



Strategic Agreements @ Ames

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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



Commercial



Virtual Institutes



Academia



International



Military



NASA Research Park



Interagency





Types of Agreements

Interagency

Space Act

International

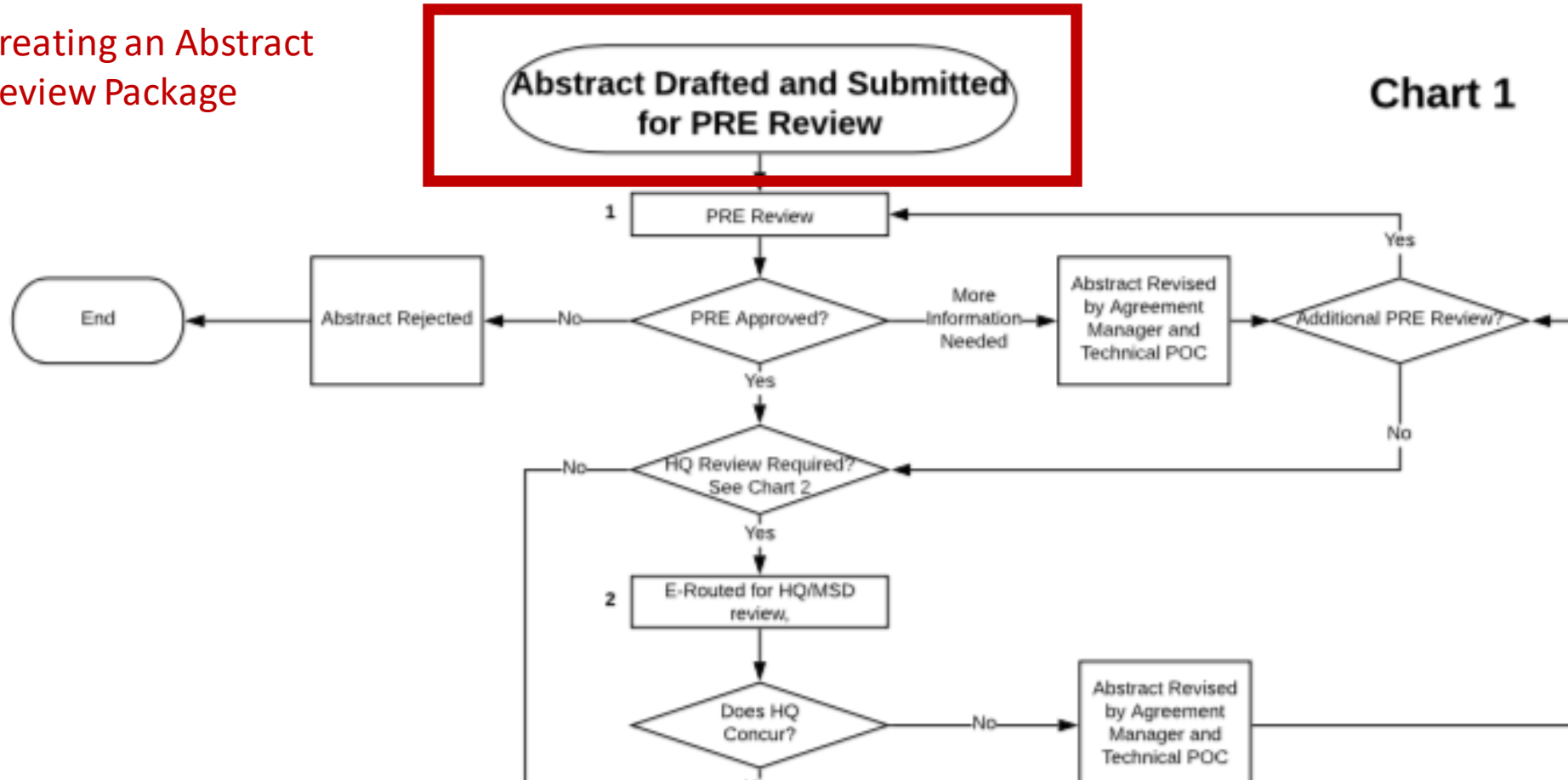
Non-reimbursable

or

Reimbursable

Abstract to Agreement Process

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?

Pricing Template Summary Sheet

Rate Sheet		Pricing Template							
Rates Effective as of:		Start Year							
August 20, 2019		2019	2020	2021	2022	2023	2024	2025	2026
Hours Per Work Year		Work Hours Per Year							
Hrs per FTE & WYE in given year		2,088 hrs	2,096 hrs	2,088 hrs	2,088 hrs	2,080 hrs	2,088 hrs	2,088 hrs	2,088 hrs
Labor Based Tax Rates and Application Factors		Percentage							
Direct Technical Management Civil Servants factor		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Direct Technical Management Civil Servants factor as applied.		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Indirect Civil Servant FTE (ASP) factor									
Indirect WYE (ASP) factor									
Indirect Civil Servant FTE (ASP) factor as applied. (OFF)		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Indirect WYE (ASP) factor as applied. (OFF)		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Civil Service Labor Rates (CS)		Dollars Per Year							
Average Codes A,S & T		\$199,086	\$203,856	\$209,259	\$216,729	\$223,656	\$232,465	\$240,003	\$245,043
Senior Scientist		\$217,618	\$219,810	\$224,295	\$230,049	\$236,007	\$241,990	\$248,368	\$253,584
			\$0	\$0	\$0	\$0	\$0	\$0	\$0
			\$0	\$0	\$0	\$0	\$0	\$0	\$0
			\$0	\$0	\$0	\$0	\$0	\$0	\$0
			\$0	\$0	\$0	\$0	\$0	\$0	\$0
			\$0	\$0	\$0	\$0	\$0	\$0	\$0
			\$0	\$0	\$0	\$0	\$0	\$0	\$0
			\$0	\$0	\$0	\$0	\$0	\$0	\$0
Civil Service Fringe Benefits Rate		30.40%	31.00%	31.60%	32.20%	32.80%	33.40%	34.10%	34.44%
Support Service Contractor Rates (SSC)		Dollars Per Year							
Average Center SSC		\$248,593	\$253,316	\$258,636	\$264,067	\$269,613	\$275,275	\$281,055	\$286,957
Other Direct Technical Costs									
Other Direct Technical Costs Rate for CS Labor		10%	10%	10%	10%	10%	10%	10%	10%
Other Direct Technical Costs as applied. (ON)		10.00%	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%
Allocated Service Pool									
Allocated Service Pool Composite Rate (\$ Per Direct Workforce)									
Allocated Service Pool as applied. (OFF)		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Center Management and Operations (CM&O)		Percent on Total Dollars Per Year							
Center Management and Operations Standard Rate		12.90%	12.40%	12.00%	12.00%	12.00%	12.00%	12.00%	12.00%
Center Management and Operations Standard Rate as applied		12.90%	12.40%	12.00%	12.00%	12.00%	12.00%	12.00%	12.00%
Center Management and Operations Pass-thru Rate		3.10%	3.60%	3.60%	3.60%	3.60%	3.60%	3.60%	3.60%
Center Management and Operations Pass-Thru Rate as applied		3.10%	3.60%	3.60%	3.60%	3.60%	3.60%	3.60%	3.60%
Default Travel Rate for Civil Servants		Dollars Per FTE							
Average Annual Travel Dollar Amount per CS FTE		\$2,440							
Default CS Travel		\$2,440	\$2,513	\$2,589	\$2,666	\$2,746	\$2,829	\$2,913	\$3,001
Default CS Travel as applied		\$2,440	\$2,513	\$2,589	\$2,666	\$2,746	\$2,829	\$2,913	\$3,001
User Increase to Default Travel Rate				3.0%					Escalation
CAAS Application Thresholds and Assessments for Reimbursable Agreements									
Lower Threshold		\$1,000,000							
First Gate		\$2,000,000							
Second Gate		\$5,000,000							
First Tier Assessment (amount)		\$10,000							
Second Tier Assessment (amount)		\$24,000							
Third Tier Assessment (rate)		0.52%							
Corporate G&A for Reimbursable Agreements		0.0%							

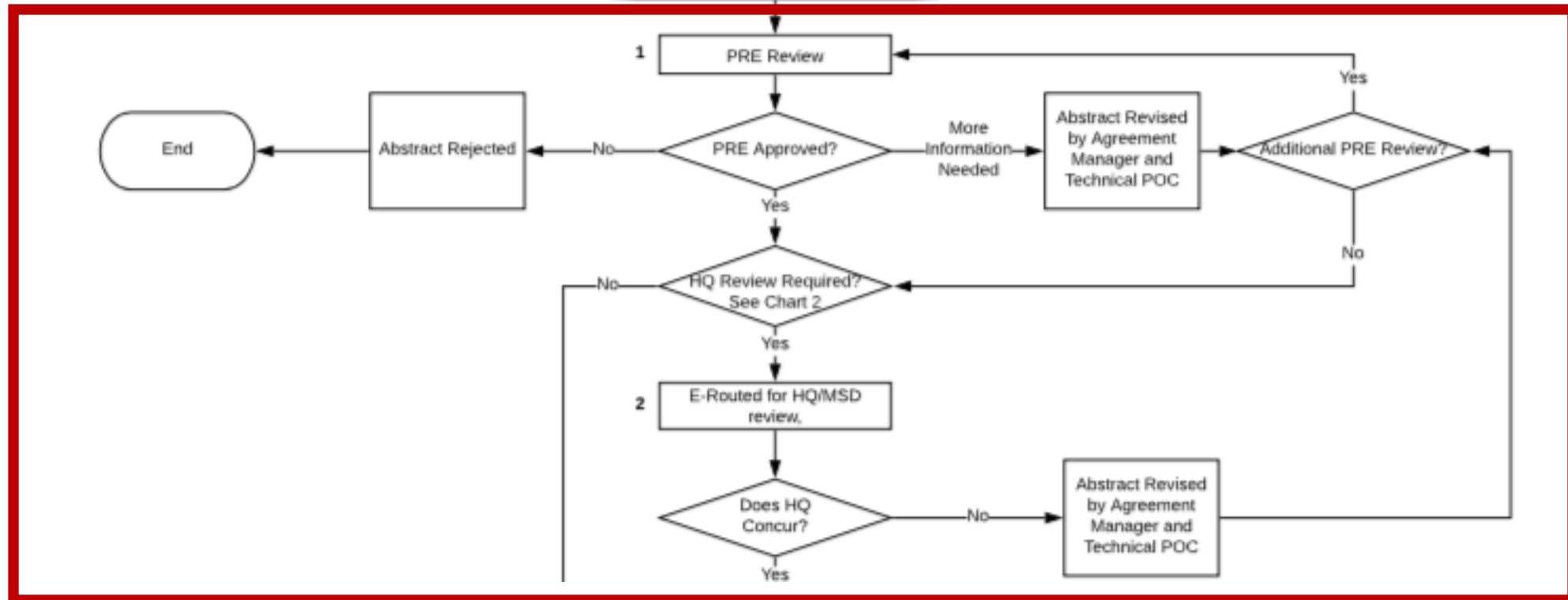
ALL RATES MAY CHANGE PENDING CENTER DIRECTOR OR SENIOR MANAGEMENT APPROVAL. Do Not Distribute.

Abstract to Agreement Process

Partnership Review and Evaluation (PRE) Meeting

Abstract Drafted and Submitted for PRE Review

Chart 1





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?

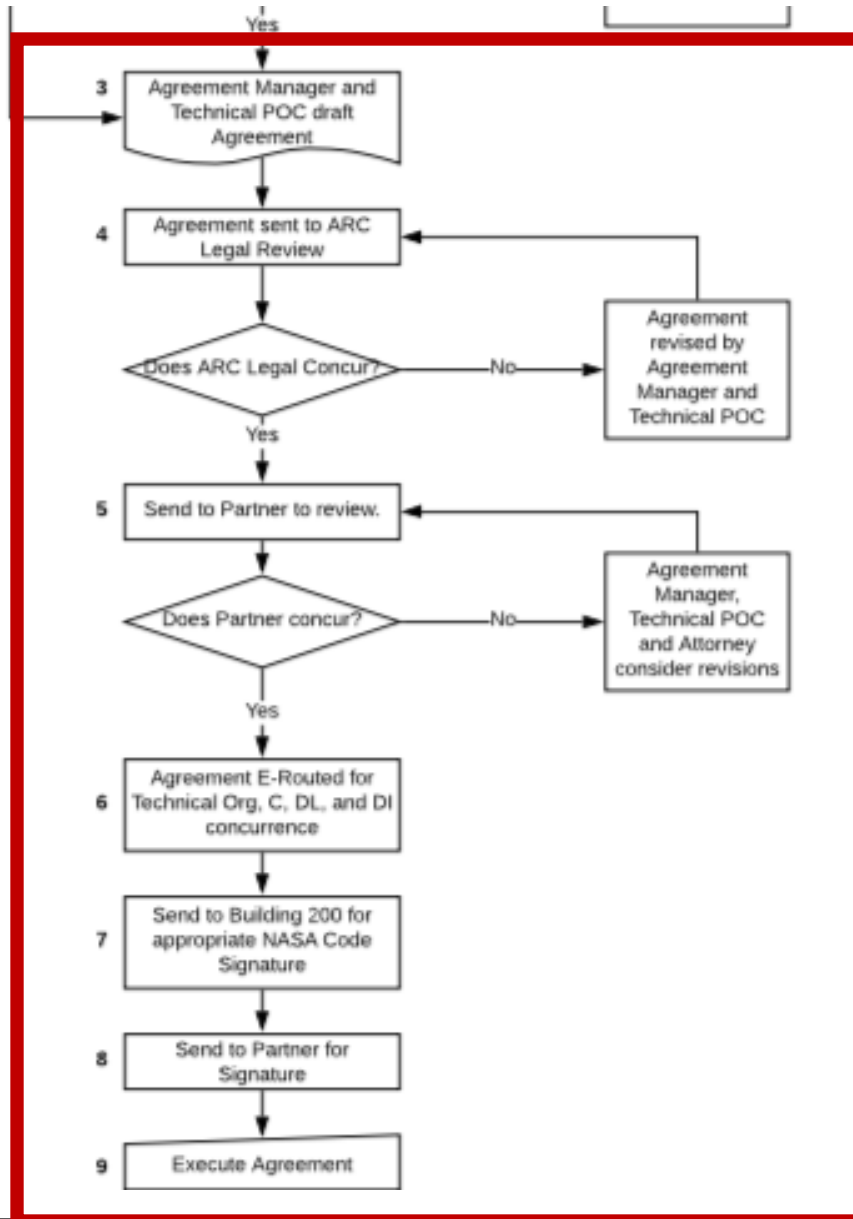
- **Must Always Have HQ Review:**
 - Involve a Foreign Entity (direct or indirect benefit)
 - Classified Activities
 - IAA's that are over \$1M or an Umbrella
 - Agreements involving Commercial Crew Program or Commercial Cargo Partners
- **Other Considerations (generally require HQ rev.)**
 - Activities 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





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)**



NASA Technology Transfer

software.nasa.gov/



technology.nasa.gov/patents

Patent Portfolio

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The technologies in this public domain portfolio do not require a license agreement, and anyone may freely pursue independent product development right away without the need to contact NASA in any way.



technology.nasa.gov/patents



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/NAII_1050_3B.pdf

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