

REMINDER!

Intergovernmental Personnel Agreements (IPA)
allowable charges:

- Salary
- Fringe Benefits
- Travel

TIF is NOT allowable

AB20

Model Agreement

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History

- Assembly Bill 20 signed by Governor in 2009
- In January 2010, AB20 became effective
- Meetings began in January 2010 with State DGS, UC and CSU
- Meetings occurred until conclusion in 2015
- November 2, 2015 the MOU for the AB20 model agreement was executed by the three parties
- January 1, 2016 = implementation

The Agreement Template and University Terms & Conditions

The intent of AB20 was to eliminate the need for negotiation. Alterations are expected to be rare and only for compelling circumstances

*note, the AB20 doesn't apply to CIRM or CEC awards

The Agreement Template and the University Terms & Conditions

- **Standard Form 213:** standard cover page
- **Exhibits A-A7:** the Scope of Work and attendant detail exhibits
 - *note: UCOP intends to hold webinars for Principal Investigators on completion of Exhibit A
- **Exhibits B-B2:** the Budget and Justification
- **Exhibit C:** the university terms and conditions (UTC-116) incorporated by reference

The Agreement Template and the University Terms & Conditions

- **Exhibit D:** Additional Requirements Associated with Prime funding
- **Exhibit E:** Special Conditions for Security of Confidential Information (if applicable)
- **Exhibit F:** Access to State Facilities or Computing Systems (if applicable)
- **Exhibit G:** Negotiated Alternate Terms (if applicable)

HOWEVER.....



Terms Not Included in the Model Agreement

The State and the universities were unable to reach agreement on two significant issues:

1. Establishing a State-wide indirect cost rate and base for the universities
2. Agreement on a default patent provision

Patents

- Per UC Policy, UC owns inventions made by its personnel in the performance of extramurally funded activities. Any deviation from this is an exception to policy that must be approved by UCOP
- These will be negotiated (if necessary) on a case by case basis

Indirect Cost

UCOP's understanding from DGS and recommendations to campuses is:

- Rate will increase from 25% to 40% of the Modified Total Direct Costs over a 4 year period
- If the source of funding to the State agency is Federal (State is a pass-through entity) as defined in 2 CFR 200.93 and 2 CFR 200.74, then the full federally negotiated rate shall be requested

Indirect Cost

- In its first year, the rate has a core component of 25% of the MTDC for administrative costs and no facilities cost
- Starting on July 1, 2017 the facilities costs increase by 5% until the rate reaches 40% MTDC
- Multi-year projects will maintain the same rate through the term of the contract and is based on submission date, not project start date

| Facilities | Administration | Total Rate | Base | Effective Date |
|------------|----------------|------------|---------------------------|-----------------|
| 0% | 25% | 25% | MTDC (F&A Rate Agreement) | January 1, 2016 |
| 5% | 25% | 30% | MTDC (F&A Rate Agreement) | July 1, 2017 |
| 10% | 25% | 35% | MTDC (F&A Rate Agreement) | July 1, 2018 |
| 15% | 25% | 40% | MTDC (F&A Rate Agreement) | July 1, 2019 |

Questions?

