ATTACHMENT J.7

APPENDIX G

PURCHASING SYSTEM REQUIREMENTS

Applicable to the Operation of
PPPL

Contract No. DE-AC02-09CH11466

Appendix G

Purchasing System Requirements

This Appendix and Clause I.146 “Contractor Purchasing System,” sets forth DOE requirements applicable to the Purchasing System established under the Contract for the management of PPPL.

Subcontracts Not Binding on DOE

As used herein, the term “subcontracts” includes subcontracts, purchase orders, letter agreements, basic ordering agreements, consultant agreements, micro-purchases, Electronic Data Interchange (EDI) and FACNET transactions, and lower tier subcontracts under cost-type subcontracts (in an unbroken cost-type chain) that represent costs properly chargeable to the Prime Contract.

All applicable subcontracts shall be made in the name of the Contractor, shall not bind or purport to bind the Government, shall not relieve the Contractor of any obligation under the Prime Contract (including, among other things, the obligation to properly supervise and coordinate the work of subcontractors), and shall contain such provisions as are required by this Contract or as DOE may prescribe based on Federal statutes and regulations, or DOE Orders and Policies.

DOE Approval

Prior DOE written approval is required for the following actions:

1. Contractor award of any subcontract having a value of $500,000.00 or greater, or any subcontract modification which will cause the value to exceed $500,000.00;

2. Except as otherwise expressly provided or directed, in writing, by DOE Patent Counsel with notification to the Contracting Officer, actions which involve any one of, or combination of, the following intellectual property matters:

    a. Acquisition of software by negotiated lease or license;

    b. Purchase of patents or patent license rights, including the payment of royalties and permits, or license fees;

    c. Recognition of proprietary rights, including the recognition of technical data as trade secrets; or,

d. Any restriction of DOE's use of data procured under a subcontract.

3. Inter-Contractor Purchases (ICP's) expected to exceed $500,000.00.

4. The purchase of utilities defined as: steam, gas, electricity, telephone lines, water and sewage.

5. Laboratory Procurement Policies and Procedures

   All additions to, modifications or deletions of, Laboratory Procurement Policies and Procedures which result in substantive changes thereto shall be submitted to DOE for approval prior to implementation.

The above approval requirements do not eliminate any other requirement for review, concurrence, or approval of other proposed actions specified in the subject contract or DOE's right to require consent on any single or class of purchasing actions selected for special surveillance.