and effectively support the mission(s) of the Laboratory.**

- 5.1 Provide an Efficient and Effective Worker Health and Safety Program
- 5.2 Provide Efficient and Effective Environmental Management System

In measuring the performance of the above Objectives, the DOE evaluator(s) shall consider performance trends and outcomes in protecting workers, the public, and the environment. This may include, but is not limited to, minimizing the occurrence of environment, safety and health (ESH) incidents; effectiveness of the Integrated Safety Management (ISM) system; effectiveness of work planning, feedback, and improvement processes; the strength of the safety culture throughout the Laboratory; the strength of the Nuclear/Facility Safety Programs; the effective development, implementation and maintenance of an efficient and effective Environmental Management system; and the effectiveness of responses to identified hazards and/or incidents.

**Notable Outcomes**

- **BHSO:** The lab will deliver a detailed plan to BHSO for transition of the radiochemical processing facility(ies) and associated support facilities/organizations to follow the applicable Nuclear and Facility Safety Directives that will support the Isotope Program mission needs. (Objective 5.1)
- **BHSO:** The lab will develop and implement a plan to improve the technical quality of safety basis documents. (Objective 5.1)

ELEMENT	Letter Grade	Numerical Score	Objective Weight	Overall Score
<b>Goal 5.0 - Sustain Excellence and Enhance Effectiveness of Integrated Safety, Health, and Environmental Protection.</b>				
5.1 Provide an Efficient and Effective Worker Health and Safety Program			60%	
5.2 Provide an Efficient and Effective Environmental Management System			40%	
<b>Performance Goal 5.0 Total</b>				

**Table 5.1 – Performance Goal 5.0 Score Development**

Total Score	4.3-4.1	4.0-3.8	3.7-3.5	3.4-3.1	3.0-2.8	2.7-2.5	2.4-2.1	2.0-1.8	1.7-1.1	1.0-0.8	0.7-0
Final Grade	A+	A	A-	B+	B	B-	C+	C	C-	D	F

**Table 5.2 – Goal 5.0 Final Letter Grade**



**GOAL 6.0      Deliver Efficient, Effective, and Responsive Business Systems and Resources that Enable the Successful Achievement of the Laboratory Mission(s)**

The weight of this Goal is 30%.

**This Goal evaluates the Contractor’s overall success in deploying, implementing, and improving integrated business systems that efficiently and effectively support the mission(s) of the Laboratory.**

- 6.1 Provide an Efficient, Effective, and Responsive Financial Management System
- 6.2 Provide an Efficient, Effective, and Responsive Acquisition Management System and Property Management System
- 6.3 Provide an Efficient, Effective, and Responsive Human Resources and Talent Management System
- 6.4 Provide Efficient, Effective, and Responsive Contractor Assurance Systems, including Internal Audit and Quality
- 6.5 Demonstrate Effective Transfer of Knowledge and Technology and the Commercialization of Intellectual Assets

In measuring the performance of the above Objectives, the DOE evaluator(s) shall consider performance trends and outcomes in the development, deployment and integration of foundational program (e.g., Contractor Assurance, Quality, Financial Management, Acquisition Management, Property Management, and Human Resource Management) systems across the Laboratory. This may include, but is not limited to, minimizing the occurrence of management systems support issues; quality of work products; continual improvement driven by the results of audits, reviews, recognized, evidence-based practices, and other performance information; the integration of system performance metrics and trends; the degree of knowledge and appropriate utilization of established system processes, procedures, and data by Contractor management and staff; benchmarking and performance trending analysis. The DOE evaluator(s) shall consider the Laboratory’s performance in making progress toward comprehensive collection and submission to OSTI of peer-reviewed accepted manuscripts for journal articles (and associated metadata) resulting from DOE-funded research as called for in the [DOE Public Access Plan](#)<sup>9</sup>, and cooperation with the Department in meeting the relevant requirements to provide other forms of scientific and technical information to OSTI, per DOE O 241.1B Chg. 1 (Admin Chg.) or its successor version. The DOE evaluator(s) shall also consider the stewardship of the pipeline of innovations and resulting intellectual assets at the Laboratory along with impacts and returns created/generated as a result of technology transfer, work for others and intellectual asset deployment activities.

**Notable Outcomes**

- **BHSO:** Improve the Research Partnership and Technology Transfer (RPTT) program by successfully executing the Corrective Action Plan, inclusive of consideration of the FY 22 RPTT external assessment recommendations. (Objective 6.5)

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<sup>9</sup> <https://www.energy.gov/downloads/doe-public-access-plan>



ELEMENT	Letter Grade	Numerical Score	Objective Weight	Overall Score
<b>Goal 6.0 - Deliver Efficient, Effective, and Responsive Business Systems and Resources that Enable the Successful Achievement of the Laboratory Mission(s)</b>				
6.1 Provide an Efficient, Effective, and Responsive Financial Management System(s)			20%	
6.2 Provide an Efficient, Effective, and Responsive Acquisition Management System and Property Management System			35%	
6.3 Provide an Efficient, Effective, and Responsive Human Resources and Talent Management System			15%	
6.4 Provide Efficient, Effective, and Responsive Contractor Assurance Systems, including Internal Audit and Quality			10%	
6.5 Demonstrate Effective Transfer of Knowledge and Technology and the Commercialization of Intellectual Assets			20%	
<b>Performance Goal 6.0 Total</b>				

**Table 6.1 – Performance Goal 6.0 Score Development**

Total Score	4.3-4.1	4.0-3.8	3.7-3.5	3.4-3.1	3.0-2.8	2.7-2.5	2.4-2.1	2.0-1.8	1.7-1.1	1.0-0.8	0.7-0
Final Grade	A+	A	A-	B+	B	B-	C+	C	C-	D	F

**Table 6.2 – Goal 6.0 Final Letter Grade**



**GOAL 7.0 Sustain Excellence in Operating, Maintaining, and Renewing the Facility and Infrastructure Portfolio to Meet Laboratory Needs**

The weight of this Goal is 30%.

**This Goal evaluates the overall effectiveness and performance of the Contractor in planning for, delivering, and operations of Laboratory facilities and equipment needed to ensure required capabilities are present to meet today’s and tomorrow’s mission(s) and complex challenges.**

- 7.1 Manage Facilities and Infrastructure in an Efficient and Effective Manner that Optimizes Usage, Minimizes Life Cycle Costs, and Ensures Site Capability to Meet Mission Needs
- 7.2 Provide Planning for and Acquire the Facilities and Infrastructure Required to Support the Continuation and Growth of Laboratory Missions and Programs

In measuring the performance of the above Objectives, the DOE evaluator(s) shall consider performance trends and outcomes in facility and infrastructure programs. This may include, but is not limited to, the management of real property assets to maintain effective operational safety, worker health, environmental protection and compliance, property preservation, and cost effectiveness; planning and executing strategies to promote the resilience and reliability of laboratory infrastructure; effective facility utilization, maintenance and budget execution; day-to-day management and utilization of space in the active portfolio; maintenance and renewal of building systems, structures and components associated with the Laboratory’s facility and land assets; management of energy use, conservation, and sustainability practices; the integration and alignment of the Laboratory’s comprehensive strategic plan with capabilities; facility planning, forecasting, and acquisition; the delivery of accurate and timely information required to carry out the critical decision and budget formulation process; quality of site and facility planning documents; and Cost and Schedule Performance Index performance for facility and infrastructure projects.

**Notable Outcomes**

- **BHSO:** Continue to effectively execute and successfully deliver the FY 2023 scope for the SC project equal to or less than \$50M designated to the Laboratory Director by SC. This is the Super Pioneering High Energy Nuclear Interaction (sPHENIX). (Objective 7.2)

ELEMENT	Letter Grade	Numerical Score	Objective Weight	Overall Score
<b>Goal 7.0 - Sustain Excellence in Operating, Maintaining, and Renewing the Facility and Infrastructure Portfolio to Meet Laboratory Needs.</b>				
7.1 Manage Facilities and Infrastructure in an Efficient and Effective Manner that Optimizes Usage, Minimizes Life Cycle Costs, and Ensures Site Capability to Meet Mission Needs			50%	
7.2 Provide Planning for and Acquire the Facilities and Infrastructure Required to support the Continuation and Growth of Laboratory Missions and Programs			50%	
<b>Performance Goal 7.0 Total</b>				

**Table 7.1 – Performance Goal 7.0 Score Development**



<b>Total Score</b>	<b>4.3- 4.1</b>	<b>4.0- 3.8</b>	<b>3.7- 3.5</b>	<b>3.4- 3.1</b>	<b>3.0- 2.8</b>	<b>2.7- 2.5</b>	<b>2.4- 2.1</b>	<b>2.0- 1.8</b>	<b>1.7- 1.1</b>	<b>1.0-0.8</b>	<b>0.7-0</b>
Final Grade	A+	A	A-	B+	B	B-	C+	C	C-	D	F

**Table 7.2 – Goal 7.0 Final Letter Grade**



**GOAL 8.0 Sustain and Enhance the Effectiveness of Integrated Safeguards and Security Management (ISSM) and Emergency Management Systems**

The weight of this Goal is 10%.

**This Goal evaluates the Contractor’s overall success in safeguarding and securing Laboratory assets that supports the mission(s) of the Laboratory in an efficient and effective manner and provides an effective emergency management program.**

- 8.1 Provide an Efficient and Effective Emergency Management System
- 8.2 Provide an Efficient and Effective Cyber Security System for the Protection of Classified and Unclassified Information
- 8.3 Provide an Efficient and Effective Physical Security Program for the Protection of Special Nuclear Materials, Classified Matter, Classified Information, Sensitive Information, and Property

In measuring the performance of the above Objectives, the DOE evaluator(s) shall consider performance trends and outcomes in the safeguards and security, cyber security and emergency management program systems. This may include, but is not limited to, the commitment of leadership to strong safeguards and security, cyber security and emergency management systems; the integration of these systems into the culture of the Laboratory; the degree of knowledge and appropriate utilization of established system processes/procedures by Contractor management and staff; maintenance and the appropriate utilization of Safeguards, Security, and Cyber risk identification, prevention, and control processes/activities; and the prevention and management controls and prompt reporting and mitigation of events as necessary.

**Notable Outcomes**

- None

ELEMENT	Letter Grade	Numerical Score	Objective Weight	Overall Score
<b>Goal 8.0 - Sustain and Enhance the Effectiveness of Integrated Safeguards and Security management (ISSM) and Emergency Management Systems.</b>				
8.1 Provide an Efficient and Effective Emergency Management System			25%	
8.2 Provide an Efficient and Effective Cyber Security System for the Protection of Classified and Unclassified Information			35%	
8.3 Provide an Efficient and Effective Physical Security Program for the Protection of Special Nuclear Materials, Classified Matter, Classified Information, Sensitive Information, and Property			40%	
<b>Performance Goal 8.0 Total</b>				

**Table 8.1 – Performance Goal 8.0 Score Development**

Total Score	4.3-4.1	4.0-3.8	3.7-3.5	3.4-3.1	3.0-2.8	2.7-2.5	2.4-2.1	2.0-1.8	1.7-1.1	1.0-0.8	0.7-0
Final Grade	A+	A	A-	B+	B	B-	C+	C	C-	D	F

**Table 8.2 – Goal 8.0 Final Letter Grade**



## **APPENDIX E**

### **KEY PERSONNEL**

**Applicable to the Operations of  
The Brookhaven National Laboratory**



Pursuant to the Section I Clause entitled “DEAR 952.215-70 – Key Personnel”, the following positions are considered to be essential to work being performed.

<b>Title</b>	<b>Name</b>
Laboratory Director	Dr. Doon Gibbs
Deputy Director for Science and Technology	Dr. Robert Tribble
Deputy Director for Operations	Mr. John Anderson, Jr.
Associate Laboratory Director for Energy Sciences	Dr. James Misewich
Associate Laboratory Director for Nuclear & Particle Physics	Dr. Haiyan Gao
Associate Laboratory Director for Environmental Safety & Health	Mr. Michael Clancy, Jr. (Acting)
Associate Laboratory Director and Project Director for Electron-Ion Collider (EIC)	Mr. James H. Yeck



## **APPENDIX H**

### **SMALL BUSINESS SUBCONTRACTING PLAN**

**Applicable to the Operations of  
The Brookhaven National Laboratory**



## FY2023 SMALL BUSINESS SUBCONTRACTING PLAN

<b>Contractor:</b>	Brookhaven Science Associates, LLC.
<b>Contractor Address:</b>	Brookhaven National Laboratory, P.O. Box 5000
<b>City/State/Zip:</b>	Upton, New York 11973-5000
<b>Company Phone:</b>	(631) 344-8000
<b>Point of Contact:</b>	Mary Rogers
<b>POC Phone:</b>	(631) 344-3251
<b>POC Email:</b>	<a href="mailto:mrogers@bnl.gov">mrogers@bnl.gov</a>
<b>Contract Number:</b>	DE-SC0012704
<b>Unique Entity Identifier</b>	R85KZ9JP3NM3
<b>Item/Service:</b>	Management and Operation of BNL
<b>Total Amount of Contract (Including Options):</b>	\$5,344,056,675.27 (through mod 0224)
<b>Period of Contract Performance:</b>	01/05/2015 to 01/04/2025

### I. Type of Plan

Individual Contract Plan – An Individual Contract Plan means a subcontracting plan that covers the entire contract period (including option periods), applies to a specific contract, and has goals that are based on the Offeror's planned subcontracting in support of the specific contract except that indirect costs incurred for common or joint purposes may be allocated on a prorated basis to the contract.

### II. Goals

- a. Brookhaven Science Associates (BSA) has established separate dollar and percentage goals for Small Business (SB) (including Alaska Native Corporations [ANC] and Indian Tribes), Small Disadvantaged Business (SDB – including ANCs and Indian Tribes), Women-Owned Small Business (WOB), Historically Underutilized Small Business (HUBZone), Service-Disabled Veteran-Owned Small Business (SDVOB), and Veteran-Owned Small Business (VOB) concerns (hereafter referred to the six Small Business categories) as subcontractors, as specified in FAR 19.704.
  1. The total estimated dollar value of all planned subcontracting (to all types of business concerns) under this contract is \$280,000,000.
  2. The following percentage goals (expressed in terms of a percentage of total planned subcontracting dollars) and associated dollars are applicable to the contract cited above and will be pursued on a best efforts basis consistent with good commercial practices and best value assessments.
    - (i) Total estimated dollar value and percent of planned subcontracting with Small Business (SB) (including ANCs and Indian Tribes): \$140,000,000 and 50%.
    - (ii) Total estimated dollar value and percent of planned subcontracting with Small Disadvantaged Business (SDB)/8(a) (including ANCs and Indian Tribes): \$14,000,000 and 5%.
    - (iii) Total estimated dollar value and percent of planned subcontracting with Woman-Owned Small Business (WOB): \$14,000,000 and 5%.



- (iv) Total estimated dollar value and percent of planned subcontracting with Historically Underutilized Small Business (HUBZone): \$8,400,000 and 3%.
- (v) Total estimated dollar value and percent of planned subcontracting with Service-Disabled Veteran-Owned Small Business (SDVOB): \$8,400,000 and 3%.
- (vi) Total estimated dollar value and percent of planned subcontracting with Veteran-Owned Small Business (VOB): \$8,400,000 and 3%.

Small Business Category	BSA Dollar Commitment	BSA Percent Commitment
<b>SB</b>	\$ 140,000,000	50%
<b>SDB</b>	\$ 14,000,000	5%
<b>WOB</b>	\$ 14,000,000	5%
<b>HUBZone</b>	\$ 8,400,000	3%
<b>VOB</b>	\$ 8,400,000	3%
<b>SDVOB</b>	\$ 8,400,000	3%

The following is an indication of the supplies and services to be subcontracted under this Contract, the six categories of Small Business (including ANCs and Indian Tribes), and Large Business.

Subcontracted Supplies/Services	SB	SDB	WOB	HUB	SDVOB	VOB	LB
A & E	X				X	X	X
Construction	X	X	X		X	X	X
R & D	X						X
Services	X	X	X	X	X	X	X
Materials & Supplies	X	X	X	X	X	X	X
Electrical	X	X	X	X	X	X	X
IT (Computer)	X	X	X	X	X	X	X
Equipment (Major)	X						X

- b. The goals for the six Small Business categories are based on consultations with the DOE. Potential suppliers will be identified while attending inreach and outreach events and by utilizing BSA's vendor database and various directories, including: System for Award Management (SAM), the DOE-Office of Small & Disadvantaged Business Utilization (OSDBU) Small Business Contacts Database, Women's Chamber of Commerce, New York U.S. Small Business Administration Long Island, New York U.S. Small Business Administration, The Suffolk County Women's Business Enterprise Coalition (SCWBEC), The Procurement Technical Assistance Center's (PTAC) Database, the Small Business Administration-Small Business Development Center (SBA-SBDC) databases, Hauppauge Industrial Association (HIA-LI), and sharing the Small Business databases from the other DOE National Labs, etc. The areas to be subcontracted to each target Small Business group have been determined by historic references and current needs. Capabilities to provide goods and services are determined on an individual basis.



c. Small Business Set-Aside Types:

BSA will use Small Business Set-Asides to support the Small Business goals stated above.

1. Small Business Set-Asides:

Each acquisition of supplies or services with an anticipated dollar value exceeding the Micro-Purchase Limit but not over the Simplified Acquisition Threshold (SAT) (FAR 2.101) will be reserved exclusively for Small Business concerns and shall be set aside for Small Business unless there is not a reasonable expectation of obtaining offers from two or more responsible Small Business concerns that are competitive in terms of market prices, quality, and delivery.

2. Construction Set-Asides:

Acquisition of construction estimated to cost \$4 million or less, including new construction, and repair and alteration of structures, shall be a Small Business Set-Aside. For acquisition in excess of \$4 million, Small Business will be considered on a case-by-case basis.

III. Sole Source Procurements:

BSA may award contracts on a sole-source basis to these types of Small Businesses:

- a. Small Business Administration (SBA) certified 8(a) Small Businesses; in accordance with FAR 19.805 (2) for purchases valued at: (A) \$7 million or less for 8(a) Small Business within the North American Industry Classification System (NAICS) codes for manufacturing or \$4.5 million or less for Small Business within any other NAICS codes. There will be no limit on the anticipated value of contracts awarded on a sole-source basis to ANC; and
- b. SBA certified Historically Underutilized (HUBZone) Small Businesses in accordance with FAR 19.1306 (2) for purchases valued at: (A) \$7 million or less for HUBZone Small Business within the NAICS codes for manufacturing or \$4.5 million or less for HUBZone Small Business within any other NAICS codes. There will be no limit on the anticipated value of contracts awarded on a sole-source basis to ANC; and
- c. Service-Disabled Veteran-Owned (SDVOB) Small Businesses in accordance with FAR 19.1406 (2) sole-source awards to Service-Disabled Veteran-Owned Small Business concerns for \$7 million or less for requirement within the NAICS codes for manufacturing; or \$4 million for a requirement within any other NAICS codes. There will be no limit on the anticipated value of contracts awarded on a sole-source basis to ANC.
- d. Set-Asides to Small Business for procurements less than the Simplified Acquisition Threshold (SAT).

To further facilitate Brookhaven National Laboratory's Small Business Program, BSA will, without further documentation to the file, and based on its unilateral decision, utilize the option of making awards without competition up to the SAT to Small Business concerns.

- e. A Protégé under a DOE Prime Contractor Mentor-Protégé Program can be awarded a contract on a noncompetitive basis, without the need for a sole-source justification for any value.



- f. Indirect costs have not been included in the dollar and percentage subcontracting goals stated above.

#### IV. **Program Administrator**

The Contractor's Subcontracting Program Administrator is:

Name: Mary Rogers  
Title: Small Business Liaison Administrator  
Address: Brookhaven National Laboratory  
Procurement & Property Management Division  
Building 902B  
Upton, New York 11973

Telephone: (631) 344-3251 Email: [mrogers@bnl.gov](mailto:mrogers@bnl.gov)

Duties: General overall responsibility for Brookhaven Science Associates (BSA) Subcontracting Program, i.e., developing, preparing, and executing subcontracting plans and monitoring performance relative to the requirements of this particular plan. These duties include, but are not limited to, the following activities:

- a. Developing and promoting Laboratory-wide policy initiatives that demonstrate BSA's support for awarding contracts and subcontracts to the six Small Business categories. Establish engagement with the Admin Council and Policy Council to identify awards which would be appropriate for Small Business Set-Asides. Participate in proposal processes to identify the Small Business Set-Aside opportunities in the proposal process (LDRD, budget proposal process).
- b. Making arrangements for the utilization of various sources for the identification of the six Small Business categories through some of the following resources: System for Award Management (SAM), the DOE-OSDBU Small Business Contacts Database, GSA Office of Small Business, Women's Chamber of Commerce Database, the Procurement Technical Assistance Center's Database, the SBA-SBDC databases, sharing the Small Business databases from the other DOE National Labs, the National Minority Business Directory, etc. This effort will be focused on identification of reliable, competitive suppliers in the areas where achieving Small Business goals has been a challenge.
- c. Assist small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns by arranging solicitations, time for the preparation of bids, quantities, specifications, and delivery schedules so as to facilitate the participation by such concerns. Where the BSA's lists of potential small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business subcontractors are excessively long, reasonable effort shall be made to give all such small business concerns an opportunity to compete over a period of time.
- d. Ensuring Small Businesses are made aware of subcontracting opportunities and basic prerequisites for the preparation of a responsive bid. Identifying Small Business subcontracting opportunities at outreach forums.



- e. Provide adequate and timely consideration of the potentialities of small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small-disadvantaged business, and women-owned small business concerns in all "make-or-buy" decisions.
- f. Counsel and discuss subcontracting opportunities with representatives of small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small-disadvantaged business, and women-owned small business firms.
- g. Confirm that a subcontractor representing itself as a HUBZone small business concern is certified by SBA as a HUBZone small business concern by accessing SAM or by accessing the Dynamic Small Business Search (DSBS) at [https://web.sba.gov/pro-net/search/dsp\\_dsbs.cfm](https://web.sba.gov/pro-net/search/dsp_dsbs.cfm).
- h. Provide notice to subcontractors concerning penalties and remedies for misrepresentations of business status as small, veteran-owned small business, HUBZone small, small disadvantaged, or women-owned small business for the purpose of obtaining a subcontract that is to be included as part or all of a goal contained in the Contractor's subcontracting plan.
- i. Inform each unsuccessful small business subcontract offeror in writing of the name and location of the apparent successful offeror and if the successful subcontract offeror is a small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business, or women-owned small business concern for all competitive subcontracts over the simplified acquisition threshold, as defined in FAR 2.101 on the date of subcontract award, in which a small business concern received a small business preference, upon determination of the successful subcontract offeror, prior to award of the subcontract.
- j. Assign each subcontract the NAICS code and corresponding size standard that best describes the principal purpose of the subcontract.
- k. Conducting or arranging for training for procurement personnel regarding the intent and impact of Public Law 95-507 on purchasing procedures.
- l. Supporting the Procurement and Property Management (PPM) Chief Procurement Officer and Compliance Supervisor in randomly reviewing procurements to ensure the maximum possible participation of the six Small Business categories.
- m. Monitoring the over \$750,000 (\$1,500,000 for construction) Large Business subcontractors' performance and making suggestions for the utilization of Small Business, where applicable, so that any adjustments necessary to achieve the subcontracting plan goals can be made.
- n. Coordinating BSA's activities during compliance reviews by Federal agencies.
- o. Ensuring the integrity of supplier information by reviewing the Representations and Certifications, ensuring that supplier NAICS codes and socioeconomic classifications are included in the descriptions of new suppliers.

## V. **Contractor Assurances**

In accordance with FAR 52.219-9, BSA provides the following assurances in the execution of the Small Business Subcontracting Plan. Under the



- a. BSA will include the clause entitled "Utilization of Small Business Concerns" in all subcontracts that offer further subcontracting opportunities, and will require all subcontractors (except small business concerns) that receive subcontracts in excess of the applicable threshold specified in FAR [19.702](#)(a) on the date of subcontract award, with further subcontracting possibilities to adopt a subcontracting plan that complies with the requirements of this clause.
- b. BSA will cooperate in any studies or surveys as may be required.
- c. BSA will submit periodic reports so that the Government can determine the extent of compliance with the subcontracting plan.
- d. BSA will include subcontracting data for each order when reporting subcontracting achievements for indefinite-delivery, indefinite-quantity contracts with individual subcontracting plans where the contract is intended for use by multiple agencies.
- e. BSA will prepare, input and submit timely subcontracting reporting - Individual Subcontract Report (ISR) and/or the Summary Subcontract Report (SSR) - through the Electronic Subcontracting Reporting System (eSRS) in accordance with FAR 52.219-9(l) and Management & Operating Subcontract Reporting Capability (MOSRC) system.
- f. BSA will ensure that its subcontractors with subcontracting plans agree to submit the ISR and/or the SSR using eSRS.
- g. BSA will provide its prime contract number, its unique entity identifier, and the e-mail address of the Small Business Liaison (BSA official responsible for acknowledging receipt of or rejecting the ISRs) to all first-tier subcontractors with subcontracting plans so they can enter this information into the eSRS when submitting their ISRs
- h. BSA will require that each subcontractor with a subcontracting plan provide the prime contract number, its own unique entity identifier, and the e-mail address of the subcontractor's official responsible for acknowledging receipt of or rejecting the ISRs, to its subcontractors with subcontracting plans.
- i. BSA will not prohibit a subcontractor from discussing with the contracting officer any material matter pertaining to payment to or utilization of a subcontractor.
- j. BSA will pay its small business subcontractors on time and in accordance with the terms and conditions of the underlying subcontract and notify the contracting officer when the prime contractor makes either a reduced or an untimely payment to a small business subcontractor.

## VI. **Equitable Opportunity**

BSA will ensure that Small Businesses have an equitable opportunity to compete for subcontracts. The various efforts include, but are not limited to, the following activities:

- a. Utilization of the Internet to obtain new sources.
- b. Internal efforts to guide and encourage purchasing personnel:



- (i) Presenting workshops, seminars, and/or training programs including training in the use of the SAM.
  - (ii) Establishing, maintaining, and using Small Business source lists, guides, and other data for soliciting subcontracts, and encouraging procurement staff to utilize this data.
  - (iii) Monitoring activities to evaluate compliance with the subcontracting plan.
- c. Outreach efforts to promote Small Business development will include:
- (i) Maintaining an annual list of outreach events and activities to attend and participate in.
  - (ii) Providing contact information for 8(a) and HUBZone Small Businesses to assist them in achieving SBA certification.
  - (iii) Maintaining an internal Small Business Policy.
  - (iv) Participating in DOE Small Business Program Manager conference calls.

## VII. **Flow-Down Clauses**

BSA will continue to include the provisions under FAR 52.219-8, "Utilization of Small Business Concerns," in all subcontracts that offer further subcontracting opportunities. BSA will also require all subcontractors, except Small Business concerns and foreign suppliers, that receive subcontracts in excess of \$750,000 (\$1,500,000 for construction) to adopt a plan that complies with the requirements of the clause at FAR 52.219-9, "Small Business Subcontracting Plan."

These plans will be reviewed against the provisions of Public Law 95-507 to assure that all minimum requirements of an acceptable subcontracting plan have been satisfied. The acceptability of percentage goals will be determined on a case-by-case basis depending on the supplies/services involved, the availability of the six potential Small Business categories, and prior experience. 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 subcontractors' facilities to review applicable records and subcontracting program progress.

## VIII. **Reporting and Cooperation**

BSA will (1) cooperate in any studies or surveys that may be required by the contracting agency or the Small Business Administration; (2) submit any periodic reports required under its Prime Contract, such as utilization reports, which show compliance with the subcontracting plan; (3) submit timely "Subcontracting Report for Individual Contracts (ISR)," and "Summary Subcontract Report (SSR)," in accordance with the instructions identified on the eSRS website ([www.esrs.gov](http://www.esrs.gov)); (4) and ensure that Large Business subcontractors with subcontracting plans provide electronic input to the eSRS as required.

<u>Reporting Period</u>	<u>Report Type</u>	<u>Due Date</u>
Oct 1 – Mar 31	ISR	04/30
Apr 1 – Sep 30	ISR	10/30
Oct 1 – Sep 30	SSR	10/30
Monthly	MOSRC	20 <sup>th</sup> of each month



## IX. **Document Retention**

Records will be maintained to demonstrate the procedures adopted to comply with the requirements and goals in the subcontracting plan. These records will include, but not be limited to, the following:

- a. A list of sources, guides, and other data used to identify suppliers and vendors.
- b. Records of organizations contacted, events attended, and engagement efforts to locate potential small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small-disadvantaged business, and women-owned small business concerns.
- c. The procurement files for all subcontract solicitations over the Simplified Acquisition Threshold will contain AMS-Form-002, which indicates for each solicitation whether Small Businesses were solicited, and if any of the solicited Small Business concerns received a subcontract award, as well as a justification for not soliciting Small Businesses or failure to award a subcontract to a solicited Small Business (if not, why not).
- d. Records of outreach efforts to contact:
  - i. Trade associations;
  - ii. Business development organizations;
  - iii. Conferences and trade fairs to locate small, HUBZone small, small disadvantaged, service-disabled veteran-owned, and women-owned small business sources; and,
  - iv. Veterans service organizations.
- e. Documents to support internal guidance and encouragement, provided to Buyers through:
  - i. Workshops, seminars, training programs; and
  - ii. Monitoring of activities to evaluate compliance.
- f. On a contract-by-contract basis, records to support award data submitted by BSA to the Government, including the name, address, and business size of each subcontractor.
- g. Representations and Certifications Information:
  - (i) 8(a) certification approvals through copies of their SBA certification letter.
  - (ii) Confirmation of HUBZone certification will be verified by searching the companies' profile in the System for Award Management (SAM) database.

## X. **Mentor-Protégé Program**

BSA agrees to establish and implement an official DOE approved "Mentor-Protégé" in accordance with U.S. Department of Energy acquisition regulation (DEAR Part 19). The Small Business Liaison Administrator is the individual designated to administer this program.



XI. **Description of Good Faith Effort**

BSA intends to use all reasonable and good faith efforts as described in this plan to award the stated percentages of the final actual subcontract base amount to the six Small Businesses categories. The following steps will be taken:


- a. Issue and promulgate company-wide policy statements in support of Small Businesses. Develop written procedures and work instructions and assign specific responsibilities regarding requirements of the applicable public law.
- b. Review specific procurement actions for possible acquisition from eligible Small Businesses.
- c. Demonstrate continuing management interest and involvement in support of this effort through such actions as regular reviews of progress.
- d. Train and motivate the procurement personnel regarding the need for the support of Small Businesses.
- e. Assist Small Businesses by helping with questions on solicitations, quantities, specifications, and delivery requirements.
- f. Counsel and discuss subcontracting opportunities with Small Businesses.
- g. Execute Service Agreements, Teaming Agreements, and Basic Ordering Agreements with Small Business from the six qualified Small Business categories, as required, in an attempt to ensure availability and usage of subcontractor personnel to support work efforts when required.
- h. Establish and maintain a categorized list of potential subcontractors, including name, address, telephone number, email address, product/service sold, initials of the Buyer and/or Contracts Specialist lead given to, and identification of the socioeconomic Small Business category.

This FY2023 subcontracting plan was submitted by:

Signature:  Date: 11/4/2022

Paul Pierson  
Chief Procurement Officer  
Brookhaven National Laboratory

Approval:

Signature:  Digitally signed by FAUSTO FERNANDEZ  
Date: 2022.11.08 11:12:59  
-05'00' Date: \_\_\_\_\_  
Fausto R. Fernandez | Contracting Officer  
Director, Business Division  
U.S. Department of Energy | Brookhaven Site Office

Fausto Fernandez  
Contracting Officer  
U.S. Department of Energy  
Brookhaven Site Office



## **APPENDIX I**

### **DOE Directives/List B**

**Applicable to the Operations of  
Brookhaven National Laboratory**



There is no List A to this Appendix.

List B to this Appendix contains the following:

Part I: "Directives List"

This section contains a list of Directives that are considered by DOE as applicable to the BNL contract.



### Appendix I - Part I DOE DIRECTIVES LIST

DOE Directives may be found at the following address: <http://www.directives.doe.gov>

ISSUED	TYPE	NUMBER	THROUGH CHANGE	TITLE  Includes Compliance Notes as Necessary
9/4/2008	Manual	142.2-1	Chg. 1 (Admin Chg.) 6/27/2013	Manual for Implementation of the Voluntary Offer Safeguards Agreement and Additional Protocol with the International Atomic Energy Agency
12/15/2006	Order	142.2A	Chg. 1 (Admin Chg.) 6/27/2013	Voluntary Offer Safeguards Agreement and Additional Protocol with the International Atomic Energy Agency
1/15/2021	Order	142.3B	Chg. 1 (LtdChg) 3/2/2022	Unclassified Foreign National Access Program
12/21/2021	Order	150.1B		Continuity Programs
8/11/2016	Order	151.1D	Chg.1 (Minor Chg.) 10/4/2019	Comprehensive Emergency Management System
6/27/2007	Order	153.1		Departmental Radiological Emergency Response Assets
12/23/2008	Order	200.1A	Chg.1 (Minor Chg.) 01/13/2017	Information Technology Management
1/7/2005	Order	203.1		Limited Personal Use of Government Office Equipment Including Information Technology
5/15/2019	Order	205.1C	Chg. 1 (LtdChg) 2/3/2022	Department of Energy Cybersecurity Program
1/16/2009	Order	206.1	Chg.1 (Minor Chg.) 11/1/2018	Department of Energy Privacy Program
2/19/2013	Order	206.2		Identity, Credential and Access Management (ICAM)
4/8/2011	Order	210.2A		DOE Corporate Operating Experience Program
9/27/2016	Order	221.1B		Reporting Fraud, Waste, and Abuse to the Office of Inspector General
2/25/2008	Order	221.2A		Cooperation with the Office of Inspector General
3/4/2011	Order	225.1B		Accident Investigations
12/21/2015	Order	227.1A	Chg. 1 (Admin Chg.) 1/21/2020	Independent Oversight Program
6/27/2011	Order	231.1B	Chg. 1 (Admin Chg.) 11/28/2012	Environment, Safety and Health Reporting



### Appendix I - Part I

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ISSUED	TYPE	NUMBER	THROUGH CHANGE	TITLE Includes Compliance Notes as Necessary
1/17/2017	Order	232.2A	Chg.1 (Minor Chg.) 10/04/2019	Occurrence Reporting and Processing of Operations Information
12/13/2010	Order	241.1B	Chg. 1 (Admin Chg) 4/26/2016	Scientific and Technical Information Management
2/7/2022	Order	243.1C		Records Management Program
2/23/2011	Order	252.1A	Chg. 1 (Admin Chg.) 3/12/2013	Technical Standards Program
11/19/2009	Order	313.1		Management and Funding of the Department's Overseas Presence
10/18/2007	Order	341.1A Parts: 1.(a-b) 2.a(1-3) 2.a(4)(a-h)		Federal Employee Health Services
9/30/1996	Order	350.1	Chg. 7 (LtdChg.) 2/19/2020	Contractor Human Resource Management Programs
8/17/2009	Order	410.2	Chg. 1 (Admin Chg.) 4/10/2014	Management of Nuclear Materials
1/4/2017	Order	411.2		Scientific Integrity
1/4/2017	Policy	411.2A		Scientific Integrity Policy
10/22/2015	Order	413.2C	Chg.1 (Minor Chg.) 8/2/2018	Laboratory Directed Research and Development
11/29/2010	Order	413.3B	Chg. 6 (Minor Chg.) 1/12/2021	Program and Project Management for the Acquisition of Capital Assets
4/25/2011	Order	414.1D	Chg. 2 (LtdChg.) 9/15/2020	Quality Assurance



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ISSUED	TYPE	NUMBER	THROUGH CHANGE	TITLE Includes Compliance Notes as Necessary
12/3/2012	Order	415.1	Chg. 2 (Minor Chg.) 1/17/2017	Information Technology Project Management
12/4/2012	Order	420.1C	Chg.3 (LtdChg.) 11/14/2019	Facility Safety <b>Compliance Note:</b> CRD Chapters 1, 3, and 5 only are applicable to BNL Hazardous Category 1, 2, or 3 nuclear facilities. Currently these type of nuclear facilities do not exist at BNL. The requirements of DOE O 420. 1C Chg. 2 CRD Chapters 2 (Fire Protection) and 5 (Natural Phenomena Hazards Mitigation) apply to BNL
7/21/2011	Order	420.2C		Safety of Accelerator Facilities
6/29/2010	Order	422.1	Chg. 4 (LtdChg.) 2/3/2022	Conduct of Operations <b>Compliance Note:</b> DOE Order 422.1 Chg. 4 and the CRD are applicable to Hazardous Category 1, 2, or 3 nuclear facilities and the following BNL departments/divisions/facilities, including all operating groups within each: Collider Accelerator Department (all facilities), Energy and Utilities Division (Central Steam Facility, Central Chilled Water facility, The Potable Water Treatment Facility and the Waste Water Treatment Facility), the NSLS II Facility, the Waste Management Facility and the Accelerator Test Facility.
11/25/2016	Policy	434.1B		Conduct and Approval of Select Agent and Toxin Work at Department of Energy Sites
7/9/1999	Order	435.1	Chg. 2 (Admin Chg.) 1/11/2021	Radioactive Waste Management
7/9/1999	Manual	435.1-1	Chg. 3 (LtdChg.) 1/11/2021	Radioactive Waste Management Manual
5/2/2011	Order	436.1		Departmental Sustainability
12/11/2020	Order	437.1		Bridge and Tunnel Management
6/15/2011	Order	440.2C	Chg. 2 (LtdChg.) 9/15/2020	Aviation Management and Safety
3/7/2008	Manual	441.1-1	Chg. 1 (Admin Chg.) 02/24/2016	Nuclear Material Packaging Manual
1/31/2019	Order	442.1B		Department of Energy Employee Concerns Program



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ISSUED	TYPE	NUMBER	THROUGH CHANGE	TITLE Includes Compliance Notes as Necessary
7/29/2011	Order	442.2	Chg. 1 (Pg.Chg.) 10/5/2016	Differing Professional Opinions for Technical Issues Involving Environment, Safety and Health
11/26/2019	Order	443.1C		Protection of Human Research Subjects
7/21/2011	Order	452.8		Control of Nuclear Weapon Data
7/15/2016	Order	456.1A		The Safe Handling of Unbound Engineered Nanoparticles
2/11/2011	Order	458.1	Chg. 4 (LtdChg.) 9/15/2020	Radiation Protection of the Public and the Environment
12/20/2016	Order	460.1D	Chg. 1 (LtdChg.) 6/10/2022	Hazardous Materials Packaging and Transportation Safety
6/10/2022	Order	460.2B		Departmental Materials Transportation Management
11/23/2016	Order	470.3C	Chg. 1 (LtdChg.) 9/9/2020	Design Basis Threat (DBT) Order
7/21/2011	Order	470.4B	Chg. 3 (LtdChg.) 9/23/2021	Safeguards and Security Program
6/2/2014	Order	470.5		Insider Threat Program
9/2/2015	Order	470.6	Chg. 1 (Minor Chg.) 1/11/2017	Technical Security Program
3/1/2010	Order	471.1B		Identification and Protection of Unclassified Controlled Nuclear Information
6/20/2011	Order	471.6	Chg. 3 (Admin Chg.) 9/12/2019	Information Security
2/3/2022	Order	471.7		Controlled Unclassified Information



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ISSUED	TYPE	NUMBER	THROUGH CHANGE	TITLE Includes Compliance Notes as Necessary
6/10/2022	Order	472.2A		Personnel Security
8/30/2021	Order	473.1A		Physical Protection Program
8/30/2021	Order	473.2A		Protection Force Operations
6/27/2011	Order	474.2	Chg. 4 (Pg.Chg.) 9/13/2016	Nuclear Material Control and Accountability
12/10/2004	Order	475.1		Counterintelligence Program
10/3/2014	Order	475.2B		Identifying Classified Information
12/20/2018	Order	481.1E	Chg. 1 (LtdChg.) 12/13/2019	Strategic Partnership Projects [Formerly Known as Work for Others (Non-Department of Energy Funded Work)]
12/20/2016	Order	483.1B	Chg. 2 (LtdChg.) 12/13/2019	DOE Cooperative Research and Development Agreements
8/17/2006	Order	484.1	Chg. 2 (Admin Chg.) 6/30/2014	Reimbursable Work for the Department of Homeland Security
12/13/2019	Policy	485.1A		Foreign Engagements with DOE National Laboratories
9/4/2020	Order	486.1A		Foreign Government Sponsored or Affiliated Activities
1/7/2021	Order	520.1B		Financial Management and Chief Financial Officer Responsibilities
8/2/2018	Order	522.1A		Pricing of Departmental Materials and Services
5/2/2019	Order	550.1	Chg. 1 (LtdChg.) 12/13/2019	Official Travel
3/30/2012	Order	580.1A	Chg. 1 (Admin Chg.) 10/22/2012	Department of Energy Personal Property Management Program