

 <p>Category: Financial</p> <p>Policy applicable for: Faculty/Staff</p>	<p><i>Policy Title:</i> Service and Testing Activities Policy</p> <p>Effective Date: 5/28/2008</p> <p>Prior Effective Date: mm/dd/yyyy</p> <p>Enabling Acts: Board Rule 10-1-06 (C) (3) Federal Regulations</p>	<p><i>Policy Number:</i> 2.3.2</p> <p>Policy Owner(s): Sr. VP for Administration and Finance Vice President for Finance Vice President for Research</p> <p>Responsible Office(s): Sponsored Research Services Government Cost Compliance General Counsel</p>
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Background

In July 2005 the University of Cincinnati established a new standard agreement entitled Technical Assistance Agreement (TAA). The TAA was created to reduce the time and effort of negotiating and executing agreements with industry for testing activities, as such an agreement is generally of short duration with specific deliverables and deadlines. The overall goal was to standardize the process, expedite review and minimize institutional risk. Organizational units and the university as a whole benefit from the revenue generated from these activities, while industry partners receive faculty and student expertise at reasonable cost.

This policy codifies the previous Triple-D notice that was sent to the university community. Additionally, the purpose of this policy is to further clarify the distinction between a TAA and a sponsored project. As a reminder, the university's federally-negotiated research overhead rate applies to *all* direct costs of a TAA. UC's current federally-negotiated rate agreement is available via the Web link below (see Related Links).

Policy

In general terms, testing activities are described as cases in which the university utilizes its equipment and established processes or procedures to provide results for a device or sample provided by an industry partner. For example, an industry partner may want to test engine parts under specified conditions using UC's wind tunnel. Such activity can not appropriately be classified as sponsored research or instruction. Unlike sponsored research or sponsored instruction, testing activities rarely produce publishable or patentable results because, in many instances, the terms and conditions of the TAA require UC to forfeit publication and intellectual property rights. Furthermore, testing agreements are fixed-price contracts and do not include any of the following:

- Funding from a government entity
- Agreements for cost reimbursement terms
- Agreements that require detailed budgets

- Agreements that include equipment purchases
- Activities that contribute to generalizable knowledge
- Agreements that pursue animal or human research
- Agreements for work in UC's Bio-safety Level 3 (BSL3) research facility

Procedure

A university faculty or staff member wishing to undertake a testing activity with an industry partner (sponsor) must complete and submit a Technical Assistance Agreement (TAA) certification form and worksheet to Sponsored Research Services (SRS Contracting Division). Agreements are drafted by the SRS Contracting Division and forwarded to the industry partner for execution. The Technical Assistance Agreement is a legal document subject to contracting rules

For discussion purposes with industry collaborators, a draft of the TAA agreement and TAA procedures is available on the SRS website, along with the TAA certification form, the TAA worksheet and the Request for TAA amendment. Links to these documents appear in Related Links below.

Government Cost Compliance (GCC) will invoice, collect and distribute the revenue from testing activities. In special circumstances, and only with approval of GCC, organizational units may be allowed to invoice and collect payment directly.

Government Cost Compliance will perform periodic reviews of these activities and accounts to ensure compliance.

All outside revenue deposited for TAAs will be assessed the federally-approved Research Facilities and Administrative Recovery Rate (F&A), currently at 56%. The F&A recovery will be distributed based on current RIA policy.

Testing activities not processed in accordance with this policy will not receive any share of the recovery of the F&A charge.

For guidance on the appropriateness of a testing activity, or on completing and submitting a TAA, contact Sponsored Research Services, Government Cost Compliance, or visit the sites noted below.

Related links:

[Technical Assistance Agreement \(TAA\) Forms](#)
[Sponsored Research Services \(SRS\)](#)
[Technical Assistance Agreement \(TAA\) procedures](#)
[Federally-negotiated rate agreement](#)
[Government Cost Compliance \(GCC\)](#)

Phone Contacts:

Sponsored Research Services	556-5885
Government Cost Compliance	556-0184 or 556-3108
Office of General Counsel	556-3483