

ORDER FOR SUPPLIES OR SERVICES

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

1 DATE OF ORDER: 12-30-1999  
 2 CONTRACT NO (If any):  
 3 ORDER NO: DR-00-0070  
 MODIFICATION NO:  
 4 REQUISITION/REFERENCE NO: RQ70000058  
 5 ISSUING OFFICE (Address correspondence to):  
 U.S. Nuclear Regulatory Commission  
 Division of Contracts and Property Mgt.  
 Attn: Mike Mills, Mail Stop T-7-I-2  
 Contract Management Branch  
 Washington DC 20555  
 6 SHIP TO:  
 a NAME OF CONSIGNEE:  
 U.S. Nuclear Regulatory Commission  
 Attn: Mindy Landau, Mail Stop O2A13  
 b STREET ADDRESS:  
 c CITY: Washington  
 d STATE: DC  
 e ZIP CODE: 20555  
 f SHIP VIA:

a NAME OF CONTRACTOR: Montgomery Education Connection  
 b TYPE OF ORDER:  
 a PURCHASE ORDER  
 b DELIVERY/TASK ORDER  
 c STREET ADDRESS: 850 Hungerford Drive, Room 241  
 d CITY: Rockville  
 e STATE: MD  
 f ZIP CODE: 20850  
 Reference your Purchase Order and conditions specified on both sides of this order and on the attached sheet, if any, including delivery as indicated.  
 Except for billing instructions on the reverse, this delivery/task order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

9 ACCOUNTING AND APPROPRIATION DATA: Job Code: L2380, B&R No. 07K-15-545-105, BOC: 252A, Fund Source: 31X0200.07K  
 \$1,500.00  
 10 REQUISITIONING OFFICE:

11 BUSINESS CLASSIFICATION (Check appropriate box(es)):  
 a SMALL  
 b OTHER THAN SMALL  
 c DISADVANTAGED  
 d WOMEN-OWNED

12 F O B POINT: Destination  
 13 PLACE OF:  
 14 GOVERNMENT B L NO:  
 15 DELIVER TO F O B POINT ON OR BEFORE:  
 16 DISCOUNT TERMS:

a INSPECTION:  
 b ACCEPTANCE:  
 As Sated Below  
 Net 30

17 SCHEDULE (See reverse for Rejections)

ITEM NO (A)	SUPPLIES OR SERVICES (B)	QUANTITY ORDERED (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)	QUANTITY ACCEPTED (G)
	Renewal of NRC membership to the Montgomery Education Connection. Period of Performance: January 1, 2000 through December 31, 2000. NRC point of contact: Mindy Landau (301) 415-2800 Annual Membership Fee	1	EA	1,500.00	\$1,500.00	
	FAR 52.232-33 "Mandatory Information For Electronic Funds Transfer Payment" is hereby incorporated by reference.					

18. SHIPPING POINT  
 19 GROSS SHIPPING WEIGHT  
 20 INVOICE NO  
 21 MAIL INVOICE TO:  
 a. NAME: U.S. Nuclear Regulatory Commission, Office of the Chief Financial Officer  
 b. STREET ADDRESS (or P.O. Box): Attn: GOV/COM Acctng, Section T-9H4  
 c. CITY: Washington  
 d. STATE: DC  
 e. ZIP CODE: 20555  
 SEE BILLING INSTRUCTIONS ON REVERSE

22. UNITED STATES OF AMERICA BY (Signature): *Michael Mills*  
 23. NAME (Typed): Michael Mills  
 TITLE: CONTRACTING/ORDERING OFFICER

# TERMS AND CONDITIONS

## (APPLICABLE TO OPEN MARKET NON-COMMERCIAL SIMPLIFIED ACQUISITIONS)

This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make the full text available. (Clauses which are not applicable are self-deleting.)

### The following terms and conditions apply to all purchase orders:

- 52.203-3 Gratuities (APR 84)
- 52.211-16 Variation in Quantity (APR 84)
- 52.213-3 Notice to Supplier (APR 84)
- 52.222-3 Convict Labor (AUG 96) (unless precluded by FAR Subpart 22.2)
- 52.222-36 Affirmative Action for Handicapped Workers (APR 84)\*
- 52.223-6 Drug-Free Workplace (JAN 97) (Applicable to purchase orders with individuals valued up to the simplified acquisition threshold)
- 52.232-1 Payments (APR 84)
- 52.232-8 Discounts for Prompt Payment (MAY 97)
- 52.232-23 Assignment of Claims (JAN 86)
- 52.232-25 Prompt Payment (MAY 97)
- 52.232-33 Mandatory Information for Electronic Funds Transfer Payment (AUG 96)
- 52.233-1 Disputes Alternate I (OCT 95)
- 52.233-3 Protest after Award (AUG 96)
- 52.242-10 F.O.B. Origin--Government Bill of Lading or Prepaid Postage (APR 84)
- 52.244-6 Subcontracts for Commercial Items and Commercial Components (OCT 95)
- 52.246-1 Contractor Inspection Requirements (APR 84)
- 52.247-29 F.O.B. Origin (JUN 88)
- 52.247-34 F.O.B. Destination (NOV 91)
- 52.249-8 Default (Fixed Price Supply and Service) (APR 84)

### NRC Acquisition Clauses - 48 CFR 20

- 2052.209-73 Contractor Organizational Conflict of Interest
- 2052.210-70 Brand Name Products or Equal

### Additional Terms and Conditions Applicable to All Purchase Orders for Supplies

- 52.225-1 Buy American Certification (DEC 89)
- 52.225-3 Buy American Act--Supplies (JAN 94)
- 52.243-1 Changes--Fixed Price (AUG 87)

- 52.249-1 Termination for Convenience of the Government (Fixed Price) (Short Form) (APR 84)
- 52.222-20 Walsh-Healey Public Contracts Act (APR 84)\*
- 52.222-21 Certification of Nonsegregated Facilities (FEB 84)\*
- 52.222-25 Affirmative Action Compliance (FEB 84)
- 52.222-26 Equal Opportunity (APR 84)
- 52.222-35 Affirmative Action for Special Disabled and Vietnam Era Veterans (APR 84)\*
- 52.222-37 Employment Records on Special Disabled Veterans and Veterans of the Vietnam Era (JAN 88)

### Additional Terms and Conditions Applicable to Purchase Orders for Services

- 52.222-41 Service Contract Act of 1965, as Amended (MAY 89)
- 52.222-42 Statement of Equivalent Rates for Federal Hires (MAY 89) (Applicable to purchase orders valued in excess of \$2,500)
- 52.237-1 Site Visit (APR 84)
- 52.237-2 Protection of Government Buildings, Equipment and Vegetation (APR 84)
- 52.243-1 Changes--Fixed Price (AUG 87) Alternate I (Alternate II & IV, whichever is applicable)
- 52.249-4 Termination for Convenience of the Government (Services) (Short Form) (APR 84)

### Additional Terms and Conditions Applicable to Construction Purchase Orders valued in excess of \$2,000

- 52.222-6 Davis-Bacon Act (FEB 95)
- 52.222-12 Contract Termination--Debarment (FEB 88)
- 52.222-13 Compliance with Davis-Bacon and Related Act Regulations (FEB 88)
- 52.222-14 Disputes Concerning Labor Standards (FEB 88)
- 52.222-15 Certification of Eligibility (FEB 88)

\*Applicable to purchase orders valued in excess of \$10,000

The following attachments are only applicable to vendors not currently receiving electronic payments authorized by the NRC.

### Attachments:

1. Electronic Payment
2. ACH Standard Form 3881

## Electronic Payment

The Debt Collection Improvement Act of 1996 requires that all payments except IRS tax refunds be made by Electronic Funds Transfer. It is the policy of the Nuclear Regulatory Commission to pay vendors by the Automated Clearing House (ACH) electronic funds transfer payment system. The electronic system is known as Vendor Express. Payment shall be made in accordance with FAR 52.232-33, entitled "Mandatory Information for Electronic Funds Transfer Payment."

To receive payment, the contractor shall complete the "Company Information" portion of the Standard Form 3881, entitled "ACH Vendor/Miscellaneous Payment Enrollment Form" found in Section J. The contractor shall take the form to the ACH Coordinator at the financial institution that maintains its company's bank account. **The contractor shall discuss with the ACH Coordinator how the payment identification information (addendum record) will be passed to them once the payment is received by the financial institution. To ensure that adequate payment information will be available to the contractor, the contractor should inform the financial institution that the addendum record must not be stripped from the payment.** Further information concerning the addendum is provided on page 2 of this attachment. The ACH Coordinator should fill out the "Financial Institution Information" portion of the form and return it to the Office of the Controller at the following address: Nuclear Regulatory Commission, Division of Accounting and Finance, Financial Operations Section, Mail Stop T-9-H-4, Washington, DC 20555. ATTN: ACH/Vendor Express. It is the responsibility of the contractor to ensure that the financial institution returns the completed form to the above cited NRC address. If the contractor can provide the financial information, signature of the financial institution's ACH Coordinator is not required. The NRC is under no obligation to send reminders. Only after the Office of the Controller has processed the contractor's sign-up form will the contractor be eligible to receive payments.

Once electronic funds transfer is established for payments authorized by NRC, the contractor needs to submit an additional SF 3881 only to report changes to the information supplied.

Questions concerning ACH/Vendor Express should be directed to the Financial Operations staff at (301) 415-7520.

NRC FORM 30  
(6-94)

U.S. NUCLEAR REGULATORY COMMISSION

**REQUEST FOR ADMINISTRATIVE SERVICES**

FOR HEADQUARTERS:  
MAIL TO THE APPROPRIATE MAIL STOP ON BACK

1. DATE OF REQUEST

12/2/99

2. DATE DUE (If applicable)

1/15/00

3. REQUEST NUMBER (LEAVE BLANK)

RQ 70000058

**4. TYPE OF SERVICE**

- |  |  |
|--|--|
| <input type="checkbox"/> BUILDING ALTERATIONS AND SERVICES | <input type="checkbox"/> PUBLISHING NUREGs                                       |
| <input type="checkbox"/> COMPOSITION                       | <input checked="" type="checkbox"/> SMALL PURCHASES, PROPERTY AND LABOR SERVICES |
| <input type="checkbox"/> COPYING                           | <input type="checkbox"/> SUPPLIES  |
| <input type="checkbox"/> EDITING                           | <input type="checkbox"/> WORD PROCESSING   |
| <input type="checkbox"/> PHOTOGRAPHY/AUDIOVISUAL           | <input type="checkbox"/> OTHER (Specify)   |
| <input type="checkbox"/> PRINTING AND DISTRIBUTION         |  |

**5. PERSONAL PROPERTY APPROVAL**

I certify that personal property assets within the Office/Division have been carefully screened for excess, are currently fully utilized, and the additional requested items are absolutely essential to work performance and will be used only for official purposes.

5a. PROPERTY CUSTODIAN - SIGNATURE

5b. DIVISION DIRECTOR/DESIGNEE - SIGNATURE

Elizabeth Hayden, Deputy Director, Office of Public Affairs

**6. SENSITIVITY**

- CLASSIFIED  
 SENSITIVE  
 UNCLASSIFIED  
 COPYRIGHT MATERIAL

For copyrighted material, sign below to indicate that you have received permission from the copyright owner to use the material.

SIGNATURE - ADMINISTRATIVE OFFICER

**7. REQUESTER**

Mindy Landau

**8. OFFICE**

OPA

**9. TELEPHONE NUMBER**

301-415-8206

**10. FAX NUMBER**

301-415-2234

**11. MAIL STOP**

O-2A13

**12. E-MAIL I.D.**

MSL

**13. SPECIAL INSTRUCTIONS (INCLUDE TITLE, DISTRIBUTION, PRINTING SPECIFICATIONS, INSTRUCTIONS, STOCK NUMBERS, JUSTIFICATION, QUANTITIES, AND UNITS WHEN APPLICABLE.)**

Payment is authorized to support the NRC School Volunteers Program, to which NRC employees volunteer their time to local schools to explain NRC's mission, participate in science and classroom activities, and generally support Montgomery County's education initiatives.

Please remit the Montgomery Education Connection in the amount of \$1,500 (see a ttached invoice).  
Period of Performance: January 1, 2000 through December 31, 2000.

Montgomery Education Connection  
850 Hungerford Drive  
Room 241  
Rockville, Maryland 20850

**14. FUNDING INFORMATION**

JOB CODE	B & R NUMBER	BOC	FUND SOURCE	AMOUNT
L 23280	07K-15-545-105	852A	31X0200.07K	1,500.00

**14a. FUNDS CERTIFIED AVAILABLE BY: SIGNATURE - CERTIFYING OFFICIAL**

Gillian Mulvey AFM O CFO/DBA/FCB

**14b. DATE**

12/6/99

FOR PROCESSING USE ONLY (LEAVE THIS SECTION BLANK)

**15a. REQUIREMENT APPROVED - SIGNATURE**

**15b. DATE**

**16a. REQUISITIONING OFFICER - SIGNATURE**

**16b. DATE**

**17. OFFICE OF ADMINISTRATION PROCESSING**

ACTION	SIGNATURE	DATE	ACTION	SIGNATURE	DATE
A. POSTED			C. DELIVERED		
B. FILLED			D. COMPLETED		

The material and/or services itemized above have been received in the quantity and quality specified, except as otherwise noted.

**18a. SIGNATURE - RECIPIENT**

**18b. DATE**

NOTE TO: Carol Rose  
OC Allowance Financial Manager

DATE: January 10, 1997

FROM: Joel Dorfman, OC/DBA/FCB

THRU: Charlotte Turner, OC/DBA/FCB

SUBJECT: USE OF NRC FUNDS FOR MEMBERSHIP IN MONTGOMERY EDUCATION CONNECTION

The Office of Public Affairs (OPA) has submitted an NRC Form 30 to you requesting that \$1,500 be certified as available to pay an annual membership contribution to the Montgomery Education Connection (MEC). You have asked whether NRC's appropriated funds may be used for this purpose. I have compiled the following information which is relevant to your question:

- GAO guidance indicates that 5 U.S.C. 5946 prohibits agencies from paying membership fees for individual employees. However, it does not prohibit purchase of memberships in the name of the agency as long as the membership can be justified as a "necessary expense" ( see GAO's *Principles of Federal Appropriations Law*, page 4-193.).
- In 61 Comp. Gen. 542 (1982), GAO indicated that a Naval Center may use appropriated funds to pay for a membership fee for the Center in a Rotary Club because the Center made "an administrative determination that the payment of fees is necessary for the agency to carry out its authorized activities."
- In B-243862, July 28, 1992, GAO ruled that the Federal Energy Regulatory Commission (FERC) could expend "limited government resources to assist its adopted public school under a partnership in education program." The assistance included printing a yearbook and transporting students to attend agency events. GAO indicated that expenditure of limited amounts of resources in support of civic, charitable, or similar community support activities is "within the discretion of an agency head in managing the employees and resources of an agency." The authority cited for the Partnership in Education (PIE) Program is a 1983 Presidential Proclamation.
- NUREG/BR-0104 and an "NRC School Volunteers Program Handbook" discuss NRC's school volunteers program. These documents note that:
  - A formal partnership between NRC and the Montgomery County Public Schools (MCPS) was established in 1986.
  - The major volunteer thrust has been with MCPS because the largest concentration of NRC employees is located in Montgomery County. However, volunteers participate throughout the Washington metropolitan area.
  - The school volunteer program is an extension of NRC's participation in the national PIE Program inaugurated in 1983 and the National Service Act of 1990. Federal employees are encouraged to become involved in partnership programs to improve the quality of education in America. An Executive Order of 10/13/83 launched the PIE program.

- School assignments are made by NRC's OPA based upon the interest and needs of participating schools.
- NRC Chairman and the superintendent of the MCPS have signed agreements renewing commitments to work together.
- Mindy Landau, school volunteer program coordinator, OPA, advised us of the following information regarding the MEC:
  - MEC is a nonprofit organization which maintains a database of volunteer experts that the schools can call upon to be speakers, tutors, consultants, or mentors. NRC employees are part of the database. NRC's financial support is necessary for NRC employees to be included in the database and for NRC to have access to the database. Therefore, supporting the MEC enhances NRC's school volunteer program.
  - Other Federal agencies, including NIST and NIH, are members of MEC.
  - Other local jurisdictions do not have organizations similar to MEC.
- NRC Management Directive 9.11, "Organization and Functions, Office of Public Affairs," states the following:
  - The Director, OPA, reports to the Chairman.
  - OPA develops and administers public information programs for: providing information on NRC; providing speakers in response to requests from the public; and providing workshops, seminars and lectures for use by organizations such as civic groups and educational institutions.
  - The OPA Director is authorized "to take any actions necessary to carry out the functions assigned" to OPA.
  - The OPA Director may redelegate in writing to others the authority delegated to the director.
- The NRC Form 30 indicates that the MEC membership will make the school volunteer program more effective and that the program is endorsed by the Commission.

### Conclusion

Given the above information, NRC funds may be used to pay for the membership in MEC provided that the Director, OPA, or his designee indicates approval on the NRC Form 30.

cc: P. Rabideau, OC/DBA  
 J. Evans, OC/DBA  
 BFE 1.3.5

REQUESTION NUMBER <b>70000058</b>	PURCHASE ORDER NUMBER: <b>DR-00-0070</b>	QUOTE TYPE	
DATE QUOTE POSTED (PCN 87 01)		WRITTEN	<input checked="" type="checkbox"/> ORAL
		DATE QUOTE REQUESTED <b>12-29-99</b>	

### QUOTATION FOR SMALL PURCHASES

**NOTICE TO BUSINESS**

OTHER THAN FULL AND OPEN COMPETITION

REASONABLE EXPECTATION OF RECEIVING AT LEAST TWO RESPONSIBLE AND RELIABLE OFFERS

NOT REQUIRED

**2. APPROVAL OTHER THAN FULL AND OPEN COMPETITION**

Over \$2,500 by Branch Chief

\$10,000 AND ABOVE BY COMPETITION ADVOCATE

NOT REQUIRED

**3. AVAILABILITY**

AGENCY INVENTORIES

EXCESS OTHER AGENCIES

FEDERAL PRISON IND

BLIND/HANDICAPPED

GSA

FSS GROUPS CHECKED

EXPIRATION DATE

MANDATORY NON MANDATORY

OPEN MARKET

BLANKET PURCHASE AGREEMENT (BPA)

**5. SPECIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION**

N/A Micro-purchase

**6. BASIS OF "FAIR AND REASONABLE" PRICE IF ONLY ONE QUOTE RECEIVED**

Rate is fair & reasonable. Low rate charged as last year.

**7. SPECIFICATION FOR OTHER THAN SMALL BUSINESS PURCHASE**

N/A

**7 OFFERORS**

1

Montgomery County Education Connection  
Jane Bergushofsky  
301-279-3700 Fax (301) 279-3815

2

3

ARTICLE OR SERVICE(S)	QUANTITY	UNIT OF ISSUE	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
Membership Contribution to NRC's Annual Support of the "Montgomery Education Connection" as part of NRC's School Volunteers Program				\$1,500 --				
Period of Performance: 1/1/00 - 12/31/01								

**APPROVAL OF OTHER THAN FULL AND OPEN COMPETITION**

Contracting Officer

DATE

**TOTAL PRICE** \$1,500 --

**TERMS** Net 70

**DELIVERY JOB** Destructive

**DELIVERY TIME** as stated

**DELIVERY SIZE/TYPE** educational/ Max Profit

TO BE FILLED IN BY DATA ENTRY:

Requisition Number: 70000058 Region/Office OIA

Requestor Sandra M 1/24/99

Date Initiated: 12/2/99

Date Received: 12/7/99

Date Assigned: 12/2/99

Agent: William M

Amount of funds certified: 1500.00

Complexity (Please circle one) (1) 2 3

Buy Type -- Please check one:

- Services/Technical Assistance (with Statement of Work)
- Services/IT
- Services/Other
- Supply/IT
- Supply/Other

Description: 7th School Volunteer program

TO BE FILLED IN BY PROCUREMENT SPECIALIST/AGENT:

Date Quotes Requested 12/21/99

Number Quotes Requested: 1

Date Awarded 12/20/99

Date Canceled:   /  /  

PO or BPA Number: D2-00-0070

Mod Number:   

Award Amount \$ 1,500 - SIC 8699

Vendor Name: The Montgomery Education Connection

Vendor Telephone Number: ( ) 301-553-0868

Solicitation Procedures -- Please check one:

- Multiple Award Schedule
- Noncompetitive
- Competitive
- Federal Supply Service
- GWAC

Type of Contractor -- Please check one:

- Large Business
- Other Nonprofit Organization
- Other Small Business
- Small Disadvantaged Business
- Javits Wagner O'Day nonprofit agency
- Government

Bankcard Used - Check if applicable

Reason for not using Bankcard - check one if applicable

- Over 30 day delivery
- Vendor does not accept VISA
- SOW or evaluation criteria required
- Yearly order with monthly payments
- Over single purchase limit
- Other

Kind of Contract Action - Please check one:

- BPA calls
- Mod to PO
- Order under multiple award schedule contract
- Order/mod under federal schedule
- New PO
- Order under another Federal Agency's contract

Preference Program - Please check all that apply:

- Woman-Owned
- 8(a) Contractor
- Directed to JWOD Nonprofit Agency
- Small Business Set-Aside
- Small Disadvantaged Business Set-Aside

Other Reporting - Please check all that apply:

- IRS Reporting (Indiv/Partner)
- Tariff or Regulated
- Advisory Services
- Security Classification
- Government Owned Property (Must be completed if purchased property/equipment is "sensitive" or valued at \$300 or more)