Topics

• Benefits
• Types of Agreements
• Abstract to Agreement Process Overview
• Other mechanisms and tools
• Hints and Tips
• Q&A
Benefits of Agreements

- Formalizes relationships with entities that generally have similar interests
  - Data rights, liabilities are clearly defined up front
- Protects both parties
- Allows NASA and Partner to benefit from research at less cost
  - NRSAA’s & NRIAA’s secure programmatic support and resources
- Sustains NASA’s unique skills & facilities while providing services
  - RSAA’s & RIAA’s bring in external funding
NASA Ames Research Center Partnerships with NASA in Silicon Valley

Commercial

Virtual Institutes

Academia

International

Military

NASA Research Park

Interagency
Types of Agreements

Interagency

Space Act

International

Non-reimbursable or Reimbursable
Creating an Abstract Review Package
Components of an Abstract Review Package

- Abstract
- HQ Concurrence email
- Estimated Pricing Report (EPR)
Abstract Overview

• Purpose:
  • An abstract is a summary of the proposed activity, which may be reviewed by Headquarters to gain approval and may contain proprietary information on the proposed activity and associated resources.
  • It addresses how the activity relates to NASA’s mission(s).
  • This is not a legally binding document.

• FAQ:
  • Why does NASA’s early stage review matter to me?
  • What should I, the Partner, be doing during this phase?
Estimated Pricing Report (EPR)

In accordance with NPR 9090.1B, an EPR is required for all Reimbursable and Non-reimbursable agreements except where specified.

• EPR should accompany the agreement package when routing for approval and signature.
  • Approval signature of the EPR is required when not routed in Partnership Agreement Maker (PAM).
  • Technical representative or Resource Executive could approve EPR outside of PAM.
  • Make sure you have the correct EPR template.
Requirements for EPR

The EPR should contain the following elements:

• Labor
• Travel
• ODCs - Materials, supplies, utilities, grants, and other direct costs in support of the agreement.

How and Why?

• The first “E”
• Reimbursable Vs. Non-Reimbursable
• Why does NASA want this?
### Rate Sheet

<table>
<thead>
<tr>
<th>Rate Effective as of</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
<th>2024</th>
<th>2025</th>
<th>2026</th>
</tr>
</thead>
<tbody>
<tr>
<td>Start Date</td>
<td>2018</td>
<td>2019</td>
<td>2020</td>
<td>2021</td>
<td>2022</td>
<td>2023</td>
<td>2024</td>
<td>2025</td>
<td>2026</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Rate</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
<th>2024</th>
<th>2025</th>
<th>2026</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct Technical Management Civil Servants factor as applied</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Indirect Civil Engineer FTE (RSP) factor</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Indirect Civil Servant FTE (RSP) factor as applied (OFF)</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Indirect FTE (RSP) factors as applied (OFF)</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Civil Service Labor Rates (C$)</th>
<th>Dollars Per Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average Cost A, B &amp; T</td>
<td>$199,996</td>
</tr>
<tr>
<td>Senior Scientist</td>
<td>$217,318</td>
</tr>
<tr>
<td>Other Direct Technical Costs</td>
<td>$0 $0 $0 $0 $0 $0 $0 $0 $0</td>
</tr>
<tr>
<td>Other Other Direct Technical Costs</td>
<td>$0 $0 $0 $0 $0 $0 $0 $0 $0</td>
</tr>
<tr>
<td>Allocated Service Pool</td>
<td>$0 $0 $0 $0 $0 $0 $0 $0 $0</td>
</tr>
</tbody>
</table>

| OASA Application Thresholds and Assessments for Reimbursable Agreements |
|---------------------------|------------------|
| Lower Threshold | $1,000,000 |
| Post Gate | $2,000,000 |
| Second Gate | $5,000,000 |
| Post Tax Assessment amount | $10,000 |
| Second Tier Assessment amount | $25,000 |
| Third Tier Assessment amount | $0.00 |

| Corporate ODA for Reimbursable Agreements | 0.0% |

**ALL RATES MAY CHANGE PENDING CENTER DIRECTOR OR SENIOR MANAGEMENT APPROVAL. Do not distribute.**
Abstract to Agreement Process

Partnership Review and Evaluation (PRE) Meeting
Partnerships Review and Evaluation (PRE) Meeting

• **Purpose:**
  • To present all activities to determine feasibility, legality, and resource commitment.
  • Provides recommendations to optimize successful outcomes

• **Audience:**
  • Partnerships Office, Legal, Code C, Ocomm, Safety and all related technical points of contact (and relevant management representatives as needed)

• **Next Steps:**
  • PRE Revisions
  • HQ routing, if necessary
  • Agreement formation process
Does it need to go to HQ for review?

• **Must Always Have HQ Review:**
  • Involve a Foreign Entity (direct or indirect benefit)
  • Classified Activities
  • IAA’s that are over $1M or an Umbrella
  • Agreements involving Commercial Crew Program or Commercial Cargo Partners

• **Other Considerations (generally require HQ rev.)**
  • Activities that might attract significant external interest
  • Controversial activities or unorthodox agreement approach
  • Involves unusual waivers (cost or policies)
  • Impacts a Mission Directorate’s activities, assets or planning process
  • Requires *large* resource commitment or reimbursable funds
HQ Review Board

- Partnership Office (PO)
- Aeronautics Research Mission Directorate (ARMD)
- Science Mission Directorate (SMD)
- Space Technology Mission Directorate (STMD)
- General Counsel (OGC)
- Safety and Mission Assurance (OSMA)
- Office of Enterprise Protection (EPP)
- Chief Engineer (OCE)
- Chief Financial Officer (OCFO)
- Chief Information Officer (OCIO)
- Chief Scientist (OCS)
- Chief Technologist (OCT)
- Legislative and Intergovernmental Affairs (OLIA)
- Communications (OCOM)
- Strategic Capabilities Asset Program (SCA)
- Space Environments Testing Management (SETMO)
Agreement Process

1. Agreement Manager and Technical POC draft Agreement
2. Agreement sent to ARC Legal Review
3. Does ARC Legal Concur?
   - Yes: Agreement revised by Agreement Manager and Technical POC
   - No: Agreement Manager, Technical POC and Attorney consider revisions
4. Send to Partner to review:
   - Yes: Agreement E-Routed for Technical Org, C, DL, and DI concurrence
   - No: Agreement Manager, Technical POC and Attorney consider revisions
5. Send to Building 200 for appropriate NASA Code Signature
6. Send to Partner for Signature
7. Execute Agreement
Agreement Process Overview

• Purpose:
  • To create a legally binding document based on the approved abstract.

• FAQ:
  • How long does it take to get an Agreement into place?
  • What do I need to do to make the process quicker?
  • What are common issues during this phase that are external to NASA?
  • The “9 clauses” that require a deviation request process
    • Non-exclusivity
    • Priority of Use
    • Liability & Risk of Loss
    • IP
    • Release of General Information to public & media
    • NASA Name and Emblems Use
    • Compliance with Laws & Regs.
    • Right to Terminate
    • Investigations of Mishaps & Close Calls
Exceptions To The Standard Process

• **Truncated** MIPR/7600 Process
  • Creates truncated process for already authorized work that meets criteria
  • Features: No PRE committee review, Direct review by DI, DL, and CFB

• **Truncated** process for No-Cost-Extensions
  • Creates a truncated process for no-cost extensions that don’t surpass 5-year term-limit.
  • Features: Abstract of record only, No PRE review, directly reviewed by DI, DL, and CFB.

• **Truncated** process for Additional Occupancy Time
  • Creates truncated process for additional occupancy time and repeat orders: Mirrors 7600B “Repeat Order” process.
  • Features: Abstract of record only, No PRE review, directly reviewed by DI, DL, and CFB.
Other Partnership Tools/Mechanisms

• Lesser Used Agreements
  • Funded SAA
  • Non-funded SAA
  • ACO’s and templated agreements
  • Assisted Acquisitions (Passthrough reimbursables)
  • CRADA: Cooperative Research And Development Agreement

• Cooperative Agreements/Grants

• EUL’s

• Contracts and other Procurements

• Visiting Researcher Agreements, IPA’s, etc.

• Tech Transfer (T2)
Additional Considerations

• Engage Early (identify correct tool, POC, process, etc.)
• Accurate Risk Assessment
• Streamline/Big Picture
• Total scope of partnership identification
  • Multiple tools/mechanisms are ok!
• Allow lots of time
  • Partner component
  • Multiple process stakeholders
  • Changing Federal requirements
• Partnerships are dynamic – lots of changes
• We’re a resource here to help and support YOUR work and needs!
Q&A

Partnership Site:  
https://www.nasa.gov/ames/partnerships

NASA Partnership Guide:  
https://nodis3.gsfc.nasa.gov/OPD_docs/NAIL_1050_3B_.pdf

Contact:  
Martha.E.Delalto@nasa.gov