



## ENGINEER RESEARCH AND DEVELOPMENT CENTER (ERDC) TESTING SERVICES AGREEMENTS (TSA) INFORMATION SHEET

The Engineer Research and Development Center (ERDC), Office of Research and Technology Transfer (ORTT), Technology, Knowledge, & Outreach (TKO) Division offers expertise in understanding and constructing Testing Service Agreements (TSA). Let us help you with your TSA.

**What is a TSA?** Under Testing Services Agreements (TSAs), DOD laboratories may make available to any person or entity (including universities), on a reimbursable basis, laboratory services for the testing of materials, equipment, models or computer software and other items. They are authorized by 10 U.S.C. 2539b (a) (3). The law authorizes the directors or commanders of government laboratories, centers or other facilities to make available to any person or entity, at a prescribed fee, the services of the government facility for the testing of materials, equipment, models, computer software and other items.

**Authority for Use?** [10 USC 2539b](#)

**Is there Funding?** On a reimbursable basis, paid to DOD laboratories by any person or entity (including universities) utilizing laboratory services.

**When is a TSA appropriate?** A TSA should be used if the service is to be provided by the laboratory with no technical collaboration by the partner. The service performed must legitimately be the “testing of materials, equipment, models, computer software or other items.” A TSA is not appropriate for research studies or investigations. Neither does it authorize the sale of products – just services. The entity requesting the laboratory’s services must establish in writing that provision of the services will not constitute undue competition with the private sector and that the service requested does not involve expansion of laboratory capabilities or facilities, even if the requesting entity offers to finance the expansion.

### **Who may participate in TSAs?**

The legislation defines “person or entity” to be an individual, partnership, corporation, association, state, local or tribal government, or an agency or instrumentality of the United States. Thus, the only limitation on participants is that they may not be agencies of foreign governments.

- **Private Industry (US or foreign)**
- **Nonprofit (US)**
- **State, local, and tribal governments (US)**
- **Academic institutions (US or foreign)**

### **Resources:**

If you have further questions, please contact us at: [TTO@usace.army.mil](mailto:TTO@usace.army.mil).