

The purpose of this amendment is to clarify the RFP pertaining to Foreign Ownership, Control, or Influence (FOCI). In order to facilitate the FOCI process, information will be obtained from all offerors. This information will be used for the purpose of FOCI review only.

1. Reference Section L.16 “Proposal Preparation Instructions – Volume I – Offer”, the following general instructions pertaining to FOCI are added as follows:

“(r) FOCI General Instructions:

1. As a part of the Foreign Ownership, Control, or Influence (FOCI) documentation process, in addition to completing the SF-328 form provided in the RFP and following the instructions provided in Section I, Clause I.112 “Facility Clearance”, the information in the following additional documents which include: “FOCI Data Sheet”, “Owners, Officer, Directors, and Executive Personnel (OODPEP)” form, and “Representative for Foreign Interest Statement (RFI)” shall be provided.
2. The forms/information shall be completed by a representative of the entity making the offer and also by each joint venture member, LLC member, and Major Subcontractor.
3. Consistent with the requirements of RFP, Section I, Clause I.112, the entity making the offer, each joint venture member, each LLC member, and each Major Subcontractor who have either a Department of Defense or a Department of Energy Facility Clearance do not need to resubmit the following foreign ownership information unless specifically requested to do so. Instead, they shall provide its DOE facility Clearance code or its DOD assigned commercial and government entity (CAGE) code. If uncertain, consult the office which issued this solicitation.
4. The forms/information should be sent via mail to the following address by 4:00 PM EST, **April 13, 2004. NO OTHER INFORMATION SHALL BE SUBMITTED OR ACCEPTED.** The forms/information requested are to facilitate the FOCI process only. The forms/information can be hand delivered only and submitted with the proposal if the offeror is able to obtain the forms/information before March 30, 2004.

U.S. Department of Energy
Portsmouth Paducah Project Office
43 New Garver Rd., Suite B
Monroe, OH. 45050-1434

5. Completion of the “FOCI Data Sheet” (Attachment 1)
 - a. The entity making the offer, each joint venture member, each LLC member, and each Major Subcontractor shall provide its company name at the top of the sheet.

- b. The entity making the offer, each joint venture member, each LLC member, and each Major Subcontractor shall provide the information listed under “*Documents common to ALL business structures.*”
 - c. The entity making the offer, each joint venture member, each LLC member, and each Major Subcontractor shall provide the additional documents listed, as appropriate to the type of business arrangement of the offeror (i.e. publicly traded corporations shall provide in addition to the *Documents common to ALL business structures*, the documents listed under “*PUBLICILY TRADED CORPORATIONS*”).
 - d. **For newly formed “*Limited Liability Company*”**
If audited financial information for most recent fiscal year is not available, offerors are instructed to: provide a signed statement from the Chief Financial Officer or Treasurer that no such information is available. If selected as the successful offeror, for two years following contract award audited financial information shall be provided to DOE for the purpose of FOCI review.
 - e. The entity making the offer, each joint venture member, each LLC member, and each Major Subcontractor are instructed to place a check mark on the FOCI Data Sheet in the space provided on the right hand column of the page, to indicate the documents it is providing and place no other marks on the form.
6. Completion of the “Owners, Officer, Directors, and Executive Personnel (OODPE)” form. (Attachment 2)
 - a. The entity making the offer, each joint venture member, each LLC member, and each Major Subcontractor are instructed to complete the form and sign and date the completed form.
 - b. If additional space is required depending upon the number(s) of individuals listed as OODEPs, provide additional copies of the form, completed in full, as necessary.
 - c. Provide the company’s previous name/address changes as appropriate using the “Company’s Principle Executive Office” form.
7. Completion of the “Representative for Foreign Interest Statement (RFI).” (Attachment 3)

Complete the form using the instructions provided on the form. Sign and date the completed form.
8. The entity making the offer, each joint venture member, each LLC member, and each Major Subcontractor shall provide its Internet Web Site and/or E-mail address (if applicable) on a separate sheet.
9. The entity making the offer, each joint venture member, each LLC member, and each Major Subcontractor shall indicate the contract/site its proposal is intended for.”