United States Government

memorandum

Department of Energy
National Nuclear Security Administration
Los Alamos Site Office
Los Alamos, New Mexico 87544

DATE: JAN 27 2003
REPLY TO ATTN OF: LASO
SUBJECT: Appointment of Contracting Officer Representative for Contract No. W-7405-ENG-36 with the University of California

TO: Joseph C. Vozella, Office of Environment
Eugene T. Rodriguez, Office of Program Liaison
Herman C. Le-Doux, Office of Project Management

Pursuant to and in accordance with NNSA Policy Letter BOP.003.0302, *Appointment of Contracting Officer Representatives*, for NNSA Management and Operating Contracts, and the proposed Contract Clause entitled "Performance Direction", you are hereby appointed to act as the Contracting Officer's Representative (COR) in relation to the services provided to the Government by the contractor in performance of work under Contract No. W-7405-ENG-36 for the following functional area(s):

Functional Area	Contracting Officer's Representative (COR)
Environment, Safety, and Health	Joseph C. Vozella
Program Liaison including Quality Assurance, Nuclear Materials Management, RTBF Readiness, Pit Manufacturing, Waste Management, Weapons Program, Nuclear Non-Proliferation Program	Eugene T. Rodriguez
Project Management including Environmental Restoration	Herman C. Le-Doux

This appointment pertains to contract oversight activities and other functions under your purview associated with performance not involving a change in scope, cost, terms, or conditions of the contract. In this regard, you should ensure that you are familiar with the requirements of the contract and your functional responsibilities relative to the contractual requirements. Neither this appointment nor any COR responsibilities may be re-delegated to others.

Monitor Contract Compliance. Ensure that the contractor complies with all technical requirements of the work defined in the scope of work, including reports, documentation, data, work products, milestone schedules, and deliverables. In this connection, you shall:

a. Inform the Contracting Officer (CO), in writing, of any performance failure by the contractor.

b. Inform the CO if you foresee that the contract or any Work Authorization will not be completed according to schedule, and or estimated cost. Your written notice should include your recommendations for resolving the schedule problem, and or revising the estimated cost.

c. Ensure that the Government meets its contractual obligations to the contractor. This includes, but is not limited to, furnishing any Government property and services specified in the contract and providing timely Government comment on or approval of contract deliverables as may be required by the contract.

d. Issue written technical direction within the limitations set forth in this appointment and in accordance with the Performance Direction clause of the contract. A copy of all technical direction sent to the contractor shall be provided to the CO.

e. Assist the contractor in interpreting the technical requirements of the contract. Immediately report to the CO, in writing, all technical issues that cannot be resolved without increasing costs or changing the contract. Also, immediately report, in writing, any issues that cannot be mutually agreed to so that the CO can take action to resolve the issues. Such reports must include the facts pertinent to the issues and the recommended action.

f. Inspect and accept all deliverables within the scope of your appointment. Review contract deliverables for unauthorized work.

g. Assist in the development of the annual performance measures that will be included in the Performance Evaluation and Measurement Plan (PEMP) and provide input into the Performance Evaluation Report (PER) for assessing contractor performance.

h. Inform the CO of any potential or evidence of real or perceived organizational conflict of interest (OCI) matters or employee ethics or integrity issues.

i. Upon contract completion, forward a written statement to the CO attesting to the contractor's completion of technical performance, delivery, and acceptance of all goods and services for which inspection and acceptance are delegated. Provide any required closeout information to the CO and make disposition of all records and documents pertinent to the administration of the contract which you retained in your capacity as COR during the period of performance.

As a matter of practice, the COR should prepare a written record of meetings, trips, and telephone conversations relating to the contract. Each record and all correspondence relating to the contract should cite the contract number, date, time, and location, as necessary to be a complete record. It is requested that a copy of records or correspondence that you generate or receive relating to the contract be accessible to or furnished to the CO upon request and all other interested parties having a need to know. The utmost care must be given to restrictions regarding proprietary data and classified and business-sensitive information.

In performing these responsibilities, you are <u>not</u> authorized to re-delegate any COR responsibility to others or negotiate terms or make any agreements or commitments with the contractor that involve a change in the scope, price/cost, terms, or conditions of the contract. Only the CO is authorized to modify any term or condition of the contract, waive any requirement of the contract, or approve costs incurred or make determinations of cost allowability.

This appointment and its authority shall become effective upon your acceptance and shall remain in effect as long as you are assigned to the contract, this delegation is rescinded in writing, or the contract is completed.

Please acknowledge acceptance of the COR appointment and return one copy to the CO identified below.

E. Dennis Martinez
Contracting Officer
Los Alamos Site Office

Ralph E. Erickson
Manager
Los Alamos Site Office

ACCEPTANCE OF APPOINTMENT

I hereby accept the responsibility to perform the functions delegated herein to the best of my ability. I understand and will abide by the principles of ethical conduct for Government officers and employees.

Typed or Printed Name of Appointed COR: HERMAN C. LE-DOUX

Signature of COR: Herman C. Le-Doux Date: 1/27/03