

Subject: Policy for Research Sponsored by Non-DOE Entities	Effective Date: October 15, 2012	Initiated by: Head, Business Operations
	Supersedes: Rev. 2, Dated: 2/18/05 and related TCRs	Approved: Director

REFERENCES:

DOE Order 481.1C Work For Others (Non-Department of Energy Funded Work); DOE Accounting Handbook, Chapter 13- Reimbursable Work, Revenues, and Other Collections; DOE Order 483.1- DOE Cooperative Research and Development Agreement; DOE Order 522.1- Pricing of Department Materials & Services; DOE Manual 481.1A- Reimbursable Work for Non-Federal Sponsors Process Manual

This policy applies to research or non-research work funded by entities other than DOE, including those funded under Work-For-Others (WFO) agreements and Cooperative Research And Developmental Agreements (CRADA). Excluded from the provisions of this policy are: 1) work funded by the DOE, either in whole or in part; 2) work for non-federal sponsors which is supported, in part, by DOE direct funding, via a formally negotiated cost sharing agreement; and 3) consulting services by individual PPPL staff. This policy is designed to meet the requirements in the referenced documents.

KEY POLICY REQUIREMENTS:

All work funded in accordance with this Policy is governed by the following:

1. Work is consistent with, and complementary to, DOE’s mission for the Laboratory, that the proposed work would not adversely impact the execution of assigned programs at the Laboratory, would not create a detrimental future burden on DOE resources, and would not place the Laboratory in direct competition with the private sector.
2. Work uses existing facilities and expertise, including work determined to be needed to meet DOE’s long-term goals for the Laboratory. Work should not require any additions to regular staff solely to carry out the work.
3. It must be determined that the facilities and expertise of the Laboratory are unique for the work proposed in order that the Laboratory not be placed in direct comparative competition with another entity. The determination of uniqueness and confirmation that another entity cannot perform the work is a responsibility shared by the Sponsor, the DOE Contracting Officer and the Laboratory.
4. The professional staff at PPPL may pursue research funding in accordance with the Rules and Procedures of the Professional Research and Technical Staff of Princeton University.

5. Arrangements with the Department of Homeland Security (DHS) for it to fund and conduct work at PPPL will reflect the following elements:
 - a. DHS funded work will be performed on an equal basis as other missions at the Laboratory and not on a noninterference basis with other missions.
 - b. No added administrative or personnel charges in excess of those paid by the DOE will be charged for DHS work.
 - c. The cost charged DHS for its activities at PPPL will be consistent with the cost of similar work performed for DOE.
 - d. With respect to DHS work performed at PPPL, the DOE Contracting Officer will resolve all work prioritization issues between the DOE work and the DHS work.

The specific form of contract applicable to a particular workscope sponsored by non-federal entities will be determined by Deputy Director for Operations, with input from the Head, Business Operations, the Head, Plasma Science and Technology Department, and others as needed. Work funded by other federal agencies will be funded by an interagency agreement or other interagency document.

ADMINISTRATIVE/OPERATIONAL REQUIREMENTS:

Projects under this Policy are subject to the following:

1. All work must be approved by the DOE/PSO Contracting Officer. Work funded by non-federal sponsors must be approved by Princeton's Office of Research and Program Administration (ORPA). Work that is directly funded by a foreign entity sponsor requires the review and approval of the DOE Office of International Science and Technology Cooperation, the DOE Office of Counterintelligence, and the DOE Office of Science.
2. All work will be completed on a full-cost recovery basis and consistent with the Contract requirements applicable to other work at PPPL. Full-cost recovery includes the DOE-added administrative charge of 3%, which may be waived for small businesses and "not for profit" entities. Full-cost recovery may include cost for obtaining necessary permits and approvals needed specifically for the proposed work, such as in the event that the NEPA review determines that an Environmental Assessment or Environmental Impact Statement is required.
3. Funding must be incorporated into the prime contract via a funding modification. For non-federal sponsors, pre-financing adequate to cover 60 days of anticipated costs or \$25 thousand, whichever is greater, must be provided prior to the commencement of work. Under certain circumstances, PPPL management may approve the use of non-contract funds to allow work to commence prior to the receipt of funds from the sponsor or prior to inclusion of the sponsor's funds in a contract modification.
4. PPPL is prohibited by law from competing with the private sector; thus, PPPL cannot respond to any federal government acquisition request for proposals (RFPs) or any other solicitation from another Federal agency or non-federal entity that involves head-to-head

competition with the private sector, either as an offeror, team member, or a subcontractor to an offeror. PPPL may respond to federally published *Broad Agency Announcements of Research Opportunities, Financial Assistance Solicitations, Program Research and Development announcements, and similar solicitations from another Federal agency or non-federal entity that do not result in head-to-head competition with the private sector.* Submission of unsolicited proposals is permissible provided the criteria of this document are met.

5. The availability of facilities and capabilities at PPPL may be made known through the exchange of information using technical publications, professional exchanges at conferences, or through any other distribution of general capability statements.
6. Equipment acquired for the work must be accounted for and maintained in the same manner as DOE owned property. Disposition of equipment must be as previously agreed to with the sponsor. Equipment shipping costs are the responsibility of the Sponsor.
7. If Princeton University is the sponsor, a formal organizational conflict of interest review will be completed by the Head of Business Operations.
8. In the case of work-for-others agreements with federal agencies, PPPL can procure automated data processing equipment (ADPE) on behalf of the federal sponsor under the following conditions:
 - a. All PPPL procurement requirements related to the purchase of ADPE are satisfied.
 - b. PPPL must provide a statement to DOE/PSO that title to the ADPE will be handled in accordance with the personal property provisions of the DOE prime contract.
 - c. In those awards (NASA/DOD) where the contracting officer determines at the completion of the contract who has title to ADPE, the contracting officer must, at the beginning of the contract, permit DOE to retain title to the ADPE.
9. All WFO and CRADA work scope must be reviewed to determine whether export controls or embargoes may be applicable (see PPPL Policy P-101, Export Control).
10. All WFO research performed for NASA will comply with NASA's China funding restriction. NASA is restricted from using its funds to enter into or fund any grant or cooperative agreement of any kind to participate, collaborate, or coordinate bilaterally with China or any Chinese-owned company, at the prime recipient level and at all subrecipient levels, whether the bilateral involvement is funded or performed under a no-exchange of funds arrangement. The restriction does not apply to Princeton or PPPL faculty, staff or students who are Chinese nationals.