Agenda

1. Kuali Research – Nicole Joyce

2. OCGA Tips and Tricks – Amarilis Vargas and Fernan Balsalubre

3. Foreign Influence – Stella Sung

4. National Science Foundation Proposal and Award Policies and Procedures Guide (PAPPG) Update – Amarilis Vargas

5. Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) Quick Guide – Jeff Warner
OCGA Tips and Tricks
Amarilis Vargas and Fernan Balsalubre
OCGA Tips and Tricks

• Visit our handy OCGA Staff Assignment Tool to see who you should contact given your sponsor type and department:
  https://blink.ucsd.edu/sponsor/ocga/staff-assignments.html

• Industry Subawards on a Federal Grant? Contact us!
  • Example: PI Smith is planning to propose to DARPA, with a subaward to IBM. We may help determine whether this should be a subaward or procurement
OCGA Tips and Tricks

• Incoming/Outgoing PI Transfers
  • Outgoing Transfers:
    • Contact OPAFS to confirm the award balances, prior to contacting OCGA.
    • Contact OCGA to review the transfer documents prior to submission.
  • Incoming Transfers:
    • Contact OCGA with a list of expected incoming transfers.
    • Give your OCGA officer a contact name at the other institution.

• HRPP’s guidance for IRB:
  • Is the project exempt?
  • Is it considered “human subjects research”?

https://irb.ucsd.edu/Home.FWx
OOGA Tips and Tricks

• Federal Contract above $700K? You may need a small business plan
  • Award issued may be issued as a federal contract (instead of a grant)
  • Over $700,000
    https://blink.ucsd.edu/buy-pay/supplier/small-business/index.html

• For faster turn-around on an incoming service agreement, use the standard “New Service Agreement” template found on BLINK: https://blink.ucsd.edu/buy-pay/contract-svcs/service-agreements/index.html and:
  • Complete all information on Exhibit A (last page)
  • Send customer PDF
  • Have customer sign, date and return (with no changes)
  • For questions or more information about Incoming service agreements, contact ucsd-provided-svcs@ucsd.edu
Foreign Influence

Stella Sung
Principal Contract and Grant Manager
shsung@ucsd.edu / (858) 534-0244

OCGA Forum, January 2019
Foreign Influence

There is a heightened concern that certain foreign entities may be seeking to influence the U.S. at all levels including peer review, diversion of intellectual research property, sharing of confidential information, and the use of resources originating from outside the U.S.

Campus notice dated January 25, 2019 from EVC Simmons and VCR Brown regarding requirement to disclose all foreign engagements.
What needs to be disclosed?

**New Applications:**
- Is there foreign collaboration or work being conducted at foreign sites?
- Is there use of foreign materials or resources?

**Biosketch:**
- Are all foreign affiliations and positions listed?

**Other Support:**
- Are there any financial resources being used to support the project?

**RPPRs:**
- Does any personnel who has worked on the project have a foreign affiliation? (Section D.1)
- Is any portion of the award being spent in a foreign country? (Section E.4)
- Does the project involve a Foreign Component? (Section G.9)
Definition of Foreign Component

According to NIH policy, this includes (but not limited to):

• collaborations with investigators at a foreign site anticipated to result in co-authorship;
• use of facilities or instrumentation at a foreign site; or
• receipt of financial support or resources from a foreign entity.

Adding a foreign component to a project requires prior approval.
COI and COC Disclosures

Researchers must completely and accurately disclose all external financial interests and support, affiliations, activities and relationships with any foreign entities.

- **Conflict of Interest (COI)**
  
  [https://blink.ucsd.edu/sponsor/coi/quickreference.html](https://blink.ucsd.edu/sponsor/coi/quickreference.html)

- **Conflict of Commitment (COC)**
  
  [https://academicaffairs.ucsd.edu/aps/reports/apm/index.html](https://academicaffairs.ucsd.edu/aps/reports/apm/index.html)
Proposal & Award Policies & Procedures Guide (PAPPG)
NSF 19-1

Effective January 28, 2019
Notable Changes:

• BIOSKETCH Compliance

• SUBAWARD – Justification for the purpose of the subaward is needed in the Project Description

• Conference attendees for learning purposes should now be noted under Participant Costs not travel.

• Collaborative Proposals with International Collaborators – Their role in the project must be described in the project description along with justification as to why the project activities cannot be performed at a US campus. This includes subawards and consultant arrangements.

• NEW 2019 Collaborators & Other Affiliations document.

➢ On the left hand side of the PAPPG, there is a Significant Changes & Clarifications link – please review for compliance.

➢ Start Date: POSTPONED until further notice.
Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) Quick Guide

Jeff Warner
Principal Contract and Grant Manager

jswarner@ucsd.edu
SBIR/STTR Quick Guide

• SBIR program is a highly competitive program that encourages domestic small businesses to engage in Federal Research/Research and Development that has the potential for commercialization.

• STTR is a program that expands funding opportunities in the federal innovation research and development arena by encouraging expansion of the public/private sector partnership to include the joint venture opportunities for small businesses and nonprofit research institutions.

• One unique feature of the STTR program is the requirement for the small business to formally collaborate with a research institution in Phase I and Phase II, meeting minimum stated percentage effort thresholds in the RFP.

• Some SBIR solicitations will also have requirements for the minimum required funding that must go to the university collaborator.
SBIR/STTR Quick Guide

- Get company website/proof of address
- Get small business collaborator deadline
- Get list of required materials to submit to small business collaborator (may be different from prime proposal requirements)
- Get any templates from the small business collaborator that are required for our submission
- Confirm with small business collaborator the anticipated type of award (grant/contract)

**Funding Mechanisms of SBIR and STTR for each Agency**

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UC San Diego
Office of Contract and Grant Administration
SBIR/STTR Quick Guide

• Review solicitation and provide to C&G in advance to mutually check for unique requirements/COI issues

• Have 700U or other applicable agency COI disclosure forms completed by PI

• Check whether the PI or anyone on the budget serves a function for the small business

• Check whether anyone at the small business also works at or has any other type of appointment at UCSD

• Determine whether there’s any background UCSD IP

• Determine whether an NDA is needed

• Confirm that the budget meets specific solicitation percentage effort requirements
Questions

• If you have any questions, please feel free to contact your Contract and Grant Officer.

• [https://blink.ucsd.edu/sponsor/ocga/staff-assignments.html](https://blink.ucsd.edu/sponsor/ocga/staff-assignments.html)
Background

Applying for a Small Business Innovation Research (SBIR) or Small Business Technology Transfer (STTR) subaward requires pre-proposal legwork and, in many cases, compliance reviews. This is a brief guide intended to highlight some of the unique considerations of such a proposal, but all the usual proposal process steps and policies still apply (e.g., making sure a formal proposal is routed through ePD and reviewed by the designated Sponsored Projects Office prior to submission to the small business/industry collaborator).

The SBIR program is a highly competitive program that encourages domestic small businesses to engage in Federal Research/Research and Development (R/R&D) that has the potential for commercialization. STTR is another program that expands funding opportunities in the federal innovation research and development (R&D) arena by encouraging expansion of the public/private sector partnership to include the joint venture opportunities for small businesses and nonprofit research institutions.

An eligible small business must be the prime awardee for an SBIR or STTR. One unique feature of the STTR program is the requirement for the small business to formally collaborate with a research institution in Phase I and Phase II, meeting minimum stated percentage effort thresholds. Some SBIR solicitations will also have requirements for the minimum required funding that must go to the university collaborator.

*Please remember that each agency has its own specific rules for SBIR/STTR proposals, which may change year to year, and solicitations should be reviewed thoroughly.*

Company Collaborator Relationship

SBIR/STTR projects are often conducted in collaboration with companies started by UCSD employees or alumni, or arise from relationships that began while people were working together at UCSD. UCSD PIs may be, now or over the term of the award, considering or already serving some function for the small business (e.g., board of scientific advisors, Chief Scientific Officer or staff scientist, investor). For these reasons, even more than with a typical industry sponsored research proposal, *it’s critical to conduct a conflict of interest analysis as far in advance of the proposal deadline as possible to leave time for consultation with the COI office as needed*. OCGA recommends getting a 700-U or other applicable agency disclosure forms completed by the PI right away, but then also consider asking additional questions of the PI and project participants to get a more complete picture of the institutional relationship. For example, ask the PI whether there are any pre-existing links between the company/company PI and UCSD/UCSD participants, other than discussions specifically related to this effort. Review the budget to see who besides the PI should be asked about company interests. Look into company interests in UCSD (not just UCSD’s interests in company). Check the solicitation for agency-specific COI restrictions.
Please review agency-specific and current solicitation requirements. Be mindful of percentage effort limitations when assessing potential conflicts of interest and commitment for UCSD faculty and staff who may be the PI/PD. Please also look out for unusual agency conflict guidance; for example, NSF’s FAQ 18-068 states that a person who has a financial interest in the proposing small business (this includes company equity holders or employees) cannot request funds on a subaward budget, unless an exception is recommended by the Program Director and approved by the Division Director for the Division of Industrial Innovation and Partnerships.

*Please be sure that UCSD resources are not used to perform work that the small business collaborator is supposed to perform, such as compiling and submitting the full proposal.*

**Proposal Requirements and Deadlines**

As always, please try to give OCGA a heads up about a pending proposal. Please send the federal solicitation, and if there's more than one focus area/topic area, specify the one to which we are applying. Please ask the industry collaborator to confirm what materials are required to be submitted, and if there are specific templates we should use, request that they send them to us. *Please confirm well in advance what the deadline is (it will most likely be a few days in advance of the agency deadline).*

Please make sure to consider general federal agency sponsor proposal guidelines in the context of the SBIR/STTR proposal when constructing the budget (e.g., NIH salary limitations). Please also contact OCGA early if atypical or additional proposal components are required in case coordination with other offices is necessary (e.g., OIC, CIO, Export Control, Risk Management, etc.).

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**Intellectual Property and Confidential Information**

Industry collaborations, especially SBIR/STTR proposals, might involve a greater emphasis on proprietary information than a typical research collaboration, and a non-disclosure agreement to cover proposal preparation discussions may therefore be appropriate.

Often the industry collaborator will ask us to sign a Non-Disclosure Agreement (NDA) to cover communications related to the proposal effort. *NDAs must be negotiated and signed by OCGA Business Contracts.* To request an NDA, please complete the form here: [https://blink.ucsd.edu/research/preparing-proposals/sponsors/industry/unfunded-request.html](https://blink.ucsd.edu/research/preparing-proposals/sponsors/industry/unfunded-request.html) Depending on the terms and whether obligations are outside of what we usually see in such agreements, OCGA may ask for specific PI concurrence before signing the agreement.

UCSD prefers two-way NDAs in case UCSD confidential information is to be shared. This is usually the case when patented (or in-process patentable) inventions are involved. *Please ask the PI to work with UCSD OIC in advance to determine whether any UCSD background intellectual property will be involved in the proposal or if the industry collaborator licenses technology from the University.* If so, that IP will be specifically called out in the NDA. PIs should be aware of their obligations under any confidentiality agreements, including steps they need to take to protect UCSD confidential information.

Please note that NDAs/CDAs are outside the fundamental research exception. All parties involved (institutions and individuals) must undergo restricted party screening in advance of OCGA signing the NDA, and any controlled items or materials may only be exchanged under a control plan developed in advance by Export Control.

Should a formal research relationship (award) arise from these discussions, confidentiality terms in a sponsored research agreement (subaward) would take the place of the NDA. STTR awards also require an IP Allocation Agreement be negotiated between the industry and university collaborator; some industry collaborators want a separate agreement, and others are willing to incorporate the IP terms into the research subaward agreement.
Quick Reference List

In addition to typical proposal preparation practices, these steps may be helpful for SBIR/STTRs:

- Get company website/proof of address
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