



Department of Energy

Washington, DC 20585

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MEMORANDUM FOR FEDERAL AND M&O CONTRACTOR PROCUREMENT DIRECTORS

FROM:

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NATIONAL NUCLEAR SECURITY
ADMINISTRATION

SUBJECT:

STANDARD RESEARCH SUBCONTRACT (EDUCATIONAL
INSTITUTION OR NONPROFIT ORGANIZATION)

Several months ago, this office was contacted by the Department's representative to the Federal Demonstration Partnership (FDP) and was asked to assist in addressing long-standing issues relating to the subcontracts between Department of Energy (DOE)/National Nuclear Security Administration (NNSA) management and operating (M&O) contractors and educational or nonprofit organizations for unclassified work. These issues included the use of non-standard terms and conditions that often delay negotiations and subcontract execution, non-standard requirements for the amount of support documentation required to process payments, and non-applicability of some clause flowdowns to nonprofit institutions. In addition, subcontracts from DOE/NNSA M&O contractors range in size from a few pages to more than 70 pages in length further complicating and increasing the cost of subcontract administration by all concerned. After our review of this situation, we came to the conclusion that some standardization of such subcontracts could and should be made.

Accordingly, we requested the Integrated Contractor Purchasing Team (ICPT) to champion efforts to develop a standard research subcontract that could be employed by all DOE/NNSA M&O contractors in subcontracting for unclassified research and development work. The ICPT had previously coordinated standard terms and conditions for use with the now widely employed ICPT agreements. The ICPT Chairperson, in turn, identified an individual to work with the FDP Contract Task Force and DOE/NNSA contractor representatives in developing a model standard subcontract. Meetings and telecons between the two groups over the past year have led to the enclosed product. Federal HQ, field, and contractor personnel provided feedback on this model, and their comments have been considered in its finalization.



Likewise, it has been coordinated with appropriate members of our staffs and with Counsel. We consider the enclosed standard subcontract to be appropriate for immediate use by all DOE/NNSA M&O contractors and encourage its employment for unclassified research and development work. We understand that, if the proposed work involves nuclear technology, classified work, on-site activity, work related to the operation of the facility, or a programmatic requirement for "open source" software distribution, the model will have to be tailored to address these specific requirements.

We are requesting your support for using this model complex-wide. If your Prime Contract appears to contain provisions that create barriers to using this subcontract, your respective Contracting Officer should contact Trudy Wood at (202) 586-5625 to discuss those concerns.