



Office of Sponsored Projects & Industry Partnerships Policy Manual

WORK FOR OTHERS OVERVIEW

Office of Sponsored Projects & Industry Partnerships
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WORK FOR OTHERS - *General Overview and Policies*

Work for Others (WFO) is the performance of work for non-Department of Energy (DOE) entities. The University of California (UC) and the U.S. Department of Energy (DOE) contract establishes the rules under which UC will operate and manage the E.O. Lawrence Berkeley National Laboratory (LBNL). [Contract 31](#) specifically addresses WFO and it authorizes UC to perform work for non-DOE entities as long as applicable laws, regulations, and DOE policy are complied with.

The President of the University of California has delegated to the Office of Sponsored Projects & Industry Partnerships through the Laboratory Director Contract and Grant Authority - To Solicit and Accept or Execute Certain Extramural Grants and Contracts. The Office of Sponsored Projects & Industry Partnerships (OSPIP) is the institutional organization responsible for submitting all proposals and accepting all awards from non-DOE sponsors. All proposals and awards for sponsored research must be processed through OSPIP. OSPIP's Contracts Officers (COs) have delegated authority from the Laboratory Director to submit proposals and negotiate and accept awards in accordance with UC policy.

1. DOE WFO Orders

[DOE Order 481.1C](#),
[DOE Manual M 481.1-1A](#),
[DOE WFO Guide G 481.1-1](#)

The DOE Order is the primary policy document for WFO. It emphasizes non-competition with private industry and requires DOE approval of proposals and DOE acceptance of federal interagency agreements.

The DOE Manual focuses on non-federal sponsored WFO projects. It addresses approval requirements as well as standard terms and conditions for non-federal WFO agreements.

The DOE Guide provides general guidance on the WFO process, it is not meant to be requirements, as DOE/HQ understands that each facility and DOE office may have more efficient processes and requirements.

2. [DOE O 484.1 \(Order, 08/17/2006, MA\)](#)

- *Reimbursable Work for the Department of Homeland Security*

The Order establishes DOE policies and procedures for the acceptance, performance, and administration of reimbursable work directly funded by the Department of Homeland Security.

Cancels: [DOE N 481.1A](#) and [DOE N 251.62](#)

The Order contains additional information and direction identifying the processes and requirements to ensure the efficient implementation of the [Department of Homeland Security Memorandum Agreement](#) which includes the waiver of Federal Administrative Charge (FAC) and Safeguards and Securities (S&S).

The [September 11, 2003 DOE Clarification Memo](#) affords the same waiver of FAC and S&S charges for Army Medical Research and Materials Command for work done on behalf of the Department of Homeland Security.

3. [DOE Letter, 10/11/96](#)

- *Administrative Update to the Class Waiver W(A)-82-017, Use of DOE Facilities and Facility Contractors by or for Third Party Sponsors*

This document was issued by the DOE Assistant General Counsel for Technology Transfer and Intellectual Property addresses invention title requirements for inventions developed under WFO agreements

4. [DOE Accounting Handbook, Chapter 13](#)

- *Chapter 13 of the DOE Accounting Handbook addresses advance payment requirements for WFO projects as well as accounting activities related to WFO.*

5. [DOE Memorandum, 10/29/98](#)

- *Guidance to Implement National Defense Authorization Act for Fiscal Year 1999 Direction on Federal Administrative Charge*

This memorandum implements the DOE requirement for Full Cost Recovery (FCR) for WFO projects.

It also provides an exception for FCR for

- small business concerns,
- institutions of higher education,
- non-profit entities, and
- State and local governments.

It also provides for blanket exceptions, such as for National Institutes of Health (NIH) sponsored projects and a process for gaining individual project exceptions for other sponsors under special circumstances.

6. [Blanket Pricing Exception - Terrorism/Security](#)

- *5/8/2002 - Blanket Pricing Exception for work performed in support of Counter Terrorism and Homeland Security*

This memorandum issued by the Director, Office of Management, Budget and Evaluation /CFO waives FAC in support of Counter Terrorism and homeland security activities.

7. [Blanket Pricing Exception Clarification - Terrorism/Security](#)

- *7/16/2002 - Clarification for FAC waiver for Counter Terrorism and Homeland Security.*

This memorandum issued by the CFO clarifies the 5/8/2002 memo.

8. [Termination of EPA Waiver re FCR](#)

- *12/3/98 - DOE Memorandum*
- *Termination of Waiver of Departmental Added Factor for Work Performed for the EPA*

This memorandum eliminates the blanket exception to FCR for projects funded by the Environmental Protection Agency.

9. [Termination of DARPA Waiver re FCR](#)

- *12/11/98 - DOE Memorandum*
- *Termination of Waiver of Departmental Overhead for Work Performed for the DARPA*

This memorandum eliminates the blanket exception to FCR for projects funded by the Defense Advanced Research Projects Agency (DARPA).

10. [Work for Others - Teaming with Industry](#)

- *7/30/97 - DOE Memorandum*
- *Work for Others - Teaming with Industry*

This memorandum issued by the DOE Deputy Assistant Secretary for Procurement and Assistance Management re-emphasizes the prohibition for Federally Funded Research and Development Centers (FFRDCs) to directly compete with private industry.

11. [Work for Others - Teaming with Industry - Clarification](#)

- *10/6/97 - DOE Memorandum*
- *Clarification of the Department of Energy's Policy on Teaming with Industry through the Work for Others Program*

This memorandum issued by the DOE Deputy Assistant Secretary for Procurement and Assistance Management clarifies the 7/30/97 Memorandum. This clarification allows FFRDCs to respond to Broad Agency Announcements (BAA) but not to Federal Requests for Proposals (RFPs).

12. [FETC Program Research Development Announcements](#)

- *6/9/99 - DOE E-Mail*
- *FETC PRDAs*

This guidance issued by DOE HQ WFO Program Analyst allows LBNL to respond to a Program Research Development Announcement (PRDA) issued by the Federal Energy Technology Center (FETC).

13. [DOE Approval of Policies and Standard Agreements](#)

- [05/05/10 - DOE Approval - Standard WFO Agreements](#)
- [05/05/10 - 481.1C WFO Management and Administrative Plan](#)
- [06/20/2008 DOE Approval of WFO Policies](#)

These are approvals for WFO policies and approval to sign Standard WFO Exhibits without additional DOE approval.

14. [DOE/UC Contract DE-AC02-05CH11231](#)

- *'Contract 31'*

The University of California (UC) and DOE contract establishes the rules under which UC will operate and manage the E.O. Lawrence Berkeley National Laboratory (LBNL). Contract 31 specifically addresses WFO; it authorizes UC to perform work for non-DOE entities as long as applicable laws, regulations, and DOE policy are complied with.

The clause also provides UC the ability to utilize its own funds to start work when the required advance payment has not been provided and continue Federal sponsored work when the term or funds have elapsed.

15. [Rights to Future Research Results](#)

- *8/26/99 - UC Letter*
- *Principles Regarding Rights to Future Research Results in University Agreements with External Parties*

This policy issued by the President of the University of California, establishes the fundamental principles for UC entities such as LBNL to utilize when negotiating agreements with external sponsoring parties to address rights and obligations associated with future research results developed under such sponsored work agreements.

The primary concern is to protect the ability of UC researchers to disseminate their research methods and results in a timely manner.

16. [Laboratory Policy on the Dissemination of Research Results](#)

- *01/25/91 - LBNL Administrative Policy Memo*

This policy provides guidance on dissemination of research results and requires that the LBNL Director's approval of any exceptions to the policy.

17. [UCOP Delegation of Contract and Grant Authority](#)

- *3/10/95 - UCOP Delegation of Contract and Grant Authority to the Berkeley Lab Director,*
- *LBNL Director Re-Delegation to the Office of Sponsored Projects & Industry Partnerships*

The LBNL Director re-delegates Contracts and Grant Authority, within certain limits, to the Manager of OSPIP and Contracts Officers to approve proposals and accept or execute grants and contracts.

18. [NIH/DOE Memorandum of Understanding](#)

- *06/18/98 - MOU Between the National Institutes of Health and the Department of Energy*

This MOU defines the working relationship between the National Institutes of Health (NIH) and DOE for the conduct of NIH grant supported research projects at the DOE Laboratories. Currently, there is no time limitation regarding the effectiveness of this document.

19. [Laboratory Directed Research and Development](#)

- *04/30/02 - DOE Guidance re Laboratory Directed Research and Development Program Charges on Other Federal Agency Funded WFO Projects.*

20. [UC Policy on Acceptance of Funds Restricted to U.S. Citizens](#)

- *02/13/1990 RAO Memo 90-3*

This states UC policy not to accept awards which have citizenship restrictions. Only the President can make an exception. Note that this policy does not apply to fellowships.

21. [UC Policy on Providing Information on Citizenship](#)

- *04/19/2004 RAO Memo 04-02*

This states that UC will not provide citizenship information for proposals or awards. It states what are acceptable alternatives.