

# **Understanding the Awards Process**

## **Reference Materials**

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SPO #: \_\_\_\_\_

**Award Review Checklist**

Analyst: \_\_\_\_\_

Review Dates: \_\_\_\_\_

Action: \_\_\_\_\_

This checklist outlines 15\* items identified below which will be required from the PI/Dept. Administrator for award/post-award processing. While processing an award/post-award transaction, the Sponsored Programs analyst will review all items listed below and request any of the (applicable) 15\* outstanding items from the PI/Dept. Administrator, as well as any documentation required by the sponsor and a final PI Concurrence, if negotiation of the terms is required.

	Item	REQ	REC	Notes
1*	Sponsored Programs Data Sheet completed and signed			
2*	Final Statement of Work			
3*	Budget and Budget Justification, including:			
	a. PI minimum effort (effort also noted on Data Sheet)			
	b. Appropriate indirect cost rate **ICR Exception: <input type="checkbox"/> Yes <input type="checkbox"/> No			
	c. Accurate calculations			
	d. Graduate student fees and non-resident tuition, if applicable			
	e. Subcontractor costs , if applicable			
	f. Allowable and allocable costs			
4*	Subcontractor information, if applicable			
5*	Form 105-A (PI Eligibility form), if applicable			
6*	Cost Share Certification, if applicable			
7*	IRB approval, if applicable			
8*	IACUC approval, if applicable			
9*	BUA approval, if rDNA or pathogenic agents			
10*	Form 700-U, if applicable – required at time of award			
11*	Form 800, if applicable – required at time of proposal, confirm at time of award			
12*	PHS-COI Disclosure & Training, if applicable - confirm both items are addressed and current at time of award for each identified Investigator			
13*	Approval to conduct stem cell research, if applicable			
14*	Approval for use of anatomical specimens, if applicable			
15	Sponsor/program-specific admin. req. (i.e. IDC Exception, FFATA, E-verify, Insurance Cert., Informed Participation, Export Control, etc.)			
16	<input type="checkbox"/> Terms Acceptable <input type="checkbox"/> Terms Unacceptable – negotiate with Sponsor			
17*	PI Concurrence, if applicable			

\*\* SPO will submit request for ICR exception approval

# UC Davis Conflict of Interest

## List of Sponsor Exceptions for the 700-U

Completion of the 700U Form **is not required** if the sponsor is listed in California Code of Regulations, Section 18755, subsection d(1) (<http://www.fppc.ca.gov/legal/regs/current/18755.pdf>)

*Note: Only the Principal Investigator (per [UC Davis PPM 230-05](#)) must complete and submit the **700-U Form**.*

### List as of November 12, 2013:

Alzheimer's Disease & Related Disorders Association  
American Academy of Dermatology  
American Academy of Pediatrics  
American Association for the Advancement of Science  
American Association for State & Local History  
American Association of Colleges of Pharmacy  
American Association of Obstetricians & Gynecologists  
American Association of Retired Persons  
American Cancer Society  
American Chemical Society  
American College of Obstetricians & Gynecologists  
American College of Radiology  
American Committee for the Weizmann Institute of Science  
American Council of Learned Societies  
American Diabetes Association  
American Foundation for Pharmaceutical Education  
American Fund for Dental Education, Inc.  
American Gastroenterologic Association  
American Health Assistance Foundation  
American Heart Association  
American Kidney Fund  
American Library Association  
American Liver Foundation  
American Lung Association  
American Lupus Society, The  
American Nurses Foundation  
American Parkinson Disease Association  
American Philological Association  
American Philosophical Society  
American Red Cross  
Amyotrophic Lateral Sclerosis Society of America  
Arthritis Foundation  
Asthma & Allergy Foundation of America  
Bush Foundation, The  
California Association for Neurologically Handicapped Children

California Division of the American Cancer Society  
California Heart Association  
California Lung Association  
Cargill Foundation  
Carnegie Corporation of New York  
Carnegie Foundation for the Advancement of Teaching  
Cerebral Palsy Foundation  
Chicago Community Trust, The  
Childs Memorial Fund, The Jane Coffin  
Christian Children's Fund  
Clark Foundation, The Edna McConnell  
Columbia Foundation  
Commonwealth Fund, The  
Cooley's Anemia Foundation  
Council on Library Resources  
Culpeper Foundation, Inc., Charles E.  
Cystic Fibrosis Foundation  
Deafness Research Foundation, The  
Donner Foundation, William H.  
Dover Fund, Inc.  
Dreyfus Foundation, Inc., The Camille & Henry  
Dreyfus Foundation, The Max & Victoria  
Dysautonomia Foundation  
Earhart Foundation  
Easter Seal Research Foundation  
Epilepsy Foundation of America  
Eye Research Institute of Retina Foundation  
Fight for Sight  
Ford Foundation, The  
Foundation for Child Development  
Fuller Fund, The Anna  
German Marshall Fund of the U.S.  
Giannini Foundation  
Grant Foundation, The William T.  
Guggenheim Foundation, H.F.  
Guggenheim Memorial Foundation, John Simon  
Haas Fund, The Walter & Elise  
Hartford Foundation, John A.  
Haynes Foundation, The John Randolph & Dora  
Hearst Foundation, William R.  
Hewlett Foundation, The William & Flora  
Institute for Educational Affairs  
International Research & Exchanges Board  
Japan Foundation  
Johnson Foundation, The Robert Wood  
Juvenile Diabetes Foundation  
Kade Foundation, Inc., The Max  
Kaiser Family Foundation, The Henry J.  
Keck Foundation, William M.  
Kellogg Foundation, W.K.  
Klingenstein Fund, The Esther & Joseph  
Knights Templar Eye Foundation  
Kresge Foundation, The

Kunstadter Family Foundation, The Albert  
Leakey Foundation, The L.S.B.  
Leukemia Society  
Levi Strauss Foundation  
Lilly Endowment, Inc.  
Luce Foundation, Inc., The Henry  
Lupus Foundation of America  
MacArthur Foundation, John D. & Catherine T.  
McKnight Foundation, The  
March of Dimes  
Markle Foundation, The John & Mary R.  
Mellon Foundation, The Andrew W.  
Mott Foundation, Charles Stewart  
Muscular Dystrophy Association  
Myasthenia Gravis Foundation  
National Academy of Sciences  
National Collegiate Athletic Association  
National Council of Teachers of English  
National Foundation for Ileitis & Colitis  
National Foundation for Infectious Diseases  
National Fund for Medical Education  
National Geographic Society  
National Head Injury Foundation  
National Hemophilia Foundation  
National Kidney Foundation  
National Leukemia Association  
National Migraine Foundation  
National Multiple Sclerosis Society  
National Research Council  
National Retinitis Pigmentosa Foundation  
National Society to  
Prevent Blindness  
National Sudden Infant Death Syndrome Foundation  
National Tuberos Sclerosis Association  
Northern California Society to Prevent Blindness  
Noves Foundation, Inc., Jessie Smith  
Organization for Tropical Studies  
Packard Foundation, The David & Lucille  
Paralyzed Veterans of America  
Pardee Foundation, Elsa U.  
Peierls Foundation, Inc., The  
Picker Foundation, James  
Population Council  
Presiding Bishop's Fund for World Relief  
Project HOPE  
Research Corporation  
Research to Prevent Blindness  
Resources for the Future, Inc.  
Retirement Research Foundation  
Richardson Foundation, Smith  
Rippel Foundation, Fannie E.  
Rockefeller Brothers Fund  
Rockefeller Foundation

Rosenberg Foundation  
Rubin Foundation, Inc., Samuel  
Runyon-Walter Winchell Cancer Fund, Damon  
Sage Foundation. Russell  
San Francisco Foundation  
Scaife Foundation, Inc., Sara  
Schiff Foundation  
Scottish Rite Schizophrenia Research Program  
Sherman Foundation, Nate H.  
Skaggs Foundation, L.J. & Mary C.  
Skin Cancer Foundation  
Sloan Foundation, Alfred P.  
Social Science Research Council  
Spencer Foundation, The  
Teagle Foundation  
Tinker Foundation, Inc., The  
Treadwell Foundation, Nora Eccles  
United Cerebral Palsy  
United Scleroderma Research Foundation  
U.S. Olympic Committee  
Webb Foundation, Del E.  
Weingart Foundation  
Wenner-Gren Foundation for Anthropological Research, Inc.  
Whitehall Foundation  
Whitney Foundation, the Helen Hay  
Wood Charitable Trust, W.P.  
Woods Hole Oceanographic Institution  
Zellerbach Family Fund



# Principles Regarding Future Research Results

<b>Responsible Officer:</b>	VP - Research & Graduate Studies
<b>Responsible Office:</b>	RG - Research & Graduate Studies
<b>Issuance Date:</b>	8/26/1999
<b>Effective Date:</b>	8/26/1999
<b>Scope:</b>	These principles shall apply to all University agreements with external parties that impact rights to University research results.

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## I. POLICY SUMMARY

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The Principles Regarding Rights to Future Research Results in University Agreements with External Parties establish the fundamental parameters for negotiating agreements with external parties to address rights and obligations associated with future University research results. This policy applies to any UC agreement with others that addresses future research results, whether that agreement is administratively managed as a contract or grant, a procurement, a sales and services contract, or is in another form.

Rights and obligations associated with future research results shall be based on the following principles:

1. Open Dissemination of Research Results and Information
2. Commitment to Students
3. Accessibility for Research Purposes
4. Public Benefit
5. Informed Participation
6. Legal Integrity and Consistency
7. Fair Consideration for University Research Results
8. Objective Decision-Making



## **II. DEFINITIONS**

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Not applicable

## **III. POLICY TEXT**

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### **Preamble**

This policy defines the core principles to be addressed in University agreements with external parties as to rights to future research results including patents, copyrights, tangible property, and data generated by the University community or through the use of University resources.

The University increasingly is called upon to participate in a broad spectrum of research relationships with governmental agencies, nonprofit foundations, and industry. Such relationships encompass traditional extramural research funding arrangements, research collaborations, multi-party research consortia, visits by others to University laboratories, student and faculty visits to external laboratories, and use of University equipment and facilities by others. Other University relationships with external parties, such as purchasing or real estate transactions, may also have implications for future University research results. Properly cast, all such relationships can help both the University and the external party advance their respective and mutual research interests.

Each University agreement with an external party must recognize the importance of managing the results of research to enhance the teaching and research programs of University faculty, researchers, students, and postdoctoral scholars. To ensure the long-term success of such relationships, agreements should acknowledge the participants' respective contributions, understanding that parties may have divergent interests in the results of research. Regarding technologies and other results arising from research they support, industry partners may rely upon strong patent or proprietary positions to gain competitive positions in the marketplace. The University has a commitment to make the fruits of its research widely available through publication and open distribution of research products. The University also seeks to protect the viability of its research programs, to foster open inquiry beyond the interests of any one research partner, and to recognize its fiduciary responsibility as the beneficiary of a publicly -funded research infrastructure.

## Principles

For University relationships with external parties to succeed, agreements must address the parties' interests in future research results through flexible application of fundamental principles to a broad range of specific circumstances. Rights and obligations associated with future research results shall be based on the following principles:

1. Open Dissemination of Research Results and Information

Agreements with external parties shall not abridge the ability of University researchers to disseminate their research methods and results in a timely manner. The most fundamental tenet of the University is the freedom to interpret and publish or otherwise disseminate research results in order to support the transfer of knowledge to others and maintain an open academic environment that fosters intellectual creativity.

2. Commitment to Students

Agreements for research relationships with external parties shall respect the University's primary commitment to the education of its students.

3. Accessibility for Research Purposes

Agreements with external parties shall ensure the ability of University researchers to utilize the results of their research to perform future research.

4. Public Benefit

Agreements with external parties shall support the ability of the University to make available for the public benefit in a diligent and timely manner any resulting innovations and works of authorship.

5. Informed Participation

All individuals involved in research governed by a University agreement with an external party shall have the right and responsibility to understand the rights and obligations related to future research results embodied within the agreement.

6. Legal Integrity and Consistency

Commitments concerning future research results made in agreements with external parties shall be consistent with all applicable laws and regulations and the University's contractual obligations to others.

7. Fair Consideration for University Research Results

Agreements with external parties shall provide fair consideration to the University and the general public for granting commercial access to future University research results.

8. Objective Decision-Making

When establishing or conducting University relationships with external parties, decisions made about rights to future research results shall be based upon legitimate institutional academic and business considerations and not upon matters related to the personal financial gain of any individual.

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#### **IV. COMPLIANCE / RESPONSIBILITIES**

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These principles shall apply to all University agreements with external parties that impact rights to University research results, whether such agreements are administratively managed as contracts and grants, as procurements, as sales and services contracts, or as other forms of agreement.

Although this Policy is applicable to the three Department of Energy National Laboratories, allocation of rights under various agreements at the Laboratories may be subject to overriding obligations of The Regents under DOE operating contracts.

**Responsibilities:**

The Provost and Executive Vice President-Academic Affairs shall develop appropriate delegations of authority, administrative guidelines, and accountability measures to support campus and Laboratory activity in this area.

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#### **V. PROCEDURES**

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University relationships with external parties are most efficiently established and managed by delegating appropriate authority to well-trained campus and Laboratory negotiators for development, negotiation, and execution of a broad range of tangible and intellectual property rights arrangements. Each such arrangement must be consistent with the provisions of this policy, but may be tailored specifically to particular circumstances. Since disposition of research results arising from such relationships is based on both University academic and business considerations, it is important that authorized University contracting personnel and University academic personnel together participate in and take responsibility for decisions concerning such arrangements.

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#### **VI. RELATED INFORMATION**

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Not applicable.

## **VII. FREQUENTLY ASKED QUESTIONS**

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Not applicable.

## **VIII. REVISION HISTORY**

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This policy was reformatted into the standard University of California policy template effective July 1, 2012.

No revisions since original date of issuance (August 26, 1999).

The Office of Management and Budget (OMB) has combined many federal circulars into a single guidance document (known as Uniform Guidance, or 2 CFR 200) that can be used by all agencies. These new regulations became effective December 26, 2014.

<p><b>CHARGING ADMINISTRATIVE/CLERICAL AND PROGRAMMATIC SALARY COSTS</b></p> <p>Applicable Uniform Guidance (UG) Sections: 200.413 200.430</p>	<p><b>ADMINISTRATIVE AND CLERICAL SALARIES (IN CERTAIN CIRCUMSTANCES) AND PROGRAMMATIC SALARY COSTS CAN BE INCLUDED ON COMPETITIVE AND NON-COMPETITIVE PROPOSAL BUDGETS.</b></p> <p><u>Administrative and Clerical Salaries</u> In general, administrative and clerical salaries should still not be direct charged, but the rules governing “major project or activity” exceptions have been dropped and replaced by the following criteria, all of which must be met:</p> <ol style="list-style-type: none"> <li>1. Administrative or clerical services are integral* to a project or activity;</li> <li>2. Individuals involved can be specifically identified with the project or activity;</li> <li>3. Such costs are explicitly included in the budget or have the prior written approval of the Federal awarding agency; and</li> <li>4. The costs are not also recovered as indirect costs.</li> </ol> <p>If all of these requirements are met, PIs/departments should add a new justification statement to proposals to facilitate the required agency approval.</p> <p>*UC Davis has determined that integral means the services are essential, vital, or fundamental to the project or activity and we have sponsor approval for spending direct costs in this manner.</p> <p><u>Programmatic Salary Costs</u> Costs related to protocol development and maintenance, managing substances/chemicals, managing and securing project-specific data, and coordination of research subjects are allowable direct costs when they are “contributing and directly related to work under an agreement.” Thus, these programmatic costs may be direct charged using the same underlying requirements as other types of direct costs, and are not subject to the extra approval requirements required of administrative and clerical costs. They are still subject to all regular costing requirements (e.g., allocability, reasonableness, allowable by terms of the award, incurred within award period).</p>
<p><b>COMPUTING DEVICES (UNDER \$5,000 UNIT COST)</b></p> <p>Applicable UG Sections: 200.33 200.48 200.89 200.439 200.453C</p>	<p><b>COMPUTING DEVICES CAN BE INCLUDED ON COMPETITIVE AND NON-COMPETITIVE PROPOSAL BUDGETS.</b></p> <p>Computing devices under \$5,000/unit may be direct charged to the project or activity under the following circumstances:</p> <ul style="list-style-type: none"> <li>• The machines are <u>essential</u>* and allocable to the project in that they are necessary to acquire, store, analyze, process, and publish data and other information electronically, including accessories (or “peripherals”) for printing, transmitting and receiving, or storing electronic information.</li> <li>• The project does not have reasonable access to other devices or equipment that can achieve the same purpose; devices may not be purchased for reasons of convenience or preference.</li> <li>• Items costing more than \$5,000 per unit are considered equipment and follow federal equipment rules for when they can be direct charged. (SEE 200.33, 200.48, 200.89, 200.439)</li> </ul> <p>* PIs are responsible for determining whether or not the device is “essential” and to what extent the cost of the device is allocable to the sponsored project. PIs and departments should maintain documentation that describes how the proposed computing device meets the above requirements and the allocation methodology used.</p>

<p><b>PARTICIPANT SUPPORT COSTS</b></p> <p>Applicable UG Sections: 200.75 200.456</p>	<p><b>PARTICIPANT SUPPORT COSTS CAN BE INCLUDED FOR AGENCY APPROVAL ON COMPETITIVE AND NON-COMPETITIVE PROPOSAL BUDGETS.</b></p> <p>After UG implementation, participant support costs (see 200.75) are allowable with agency prior approval. This includes stipends or subsistence allowances, travel allowances, and registration fees paid to or on behalf of participants or trainees (but not employees) in connection with conferences or training projects. Participant support costs are not routinely allowed on research projects but can be charged if the project includes an education or outreach component and the agency approves such costs.</p> <p>These costs should be explicitly listed in the proposal budget or approved by the funding agency after the award has been made.</p>
<p><b>VISA COSTS</b></p> <p>Applicable UG Section: 200.463D</p>	<p><b>SHORT-TERM, NON-IMMIGRATION VISA COSTS CAN BE INCLUDED ON COMPETITIVE AND NON-COMPETITIVE PROPOSAL BUDGETS.</b></p> <p>The UG allows short-term, non-immigration visa costs for a specific period and purpose as direct costs to federal awards. The person connected with these visa costs must be critical, necessary and clearly identified as directly connected to the work performed on the federal award. Because this is being classified as a recruiting cost, only the initial visa cost is allowable. J-1 and H-1B visas are for a specific period and purpose; therefore, these visa types are generally allowable if the specific conditions are met.</p>
<p><b>F&amp;A ON SUBAWARDS</b></p> <p>Applicable UG Section: 200.331</p>	<p><b>THE SUBRECIPIENTS' NEGOTIATED F&amp;A RATE OR AN ALTERNATIVE RATE AS DESCRIBED BELOW MUST BE USED FOR ALL SUBAWARDS INCLUDED IN COMPETITIVE PROPOSALS.</b></p> <p>If a federal program has a published statutory F&amp;A cap, that rate must be used both by UC Davis and all of its subrecipients. For all other federal programs, if a subrecipient has a federally negotiated F&amp;A rate, it must be used. If the entity does not have a negotiated F&amp;A rate, a 10% de minimis F&amp;A rate must be used instead.</p> <p>PIs may not negotiate or agree to lower rates with their subrecipients. There is no change to UC Davis recovery of its own F&amp;A – this remains limited to receiving our F&amp;A on the first \$25K of each subaward.</p>
<p><b>FIXED PRICE/RATE SUBAWARDS</b></p> <p>Applicable UG Section: 200.332</p>	<p><b>AGENCY PRIOR APPROVAL IS REQUIRED TO ENTER INTO FIXED PRICE/RATE SUBAWARDS, WHICH MAY NOT EXCEED \$150K.</b></p> <p>Agency prior approval is required to enter into a fixed price/rate subaward rather than a cost-reimbursement subaward, and the total value of each fixed price/rate subaward may not exceed \$150K. Fixed price subawards are most commonly used for clinical trial site agreements, foreign subrecipients, and small businesses. To expedite agency approval, PIs/departments should add a new justification statement to proposals contemplating a fixed price/rate subaward. A statement is not needed for other subawards.</p>