



Department of Energy

Office of Science
Brookhaven Site Office
P.O. Box 5000
Upton, New York 11973

February 14, 2025

Dr. JoAnne Hewett
Brookhaven Science Associates, LLC
Brookhaven National Laboratory Upton,
New York 11973

Sent via email only

Dear Ms. Hewett:

SUBJECT: APPROVAL FOR CONTRACTOR-FUNDED INSTITUTIONAL SUPPORTING RESEARCH AND DEVELOPMENT CLAUSE INTO BROOKHAVEN NATIONAL LABORATORY (BNL), OPERATED AND MANAGED BY BROOKHAVEN SCIENCE ASSOCIATES (BSA), LLC, UNDER PRIME CONTRACT NO. DE-SC0012704

The Department of Energy Brookhaven Site Office received the request of February 10, 2025, from Dr. Hewett to Robert Gordon to incorporate the Stanford Linear Accelerator Center's (SLAC) model Contractor Support Research clause into the Brookhaven Laboratory DOE Prime Contractor. The attached clause has been reviewed and will be included in the next language modification to the Prime contract. While the provision is going to be added to the contract, implementation of the clause must be approved by the Brookhaven Site Office Contracting Officer.

Approval to implement will be provided upon receipt and approval of the BNL policies and procedures for the clause, including the development of the documentation required to support each funded program/project, the form of assurances that will accompany each project/program to demonstrate compliance with the conditions identified in the clause and reporting. We strongly recommend that BSA adopt the processes used by Berkeley Lab and the Berkeley Site Office, as those have been determined to be sufficient. We also recommend that BSA add this program to SBMS to capture the requirements and deliverables.

If you have any questions regarding this letter, please contact Romaine Howard-McKellar, of my staff, at extension 3842 or via email at romaye.howard-mckellar@science.doe.gov.

Sincerely,

ROBERT GORDON

Digitally signed by ROBERT
GORDON
Date: 2025.02.14 17:21:48 -05'00'

Robert P. Gordon
Contracting Officer
Site Manager

cc: G. Olson, SC-BHSO
S. Alexander, SC-BHSO
R. Howard-McKellar, SC-BHSO
C. Lamothe-Andrade, SC-BHSO

M. McCann,
S. McKeon, BSA
J. Mehlinger, BSA

H.1.9 Contractor-Funded Institutional Supporting Research and Development

Contractor Supported Research (CSR) is research and development work conducted at Brookhaven National Laboratory supported with funding from the Contractor intended to assist the Laboratory in performing its mission for DOE or to create new capabilities at the Laboratory consistent with the overall needs of DOE.

CSR may include, but is not limited to, funds from the Contractor Fee or other sources of Contractor funding. In addition to and separate from the Parties' rights and obligations under Clause H.1.2.1 DEAR 970.5217-1, Strategic Partnership Projects Program (Non-DOE Funded Work), the Contractor may, with the approval of the Contracting Officer, conduct CSR at the Laboratory at an annual amount of not more than 2 percent of the total DOE funds received or such higher level as determined by mutual agreement between the Laboratory Director and the Head of Field Element. All proposed CSR will be reviewed and approved by the DOE Contracting Officer based on the following criteria:

- (a) all funds received pursuant to this Clause will comply with applicable safeguards and procedural requirements issued by the DOE Brookhaven Site Office Contracting Officer,
- (b) such research is conducted on a non-interference basis with any DOE-directed and funded work of the Laboratory,
- (c) the research is intended to enhance the capabilities of the Laboratory to continue to perform its mission or to create new capabilities at the Laboratory consistent with the overall needs of DOE,
- (d) the funds are expended under the same terms and conditions that apply to government funds provided under this contract,
- (e) the Laboratory will not use its access to the Laboratory facilities under this program to compete with the private sector,
- (f) the Laboratory will not use any funds pursuant to this program to augment any federally funded research,
- (g) the Laboratory will not pursue any projects under this program that include facilities or equipment that would create more than a nominal future burden on DOE resources to maintain and/or operate, and
- (h) the Laboratory will ensure that the projects under this program are not Strategic Partnership Projects subject to clause H.1.2.1.

The Contractor will report annually on the breakdown of sources of funding provided for these CSR activities. The report will be due to the DOE Contracting Officer 60 days after completion of the Fiscal Year. For cost accounting standards purposes such approved research shall be treated as institutional research and development of the Laboratory.