

United States Government

Department of Energy

Albuquerque Operations Office

memorandum

DATE: DEC 20 1996**REPLY TO****ATTN OF:** STTD:Davidson (505) 845-4310**SUBJECT:** Umbrella Work for Others Proposals, Non-Federal Sponsors**TO:** Al Busch, Industrial Partnerships Office, MS C334, LANL
Mary Monson, Org. 4200, MS 1380, SNL/NM
Charles Hobbs, ITRI

There are cases where a Contractor may have materials or services that may be desired by numerous non-federal sponsors on a frequent or infrequent basis. In an effort to minimize paper work, time and costs associated with the sale of such materials or services, we are implementing the following described procedure under the Funds-In Agreement (FIA) process.

In those situations where you anticipate multiple sales of specific materials or services, AL Contractors will have the opportunity to submit an umbrella work for others Determinations and Certification (D&C) form and a Statement of Work (SOW) addressing the subject materials or services. Following AL approval of the umbrella D&C and SOW by the DOE/AL contracting officer or authorized designee, the Contractor may request AL to enter into an individual FIA, for the subject materials or services, if all of the following apply:

1. The SOW adequately covers the proposed work effort,
2. The umbrella D&C applies 100 percent to the proposed work effort, with no change,
3. There are no alterations or additions to Appendix A, General Terms and Conditions, and
4. There are no alterations or additions to Appendix B, Patent and Data Rights Clauses, Form I.

The following documentation for individual FIAs, is required:

- a. Completed Face Page,
- b. Appendix C, Statement of Work,
- c. Invoice for advance payment (not currently applicable to ITRI), and
- d. A statement, signed by an appropriate Contractor official, asserting that the proposed work effort meets the criteria in items 1 through 4, above.

We anticipate a one to two day turnaround at AL for reviewing the documentation mentioned in a. through d., above, executing the FIA and forwarding the FIA and invoice to the Sponsor.

This process does not preclude a waiver of DOE added costs or alterations to Appendix B, Patent and Data Rights Clauses, Form I or use of Appendix B, Patent and Data Rights Clauses, Form II. It will, however, require additional time for AL to review and execute the agreement.

If a waiver of DOE added costs is applicable to the agreement, either under a small business or non-profit organization certification, or under the Interim Guidance Pending Revision of DOE Order 2110.1A, it will be necessary for the Contractor to also submit documentation supporting the waiver, and cost forms currently required by AL.

If the Contractor supports alterations to Appendix B, Patent and Data Rights Clauses, Form I or use of Appendix B, Patent and Data Rights Clauses, Form II, and explanation supporting this action will be required to be submitted with the proposal.

To assure compliance with these instructions, and cost estimate preparation, AL will perform reviews of applicable projects under the Integrated Business Management and Program Management Systems Performance Based Oversight Reviews.

Please call me at 845-4978 or Bob Davidson at 845-4310 if you have any questions on this matter.


James R. Anderson
Director,
Science and Technology
Transfer Division

cmd:12-22/MS022224

cc:
Dean Olson, FMD
Jim Chafin, OCC
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