Contracting At Boise State

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Disclosure: I am not a lawyer

... nor do I play one on TV
Contracting Services Work
The Right Contract

• ... is uniform across campus

• ... includes language appropriate for the scope of work you are doing

• ... is written by Office of General Counsel
Extremes of Work We Can Do For Industry

Research (intellectual, creative, inventive)  Analytical Services (standardized, rote)
Analytical Services

• Might be a measurement or analysis that takes a relatively short period of time.
• Are done in a prescribed manner.
• Does not require creativity on the part of lab providing that service.
• Deliver the same or similar result no matter who does the test.
Which Are Examples of an Analytical Service

• Creating a super alloy that has improved strength.

✓• Measurement of tensile strength of superalloy.

✓• Developing a new process to turn tires into fuel.

✓• Measuring the caloric content of tire fuel oil.

Contact me if you have a question on this...
Research Contract With Industry

- Scope of Work
- Intellectual Property
- Confidentiality
- Publication
- Termination
- Liability
- Warranty
- Export of Technology

>> This scope of work will typically require 7-8pp contract (OSP, C-TAP)
Analytical Services Contract For Industry

- Scope of Work
- Termination
- Intellectual Property
- Liability
- Confidentiality
- Warranty
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>> This scope of work can be done with new 2pp Analytical Services contract (OGC)
Comparison for Visual Learners

Industry Sponsored Research Agreement (OSP)

Analytical Services Agreement (OGC)
Conditions of Analytical Services Contract

- Requires $5k signature authority
- Services must not be readily available from the private sector.
- No intellectual property is anticipated to be developed or result from the services.
- Must be reviewed by OGC if modified.
Conditions of Analytical Services Contract

• The maximum ceiling for individual projects is $5K & services are not expected to be ongoing.

• Fees charged for services must cover all of University’s actual costs, including salaries, fringe, supplies, materials, other operating expenses and F&A.

See Analytical Services Template Guidelines for add’l info.
Ways to Request Work
Ways to Request Work
Face to Face, Phone, Email

Pros
• Essential in understanding what work is needed and that lab can deliver.

Con
• Requires more overhead by lab on repeat jobs.
• Difficult to track
Online Work Intake Systems

iLabs Web-Based System
• Biomolecular Research Core
• BSCMC, IML
• Vivarium

*Conversation still needed before starting new work...*

TouchNet Marketplace
• Human Performance Lab
• Idaho Leads Learning Network
Getting Paid

Jerry Maguire, Gracie Films, 1996
Getting Paid by External Customers

• Internal Oversight- Invoice and track it within your organization

• External- Route work through Boise State Accounts Receivable
Payment by Check (External Customers)

1. Fill out check properly
2. Address properly, drop in mail
3. Info entered, money deposited by Payments/Disbursements
4. Walk over to Admin Bldg
5. Complete Fusion Cloud accounting form
6. Copy check

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TouchNet Online Payment (External Customers)

1. Enter credit card info online
2. Complete Fusion Cloud accounting form
3. Email Payments/Disbursements form + TouchNet summary
C-TAP Initiative to Improve Services Requests at Boise State
Improve Online Order Processes

1. Start with existing online services portal (Human Performance Lab??)

2. Integrate 1 pg. contractual terms to order process (click wrap)

3. Create test site. Test, refine, test...

4. Launch on sites for other service providers
For Big Customers...

C-TAP can act as intermediary between customer and service lab

• Facilitate technical communication between customer and lab
• Initiate services with labs as needed
• Pay labs, bill customer after work is completed.
• May carry open PO with customer...
If you want help with contracting or have questions, contact me

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