



# Doing Business with Lawrence Berkeley National Laboratory

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# Preface

The Lawrence Berkeley National Lab (Berkeley Lab) is a member of the national laboratory system supported by the U.S. Department of Energy through its Office of Science. It is managed by the University of California (UC) and is charged with conducting unclassified research across a wide range of scientific disciplines. Located on a 200-acre site in the hills above the UC Berkeley campus that offers spectacular views of the San Francisco Bay, Berkeley Lab employs over 4,000 scientists, engineers, support staff and students.

At Berkeley Lab we realize the strategic importance and value of our suppliers as contributing to our overall success. The *Doing Business with Lawrence Berkeley National Laboratory* documents the standards, guidelines and expectations for establishing and maintaining a supplier relationship with Berkeley Lab. Berkeley Lab works within standards set by various regulatory commissions and is committed to engaging with suppliers who share a similar dedication to conducting business in a legal and ethical manner. We also view our commitment to social responsibility and environmental programs not only as an operating priority, but as key to helping preserve and enhance our communities and our world for future generations. As an extension of our business, we have the same expectations of our suppliers.

Information contained in these guidelines will provide information and insight related to Berkeley Lab in:

- Awareness and compliance to standards in policies and procedures
- Expectations of business integrity
- Understanding of the competitive bidding process
- Guidelines in visiting Berkeley Lab
- Supplier responsibility and environmental programs

## Procurement & Property Management Mission

To be a trusted partner providing exceptional procurement solutions contributing to science that changes the world.

## Procurement & Property Management Vision

To provide effective and efficient procurement services and solutions to the Laboratory while sustaining the highest level of stewardship.

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## 1. STANDARD PROCEDURES

Procurement & Property Management (Procurement) services are centralized in the Office of the Chief Financial Officer under the direction of the Chief Financial Officer. Procurement is the delegated, centralized procurement function for goods and services. The policies under which Procurement function are established by Standard Practices under the authorization of the Procurement & Property Management Manager. These policies are intended to serve as a general guide to the procedures employed in daily operations.

Berkeley Lab purchasing practices are carefully monitored by the University of California and the Department of Energy.

## 2. WHAT WE BUY

Procurement supports the diverse needs of the Berkeley Lab necessary for the Laboratory to fulfill its scientific mission. Common types of goods or services include:

- Office Supplies
- Laboratory Supplies
- Computer Hardware & Software
- Furniture
- Building Materials
- Chemicals
- Construction Services
- Consultant Services
- Electronic Equipment
- Fabrication Products
- Laboratory Equipment
- Building Services
- Research & Development Services
- Telecommunication Services
- Safety Equipment

## 3. HOW TO CONTACT PROCUREMENT

The Purchasing Department location is 6401 Hollis Street, Suite 175, Emeryville, CA 94608. Our office hours are Monday through Friday from 8:00 a.m. to 5:00 p.m. Appointments are necessary to insure that the appropriate procurement specialist is available. Please see the [Contact Us website](#) for details.

## 4. PROCUREMENT METHODS

Procurement handles purchasing requests for all departments at Berkeley Lab. To make the department purchasing experience as economic and efficient as possible, there are the following purchasing options:

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### Ecommerce (eBuy)

eBuy is Berkeley Lab's online catalog and ordering solution for purchase of commercial off the shelf goods. eBuy allows users have direct access to controlled supplier catalogs for convenient online ordering. Suppliers participating in eBuy must be small businesses, or partner with a small business supplier. Suppliers must also fit the strategy of the program and competitively bid for the opportunity. Suppliers on eBuy have Laboratory-wide visibility to all departments and are recommended as preferred suppliers. To learn more about eBuy, please visit the [eBuy section](#) of the Procurement & Property website.

### Division Purchasing Card (PCard)

For unique items not found in the eBuy online catalog, the Division PCard program is designed to provide an efficient means of making small, routine purchases and payments. Cardholders must be approved and there are use restrictions, such as dollar limits and commodity/service exclusions. To learn more about PCard, please visit the [PCard section](#) of the Procurement & Property website.

### Purchase Orders (ePro)

Berkeley Lab purchase orders may be issued as a result of a proposal or bid, or on a direct order basis if the transaction is not required to be competitively bid. Each purchase order (PO) provides a link to Berkeley Lab's standard terms and conditions governing the transaction, as well as the requirements of the specific transaction. To learn more about ePro and our competitive bidding requirements, please visit the [Make a Purchase](#) section of the Procurement & Property website.

## 5. STRATEGIC SOURCING

Procurement uses a proven strategic sourcing methodology that includes cross functional teams, detailed requirements, market research, competitive bidding when appropriate and standards for quality and performance. Supplier selections are consistently made based on best overall value, service level performance, product quality, supplier responsibility programs, and delivery capability.

During a formal sourcing event, only invited suppliers are allowed to participate. Invited suppliers must adhere to the sourcing process guidelines as outlined in the bid documentation. Suppliers not adhering to these procedures will result in the supplier being ineligible from participating in bids.

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## 6. SUPPLIER'S PROPOSAL TO PERFORM SERVICES

If you are invited to participate in a competitive sourcing event, proposals must be submitted in accordance with the requirements established in the bidding documents. Suppliers' proposals may include information such as:

- Contact information and their assigned Account Manager for Berkeley Lab
- A detailed description of the project objectives, the expected results from the project or solution
- A description of the goods and services, the methodology and deliverables
- The deliverable time line with key milestone dates indicated
- The price of the goods or services

Procurement may require additional terms and conditions and has the sole discretion to select the manner in which the engagement will be documented. Procurement may require a statement of work be signed by both parties. In many cases the statement of work will be included as part of the contract or purchase order. By request, suppliers may be asked to meet to review performance and discuss issues relating to compliance with the statement of work performance standards.

## 7. AUTHORIZATION TO BEGIN WORK

A purchase order and/or a valid contract are the authorization to begin work unless the transaction is specifically exempt. No supplier may begin work on a project or ship goods to a Berkeley Lab facility prior to receipt of a valid purchase order and/or contract. No employee outside of Procurement is recognized to act as an authorized agent for acquisition of goods or services. Procurement does not guarantee payment for any portion of work completed without a purchase order or contract.

## 8. BUSINESS INTEGRITY

Berkeley Lab is subject to and strives to achieve the ethical values and standards introduced by the President and the Chairman of the Board of Regents of the University of California in October 2005. The University of California Statement of Ethical Values was developed to reinforce and enhance our commitment to an ethical way of doing business. This not only applies to all Berkeley Lab employees and directors, but also those who provide goods and services and with whom we have an on-going relationship.

Berkeley Lab employees are obligated to comply with all applicable provisions of the University of California Statement of Ethical Values, including the following concepts relating to supplier relationships:

- Berkeley Lab expects our suppliers to act ethically and comply with the laws that apply to their businesses. Our suppliers should establish and adhere to their own high standards of business conduct.
- Berkeley Lab does not allow suppliers to induce our employees to violate this Code. Similarly, Berkeley Lab does not try to influence suppliers to violate our standards or their own standards of proper business conduct.

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- Berkeley Lab must never engage in any unethical or illegal conduct with our suppliers. We do not accept inappropriate gifts, entertainment, kickbacks, or bribes as incentives for conducting business with them. Unless expressly authorized to do so, Berkeley Lab does not share our confidential and proprietary information with suppliers, or disclose their confidential and proprietary information to others.
  - Berkeley Lab does not participate in any activities with our suppliers that would give one supplier an unfair advantage or preferential treatment over other suppliers.

As such, suppliers, consultants, and supplemental personnel are expected to adhere to any applicable provisions of the Code. Please

visit [http://www.ucop.edu/ucophome/coordrev/policy/Stmt\\_Stds\\_Ethics.pdf](http://www.ucop.edu/ucophome/coordrev/policy/Stmt_Stds_Ethics.pdf) to view the full University of California Statement of Ethical Values.

## 9. SALES PRACTICES

Procurement employees should be able to work without interference from supplier's employees whose purpose is not related to Berkeley Lab business. Accordingly, a supplier may not take advantage of access granted to company premises to solicit additional business, to distribute literature or other materials, or to engage in any business not directly related to the project or assignment for which the supplier was engaged.

Suppliers are expected to conduct business fairly, honestly and straightforwardly. Sales techniques to evade the proper channels or to gain information for an advantage are strictly prohibited. Such examples include:

- Competitor information - asking for the names of competing suppliers or information regarding their pricing, product, or other areas of their business
- Circumventing procurement channels - knowingly bypassing appropriate channels and convincing an individual to purchase the product or service
- Request for project information - requesting information such as internal timelines, budgets, and information relating to the sourcing strategy
- Providing less than favorable pricing when the goods or services are being procured as a direct award
- Delivering goods or services before a contract has been signed

## 10. USE OF SUBCONTRACTORS

Subcontractors working for suppliers with Procurement purchased goods or services are held to the same standards of conduct as the primary supplier. As such, the primary supplier is considered the responsible party and will be held accountable for its subcontractors.

## 11. SUPPLIER VISITS TO BERKELEY LAB

Suppliers may visit individual departments without registering through the Procurement Department. Suppliers visiting Berkeley Lab sites must have proper identification and be accompanied at all times by a Berkeley Lab representative.

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If visiting the Berkeley Lab main campus, a visitor pass is required. The hosting Berkeley Lab representative will need to make arrangements for a visitor gate pass.

If visiting the satellite campus, a pass may not be required. Please check with the hosting Berkeley Lab representative for building entry requirements.

## 12. SUPPLIER LOCATION VISITS

Procurement's aim is to minimize the burden placed on suppliers as part of supplier evaluations. However, suppliers may be asked to provide information like completing questionnaires and accepting site visits, especially when major engagements and/or products or services that are critical are involved. As part of the site visit, members of the Berkeley Lab team may request to meet with the supplier leadership and staff to discuss joint goals and to learn more about various functions and technologies at the supplier's organization.

## 13. SMALL BUSINESS PROGRAM

At Berkeley Lab, we believe in continuous improvement and strive to build upon our long-standing commitment to local and small businesses. By enhancing our program tools, processes, and communications, we have made contracting with small businesses an integral and standard part of the way we do business. We value both strengthening existing programs and processes, as well as seeking new ways to be successful in helping small business and diverse suppliers develop the capabilities to make them even more valuable to their customers, including Berkeley Lab. To learn more about our Small Business Program, please visit the Procurement & Property [Small Business Program](#) website.

### SAM Registration

Laboratory suppliers are required to be registered in the [GSA System for Award Management](#) (SAM) database for the duration of their valid purchase order and/or contract. Suppliers who are not registered or have not maintained an active registration prior to award of a Laboratory valid purchase order and/or contract will have 30 days to do so. Once completed, the registration takes 48 to 72 hours to process and will be valid for one year. SAM Registration is free - all prospective suppliers are urged to register. A [DUNS number](#) is required to complete the registration. Follow these [instructions](#) to register. If further assistance is required, visit the [Federal Service Desk](#) or call [866-606-8220](#).

## 14. SUPPLIER RESPONSIBILITY PROGRAMS

Berkeley Lab is committed to complying with or exceeding environmental regulations wherever we operate. As Berkeley Lab grows, our environmental, health and safety programs continue to expand. We encourage our suppliers to institute targeted and environmental programs that utilize the best available techniques and practices to achieve sustainability and corporate social responsibility at all levels, and to strive to continuously improve their performance.



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## **Safety**

Berkeley Lab will only consider, select, and conduct business with those suppliers who can demonstrate the same degree of concern for safety and are able to provide a safe and healthy working environment that complies with occupational health, safety laws, standards, policies and practices. Berkeley Lab expects its suppliers to maintain a safety program addressing common knowledge about typical health and safety risks for their industry and practice systematic reviews for continuous improvement of the working environment. Berkeley Lab further expects its supplier to identify and assess emergency situations affecting the workplace and shall minimize potentially adverse consequences by implementing and maintaining effective emergency plans and response procedures.

## **Sustainable Procurement**

Our mission is to contribute to global environment conservation with our suppliers by promoting eco-conscious procurement activities. We ask our suppliers to continue to support and cooperate with our green procurement initiatives by establishing an environmental management system and ensure comprehensive chemical substance management as well as expedite the reduction of greenhouse gas (GHG) emissions, resource recycling and conservation of biodiversity. Berkeley Lab's environmental requirements are listed in our General Provisions. To learn more about our Sustainable Procurement Program, please visit the [Sustainable Procurement](#) website.