

MEMORANDUM AGREEMENT
(work performed by the Laboratory for the Campus)

Between the University of California System
and the Lawrence Berkeley National Laboratory
for Advanced Light Source ("ALS") User Services

This Memorandum Agreement (hereinafter called "Agreement") is entered into by and between the University of California, Office of the President, on behalf of the University of California System (hereinafter called "OP") and the Lawrence Berkeley National Laboratory (hereinafter called "Laboratory"), both of which are governed by The Regents of the University of California for Advanced Light Source ("ALS") User Services.

The Regents of the University of California manage and operate the Laboratory for the U.S. Department of Energy and are obligated to comply with the terms and conditions of its Prime Contract No. DE-AC03-76SF00098 with the United States Government (hereinafter called "Government") represented by the United States Department of Energy (hereinafter called "DOE") when providing goods, services, products, processes, materials, or information to OP under this Agreement.

The Parties mutually agree to the following terms and conditions:

I. SCOPE OF WORK

The service to be provided under this Agreement shall be Advanced Light Source Approved Beamline Experiments. The Scope of Work may be modified by mutual agreement of the Parties to this Agreement.

II. PERIOD OF PERFORMANCE

This Agreement will be effective as of the latter date of (1) the date on which it is signed by the last of the Parties hereto or (2) the date on which it is approved by DOE, if required. Laboratory shall inform OP of actual start date of Work. The end date shall be five (5) years after the effective date of this Agreement.

Except as necessary to comply with any reporting and close-out procedures, Laboratory shall discontinue performance of work on the end date cited above unless OP extends the period of performance by written notice to Laboratory, as agreed upon by both parties in accordance with Article V, Amendments.

III. AMOUNT OF AWARD

The use of the Advanced Light Source is at no charge for non-proprietary Users who have been allocated beamline time by ALS. This Agreement does not cover experiments where supplies and/or materials are required to be provided by the Laboratory. For this type of experiment, Campus and Laboratory Contract Officers may be required to enter into a Memorandum Agreement

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or the User may be able to utilize a Laboratory Miscellaneous Invoice procedure. For information, User is advised to contact the Advanced Light Source directly at:

ALS User Services Office
Advanced Light Source
Lawrence Berkeley National Laboratory
MS 6-2100
Berkeley, CA. 94720
Tel: (510) 486-7745
Fax: (510) 486-4773
Email: alsuser@lbl.gov

Or Access: <http://www-als.lbl.gov> and review "Becoming an ALS User."

IV. FISCAL AND ADMINISTRATIVE STANDARDS

Allowable costs and administration shall be governed by standards set forth in Laboratory DOE Prime Contract No. DE-AC03-76SF00098 between the DOE and The Regents of University of California, this Agreement, and ALS guidelines, in that order of precedence.

V. AMENDMENTS

All amendments or modifications to this Agreement shall be in writing signed by the authorized Contracts Officers in Article VII. and shall be by mutual consent of the Parties.

VI. TERMINATION

This Agreement may be terminated without cause by either party upon 30 days prior written notice to the other Party.

VII. AUTHORIZED PERSONNEL

The following individuals are authorized to negotiate, modify, or terminate this Agreement:

For Laboratory: Nancy Saxer, Contracts Officer

For University of California System: Samuela A. Evans, Contract and Grant Officer

VIII. GENERAL PROVISIONS

The document "Work for UC Campuses by UC National Laboratories General Provisions," dated 11/99, is incorporated herein by reference and is modified by the following:.

General Provision Article 4, "General Indemnity": is is not applicable.

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XII. SPECIAL PROVISIONS

Laboratory Site Access: As a precondition to using the ALS facility, Users must complete all ALS Site Access documents. Users must comply with all applicable safety, health, access to information, security, and environmental requirements of ALS.

XIII. ACKNOWLEDGMENT

The Parties to this Memorandum Agreement hereby acknowledge concurrence with the Scope of Work and other administrative matters herein.

AUTHORIZED: University of California

By: Samuela A. Evans
Samuela A. Evans

Title: Contract and Grant Officer

Date: 6/18/04

ACCEPTED: Lawrence Berkeley National Laboratory

By: Nancy Saxer
Nancy Saxer

Title: Contracts Officer

Date: 6/24/04