

Department of Energy

Pt. 603

(2) Define all technical characteristics necessary for reading or processing the records;

(3) Define file and record content and codes;

(4) Describe update cycles or conditions and rules for adding or deleting information; and

(5) Detail instrument calibration effects, sampling and analysis, space and time coverage, quality control measures, data algorithms and reduction methods, and other activities relevant to data collection and assembly.

(c) Recipients agree to comply with designated DOE records and data man-

agement requirements, including providing electronic data in prescribed formats and retention of specified records and data for eventual transfer to the Comprehensive Epidemiologic Data Resource or to another repository, as directed by DOE. Recipients will provide, as part of the final report, a description of records and data compiled during the project along with a plan for its preservation or disposition.

(d) Recipients agree to make project records and data available as soon as possible when requested by DOE.

APPENDIX A TO PART 602—SCHEDULE OF RENEWAL APPLICATIONS AND REPORTS

Type	When due	Number of copies for awarding office
1. Summary: 200 words on scope and purpose (Notice of Energy R&D Project).	Immediately after a grant is awarded and with each application for renewal.	3
2. Renewal period ends	6 months before the budget	8
3. Progress Report period (or as part of a renewal application).	90 days prior to the next budget period	3
4. Other progress reports, brief topical reports, etc. (Designated when significant results develop or when work has direct programmatic impact).	As deemed appropriate by DOE or the recipient	3
5. Reprints, Conference	Same as 4. above	3
6. Final report of the project	Within 90 days after completion	3
7. Financial Status Report (FSR)	Within 90 days after completion of the project period; for budget periods exceeding 12 months an FSR is also required within 90 days after the first 12-month period.	3

NOTE: Report types 5 and 6 require with submission two copies of DOE Form 1332.16, University-Type Contractor and Grant-ee Recommendations for Disposition of Scientific and Technical Document.

PART 603—TECHNOLOGY INVESTMENT AGREEMENTS

- 603.220 Government participation.
- 603.225 Benefits of using a TIA.
- 603.230 Fee or profit.

Subpart A—General

- Sec.
- 603.100 Purpose.
- 603.105 Description.
- 603.110 Use of TIAs.
- 603.115 Approval requirements.
- 603.120 Contracting officer warrant requirements.
- 603.125 Applicability of other parts of the DOE Assistance Regulations.

Subpart B—Appropriate Use of Technology Investment Agreements

- 603.200 Contracting officer responsibilities.
- 603.205 Nature of the project.
- 603.210 Recipients.
- 603.215 Recipient's commitment and cost sharing.

Subpart C—Requirements for Expenditure-Based and Fixed-Support Technology Investment Agreements

- 603.300 Difference between an expenditure-based and a fixed-support TIA.
- 603.305 Use of a fixed-support TIA.
- 603.310 Use of an expenditure-based TIA.
- 603.315 Advantages of a fixed-support TIA.

Subpart D—Competition Phase

- 603.400 Competitive procedures.
- 603.405 Announcement format.
- 603.410 Announcement content.
- 603.415 Cost sharing.
- 603.420 Disclosure of information.

Pt. 603

10 CFR Ch. II (1–1–06 Edition)

Subpart E—Pre-Award Business Evaluation

- 603.500 Pre-award business evaluation.
- 603.505 Program resources.

RECIPIENT QUALIFICATION

- 603.510 Recipient qualifications.
- 603.515 Qualification of a consortium.

TOTAL FUNDING

- 603.520 Reasonableness of total project funding.

COST SHARING

- 603.525 Value and reasonableness of the recipient's cost sharing contribution.
- 603.530 Acceptable cost sharing.
- 603.535 Value of proposed real property or equipment.
- 603.540 Acceptability of fully depreciated real property or equipment.
- 603.545 Acceptability of costs of prior R&D.
- 603.550 Acceptability of intellectual property.
- 603.555 Value of other contributions.

FIXED-SUPPORT OR EXPENDITURE-BASED APPROACH

- 603.560 Estimate of project expenditures.
- 603.565 Use of a hybrid instrument.

ACCOUNTING, PAYMENTS, AND RECOVERY OF FUNDS

- 603.570 Determining milestone payment amounts.
- 603.575 Repayment of Federal cost share.

Subpart F—Award Terms Affecting Participants' Financial, Property, and Purchasing Systems

- 603.600 Administrative matters.
- 603.605 General policy.
- 603.610 Flow down requirements.

FINANCIAL MATTERS

- 603.615 Financial management standards for for-profit firms.
- 603.620 Financial management standards for nonprofit participants.
- 603.625 Cost principles or standards applicable to for-profit participants.
- 603.630 Use of Federally-approved indirect cost rates for for-profit firms.
- 603.635 Cost principles for nonprofit participants.
- 603.640 Audits of for-profit participants.
- 603.645 Periodic audits and award-specific audits of for-profit participants.
- 603.650 Designation of auditor for for-profit participants.
- 603.655 Frequency of periodic audits of for-profit participants.
- 603.660 Other audit requirements.

- 603.665 Periodic audits of nonprofit participants.
- 603.670 Flow down audit requirements to subrecipients.
- 603.675 Reporting use of IPA for subawards.

PROPERTY

- 603.680 Purchase of real property and equipment by for-profit firms.
- 603.685 Management of real property and equipment by nonprofit participants.
- 603.690 Requirements for Federally-owned property.
- 603.695 Requirements for supplies.

PURCHASING

- 603.700 Standards for purchasing systems of for-profit firms.
- 603.705 Standards for purchasing systems of nonprofit organizations.

Subpart G—Award Terms Related to Other Administrative Matters

- 603.800 Scope.

PAYMENTS

- 603.805 Payment methods.
- 603.810 Method and frequency of payment requests.
- 603.815 Withholding payments.
- 603.820 Interest on advance payments.

REVISION OF BUDGET AND PROGRAM PLANS

- 603.825 Government approval of changes in plans.
- 603.830 Pre-award costs.

PROGRAM INCOME

- 603.835 Program income requirements.

INTELLECTUAL PROPERTY

- 603.840 Negotiating data and patent rights.
- 603.845 Data rights requirements.
- 603.850 Marking of data.
- 603.855 Protected data.
- 603.860 Rights to inventions.
- 603.865 March-in rights.
- 603.870 Marking of documents related to inventions.
- 603.875 Foreign access to technology and U.S. Competitiveness provisions.

FINANCIAL AND PROGRAMMATIC REPORTING

- 603.880 Reporting requirements.
- 603.885 Updated program plans and budgets.
- 603.890 Final performance report.
- 603.895 Protection of information in programmatic reports.
- 603.900 Receipt of final performance report.

RECORDS RETENTION AND ACCESS REQUIREMENTS

- 603.905 Record retention requirements.

Department of Energy

§ 603.105

603.910 Access to a for-profit participant's records.

603.915 Access to a nonprofit participant's records.

TERMINATION AND ENFORCEMENT

603.920 Termination and enforcement requirements.

Subpart H—Executing the Award

603.1000 Contracting officer's responsibilities at time of award.

THE AWARD DOCUMENT

603.1005 General responsibilities.

603.1010 Substantive issues.

603.1015 Execution.

REPORTING INFORMATION ABOUT THE AWARD

603.1020 File documents.

Subpart I—Post-Award Administration

603.1100 Contracting officer's post-award responsibilities.

603.1105 Advance payments or payable milestones.

603.1110 Other payment responsibilities.

603.1115 Single audits.

603.1120 Award-specific audits.

Subpart J—Definitions of Terms Used in this Part

603.1205 Advance.

603.1210 Articles of collaboration.

603.1215 Assistance.

603.1220 Award-specific audit.

603.1225 Cash contributions.

603.1230 Commercial firm.

603.1235 Consortium.

603.1240 Cooperative agreement.

603.1245 Cost sharing.

603.1250 Data.

603.1255 Equipment.

603.1260 Expenditure-based award.

603.1265 Expenditures or outlays.

603.1270 Grant.

603.1275 In-kind contributions.

603.1280 Institution of higher education.

603.1285 Intellectual property.

603.1290 Participant.

603.1295 Periodic audit.

603.1300 Procurement contract.

603.1305 Program income.

603.1310 Program official.

603.1315 Property.

603.1320 Real property.

603.1325 Recipient.

603.1330 Supplies.

603.1335 Termination.

603.1340 Technology investment agreement.

APPENDIX A TO PART 603—APPLICABLE FEDERAL STATUTES, EXECUTIVE ORDERS, AND GOVERNMENT-WIDE REGULATIONS

APPENDIX B TO PART 603—FLOW DOWN REQUIREMENTS FOR PURCHASES OF GOODS AND SERVICES

AUTHORITY: 42 U.S.C. 7101 et seq.; 31 U.S.C. 6301-6308; 50 U.S.C. 2401 et seq., unless otherwise noted.

SOURCE: 70 FR 69254, Nov. 15, 2005, unless otherwise noted.

EFFECTIVE DATE NOTE: At 70 FR 69254, Nov. 15, 2005, part 603 was added, effective Mar. 15, 2006.

Subpart A—General

§ 603.100 Purpose.

This part establishes uniform policies and procedures for the implementation of DOE's "other transaction" authority and for award and administration of a technology investment agreement (TIA).

§ 603.105 Description.

(a) A TIA is a special type of assistance instrument used to increase involvement of commercial firms in the Department of Energy's (DOE) research, development and demonstration (RD&D) programs. A TIA, like a cooperative agreement, requires substantial Federal involvement in the technical or management aspects of the project. A TIA may be either a type of cooperative agreement or a type of assistance transaction other than a cooperative agreement, depending on the intellectual property provisions. A TIA is either:

(1) A type of cooperative agreement with more flexible provisions tailored for commercial firms (as distinct from a cooperative agreement subject to all of the requirements in 10 CFR 600), but with intellectual property provisions in full compliance with the DOE intellectual property statutes (i.e., Bayh-Dole statute and 42 U.S.C. 2182 and 5908, as implemented in 10 CFR 600.325). The authority to award this type of TIA is 42 U.S.C. 7256(a), as well as any program-specific statute that provides authority to award cooperative agreements; or

(2) An assistance transaction other than a cooperative agreement, if its intellectual property provisions vary from the Bayh-Dole statute and 42 U.S.C. 2182 and 5908, which require the