



OFFICE OF SPONSORED PROJECTS
THE UNIVERSITY OF TEXAS AT AUSTIN

P. O. Box 7726 • Austin, Texas 78713-7726 • (512) 471-6424 • FAX (512) 471-6564 • (mc A9000)

May 9, 2008

Mr. Jeff Vice, Director
Local Government Issues
721 Barton Springs Road
Austin, Tx 78704

Re: "Steps to Develop a Carbon Neutral Municipal Electrical Utility"

Dear Mr. Vice:

We are pleased to submit this proposal prepared by Dr. David Eaton, LBJ School of Public Affairs. This proposal has the approval of cognizant officials of The University of Texas at Austin.

Enclosed along with the proposal is The University's Principles and Policies Guide for Sponsored Research. It briefly summarizes the fundamental issues that govern the manner in which research is conducted at The University. The Sponsored Research Agreement No. UTA08-400 is also enclosed.

For information relating to the technical portions of this project, you may contact Dr. David Eaton, LBJ School of Public Affairs, The University of Texas at Austin. Proposal matters should be referred to Dana Morrison, Office of Sponsored Projects, The University of Texas at Austin, Post Office Box 7726, Austin, TX 78713-7726 (Phone: 512/471-5863). dmorrison@austin.utexas.edu

Awards and post-award matters should be referred to the Office of Sponsored Projects, ATTN: Anna Gonzalez (Phone: 512/471-6424 or E-mail: angonzalez@austin.utexas.edu).

Sincerely,

A handwritten signature in cursive script that reads "Susan Wyatt Sedwick".

Susan Wyatt Sedwick, Ph. D.
Associate VP for Research and
Director, Office of Sponsored Projects

SWS:dm

The LBJ School of Public Affairs (UTLBJ) will provide a Policy Research Project on the topic of "Steps to Develop a Sustainable Municipal Electric Utility" during 2008-09. The deliverables will include: an initial draft report by 1/15/09; a plan for obtaining public comment on the draft report by 1/15/09; a revised draft report incorporating public comments by 3/31/09; and a final report after comments for Austin Energy by 8/31/09.

The topics of the report will include the following subjects: The concept of a "sustainable" utility; The concept of a zero carbon footprint; AE's current carbon footprint; Austin's future demand for energy; Future energy sources; Future energy efficiency opportunities; Future conservation opportunities; Austin's sustainability in 2020 as measured by carbon footprint; Recommendations; and Plan for implementation.

Austin Energy (AE) shall: pay UTLBJ for appropriate expenditures; facilitate access to appropriate information and data from Austin Energy; and facilitate communication between UTLBJ staff and staff of Austin Energy.

Solar Austin is providing additional funding to the University of Texas at Austin.

Basis for Computing Costs: CA will pay UTLBJ an amount not to exceed \$25,000 based on the budget below. UTLBJ is authorized to shift funds among line items to achieve the purposes of the project.

Item	Amount
Salaries	\$10,000
Fringe Benefits	3,000
Supplies	4,000
Consultants	3,000
Travel	5,000
<i>Total costs</i>	\$25,000

A Principles and Policies Guide for Sponsored Activity

THE UNIVERSITY OF TEXAS AT AUSTIN

INTRODUCTION

The University of Texas at Austin has prepared this Guide as a summary of selected fundamental principles and policies which govern the manner in which sponsored activity is conducted at The University and to facilitate and expedite the negotiation of sponsored activity agreements between The University and sponsors.

LEGAL IDENTITY

The University of Texas at Austin is an agency of the State of Texas and a component institution of The University of Texas System, governed by the UT Board of Regents. All sponsored activity agreements and related contractual agreements such as visiting scientist agreements, nondisclosure agreements, teaming agreements, material transfer agreements, etc. must be executed by an authorized official of The University and in The University's legal name: "The University of Texas at Austin." Individuals, Departments or Organized Sponsored Research Units may not directly enter into sponsored activity agreements or legally bind The University.

SELECTED PRINCIPLES AND POLICIES

GOVERNING SPONSORED ACTIVITY AT THE UNIVERSITY OF TEXAS AT AUSTIN

PURPOSE

Routine tasks of a commonplace type that do not contribute to the advancement of knowledge or The University's mission will not be undertaken. The University will not place its facilities or services in competition with services performed by the private sector. Therefore, tests, studies, and investigations of a purely commercial character are undertaken only when University facilities are unique for those services and no satisfactory facilities for such services exist elsewhere or are not reasonably available to the sponsor.

PUBLICATION POLICY

The University retains the right to publish and disseminate all work done under sponsored activity projects and cannot accept or undertake any sponsored project that provides for sponsor approval or undue control over the timing or content of University publications, or which prohibits the publication of the results of the project, except with limited restrictions.

PATENTS AND OTHER INTELLECTUAL PROPERTY

Title to inventions and discoveries, including copyrightable software, made or conceived by The University under a sponsored project is retained by The University. The University will grant to the sponsor a time-limited first right to negotiate an exclusive or nonexclusive royalty-bearing license, whose terms will include the requirement that the sponsor shall bear the expense of securing and maintaining patent protection for any licensed invention or discovery. Two exceptions to this policy would be: 1) Federally funded research or sponsored activity which would be governed by appropriate federal regulations regarding data rights and patent rights and 2) Sponsored activity funded by nonprofit organizations, Universities, or State Agencies in which the University would normally grant the sponsor a nonexclusive royalty free license to use such inventions and discoveries for internal purposes only.

As a State of Texas educational institution, The University is unable to enter into "works-for-hire" agreements in which the results of the sponsored activity are owned by the sponsor.

BEST-EFFORTS NATURE OF SPONSORED ACTIVITY

Because research or sponsored activity results are unpredictable, The University performs its sponsored activities on a "best efforts basis" with no stated warranties or guarantees. The University will not accept contract provisions that require a warranty or guarantee of the results, provide for penalties due to failure to make progress by firm deadlines, or provide for withholding of payment if the sponsor is not satisfied with the results. Any resulting contract or agreement is expected to be on a cost reimbursable basis as opposed to fixed price or time and materials/labor hour basis.

USE OF THE UNIVERSITY'S NAME

It is a long-standing University policy that under no circumstances shall a sponsor be permitted to use its name in any publication or other published announcement to state or imply that The University approves or endorses any product or service of the sponsor. The University also requires that its name not be used in connection with any advertisement, press release, or other form of business promotion or publicity, or refer to a sponsored activity agreement, without its prior written approval.

INSURANCE AND INDEMNIFICATION

The University of Texas at Austin is self-insured for Worker's Compensation Insurance. The University is unable under Texas law to obtain Employer's Liability, Comprehensive General or Public Liability, and Comprehensive Automobile Insurance. The Texas Tort Claims Act provides for remedies against the State for legal proceedings for claimants in these areas.

The University, to the extent permitted by the Constitution and laws of the State of Texas, will agree to indemnify the sponsored activity sponsor for The University's own negligent acts or omissions in the performance of the sponsored activity project. The sponsor will be expected to indemnify The University and The University of Texas System from any liability arising out of the activities carried out pursuant to the obligations of the sponsored program and for the sponsor's use of the sponsored activity results obtained from the activities performed by The University under the sponsored program.

TERMINATION

In the event a funding agreement is terminated for any reason, the sponsor will be expected to reimburse the University for all costs incurred to the date of termination and for all noncancellable obligations.

GOVERNING LAW

As an agency and institution of the State of Texas, The University of Texas at Austin cannot accept a provision that provides that the agreement is governed by the laws of another state.

OFFICE OF SPONSORED PROJECTS

The Office of Sponsored Projects (OSP) serves as the coordinating office for externally funded sponsored activity projects submitted by The University of Texas at Austin. All proposals to external funding sources for sponsored projects must be submitted through OSP and all awards received for sponsored research must be processed by OSP.

FURTHER INFORMATION

For further information about the policies and procedures set forth in this Guide, or to request information on sample University agreements for use with sponsoring organizations, please contact the Office of Sponsored Projects @ (512) 471-6424. Additional information concerning the Office of Sponsored Projects, its personnel, sample forms, OSP Handbook and other information can be obtained by visiting the OSP Home Page web site located at <http://www.utexas.edu/research/osp/>. Additional information concerning The University of Texas at Austin may be obtained by visiting The University of Texas at Austin Home Page web site located at <http://www.utexas.edu/>. Additional information concerning The University of Texas System may be obtained by visiting The University of Texas System web site at <http://www.utsystem.edu/OGC/IntellectualProperty/INDEX.HTM>.

OFFICE OF SPONSORED PROJECTS GENERAL INFORMATION:

Associate Vice President for Research: Susan W. Sedwick (512) 471-6424; email: osp@mail.utexas.edu

Associate Director: Jeanette Holmes (512) 471-6424; email: jaholmes@austin.utexas.edu

Associate Director for Industrial Relations: William "Bill" Catlett (512) 471-6279; email: bcattlett@austin.utexas.edu

Assistant Director: Courtney Frazier (512) 471-6424; email: c_frazier@austin.utexas.edu

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Overnight Delivery	Office of Sponsored Projects
Address	North Office Building - Suite 4.300 101 E. 27th Austin, Texas 78712

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