AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE 1 OF 1 PAGES

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. *(If applicable)*
M333	**See Block 16C**		

6. ISSUED BY CODE

U.S. Department of Energy
National Nuclear Security Administration
Sandia Site Office (MS 0184)
P.O. Box 5400
Albuquerque, NM 87185-5400

7. ADMINISTERED BY *(If other than Item 6)* CODE

8. NAME AND ADDRESS OF CONTRACTOR *(No., street, county, state, ZIP Code)*

Sandia Corporation
P. O. Box 5800
Albuquerque, NM 87185

CODE FACILITY CODE

9A. AMENDMENT OF SOLICITATION NO.

9B. DATED *(SEE ITEM 11)*

10A. MODIFICATION OF CONTRACT/ORDER NO.

DE-AC04-94AL85000

10B. DATED *(SEE ITEM 13)*
October 1, 1993

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning ____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted;

or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA *(If required)*

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS 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 date, 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: Department of Energy Organization Act, 42 U.S.C. § 7101 et seq. and the National Nuclear Security Administration Act, 50 U.S.C. § 2401 et seq.,
	D. OTHER *(Specify type of modification and authority)*:

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 3 copies to the issuing office.

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

The purpose of this modification is to incorporate a revised Appendix E, "Small Business Subcontracting Plan for Sandia Corporation" dated March 18, 2009. All other terms and conditions remain unchanged.

Except as provided herein, all terms and conditions of the document referenced in Items 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER *(Type or print)*		16A. NAME AND TITLE OF CONTRACTING OFFICER *(Type or print)*	
Gary B. Zura, Senior Manager **Sandia Corporation**		**JoAnn Wright, Contracting Officer** **Sandia Site Office**	
15B. CONTRACTOR/OFFEROR BY *(Signature of person authorized to sign)*	15C. DATE SIGNED 6/17/09	16B. UNITED STATES OF AMERICA BY *(Signature of Contracting Officer)*	16C. DATE SIGNED 6/24/09

Part III - Section J
Appendix E

Small Business Subcontracting Plan for Sandia Corporation

Period of October 1, 2003 through September 30, 2012

This Small Business Subcontracting Plan is submitted by Sandia Corporation (Sandia) in accordance with Section 8(d) of Public Law 95-507. It is established between Sandia and the Department of Energy (DOE) National Nuclear Security Administration (NNSA) under Prime Contract Number DE-ACO4-94AL85000.

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I. GOALS

A. BREAKDOWN AND PERCENTAGES

Sandia's proposed Goals for Small Business concerns (SB), Certified Small Disadvantaged Business concerns (SDB), Women-Owned Small Business concerns (WOSB), HUBZone Small Business concerns (HUBZone SB), Veteran-Owned Small Business concerns (VOSB), Service-Disabled Veteran-Owned Small Business concerns (SDVOSB), Alaska Native Corporation (ANC) or Indian Tribe (IT) concerns shall be submitted in writing to the Contracting Officer. The established Goals will be incorporated into this Plan annually by letter and will not require contract modification.

Subcontracts awarded to an ANC or IT shall be counted towards the subcontracting goals for small business and small disadvantaged business (SDB) concerns, regardless of the size or Small Business Administration certification status of the ANC or IT.

Where one or more subcontractors are in the subcontract tier between Sandia and the ANC or IT, the ANC or IT shall designate the appropriate contractor(s) to count the subcontract towards its small business and small disadvantaged business subcontracting goals.

(A) In most cases, the appropriate Contractor is the Contractor that awarded the subcontract to the ANC or IT.

(B) If the ANC or IT designates more than one Contractor to count the subcontract towards its goals, the ANC or IT shall designate only a portion of the total subcontract award to each Contractor. The sum of the amounts designated to various Contractors cannot exceed the total value of the subcontract.

(C) The ANC or IT shall give a copy of the written designation to the Contracting Officer, to Sandia, and the subcontractors in between Sandia and the ANC or IT within 30 days of the date of the subcontract award.

(D) If the Contracting Officer does not receive a copy of the ANC or the IT written designation within 30 days of the subcontract award, the Contractor that awarded the subcontract to the ANC or IT will be considered the designated Contractor.

The proposed Goals shall be based upon an established percentage of estimated commercial entities purchases, which will be derived from the current fiscal year budget. In the event that there is a significant funding reduction for a specific program/project at Sandia, Sandia shall be allowed to submit a request for goal adjustment. The request will be supported by a detailed justification and signed by the Manager of the Small Business Utilization Department. Goals may be changed/re-negotiated with the approval of the Contracting Officer.

Goals for the utilization of SB, SDB, WOSB, HUBZone SB, VOSB, SDVOSB, ANC and IT subcontractors shall be submitted as follows unless otherwise requested by the Contracting Officer:

1. Total Commercial Procurement dollars available for Subcontracting Concerns
2. Total dollars and percentage planned to be subcontracted to SB (including ANC and Indian Tribes)
3. Total dollars and percentage planned to be subcontracted to SDB (including ANC and Indian Tribes)
4. Total dollars and percentage planned to be subcontracted to WOSB
5. Total dollars and percentage planned to be subcontracted to HUBZone SB
6. Total dollars and percentage planned to be subcontracted to VOSB
7. Total dollars and percentage planned to be subcontracted to SDVOSB

B. EXCEPTIONS

Sandia's proposed Goals for SB, SDB, WOSB, HUBZone SB, VOSB and SDVOSB shall not include the following:

1. Subcontracts involving performance outside the U.S. or its outlying area.
2. Purchases from a corporation, company, or subdivision that is an affiliate of Sandia.

C. PRODUCTS AND METHODOLOGY

1. Principal Products and Services

The principal products and services to be obtained in support of this Plan are those generally associated with a multi-program science and engineering laboratory. SB, SDB, WOSB, HUBZone SB, VOSB and SDVOSB will generally supply a significant portion of the goods and services purchased. Examples of commodities are as indicated below.

Laboratory Equipment
Specialty/Promotional items
Construction/Renovation
Safety Equipment
Office Supplies & Furniture
Mechanical Subassemblies
Engineering Services & Supplies
Computer Supplies & Equipment
Chemicals & Adhesives
Media Services & Supplies
Tools
Electronics
Electrical Components & Assemblies
Services
Clothing
Computer & Office Supplies

2. Methodology for Determining Subcontracting Goals

Annual goals are developed based upon the previous years' records and experience as well as our acquisition forecasts for the next year. The anticipated needs and programs for the current year are also taken into consideration.

3. Methodology for Identification of Suppliers

Sandia National Laboratories Business Opportunities Website – The Business Opportunities website lists current contract opportunities for products and services at Sandia National Laboratories (SNL). Opportunities are listed in accordance with the North American Industry Classification System (NAICS). The website is intended to help firms identify Sandia contract opportunities as early as possible in the procurement process.

Trade Fairs - Sandia will actively participate in Minority Business Opportunity Trade Fairs across the Southwest and the United States. Sandia shall participate in those trade fairs that will be most beneficial to Sandia's efforts in identifying SB, SDB, WOSB, HUBZone SB, VOSB, SDVOSB, ANC and IT businesses.

Dynamic Small Business Search - The Small Business Administration's Dynamic Small Business Search (DSBS) internet database may be used as a source of potential small business suppliers.

Central Contractor Registration - The Central Contractor Registration (CCR) is the primary registrant database for the U.S. Federal Government. CCR collects, validates, stores and disseminates data in support of agency acquisition missions.

Supplier Facility Survey - Sandia buyers, engineers and other support personnel, as required, may visit selected facilities of prospective SB, SDB, WOSB, HUBZone SB, VOSB, SDVOSB, ANC and IT suppliers to assess their capability, capacity, and potential to provide goods and services to Sandia.

National, Regional, and Local Business & Trade Organizations - Sandia shall be an active member in those organizations that best meet Sandia's requirements and are of benefit to the supplier community.

Other Sources of Information – Various local, regional and national small, disadvantaged and small business directories and associations.

4. Indirect costs

Indirect costs are not included in the dollars and percentages in subcontracting goals stated above.

II. PROGRAM ADMINISTRATOR

Sandia's Manager of the Small Business Utilization Department, Donald J. Devoti, Mail Stop 1486, Albuquerque, NM 87185, (505) 284.4338 will be responsible for the administration of this Subcontracting Plan.

Responsibilities of the Manager of Small Business Utilization Department, or his designee, include:

- Assure success of the Plan by assisting Procurement in preparing directives and procedures.
- Serve as Sandia's SB, SDB, WOSB, HUBZone SB, VOSB, SDVOSB, ANC and IT Liaison Officer.
- Search for SB, SDB, WOSB, HUBZone SB, VOSB, SDVOSB, ANC and IT sources for use by Sandia in proposed competitive procurements expected to exceed $100,000.
- Review Large Business Subcontracting Plans for utilization of SB, SDB, WOSB, HUBZone SB, VOSB and SDVOSB subcontracting plans submitted to Sandia in connection with supply and/or service subcontract awards of $550,000 or greater (or $1,000,000 or greater for construction), and assure that such plans are consistent with PL 95-507 requirements.
- Ensure flow down of appropriate clauses in subcontracts.

- Collect and prepare necessary data to submit reports to the Contracting Officer as required.
- Provide statistics to Sandia's management on progress toward established goals and recognition of significant Buyer/Subcontract Specialist success toward achievement of established small business goals.
- Assure inclusion of SB, SDB, WOSB, HUBZone SB, VOSB, SDVOSB, ANC and IT firms in solicitations where appropriate.
- Maintain business directories from national, regional, and local business and trade organizations, and other sources to expand and keep current listings of SB, SDB, WOSB, HUBZone SB, VOSB, SDVOSB, ANC and IT sources.
- Participate as Sandia's representative in SB, SDB, WOSB, HUBZone SB, VOSB, SDVOSB, ANC and IT trade fairs, conferences, SBA and MED events specifically directed toward offering opportunities for participants to do business with Sandia.
- Serve as Sandia's representative to business and trade organizations and other appropriate organizations.
- Hold periodic training and other meetings with the Procurement staff on Small Business Utilization Department Socioeconomic Programs.
- Conduct periodic meetings and otherwise communicate with all Laboratories' organizational components regarding the Plan's goals and status.
- Support SBA activities.

III. OUTREACH EFFORTS

The following efforts shall be taken to assure that SB, SDB, WOSB, HUBZone SB, VOSB, SDVOSB, ANC and IT will have an equitable opportunity to compete for subcontracts:

A. External Efforts

Attendance at national and local SB, SDB, WOSB, HUBZone SB, VOSB, SDVOSB, ANC and IT procurement conferences and trade fairs, such as:

- Small Minority Expos,
- Small Business Trade Fairs/Conferences,
- Minority Business Enterprise (MBE) Trade Fairs,
- Small and Disadvantaged Business Utilization National Conferences
- Women Owned Business Conferences
- Veteran Owned Business Events
- ANC and IT Business Events

Utilization of publications and directories to identify new SB, SDB, WOSB, HUBZone SB, VOSB, SDVOSB, ANC and IT sources, including but not limited to:

- DSBS and CCR
- National, local, and regional business and trade organization directories.

In some instances, a Sandia engineer or other specialist may assist Procurement conducting an on-site survey of an SB, SDB, WOSB, HUBZone SB, VOSB, SDVOSB, ANC and IT facility. These technical experts also assist (when needed) during subcontract performance. Sandia will maintain an active membership and representation on the Board of Directors of organizations (when appropriate) that Sandia may partner with for the mutual benefit of Sandia and the supplier community.

Assist SB, SDB, WOSB, HUBZone SB, VOSB, SDVOSB, ANC and IT whenever possible by counseling them on how to do business with Sandia.

B. Internal Efforts

Procurement activities shall be monitored to evaluate compliance with the Subcontracting Plan.

Procurement activity is monitored on a quarterly basis and reports are provided based on various criteria. A monthly-published procurement activity report is distributed to Procurement Management. The utilization of this report allows Procurement to forecast requirements necessary to accomplish Sandia's goals.

Every effort is made to ensure that adequate funding is available for participation in the various small and small business concerns business trade fairs, conferences, board meetings and various outreach/in-reach activities. A separate annual budget is therefore established and approved during the beginning of the fiscal year, to be utilized strictly for socioeconomic outreach activities.

IV. SUBCONTRACTING PLAN FLOWDOWN

Sandia agrees that the Contract's Clause entitled "Utilization of Small Business Concerns" (FAR 52.219- 8) will be included in all subcontracts that offer further subcontracting opportunities. All subcontractors except small business concerns who receive subcontracts in excess of $550,000 or "$1,000,000 for construction of a public facility" will be required to adopt and comply with a Subcontracting Plan similar to this one. Such Plans will be reviewed by comparing them with the provisions of the clause, "Small Business Subcontracting Plan" (FAR 52.219-9), thus assuring that all minimum requirements of an acceptable subcontracting plan have been satisfied. The acceptability of percentage and dollar goals shall be determined on a case-by-case basis depending on the supplies/services involved, the availability of potential SB, SDB, WOSB, HUBZone SB, VOSB, SDVOSB, ANC and IT subcontractors, 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.

V. REPORTS AND SURVEYS

Sandia shall submit reports to the NNSA, as requested, in a format agreed upon. Sandia shall submit electronically into the Electronic Subcontracting Reporting System (eSRS) the semi-annual Individual Subcontracting Reports and annual Summary Subcontracting Reports and cooperate in any studies or surveys as may be required by the Contracting Officer or the SBA in order to determine the extent of compliance by Sandia with the Subcontracting Plan and with the clause entitled "Utilization of Small Business Concerns," contained in the Contract. Sandia shall also ensure that its subcontractors agree to electronically submit Individual Subcontracting Reports (ISR) and Summary Subcontracting Reports (SSR).

VI. RECORDS AND PROCEDURES

Sandia shall maintain the following types of records to document compliance with this Subcontracting Plan:

- Procurement data, which is tracked by an automated system that provides historical data, related to each subcontract.
- Records to support other outreach efforts such as attendance at small and minority business procurement conferences and trade fairs.
- Records to support internal activities that guide and encourage buyers to support this Plan, such as workshops, seminars, training programs, award programs, as well as activities designed to evaluate compliance to the Plan.

- Records of organizations contacted in an attempt to locate SB, SDB, WOSB, HUBZone SB, VOSB, SDVOSB, ANC and IT sources.
- Records on a contract-by-contract basis that support subcontract award data, which include name and address of subcontractors as well as the size and type of business that received the award.
- Records of SB, SDB, WOSB, HUBZone SB, VOSB, SDVOSB, ANC and IT suppliers.

Sandia will document in each contract award over $100,000 the following:

(A) Whether small business concerns were solicited and if not, why not;

(B) Whether veteran-owned small business concerns were solicited and, if not, why not;

(C) Whether service-disabled veteran-owned small business concerns were solicited and, if not, why not;

(D) Whether HUBZone SB small business concerns were solicited and, if not, why not;

(E) Whether small disadvantaged business concerns were solicited and if not, why not;

(F) Whether women-owned small business concerns were solicited and if not, why not; and

(G) If applicable, the reason award was not made to a small business concern.

SUBMITTED BY SANDIA: Sandia Corporation

Donald J. Devoti 03/16/09

Donald J. Devoti — Date
Manager of the Small Business Utilization Department

PLAN CONCURRED BY: NNSA Service Center - Albuquerque

3/18/09

Gregory F. Gonzales — Date
Small Business Program Manager

ACCEPTED BY: NNSA Sandia Site Office

Lorraine Otero 03/18/09

Lorraine Otero — Date
Contracting Officer