

OAK RIDGE NATIONAL LABORATORY

MANAGED BY UT-BATTELLE FOR THE DEPARTMENT OF ENERGY

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TO ALL PROSPECTIVE RESPONDENTS:

Subject: Request For Information (RFI) No. 01-12/13/2012

UT-Battelle, LLC, is the Management and Operating Contractor of the Oak Ridge National Laboratory (ORNL) under prime contract DE-AC05-00OR22725 with the US Department of Energy (DOE) along with two other DOE laboratories: Argonne National Laboratory (ANL), and Lawrence Livermore National Laboratory (LLNL) are collaborating in the issuance of this Request for Information (RFI) process to deliver the next round of leadership and advanced technology systems by 2016-2017. The collaboration hereinafter referred to as (CORAL) is performing a market survey to evaluate obtaining products and services that are the subject of this RFI. Therefore, you are invited to submit a response to this RFI to provide the supplies and services outlined below. This RFI is for informational purposes only and may not necessarily result in a solicitation or award of a contract.

PROJECT: CORAL - NEXT GENERATION COMPUTER ACQUISITION

The purpose of this RFI is twofold. First, it is to provide CORAL with information for the creation of a request for proposal (RFP) for three system acquisitions between two winners. Second, it is to provide information useful in determining what, if any, non-recurring engineering (NRE) activities can be performed in conjunction with the acquisition of computer systems to make them more capable, higher performing, lower total cost of ownership, and/or more productive. NRE funds may be awarded as early as government FY2014.

Only entities who would be responsible for the delivery of a complete system (prime subcontractors) should respond to this RFI. Your written response should include written materials describing your answers to the questions in the attachment along with any other information deemed informative that will help us structure the RFP.

Additionally, responses may include proprietary information. Respondents should indicate on the fore page, and all subsequent pages of their response to this RFI, those sections, paragraphs, or areas which they consider to be proprietary or otherwise considered confidential. ANL, LLNL, ORNL and DOE assume no liability for disclosure or use of unmarked data, and may use or disclose such data for any purpose. Unless restricted, information submitted in response to this RFI and subsequently used for procurement purposes may become subject to public disclosure pursuant to the provisions of the "Freedom of Information Act."

Information provided to ORNL will be shared with ANL, LLNL, and DOE. The information provided may be discussed in any combination between ORNL, ANL, LLNL, and DOE.

Intellectual Property

It is anticipated that DOE will grant a class advance patent waiver for CORAL Next Generation Computer Acquisition. Upon receipt of the explicit language of the waiver, CORAL will incorporate this language in the upcoming request for proposal and the associated awards will include intellectual property provisions consistent with the waiver. In general, the waiver will allow an awardee that is a large business, and any first

tier subcontractor of that awardee, to assert copyright to its works of authorship and to elect title to its subject inventions without prior approval from the Government.

Cost sharing is a condition of the class advance patent waiver for a large business awardee. A large business must fund an amount still to be determined of the total price of performance under its subcontract to have the intellectual property provisions reflecting the class advance patent waiver language included in resultant subcontract(s).

A large business awardee that desires a lower cost share percentage or different terms than those granted in the class advance patent waiver will be required to negotiate directly with DOE. However, those negotiations would be time consuming and may not allow the DOE Laboratories to maintain their schedule. As a result, the DOE Laboratories may view the proposal less favorably than a proposal from another Offeror that is willing to cost share and accept the class advance patent waiver provisions as is.

Small businesses or non-profit entities that may be selected for award should note that the class advance patent waiver provisions for patents will not be included in a subcontract. By statute, a small business and non-profit may elect title to its subject inventions without prior approval from the Government.

Foreign owned or controlled awardees and proposed foreign owned or controlled subcontractors to an awardee at any tier will not be covered by the class advance patent waiver. These entities will be subject to the existing FAR and DEAR intellectual property requirements.

Any questions regarding the RFI must be sent to the undersigned by **January 23, 2013**. Questions will be consolidated and the answers will be posted at <http://www.csm.ornl.gov/CORAL-RFI/>. It is your responsibility to check this page for new information.

Responses to this RFI are due no later than 4:00 PM EST on or before **January 31, 2013**. Prime contractors may submit up to two responses to this RFI. If submitting more than one response, the systems described must be substantially different. Responses shall not exceed 50 pages, including all attachments.

Responses as well as questions about the RFI should be submitted electronically to William R. Besancenez at besancenezwr@ornl.gov. Please Reference: RFI No. 01-12/13/2012 on all transmittals related to this RFI.

Please note that all responses to this RFI will be nonbinding. Also, this RFI does not commit CORAL and or the Government to pay any cost for the preparation and submission of any information in response to this RFI.

Sincerely,

Attachment 1, Pre-Exascale Systems 2016-2017