

QUICK GUIDE

When the California Model Agreement is Required

California Education Code Section 67325 et seq. requires the use of the model agreement for:

- Contracts *between* the State and the University of California (UC)/California State University (CSU*) for research, training or services
- Grants *from* the State to the UC/CSU for research, training or services

**CSU includes its auxiliary organizations*

The CA Department of General Services (DGS), UC, and CSU developed the California Model Agreement (CMA), which consists of:

1. CMA Standard 213 Agreement Form and
2. Exhibits, including the University Terms and Conditions (UTC)

DGS, UC, and CSU jointly established a Guide for how to complete the Exhibits. If all parties agree that the CMA does not meet the contracting needs of a unique project, follow the guidance for requesting an exemption.

FREQUENTLY ASKED QUESTIONS

Q1: Which research, training or service projects do not require the use of the CMA?

A1: DGS, UC, and CSU agreed that California Institute for Regenerative Medicine projects, Information Technology (IT) projects and construction projects are automatically exempt. All other projects require use of the CMA absent an individual exemption.

Q2: My campus is a subcontractor to the State for research, training or service. Is the CMA required?

A2: Absent any approved exemption, the CMA is required (see box 1 above). If the prime source of funds is non-State, then Exhibit D is used to identify and include any flow-through terms from the prime sponsor.

Q3: I received a non-CMA agreement from a state agency. How can I find out if an exemption was obtained?

A3: The state agency should provide documentation (email, etc. from DGS) for the approved exemption.

Q4: The State issued a solicitation that includes award terms and conditions but there is no mention of using the CMA for UC/CSU applicants. If selected for funding, would we use the CMA or the terms and conditions in the solicitation?

A4: If the funding is for research, training or service, DGS has confirmed that the CMA is required by law, absent an exemption, even if the solicitation does not reference the CMA. We recommend that you include a statement in your proposal transmittal that sets forth the expectation that should the UC/CSU be selected, the parties will comply with Education Code section 67325 et seq. as required by law.

To access this Quick Guide:
see [RPAC's California Model Agreement webpage](#) or
[CSU's California Model Agreement Resources webpage](#)

For questions:
RPAC staff, [click here](#); CSU staff [click here](#)