

Not-for-Profit Sought by DOE As Next Contractor to Operate BNL

The U.S. Department of Energy (DOE) announced on Wednesday, May 28, that it is seeking a not-for-profit organization or team to take over the operation of BNL from Associated Universities, Inc., according to an announcement in the *Commerce Business Daily* (CBD).

The new, performance-based contract is expected to have a five-year term with one five-year renewal option. After the first three years of the initial term, however, DOE reserves the right to replace the new contractor if it is not performing in an "excellent" manner. The new contract will be awarded in November and will allow for an appropriate transition period involving AUI before the new contractor takes full control of the Lab.

"I think nearly everyone at BNL will join me in saying that this deci-

sion and the accompanying commitment to protecting the jobs of the vast majority of the current employees represent positive steps," says BNL Interim Director Lyle Schwartz.

As noted in the CBD: "DOE is limiting this competition to nonprofit organizations (including educational institutions, consortia of educational institutions, and not-for-profit organizations) as the proposed prime contractor. Offerors are expected to demonstrate a corporate record of success in conducting both world class research and facilities operations . . . The offeror will also be required to propose key personnel with national standing [who] will allow them to identify and promote cutting edge science and who possess diversified, extensive management experience in (continued on back)

Mini-Semester Gives Maxi Experience

Mini-Semester Program students (with asterisks) with BNL and college representatives: (front, from left) David Bynum, SUNYSB; Glenn Williams, BNL; Renée Flack, OEP; Karl Swyler, OEP Manager; Dorothy Patrick, SCC; (second row, from left) Hector Melgar*, SCC; R o u p - c h a n Hardoar*, NYCTC; Grantly Scott*, NCC; Lisa Millsaps*, NCC; Kenneth Harrison*, SCC; Victor Santiago*, SCC; (Third row, from left) Cathy Lombardo, BNL's Computing & Communications Division (CCD); Bernard Bailon*, BCC; Karlos Ramos*, BCC; Elizabeth Galban*, NYCTC; Maza Mohamed*, MCC; (back, from left) Ed McFadden, CCD; Dwight Simpson*, MCC; Bob Lambiase, Relativistic Heavy Ion Collider Project; Onarae Rice, BNL's Medical Department; Peter Paniagua*, SCC; and Ed Taylor, CCD.



Roger Stoutenburg

For five days during their winter-term break, a dozen students from five community colleges throughout New York State — Bronx Community College (BCC), Monroe Community College (MCC), Nassau County Community College (NCCC), New York City Technical College (NYCTC), and Suffolk Community College (SCC) — visited BNL to get firsthand experience of environmental research at a world-class science laboratory.

The students had been chosen for the Lab's Mini-Semester Program, which offers selected underrepresented minority students an opportunity to explore careers in environmental science and technology. The students joined in team environmental science-research projects and saw related scientific research in progress. They toured some of BNL's major facilities and attended talks by BNL scientific and professional staff on such topics as science-research methods and the global need for continued research.

Since 1976, the Mini-Semester Program has been offered to students from community colleges and four-

year colleges such as the State University of New York at Stony Brook (SUNYSB), which have been associated with BNL in academic partnerships and which provided supplemental funding this year.

Renee Flack, Educational Programs Administrator in BNL's Office of Educational Programs (OEP), commented, "Thousands of students have benefited from our educational programs, and we are delighted with the continued support of our partners."

SCC students in the mini-semester program are eligible to work at BNL in OEP's Cooperative Program during the semester, which allows them to do research in a laboratory to contribute to their technical projects for college credit. All Mini-Semester participants are eligible for ten-week summer appointments at the Lab.

Added Flack, "The experience that these programs offers the students is valuable in helping them decide on their careers and to get jobs. Some of our previous students have been hired for full-time positions at BNL."

— Liz Seubert

AUI Notifies Scientific Staff Of Appointment Termination

In a tense meeting with the scientific staff, who had packed Berkner Hall on Tuesday, May 27, AUI President and Interim Laboratory Director Lyle Schwartz gave formal notice to the staff that their scientific appointments will be terminated as of the last day that Associated Universities, Inc. (AUI) will operate BNL under its recently revoked contract with the U.S. Department of Energy (DOE).

"Your relationship with AUI is what is being terminated, not your jobs at BNL," stated Schwartz. Written notice of this action was given in a memorandum generally distributed outside the auditorium. Before a copy is mailed to each member of the scientific staff, this memo is being revised as a result of the meeting, to clarify AUI's actions in light of the questions and comments that followed Schwartz's announcement.

Although Schwartz assured the scientific staff that this announcement was a "formal process" which "does not affect continuity of employment," many in the audience equated their AUI appointments with their employment at the Lab, and thus questioned the future of their jobs at BNL. In fact, most of those who went to the microphone to ask a question during the discussion period following AUI's announcement expressed concern, indignation or anger regarding the lack of a written guarantee of future employment for the scientific staff by DOE.

Coming a day before DOE's announcement that it is limiting the contract competition to nonprofit organizations (see story, left), these reactions arose despite many verbal assurances of continued employment from DOE, including those from Energy Secretary Federico Peña during his visit to BNL on May 1, during which he announced the revocation of AUI's contract effective in approximately six months.

Some questioned whether or not Schwartz had a conflict of interest that has come to light as a result of this notification: On one hand, he is the AUI President who has to ensure that the corporation's contractual obligations are fulfilled; but, on the other, he is the Interim BNL Director, expected by many in the audience to be their representative to DOE.

"This may be the correct administrative thing to do, but is it the right thing to do as Director?" asked Nora Volkow, Medical Department Chair.

As Schwartz responded after the meeting, "The observers were correct: There is a specific conflict of interest in this situation. In general since my arrival at BNL, there has been no conflict of interest in virtually all the issues that I have dealt with. Since AUI's historic and long-term concern is the health of BNL and the success of its employees, I do not think that such a conflict of interest is in either the corporation's or the Laboratory's best interest. Therefore, if the conflict arises more frequently during the transition, I will take appropriate action in each instance."

Enforced Contractual Provision

Under the terms of AUI's recently-terminated contract with DOE, AUI has employed BNL's resident scientists under what are called scientific appointments, of which there are three: tenure appointments, constituting "a commitment of continuing employment by AUI until the appointee's retirement;" continuing appointments, not subjected to a time limit; and term appointments, made for designated periods.

All three appointments, however, could be revoked as part of the "enforcement of DOE contractual provision, or by reason of financial exigency" which, as Schwartz pointed out, is what AUI now faces.

AUI is obliged to give not less than six months' notice to scientific staff with tenure, four months' notice to those with continuing appointments and two months' notice to those with term appointments. As spelled out in Appendix A of the DOE contract with AUI that had been signed in August 1995, in the event that those holding tenure, continuing and term appointments get less than the specified notice, then AUI could be liable for "salary payments in lieu of the [guaranteed amount of] notice . . ."

By giving the scientific staff adequate notice, commented Mike Goldman, BNL Laboratory Counsel, AUI is fulfilling its obligation under the contract and eliminating the liability risk for the corporation for failing to give such notice. Whether or not AUI bids for the new contract to manage BNL, it will continue to manage the National Radio Astronomy Observatory for the National Science Foundation, as it has since 1956.

Severance benefits for BNL's scientific staff, as also explained in Appendix A, "are not payable when an employee is employed by or receives an offer of employment with a replacement Contractor where continuity of employment credit for prior length of service is preserved under substantially equal conditions of employment."

The problem, however, for the majority of those who made their comments in public is that no one has yet received an offer of employment by a replacement contractor or knows what benefits will be offered by such a contractor, since the process to select one is only just beginning. As was brought up by a question, the existing contract ensures the continuation of medical benefits for retirees and their dependents by having DOE assume the liability for that expense.

During the transition from AUI to an unknown contractor, many pointed out, the ability to recruit and retain scientific talent and to obtain funding for new and ongoing projects is being jeopardized.

Acknowledging the uncertainties, Dean Helms, assistant to DOE's on-site Executive Manager, John Wagoner, urged all to present their input on the contractor selection to DOE the next day, May 28, during a scheduled information exchange. Members of the audience also suggested that others write letters to DOE and elected officials and/or join one of the two employee groups now forming: the Brookhaven Scientists Association or the Friends of Brookhaven.

— Marsha Belford

Coming Up

**Arthur Kornberg, Nobellau-
reate and Professor Emeritus
at Stanford University's
School of Medicine, will give
the next BNL 50th Anniver-
sary Distinguished Lecture on
"Biotechnology: Biology or
Technology?" on Wednesday,
June 11, at 4 p.m. in Berkner
Hall. Also, Kornberg will be pre-
senting a seminar on "Inor-
ganic Polyphosphate: A Mo-
lecular Fossil Come to Life," on
the same date at 11 a.m. in the
Biology Department's Seminar
Room, Bldg. 463.**

Pick a H.S. Student

Through Friday, June 6, those in-
terested in sponsoring Community
Summer Science Program (CSSP) in-
terns may review the students' appli-
cations at the Office of Educational
Programs, in the Science Education
Center, Bldg. 438.

From Monday, July 7, through Fri-
day August 15, student interns, who
are high-school juniors and seniors
with talent and ability in science, par-
ticipate in research under the direc-
tion of Brookhaven staff in laborato-
ries around site at no cost to the
sponsoring departments and divisions.

For more information, call Louise
Hanson, Ext. 5849.

Arrivals & Departures

Arrivals

Barry M. Cornell.....Plant Eng.
Alex J. Korol.....Plant Eng.

Departures

This list includes all employees who have termi-
nated from the Lab, including retirees:

Raymond Jackson.....RHIC

Not-for-Profit

(cont'd.)

assuring safe and reliable operations
of research and user facilities, includ-
ing nuclear reactors. The offeror will
be required to address ES&H as an
inherent critical aspect of accomplish-
ing the work . . . Additionally, the
offeror must possess the vision and
capacity for utilizing and enhancing
the special features of Brookhaven as
a multipurpose Laboratory to estab-
lish innovative, creative multi-
disciplinary research teams to address
problems not readily solved in a uni-
versity setting. . ."

The notice continued: "The Request
for Proposals (RFP) is expected to in-
clude several Qualification Criteria
relating to the existing Laboratory
workforce . . . For this solicitation,
DOE anticipates requiring offerors . .
. to agree to . . . requirements to: offer
employment (except for key Labora-
tory management personnel), consis-
tent with Fiscal Year 1998 appropria-
tions, either through its own
organization or designated subcon-
tractor(s) to virtually all other Labo-
ratory personnel currently employed
at comparable pay and benefits; credit
employees' length of service with the

H.S. Science Day Today

Today, almost 1,000 high school
students from 16 Suffolk County school
districts will be on site for the High
School Science Day Open House. Or-
ganized by the Museum Programs of
the Public Affairs Office, the event is a
celebration of the outstanding science
produced at BNL over its 50-year his-
tory, held to promote students' inter-
est in science and technology.

During the open house, students
will take one of three, two-hour tours
of BNL facilities. Led by BNL tour
guides and staff volunteers, the tours
include stops at the Alternating Gra-
dient Synchrotron, the National Syn-
chrotron Light Source, the Relativistic
Heavy Ion Collider and the
Scanning Transmission Electron Mi-
croscope.

Book Fair Next Week

The annual BERA spring book fair
will take place next Thursday and
Friday, June 5 & 6, from 10 a.m. to 3
p.m. in Berkner Hall.

To see a complete list of the books,
as well as a limited display of what
will be available at the fair for im-
mediate purchase, go to the BERA Sales
Office, weekdays, 9 a.m. to 1:30 p.m.

For more information, call Andrea
Dehler, Ext. 3347, or M. Kay Dellimore,
Ext. 2873.

Computer Training

Seats remain in the following com-
puter classes: beginner EXCEL, June
17; beginner ACCESS, June 25 & 27;
basic Windows 95, 8:45 a.m. - noon,
June 24 & 26; and beginner
PowerPoint, 1-4 p.m., June 24 & 26.
To register, contact your training co-
ordinator. For more information, con-
tact Pam Mansfield, Ext. 7286.

current contractor, [and] recognize the
currently certified collective bargain-
ing agents and their existing bargain-
ing agreements . . ." The new contrac-
tor must also assume responsibility
and accountability for existing com-
mercial and regulatory obligations.

Secretary of Energy Federico Peña
also announced that DOE's Acting
Associate Deputy Secretary for Field
Management, Franklin Peters, has
been named the Source Selection Offi-
cial who will make the final decision on
the new contractor. Over the next six
months, he will lead a Source Evalua-
tion Board of DOE scientific, technical
and operational experts, who will evalu-
ate each prospective contractor based
on the Source Selection Criteria.

To begin developing Source Selec-
tion Criteria, information exchanges
were held by DOE with BNLers and
the community on Thursday and Fri-
day, May 28 & 29, respectively.

A Strategic Solicitation Plan in-
cluding draft Source Selection Crite-
ria will be issued for public comment
in mid-June. It will be available from
the DOE Chicago Operations Office
home page on the World Wide Web at
<http://www.ch.doe.gov/> or, by request,
on computer disk.

Tentatively on June 24 & 25, DOE
will hold Strategic Solicitation Plan
workshops with prospective offerors,
BNL employees and the community.

In early July, the formal RFP will
be issued, which will also be available
from the Chicago home page or on
disk. A preproposal conference will be
held in mid- to late July for prospec-
tive proposers and other interested
parties. Proposals will be due in late
August, and DOE's decision on a new
contract is expected in early November.

Firms seeking additional informa-
tion on the Brookhaven recompetition
should contact: U.S. Department of
Energy, Source Evaluation Board for
Selection of a Contractor for BNL, 9800
South Cass Avenue, Argonne IL 60439;
or e-mail [brookhaven.panel@ch.
doe.gov](mailto:brookhaven.panel@ch.doe.gov).

Classified Advertisements

Placement Notices

The Laboratory's placement policy is to select the
best-qualified candidate for an available position.
Candidates are considered in the following order: (1)
present employees within the department/division
and/or appropriate bargaining unit, with preference
for those within the immediate work group; (2) present
employees within the Laboratory; and (3) outside
applicants. In keeping with the Affirmative Action
Plan, selections are made without regard to age, race,
color, religion, national origin, sex, disability or vet-
eran status.

Each week, the Human Resources Division lists
new placement notices, first, so employees may
request consideration for themselves, and, second,
for open recruitment. Because of the priority policy
stated above, each listing does not necessarily repre-
sent an opportunity for all people.

Except when operational needs require otherwise,
positions will be open for one week after publication.

For more information, contact the Employment
Manager, Ext. 2882; call the JOBLINE, Ext. 7744 (344-
7744), for a complete list of all job openings; use a
TDD system to access job information by calling (516)
344-6018; or access current job openings on the
World Wide Web at <http://www.bnl.gov/JOBS/jobs.html>.

OPEN RECRUITMENT - Opportunities for Lab em-
ployees and outside candidates.

NS 4051. ELECTRICAL SUPERVISOR - will be re-
sponsible for first-line supervision in the electrical
shop. Will direct electricians, including responsibility
for training, scheduling and technical direction. Will
coordinate all work, maintain records and reports,
and supply technical assistance and information.
Plant Engineering Division.

Equity for Women

"Economic Equity for Women:
Realities, Responsibilities and Re-
wards" will be discussed on site in
a video conference featuring La-
bor Secretary Alexis Herman.
Sponsored on site by the Women's
Program Advisory Committee, the
video conference will take place
on Thursday, June 5, from 1 to 3
p.m. in Bldg. 493. Seating is lim-
ited, so e-mail your intention to
attend to mtanaka@bnl.gov.

BROOKHAVEN BULLETIN

Published weekly
by the Public Affairs Office
for the employees of
BROOKHAVEN NATIONAL LABORATORY

ANITA COHEN, Editor
MARSHA BELFORD, Assistant Editor

Bldg. 134, P.O. Box 5000
Upton NY 11973-5000
Tel. (516) 344-2345; Fax (516) 344-3368

World Wide Web:
<http://www.pubaf.bnl.gov/bulletin.html>

The Brookhaven Bulletin is printed on pa-
per containing at least 50 percent recycled
materials, with 10 percent post-consumer
waste. It can be recycled.

