

**NOVA SOUTHEASTERN UNIVERSITY
OFFICE OF SPONSORED PROGRAMS
POLICIES AND PROCEDURES**

PROPOSAL PREPARATION

APPLICATION AND AWARD TYPES

EFFECTIVE 12-01-08, REVISED 12/26/2014

POLICY #1

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PURPOSE:

To define the various types of applications submitted and award documents accepted by the university in support of its sponsored projects. Each type of application and award document is subject to specific rules and regulations of the sponsor.

DEFINITIONS:

Application/Proposal: A formal request for financial support of a project or activity submitted to an external sponsor on specified forms and in accordance with sponsor instructions submitted through prescribed channels and signed on behalf of the university by an official authorized by the university. Examples of federal application types include but are not limited to:

- *New Application*: A request for financial assistance for a project or activity that is not currently receiving support and must compete for support, and is being submitted for the first time.
- *Renewal*: A request for additional funding for a period subsequent to that provided by a current award. A renewal application competes with all other applications and must be fully developed as though the applicant is applying for the first time.
- *Revision*: A request for an increase in support in a current budget period for expansion of the project's approved scope or research protocol.
- *Resubmission*: An unfunded application that the applicant has modified following initial review and resubmitted for new consideration.
- *Non-Competing Continuation Progress Report*: Required to continue support of a grant for the subsequent budget periods within an approved period of performance.

Award: An executed grant, cooperative agreement, or contract (which may include purchase orders) for the conduct of a sponsored project..

Clinical Trial: An agreement between the university and a third party to use university facilities and personnel to test a pharmaceutical product or device involving the use of human subjects. Clinical trials also include investigator initiated clinical trials that may be funded by the university or a third party. *Industry-sponsored clinical trials are managed through the Office of Clinical Research.*

Contract: A legally binding instrument which entails a commitment between at least two parties and legally enforceable rights and duties.

Cooperative Agreement: A legal instrument of financial assistance between a federal awarding agency (or pass-through entity) and a recipient (or subrecipient) that is used to enter into a relationship where (1)

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the principal purpose is to transfer something of value from the federal awarding agency (or pass-through entity) to the recipient (or subrecipient) to carry out a public purpose authorized by a law of the United State and not to acquire property or services for the federal government or pass-through entity's direct benefit or use, and (2) it provides for substantial involvement between the federal awarding agency or pass-through entity and the recipient or subrecipient in carrying out the activity contemplated by the federal award. It does not include subsidies, loans, loan guarantees, or insurance. Cooperative agreements are governed by their terms, federal statutes and regulations, agency-specific policies and the *OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*.

Federal Procurement Contract: The principal purpose of the federal procurement contract is to acquire property or services for the direct benefit or use of the United States Government. Contracts with the federal government are subject to extensive laws and regulations (i.e., the Federal Acquisition Regulations, Title 48 of the Code of Federal Regulations) that govern, among other subjects, the manner of contract formation, terms and conditions, and define remedies and sanctions available to the parties. The most common types of contracts accepted at the university include:

- Cost Reimbursable Contract: This is a contract issued on the basis of an estimate of the costs of performing the work arrived at by negotiation between the government and the contractor. The contract provides for payment to the contractor for costs actually incurred up to a ceiling amount. The contractor is excused from further performance after costs reach this ceiling, and will not be reimbursed for its costs unless the government increases the ceiling and obligates more funds.
- Fixed Price Contract: This is a contract in which the contractor guarantees to deliver or perform the contract work within the specified period at a fixed price agreed upon in advance, and payable regardless of actual costs.
- Federal Purchase Order: A purchase order is a federal contract that is subject to simplified acquisition procedures of 48 C.F.R. Part 13.

Grant: A financial assistance mechanism and legal instrument awarded pursuant to a statutory authority that permits an executive agency of the federal government (for federal grants) to transfer anything of value to a something of value to the recipient to carry out a public purpose of support or stimulation authorized by a law of the United States, instead of acquiring property or services for the direct benefit or use of the United States Government. A grant does not provide for substantial involvement between the awarding agency (or pass through entity) and the recipient (or subrecipient) in carrying out the activity contemplated by the award. Grants are governed by their terms, federal statutes and regulations, sponsor-specific policies and the *OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*. The following are examples of grant types:

- Conference: A grant awarded to support the costs of meetings clearly within the areas of sponsored project interests.

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- **Construction:** A type of facilities assistance grant made to provide support for building, expanding, and modernizing facilities. (See “Facilities Assistance” below.)
- **Consultation & Education:** A grant awarded to develop and coordinate the effective provision of health and other services, and to increase public awareness of the nature of particular problems and of the types of services available.
- **Continuing Education:** A grant made to provide support for additional or updated training for professionals, paraprofessionals, or nonprofessionals working in a given field.
- **Demonstration/Exploratory:** A grant, generally of limited duration, made to establish or demonstrate the feasibility of an innovative theory or approach.
- **Facilities Assistance:** A grant made for the acquisition, remodeling, expansion, or leasing of existing facilities, or the construction of new facilities, and for the initial equipping of such facilities.
- **Fellowship:** A grant made on behalf of an individual to support specific training that will enhance that individual’s level of competence in the particular area of concern. Under certain programs, fellowship recipients may be subject to service and payback requirements.
- **Planning:** A grant made to support planning, developing, designing, and establishing the means for performing research, delivering health and other services, or accomplishing other approved objectives.
- **Research:** A grant made in support of investigation or experimentation aimed at the discovery and interpretation of facts, revision of accepted theories in the light of new facts, or the application of such new or revised theories.
- **Service:** A grant made to support costs for the purpose of organizing, establishing, providing, or expanding the delivery of health or other services to a specified community or area.
- **Training:** A grant awarded to an organization to support costs of training students, personnel, or prospective employees in research or in the techniques or practices pertinent to the delivery of health or other services in the particular area of concern. Under some programs, student trainees may be subject to service and payback requirements.

Prime Award: An award to an eligible recipient received directly from the awarding agency. The recipient of the prime award is responsible for ensuring the compliance of the subrecipient under a subgrant or subaward to the applicable terms and conditions of the prime award.

Subgrant/Subaward: An award made under a prime award by the original prime award recipient to another eligible recipient, or by a subrecipient to a lower tier subrecipient. If the university issues an agreement to another entity (subrecipient) to carry out some of the activities within the scope of work, this is considered a subgrant or subaward, as opposed to a vendor agreement. If the university awards a subgrant, the subrecipient must agree to the applicable terms and conditions of the prime award. The federal government requires prime recipients to flow down the terms and conditions to lower tier recipients.

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Vendor Agreement/Purchase Order: A contract for goods or services under a prime award which does not involve substantive programmatic activities as described in the proposal or scope of work. If the university is acquiring supplies or equipment needed to perform the prime award, the entity providing the goods or services is not carrying out substantive programmatic activities under the prime award, and is classified as a vendor. Therefore the terms and conditions of the prime award do not flow down.

POLICY:

The university accepts all types of grants, cooperative agreements and contracts as defined in this policy. The university reserves the right to reject an award that is deemed not to be in the best interests of the university. The university will comply with all laws, regulations and terms and conditions of grants, cooperative agreements, and contracts.

REFERENCES:

- The Federal Grant and Cooperative Agreement Act, 31 U.S.C. 6301, et seq.
- OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR Part 200, <https://federalregister.gov/a/2013-30465>
- OMB Federal Awarding Agency Regulatory Implementation of Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, <https://www.federalregister.gov/articles/2014/12/19/2014-28697/federal-awarding-agency-regulatory-implementation-of-office-of-management-and-budgets-uniform>
- NIH Grants Policy Statement, <http://grants.nih.gov/grants/policy/policy.htm#gps>
- NSF Proposal and Award Policies and Procedures Guide, <http://www.nsf.gov/bfa/dias/policy/>
- HHS Grants Policy Statement, <http://www.hhs.gov/grants/grants/policies-regulations/index.html>

PROCEDURES:

All proposals/applications being transmitted to external awarding agencies to request funding for sponsored projects to be awarded via grants, cooperative agreements, or contracts must be reviewed and approved by the Office of Sponsored Programs (OSP) to ensure:

- A thorough understanding of the rules and regulations associated with the sponsor and/or application type.
- The application is completed consistent with the rules and regulations of the sponsor and/or application type.

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- The scope of work can be completed by the Principal Investigator/Project Director (PI/PD) and the university.
- The application is in the best interest of the university.

If the application does not meet all of the above criteria, the OSP will advise the PI/PD, department and the university that the application cannot be submitted as prepared, and will work with the PI/PD and department providing guidance on how to improve the application for submission purposes. Refer to OSP Policy No. 7 – *Proposal Review, Approval, Signature and Submission on behalf of NSU*.

Review, negotiation, and acceptance of all award mechanisms for sponsored projects must be coordinated through the OSP. Refer to OSP Policy No. 9 – *Negotiations* and OSP Policy No. 23 – *Notification and Acceptance of Award*.