**Unfunded Agreement Request Process via Online Form**

**Preparing to Complete the Form**

Each department will determine its internal process for completing the form, including who is responsible for the different parts of information-gathering. The form is designed for maximum flexibility in that various offline approvals and backup documentation can be uploaded by the form submitter.

1. If a PI wants SIO to enter into an unfunded agreement, they should work with their business office to gather the information necessary to complete the online form. A blank form is attached as an appendix here for reference. Please note that the form can only be completed in one single effort; you cannot save your progress and close your browser.

**C&G recommends reading through this guide and the attached screenshot guide completely in advance of beginning your request.**

The submission can be completed by the PI, PI designee, department designee, or MSO; evidence of MSO approval is required before C&G will begin work on an agreement.

SIO-wide MOUs intended to be signed by Dr. Leinen should be routed through/approved by the Director’s Office, instead of the PI’s business office. Please contact Brandi Bangle for assistance, and also copy Kelly Swiech if the agreement is with an international collaborator.

NDA requests dealing solely with purchases (as opposed to research collaborations) should be directed to UCSD Procurement. SIO’s main contact there is Bryan Hurley. Please feel free to contact C&G if you’re not sure what the correct office is for your NDA.

2. Standard unfunded collaboration agreement, MOU, and NDA templates are available on the SIO C&G website (<https://scripps.ucsd.edu/contracts-and-grants/forms>). Please contact C&G if you’re not sure which type of agreement is appropriate for your collaboration. Please also feel free to customize a template for your project and send it to your potential collaborator as a starting point for discussions, at the same time as you are working on the online request form, if turnaround time is a concern.

3. The department and PI should complete all compliance steps and secure all needed approvals (Restricted Party Screening, COI, grad offices, etc).

4. The department and PI should gather all communications with the potential collaborator, including any email conversations, any draft agreements or statements of work sent by the collaborator, related agreements, etc., to attach to the form.

5. Please proceed to complete the online form.

**Accessing the Form**

1. Go to the [SIO Unfunded Agreement Request Form](https://scripps.ucsd.edu/form/unfunded-agreement-request).

2. Fill out all sections of the form. If the MSO or MSO designee is not the person completing the form, an upload showing MSO approval will be required.

**Completing the Form**

Required fields have a red asterisk. While many of the fields are self-explanatory, some notes and guidance are provided here.

Please note that some questions may not be applicable to your agreement; for example, an NDA would not involve ship time. If a question is not applicable, please answer ‘no’.

1. SIO Information

- Please include both the department name and org code.

- The department contact should be the primary person C&G will work with while negotiating the agreement.

2. Organization Information

- This information is needed for C&G negotiations with the collaborator.

- If you know of a previous or ongoing agreement with the organization, please mark yes and, if possible, please attach it. This could be between the PI and the organization, or another PI in the department/at SIO with the organization.

3. Agreement Information

- Please mark the type of agreement the PI is interested in.

Please contact C&G if you need help figuring out what kind of agreement is appropriate

for your collaboration.

* An MOU/Letter of Agreement is non-binding and does not have a specific SOW. It is typically SIO-wide or lab/department-wide
* An Unfunded Collaboration Agreement is binding and has a specific SOW, and is usually specific to one PI/lab.
* Some projects may be a hybrid of these; C&G can work with you to craft a specialized agreement appropriate for the PI’s needs.

Do not use this form for institutional Letters of Support or institutional Letters of Intent for collaborators’ research proposals. Please contact the appropriate C&G officer for that proposal directly by email for such requests.

- In the project description field, please include a brief description of the project/agreement. For example, if you are requesting an NDA, please state what the topic of discussion is, who will be involved, and whether the discussion will be related to a pending proposal or an existing research collaboration. If there is an anticipated start date for the project or a needed agreement execution date, please note that as well.

- If the organization we’re working with has sent a draft agreement for our review, please attach it to the form.

4. Export Control

- A Visual Compliance Restricted Party Screening must be conducted on the collaborator organization, collaborator organization participants, and on all SIO participants. The results must be uploaded to the form as a single PDF at the bottom of this section. If you do not have a login for Visual Compliance, please contact USCD Export Control to set one up.

- A “yes” answer to any of the questions in this section will require pre-approval by UCSD Export Control before we proceed with an agreement. Please secure this approval in writing and upload it to the form at the bottom of this section.

- Item 4(d) - You will have already run the Restricted Party Screening on all SIO participants, but to the extent we are receiving controlled or restricted information, UCSD export control will need to know who will have access to that information in case a control plan is required.

- Item 4(h) - If the agreement is an Equipment Loan, UCSD Export Control will want confirmation of the export classification for the item. The PI may need to ask the collaborator for this information.

5. Intellectual Property

This section is intended to make sure we have all necessary rights to perform the work, and to signal all of us to be aware of issues that might arise during the course of the project. Many of these questions may be hard to answer given that research is unpredictable. Please do your best in consultation with the PI, and with the UCSD Office of Innovation and Commercialization as needed.

6. Ships/Diving/Risk Management

- Item 6c. You are not required to attach approvals from or communications with risk management; this is intended to alert the department that waivers might be required.

- Please include additional detail in the general comments field in Section 9 as needed.

7. COI

In lieu of submitting a 700-U form for unfunded agreements, we are asking basic questions to highlight potential conflicts of interest in the collaboration. Please contact C&G or COI should you have any questions about whether an activity the PI is engaged in or a specific pre-existing relationship with the collaborator might represent a conflict.

8. Agreement Activity

- Item 8a. This is intended to identify potential obligations connected to our collaborator’s prime project funding that we may be subject to.

- Item 8b. This question helps us understand how SIO’s role may have been characterized in a collaborator’s funding proposals and will help identify potential obligations connected to our collaborator’s prime project funding that we may be subject to.

- Item 8c. This question allows us to identify the source of support for our own participation in the collaboration.

- Item 8e. You are not required to attach approvals from the SIO and main campus Grad Offices to this form, but such approval will be required to be submitted to C&G before we can execute an agreement that contains binding commitments in this area. If you do have communications with the grad offices on hand, please upload them in Section 9.

9. Comments and Supporting Documents.

- Please include here any additional information it would be helpful for C&G to know, including interim deadlines and any background on the relationship with the collaborator.

- Please include a note in this section if an unusual signing arrangement is required (eg, some international collaborators prefer that the PI be the signatory, in which case the PI will sign the document and then C&G will endorse it as the authorized representative).

- Please include a note in this section indicating whether the PI would prefer C&G to handle negotiations/interactions directly with the collaborator, or if the PI would prefer to do so and copy C&G.

- Please include a note in this section if any additional SIO or collaborator personnel should be copied during negotiations and/or copied during distribution of the fully executed agreement. This could include a departmental alias or UCSD Office of Innovation and Commercialization.

- If the MSO or MSO designee is not the person completing the form, an upload showing MSO approval via email will be required.

**Submitting the Form**

Once the form is complete, click on “Submit”. A confirmation screen will come up showing that the submission has been received by SIO C&G unfunded agreement group email.

**C&G Review of the Form**

C&G will review the form and contact the department and PI to discuss next steps.

- If the collaborator has signed our agreement template, or has sent a draft agreement that is acceptable, C&G will sign or let the department know it can be routed for signature. Either C&G or the PI will secure the collaborator’s countersignature. Once we have a signed agreement, C&G will distribute it and collaboration can begin.

- If the agreement requires negotiation or further revisions, C&G will tell the department and PI what the specific needed changes are. C&G can contact the collaborator directly, or the PI can do so, depending on the PI’s preference as noted in Section 9. Once C&G has reached agreement with the collaborator on terms, either C&G or the PI will secure the collaborator’s countersignature. Once we have a signed agreement, C&G will distribute it and collaboration can begin.

**Possible required backup/compliance documentation information**

Each project will have its own unique requirements for backup and/or compliance documentation. Please review the form screenshot guide so that you can gather all required information in advance. Below is a non-exhaustive list of such documentation.

* Visual Compliance Restricted Party Screening results required for all SIO and collaborator participants. RPS is a dynamic service. If you have already run a participant once and received a negative result (no hits), you can upload the same results PDF moving forward unless/until the systems sends you an email update.
* For an equipment loan, ITAR category or EAR classification
* Export Control email communications
* SIO ships, small boats, or diving emails
* Related sponsored research proposals and/or funded awards
* Related IRB/IACUC
* Grad office approvals
* MSO approval for submission of the request is required if the MSO is not the one submitting the form

**Unfunded Agreement Form Worksheet**

Please use this worksheet to gather all the information and answer all the questions you’ll need for the online form.

1. **Scripps Information**

* PI/Project Lead Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* PI/Project Lead Email \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Dept Name/Org Code \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Dept Contact \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Organization Information**

* Organization Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Organization Country \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Organization Contact Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Organization Contact Email \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Prior or existing agreement with this organization? Yes No
* Prior or existing agreement attachment.

1. **Agreement Information**

* Type of agreement \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Description of project and anticipated start date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
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* Draft agreement attachment.

1. **Export Control**

* Does this agreement involve sanctioned countries (Cuba, Iran, North Korea, Syria or Sudan)? Yes No
* Any positive Restricted Party Screening (RPS) hits? Yes No
* Will this agreement involve any foreign military interactions or any end uses for
* biological or chemical weapons, missile, nuclear, rocket, or UAV (unmanned aerial vehicles)? Yes No
* Any UCSD access to export-restricted information or equipment? Yes No
* If yes, Please list the names of all individuals who will be receiving information under this agreement. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Will this agreement involve foreign travel, shipments or exchange of materials or equipment with a foreign collaborator? Yes No
* Will this agreement involve work funded by the US Department of Defense, or MILITARY, SPACE or ENCRYPTION equipment, software, materials, or components accessed, used or developed? Yes No
* Will this agreement involve an End Use or Research Aim restricted under Export Control regulations: Nuclear, Foreign Military, UAV, Rocket or Missile, Chemical or Biological Weapons? Yes No
* If this is an Equipment Loan Agreement, is the agreement for equipment or items with export classifications of ITAR or 500 or 600 series ECCNs? Yes No
* Export Control Emails including Restricted Party Screening results attachment

1. **Intellectual Property**

* Does this activity involve the development of equipment or software, and/or have the potential to result in new inventions? Yes No
* Does the PI have any patents or patent filings in related areas? Yes No
* Has tech transfer been consulted about any relevant background IP/planned development of existing IP? Yes No
* Are any other organizations or third parties significantly involved with the activity?
* Is the PI involved in any other activities with companies that are related to this agreement? Yes No

1. **Ship Time/Diving/Equipment**

* Does the agreement involve the use of a ship, small ship, or diving? Yes No
* If the agreement involves the use of a ship, small ship, or diving, has the appropriate office been contacted yet for approval? Yes No
* Does the agreement involve any UCSD equipment operated by non-UCSD personnel? Yes No

1. **Conflict of Interest**

* Has the PI or other key personnel received money, gifts or material benefit from the Organization? Yes No
* Does the PI have a financial relationship with the Organization? Yes No
* Does the PI hold a position (employee, board member, consultant, investor, family member) with the Organization? Yes No
* If yes to any of the above, explain: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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1. **Agreement Activity**

* Is the Organization receiving funding from another entity for its participation in or work under this agreement? Yes No
* If yes, please explain and provide funding source. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Did the Organization mention UCSD or UCSD personnel in a proposal or sponsored research agreement related to the work under this agreement? Yes No
* Is this agreement connected with an existing UCSD activity? Yes No
* If yes, provide proposal number or fund number. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Is there an IRB or IACUC for this activity? Yes No
* If yes, Please list the UCSD Human or Animal Subject Protocol Number and Approval Date. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Is there graduate student involvement or activity specifically described in the terms of this agreement? Yes No

1. **Comments and Supporting Documents**

* Additional information or documentation including MSO approval.

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