

The Regents of the University of California

**COMMITTEE ON OVERSIGHT OF THE  
DEPARTMENT OF ENERGY LABORATORIES**

January 14, 1999

The Committee on Oversight of the Department of Energy Laboratories met on the above date at UCSF - Laurel Heights, San Francisco.

Members present: Regents Atkinson, Davies, Johnson, Khachigian, Miura, Montoya, and Preuss

In attendance: Regents Kozberg, Leach, Lee, and Willmon, Regent-designate Vining, Faculty Representatives Coleman and Dorr, Secretary Trivette, General Counsel Holst, Assistant Treasurer Young representing Treasurer Small, Provost King, Senior Vice President Kennedy, Vice Presidents Darling, Gomes, Hershman, and Hopper, Chancellors Berdahl, Bishop, Carnesale, Cicerone, Dynes, Greenwood, Orbach, and Vanderhoef, and Recording Secretary Bryan

The meeting convened at 11:30 a.m. with Committee Chair Preuss presiding.

**AUTHORIZATION TO APPROVE AND EXECUTE MODIFICATION TO THE  
DEPARTMENT OF ENERGY CONTRACTS FOR LAWRENCE BERKELEY  
NATIONAL LABORATORY, LAWRENCE LIVERMORE NATIONAL  
LABORATORY, AND LOS ALAMOS NATIONAL LABORATORY TO AMEND  
CLAUSES AS A RESULT OF CHANGES IN FEDERAL ACQUISITION  
REGULATIONS AND DOE ACQUISITION REGULATIONS**

The President recommended that he be authorized to approve and the Secretary be authorized to execute a modification to the provisions of contracts W-7405-ENG-36, DE-ACO3-76SF00098, and W-7405-ENG-48 in order to incorporate revisions to the following clauses:

Clause 1.2 - ORDER OF PRECEDENCE

Clause 5.9 - FOREIGN TRAVEL

Corrects Federal Acquisition Regulations (FAR) citation and date.

Clause 8.1 - CONTRACTOR PURCHASING SYSTEM

Updates the clause to include language regarding contractor self-assessment program and adds a paragraph at Bonds and Insurance.

Clause 8.2 - SUBCONTRACTOR COST OR PRICING DATA

Clause deleted.

Clause 8.5 - FLOWDOWN OF CONTRACT REQUIREMENTS TO SUBCONTRACTS

Updates as a result of changes to 8.1, 8.2, and changes to the Department of Energy Acquisition Regulations (DEAR).

Clause 8.15 - RESTRICTIONS ON CERTAIN FOREIGN PURCHASES

Updates FAR clause. Adds Sudan to list of countries.

Clause 8.16 - SUBCONTRACTS FOR COMMERCIAL ITEMS AND COMMERCIAL COMPONENTS

Updates titles referenced in the FAR clause.

Clause 8.18 - PREFERENCE FOR PRIVATELY-OWNED U.S. FLAG COMMERCIAL VESSELS

Updates addresses referenced in the FAR clause.

As a result of these changes, the table of contents for each contract will be revised accordingly.

It was recalled that the Department of Energy contracts for LANL, LBNL, and LLNL were executed on September 18, 1997. Since that time UC and DOE review has indicated the need to make minor corrections and clarifications to the contract clauses as a result of changes to Federal Acquisition Regulations and Department of Energy Acquisition Regulations. The changes do not involve any substantive difference to the underlying agreement between the University and DOE and are administrative in nature. The deletion of Clause 8.2 - Subcontractor Cost or Pricing Data, will also result in less administrative burden in the processing of procurements at the laboratories.

These amendments are important to ensure that the UC-DOE contracts are accurate and up to date. The UC Laboratory Administration Office has confirmed with the laboratories that they concur with the DOE proposed changes to clauses.

Upon motion duly made and seconded, the Committee approved the President's recommendation and voted to present it to the Board.

The meeting adjourned at 11:31 a.m.

Attest:

Secretary