



Sponsored Programs Award Review, Negotiation, Acceptance and Notification

Policy Type: Administrative
Responsible Office: Office of Sponsored Programs
Initial Policy Approved: 01/07/2013
Current Revision Approved: 04/06/2016

Policy Statement and Purpose

The purpose of this policy is to define and explain the sponsored programs award review, negotiation, acceptance and notification process. Virginia Commonwealth University (“VCU” or “University”) receives various types of agreements (grants, contracts, cooperative agreements, etc.) for sponsored program activities. All awards for sponsored programs, including research, instruction, community service, etc., should be processed through the Office of Sponsored Programs (“OSP”).

Noncompliance with this policy may result in disciplinary action up to and including termination. VCU supports an environment free from retaliation. Retaliation against any employee who brings forth a good faith concern, asks a clarifying question, or participates in an investigation is prohibited.

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Who Should Know This Policy

All individuals involved in the conduct or administration of sponsored programs are responsible for knowing this policy and familiarizing themselves with its contents and provisions.

Definitions

Authorized Official

The individual(s) formally authorized to bind the institution to grants, contracts, and other agreements; the official signatory for the institution.

Award

Funds that have been obligated by a funding agency for a particular project, or the document memorializing this transaction.

Contract

A written agreement with specific obligations for both the sponsor and recipient. Each contract document contains a Statement of Work to be performed and represents a legal obligation by the contractor. Because a contract is a purchase or procurement, there will always be a deliverable. Contracts are more detailed than grants or cooperative agreements in the technical requirements and sometimes in the accountability for the use of funds. Contracts issued as the result of procurement under a sponsored program need careful review for adequacy of the Statement of Work and objectivity of the statement of deliverables.

Cooperative Agreement

A federal award similar to a grant and subject to grant regulations, but the sponsor's staff may be actively involved in proposal preparation and anticipates having substantial involvement in research and financial activities once the award has been made.

Deliverable

An objectively measurable product or service that is a direct result of a project effort or a procurement. Deliverables must be stated as an integral part of the proposal and award documents. The deliverable for many projects can be a report or other objects, and in a time and effort project will be a specified amount of effort as demonstrated by the effort reporting system. A good deliverables list is very noun oriented.

Grant

A type of financial assistance awarded to an organization for the conduct of research or other program as specified in an approved proposal. A federal grant, as opposed to a federal cooperative agreement, is used whenever the awarding office anticipates no substantial programmatic involvement with the recipient during the performance of the activities. The PI of a research grant has significantly greater flexibility in making changes to the research plan than the PI of a research contract. As with any agreement, a grant has terms and conditions that must be followed.

Principal Investigator ("PI")

a) The individual with final responsibility for the conduct of research or other activity described in a proposal or an award; b) the individual with fiduciary responsibility for an award's management. Usually these are the same individual. However, VCU has a requirement that the fiduciary responsibility vest in an employee, so on occasion they may be different; a common example is that the recipient of a research fellowship is explicitly not an employee, so that person's faculty advisor normally manages the award's account.

Proposal

An application for funding that contains all information necessary to describe project plans, staff capabilities, and funds requested. Formal proposals are officially approved and submitted by an organization in the name of a PI. A proposal (application) can be considered an offer to do business and requires the signature of an institution's Authorized Official.

Research Administration Management System – Sponsored Programs Online Tracking (“RAMS-SPOT”)

The electronic system implemented by the Office of Sponsored Programs that supports paperless routing and approval of all major sponsored project transactions, paperless record storage, in-system budgeting, and in-system communications. Access is by EID and password.

Sponsored Program

A grant, contract, or other agreement awarded to accomplish a specific goal or project.

Statement of Work (“SOW”)

The description of the work or services to be performed and completed on a research project or sponsored activity. A good Statement of Work is very verb oriented.

Contacts

The Office of Sponsored Programs (“OSP”) officially interprets this policy. The Office of Sponsored Programs is responsible for obtaining approval for any revisions as required by the policy *Creating and Maintaining Policies and Procedures* through the appropriate governance structures. Please direct policy questions to the Office of Sponsored Programs.

Procedures

The process of finalizing an agreement and authorizing work involves several steps:

- Award review
- Negotiation
- Officially accepting the sponsored grant, contract, or agreement
- Notification of the award

Award Review:

The Office of Sponsored Programs reviews each award document to determine its acceptability under federal and state laws, sponsor guidelines and terms and conditions, and state and University policies and procedures.

Awards can be bilateral (both parties must sign) or unilateral (no VCU signature is required). Both types of awards undergo the award review process.

Negotiation:

Bilateral agreements include terms and conditions specific to the project being funded. OSP works with the PI and the sponsor to negotiate terms and conditions that are acceptable to both parties.

Terms that may be subject to negotiation include but are not limited to:

- Statement of Work
- Budget
- The reporting requirements, both technical and financial
- Start and end dates
- Confidentiality
- Export control
- Audit requirements
- Invoicing requirement
- Indemnity and liability
- F&A (indirect) costs
- Ownership of technical developments
- Limitations on publication
- Requests for secrecy
- Intellectual property issues
- Payment schedules
- Subject injury
- Termination
- Governing law

Unilateral agreements generally contain standard terms and conditions that do not require negotiation; however, unilateral agreements may require negotiation if the sponsor includes special terms, conditions, restrictions, or requirements that are specific to the project being awarded.

Acceptance:

Under the VCU policy entitled *Authority to Execute Contracts and Other Documents*, the Board of Visitors has delegated signatory authority for accepting awards to designated individuals in the Office of Research and Innovation. Awards are made to Virginia Commonwealth University. Once an agreement has been reviewed by OSP and the PI, it can be accepted and executed on behalf of the University by the signatory designated by the Vice President for Research and Innovation. No others are authorized to accept awards.

Notification:

The award document is an official agreement that governs the conduct of the project. When an award is finalized, notifications are forwarded to the PI, Grants & Contracts Accounting, and those individuals

specified in the RAMS-SPOT Access Management Access List. For each fiscally-managing department, division and/or school, the Access List is maintained by the appointed delegate to the Committee for the Administration of Research (“CAR”).

Forms

There are no forms associated with this policy and procedures.

Related Documents

1. Authority to Execute Contracts and Other Documents
(http://www.policy.vcu.edu/sites/default/files/Authority%20to%20Execute%20Contracts%20and%20Other%20Documents_0.pdf)

Revision History

This policy supersedes the following archived policies:

01/07/2013	<i>Sponsored Programs Award Review, Negotiation, Acceptance and Negotiation</i>
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FAQs

1. My sponsor sent the agreement directly to me. Can I sign and return it and then send to OSP?

No. Only an Authorized Official may execute agreements on behalf of VCU. Please forward the agreement to the Office of Sponsored Programs via the RAMS-SPOT system for review and negotiation.

2. How long does it take for an award to be processed?

Unilateral awards (awards not requiring negotiation or VCU’s signature) are generally processed within two weeks from date of receipt. Bilateral awards (awards requiring negotiation and VCU’s signature) usually take four to six weeks, depending on the complexity of the term(s) to be negotiated and the responsiveness of the sponsor.