


AWARD/CONTRACT		1. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 700)			RATING	PAGE OF PAGES 1 6	
2. CONTRACT (Proc. Inst. Ident.) NO. W911NF-16-1-0550		3. EFFECTIVE DATE 26 Aug 2016		4. REQUISITION/PURCHASE REQUEST/PROJECT NO. 0010918116			
5. ISSUED BY US ARMY ACC-APG-RTP W911NF 800 PARK OFFICE DRIVE SUITE 4229 RESEARCH TRIANGLE PARK NC 27709		CODE W911NF	6. ADMINISTERED BY (If other than Item 5) ONRRO SAN DIEGO 140 SYLVESTER ROAD BLDG 140 ROOM 218 SAN DIEGO CA 92106-3521			CODE N66018	
7. NAME AND ADDRESS OF CONTRACTOR (No., street, city, county, state and zip code) UNIVERSITY OF TEXAS AT EL PASO 500 W UNIVERSITY AVE EL PASO TX 79968-0001				8. DELIVERY [] FOB ORIGIN [X] OTHER (See below)			
				9. DISCOUNT FOR PROMPT PAYMENT Net 30 Days			
				10. SUBMIT INVOICES 1 (4 copies unless otherwise specified) TO THE ADDRESS SHOWN IN:		ITEM Block 6	
CODE OMLB3		FACILITY CODE		12. PAYMENT WILL BE MADE BY DFAS INDIANAPOLIS-GFEBS 8899 EAST 56TH STREET DEPT. 3800 INDIANAPOLIS IN 46249-3800			
11. SHIP TO/MARK FOR W262 PROP BK ACCT DURHAM W262 PROP BK ACCT DURHAM PO BOX 12211 RES TRIANGLE PARK NC 27709-2211		CODE W36QYT	12. PAYMENT WILL BE MADE BY DFAS INDIANAPOLIS-GFEBS 8899 EAST 56TH STREET DEPT. 3800 INDIANAPOLIS IN 46249-3800			CODE HQ490	
13. AUTHORITY FOR USING OTHER THAN FULL AND OPEN COMPETITION: [] 10 U.S.C. 2304(c)() [] 41 U.S.C. 253(c)()				14. ACCOUNTING AND APPROPRIATION DATA See Schedule			
15A. ITEM NO.	15B. SUPPLIES/ SERVICES		15C. QUANTITY	15D. UNIT	15E. UNIT PRICE	15F. AMOUNT	
SEE SCHEDULE							
15G. TOTAL AMOUNT OF CONTRACT						\$404,514.00	
16. TABLE OF CONTENTS							
(X)	SEC.	DESCRIPTION	PAGE(S)	(X)	SEC.	DESCRIPTION	PAGE(S)
PART I - THE SCHEDULE				PART II - CONTRACT CLAUSES			
X	A	SOLICITATION/ CONTRACT FORM	1	I	CONTRACT CLAUSES		
X	B	SUPPLIES OR SERVICES AND PRICES/ COSTS	2	PART III - LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACH.			
	C	DESCRIPTION/ SPECS./ WORK STATEMENT		J	LIST OF ATTACHMENTS		
	D	PACKAGING AND MARKING		PART IV - REPRESENTATIONS AND INSTRUCTIONS			
	E	INSPECTION AND ACCEPTANCE		K	REPRESENTATIONS, CERTIFICATIONS AND OTHER STATEMENTS OF OFFERORS		
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X	G	CONTRACT ADMINISTRATION DATA	3 - 6	L	INSTRS., CONDS., AND NOTICES TO OFFERORS		
	H	SPECIAL CONTRACT REQUIREMENTS		M	EVALUATION FACTORS FOR AWARD		
CONTRACTING OFFICER WILL COMPLETE ITEM 17 (SEALED-BID OR NEGOTIATED PROCUREMENT) OR 18 (SEALED-BID PROCUREMENT) AS APPLICABLE							
17. [] CONTRACTOR'S NEGOTIATED AGREEMENT (Contractor is required to sign this document and return copies to issuing office.) Contractor agrees to furnish and deliver all items or perform all the services set forth or otherwise identified above and on any continuation sheets for the consideration stated herein. The rights and obligations of the parties to this contract shall be subject to and governed by the following documents: (a) this award/contract, (b) the solicitation, if any, and (c) such provisions, representations, certifications, and specifications, as are attached or incorporated by reference herein. (Attachments are listed herein.)				18. [X] SEALED-BID AWARD (Contractor is not required to sign this document.) Your bid on Solicitation Number _____ REF: BAA: W911NF-15-R-0025 (REP) including the additions or changes made by you which additions or changes are set forth in full above, is hereby accepted as to the terms listed above and on any continuation sheets. This award consummates the contract which consists of the following documents: (a) the Government's solicitation and your bid, and (b) this award/contract. No further contractual document is necessary. (Block 18 should be checked only when awarding a sealed-bid contract.)			
19A. NAME AND TITLE OF SIGNER (Type or print)				20A. NAME OF CONTRACTING OFFICER BARRY D. COVERT / CONTRACTING/GRANTS OFFICER TEL: (919) 549-4301 EMAIL: barry.d.covert.civ@mail.mil			
19B. NAME OF CONTRACTOR		19C. DATE SIGNED		20B. UNITED STATES OF AMERICA		20C. DATE SIGNED	
BY _____ (Signature of person authorized to sign)				BY  (Signature of Contracting Officer)		26-Aug-2016	

Section B - Supplies or Services and Prices

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0001	Base Award--COST Proposal: 68846-EL-REP FOB: Destination PURCHASE REQUEST NUMBER: 0010918116	1	Each	\$404,514.00	\$404,514.00
	ACRN AA CIN: GFEB001091811600001			ESTIMATED COST	\$404,514.00

Section G - Contract Administration Data

ACCOUNTING AND APPROPRIATION DATA

AA: 097201520160400000110101101062550040495023R.0013853.1513.1 6100.9000021001
COST CODE: A60FJ
AMOUNT: \$404,514.00
CIN GFEBS001091811600001: \$404,514.00

GRANT PROVISIONS

This grant award supports the purchase of equipment identified in the Recipient's proposal titled, "Surface Characterization of Materials" dated 11 November 2015, which is incorporated by reference. The estimated cost of the equipment is set forth in the budget attached as Exhibit A.

Principal Investigator: Dr. Jorge Lopez (915) 747-7528 jorgelopez@utep.edu

Contact Information for Technical Matters

Grants Officer's Representative (GOR): Dr. Joe Qiu (919) 549-4297 joe.x.qiu.civ@mail.mil

Contact Information for Administrative Matters

Grants Specialist: Mr. Matthew R. Lynch (919) 549-4337, email: matthew.r.lynch.civ@mail.mil

Contracting Officer: Mr. William A. Creech, (919) 549-4387, email: william.a.creech3.civ@mail.mil

This grant is issued pursuant to the authority of 10 U.S.C. 2362

CFDA No.: 12.630

PERIOD OF PERFORMANCE: 01 September 2016 – 31 August 2017

AWARD AMOUNT: \$404,514

FUNDED AMOUNT: \$404,514

GENERAL TERMS AND CONDITIONS INCORPORATED BY REFERENCE

This award is governed by the guidance in 2 Code of Federal Regulations (CFR) part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," as modified and supplemented by the Department of Defense's (DoD) interim implementation found at 2 CFR part 1103, "Interim Grants and Cooperative Agreements Implementation of Guidance in 2 CFR part 200" (79 FR 76047, December 19, 2014), all of which are incorporated herein by reference.

ORDER OF PRECEDENCE

Any inconsistencies in the requirements of this award shall be resolved in the following order:

- Federal statutes
- Federal regulations
- 2 CFR part 200, as modified and supplemented by DoD's interim Implementation found in 2 CFR part 1103
- DoD R&D General Terms and Conditions dated JULY 2016
- ACC-APG-RTP Division Assistance, Research General Terms and Conditions dated AUGUST 2016, hereinafter referred to as "Agency Specific Requirements"
- Award-specific terms and conditions

The above terms and conditions are incorporated by reference with the same force and effect as if they were given in full text. The full text of the terms and conditions may be accessed at <http://www.aro.army.mil/forms/forms2.htm>.

In case of disagreement with any requirement of this award, the Recipient shall contact the administrative point of contact. The Recipient will not assess any costs to the award or accept any payments until the issue is resolved.

1. ACCEPTANCE OF GRANT: The Recipient is not required to countersign this award. However, the Recipient agrees to the conditions specified in this award unless written notice of disagreement is furnished to the Grants Officer within fifteen (15) calendar days after the Grants Officer's signature. In case of written disagreement, the Recipient will not assess any costs under this award until such disagreement is resolved.

2. PAYMENTS:

- A. Pursuant to the Debt Collection Improvement Act of 1996 (Public Law 104-134) and DOD Grant and Agreement Regulations (DODGARs) §22.810, it is a Government wide requirement to use electronic funds transfer (EFT) for the payment of any grant for which an application or proposal was submitted or renewed on or after July 26, 1996. This policy is mandatory unless the Recipient has obtained a waiver by submitting to the head of the pertinent Federal agency a certification that it has neither an account with a financial institution nor an authorized payment agent.
- B. Payments to the Recipient may be made by advanced payment and/or reimbursement. All payments will be made via funds transfer utilizing the Recipient's payment information obtained from the System for Award Management (SAM). Wide Area Work Flow (WAWF) has been designated as the Department of Defense (DoD) standard for electronic invoicing and payment. This process is facilitated by the Administrative Contracting Office in Block 6 of the SF 26.
- C. To comply with the DoD standard for electronic invoicing and payment, the Recipient should register in WAWF and have their CAGE Code activated. The Recipient's SAM Electronic Business (SAM EB) Point of Contact is responsible for activating the CAGE Code on WAWF by calling 1-866-618-5988. Once the Recipient is activated, the SAM EB will self-register on the WAWF (<https://wawf.eb.mil>) and follow the instructions for a group administrator.
- D. An alternate method of reimbursement is the submission of a SF 270, Request for Advance or Reimbursement. The Recipient shall submit requests for payment no more frequently than monthly and the

requests shall be submitted to the Administrative Contracting Office identified in Block 6 of the SF 26. Payment will be made by the payment office identified in Block 12 of the SF 26.

- E. Payment inquiries shall be made to the payment office identified in Block 12 of the SF 26. The toll free number is 1-800-756-4571.

3. ADMINISTRATION: This award is administered by the Grantor and the Administrative Contracting Office identified in Block 6 of the SF 26. See Agency Specific Requirements dated AUGUST 2016 titled "Delegation of Duties to Award Administration Office".

The only method by which this award may be modified is by a formal written modification signed by the Grants Officer. During the course of performance, the Grants Officer, in coordination with the GOR, will have approval authority for certain specific changes to this award including but not limited to:

- A. Changes in the scope or objective;
- B. Change in a key person specified in the proposal or award document;
- C. The absence for more than three months, or a 25% reduction in time devoted to the project, by the approved Project Director, Principal Investigator, or Recipient Program Manager;
- D. The need for additional federal funding under this award;
- E. The inclusion of direct costs that require prior approval under the applicable cost principles;
- F. A subaward to another entity to perform a portion of the substantive project under the award if it was not identified in the approved budget; and
- G. Any change in cost sharing or matching included in the approved budget

4. FUNDING INCREMENTS AND OPTIONS: The Grantor's obligation to provide funding for increments and/or options is pursuant to the Agency Specific Requirements titled "Options and Incremental Funding."

5. REPORTING REQUIREMENTS:

- A. FINANCIAL REPORTING: Federal Financial Report (SF 425): Annual and Final Reports Reporting period end dates fall on the end of the calendar year for annual reports (12/31) and the end date of the award for the final report. Annual reports are due 30 days after the reporting period end date, and the final report is due 90 days after the end date of the award.

All financial reports shall be submitted to the Administrative Contracting Office identified in Block 6 of the SF 26. Copies of the forms and instructions may be accessed at <http://www.aro.army.mil/forms/forms2.htm>.

- B. TECHNICAL REPORTING: For reporting requirements see EXHIBIT B.

6. UNOBLIGATED BALANCES AND LIMIT OF FEDERAL LIABILITY: The ARO does not consider this award to be a continuation of any previous project.

7. SPECIAL TERMS AND CONDITIONS:

- A. Substitute equipment having the same function, features, and capabilities as that specified in Exhibit A may be purchased without further authorization. Other equipment may not be substituted without first obtaining the written approval of the Grants Officer.
- B. Title to all equipment shall vest with the recipient.

8. PROHIBITION ON USING FUNDS UNDER GRANTS AND COOPERATIVE AGREEMENTS WITH ENTITIES THAT REQUIRE CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS.

- A. The recipient may not require its employees, contractors, or subrecipients seeking to report fraud, waste, or abuse to sign or comply with internal confidentiality agreements or statements prohibiting or otherwise restricting them from lawfully reporting that waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.
- B. The recipient must notify its employees, contractors, or subrecipients that the prohibitions and restrictions of any internal confidentiality agreements inconsistent with paragraph (a) of this award provision are no longer in effect.
- C. The prohibition in paragraph (a) of this award provision does not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.
- D. If the Government determines that the recipient is not in compliance with this award provision, it:
 1. Will prohibit the recipient's use of funds under this award, in accordance with section 743 of Division E of the Consolidated and Further Continuing Resolution Appropriations Act, 2015, (Pub. L. 113-235) or any successor provision of law; and
 2. May pursue other remedies available for the recipient's material failure to comply with award terms and conditions.

EXHIBIT A – Budget

EXHIBIT B – Reporting Requirements for Instrumentation Grants – A final report shall be submitted within 90 days following the end of the specified performance period, or any authorized extension thereto, listing all items of equipment actually acquired by name, manufacturer where possible, cost, and a description of any special circumstances regarding the acquisition of the equipment. The report will also include a concise summary of the research projects on which equipment has been or will be used, including support of (a) the research work described in the proposal and (b) other research work of interest to DoD.