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RFP Review: Best Practices

NCURA Webinar
September 18, 2025
2:00-3:30 “The Show”
3:35-4:30 “After the Show” Fireside Chat

WEBINAR FACULTY

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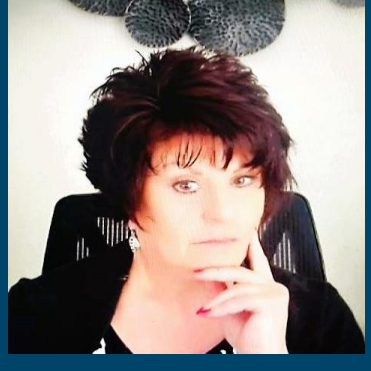

Lorrie Robbins
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Poll #1

What discipline do you mostly work with:

1. Clinical
2. Basic Research
3. Medicine
4. Arts/Sciences/Technology/Humanities
5. Pre-award
6. Post-award
7. Both pre-award and post-award
8. Other:

Learning Objectives

- Understand RFPs and funding announcements
- Deconstruct the RFP: Case Studies
- Understand who governs RFPs
- Diversifying sponsors

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Learning Objectives

- Terms and Conditions: Can we manage?
- Interpret out to our PI
- Understand best methods
- Fireside Chat with Q&A

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WHAT IS A RFP?: FEDERAL

- Request for Proposal
- Solicits ***contract*** proposals.
- Usually issued by a government agency.
- Usually has one receipt date.
- Request for product, service or equipment.
- Often referred to as a solicitation.

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WHAT IS A RFP?: NON-FEDERAL

- More likely than not, uses ***grant*** mechanism.
- Foundations tend to use the term RFP.
- Can tend to be confusing as they use terms interchangeably.

COMPARING RFPs

Federal

- Request to provide discreet services or goods
- Contractual
- Sponsor determines scope of work, programmatic needs

Non-Federal

- Typically follows grant mechanism
- Most common solicitation for applications
- Applicant driven scope of work

WHO GOVERNS

- Federal Grants and Cooperative Agreements (Assistance): Uniform Guidance (UG), 2 CFR 200, Subpart C, 200.203, Notices of Funding Announcements.
- Federal Contracts (Acquisition): Federal Acquisition Regulations (FAR), 48 CFR, Various Chapters, a lot of “if this, then” but general info same as UG.

WHO GOVERNS

- Non-Federal Sponsor: some may be modeled after federal sponsor. Non-Federal agency determines structure and layout. May be more vague than a federal FOA. Seek clarification.

WHAT'S IN A NAME?

General Services Administration

	Request for Information (RFI)	Sources Sought Synopsis (Notice)	Request for Quote (RFQ)	Request for Proposal (RFP)
FAR Reference:	See **FAR Part 10** (Market Research).	See **FAR Part 10** (Market Research)	See **FAR Part 13** (Simplified Acquisition Procedures), **FAR Part 8** (Schedules). Not equal to an RFP	See **FAR Part 15** (Negotiations). Not equal to an RFQ.
Purpose:	A market research tool used for forecasted requirements. Posted early in the acquisition process, **before** defining a requirement for procurement.	A market research tool primarily used to identify small businesses capable of performing/providing the requirement. Posted early in the acquisition process, **after** defining a requirement for procurement.	A document submitted to request a quote for supplies/ services for simplified acquisitions or from vendors with contracts in the GSA Schedules program Posted after an acquisition strategy has been determined as a result of market research.	A formal solicitation for supplies/services with a value expected to exceed the Simplified Acquisition Threshold. Posted after an acquisition strategy has been determined as a result of market research.
Used to:	Used to help the Government plan and understand market potential, price, delivery, industry capabilities, etc. This method is used when the Government needs insight into the market to develop the requirement/acquisition strategy.	Used to gain knowledge of potential contractors regarding a specific requirement and to determine if there is a reasonable expectation of obtaining two or more offers from small business concerns.	Used to communicate Government requirements to prospective contractors to obtain quotes.	Used to communicate Government requirements to prospective contractors and to solicit proposals.
Restrictions:	While specific details may also be requested, it's generally a written request for ideas/information.	Specific details are requested by the contacting agency to identify potential contractors and determine market capacity consistent with the scope and scale of the requirement.	Requires strict adherence to the terms and conditions stipulated in the solicitation.	Requires strict adherence to the provisions and anticipated terms/ conditions stipulated in the solicitation that will be negotiated and applied to the resulting contract.

WHAT'S IN A NAME

None at all-sponsor initiated or sponsor website

All have a different purpose and/or requirements. Info we need to extract is similar if not the same

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RFP INITIAL THOUGHTS

RFPs are not identical, but the information you are looking for is identical.

Federal RFPs will have the same information but may be formatted differently or have extra sections that are sponsor specific.

Non-federal sponsors may or may not model after federal RFP and can make us live in the dreaded *"I'M NUTS"*.

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Poll #2
Do you see more:
1. Government RFPs
2. Non-government RFPs

BASIC STRUCTURE OF A RFP

Typical Components:

- Basic Information: deadlines, LOI?, RFP version, funding limitations.
- Eligibility: PI, Institution, Geographic, Expertise.
- Program Description: Agency's mission and goals.
- Submission Requirements: documents, where?

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BASIC STRUCTURE OF A RFP

- Narrative Structure
- Budget: Cap?, Cost Share?, Time?, Person Hours?, Indirect Costs?, Subawards?
- Review Criteria
- Special Sections: Postdoc Plan?, Multi-PI?

RFP: SPECIAL REQUIREMENTS

- Institutional Conflict of Interest
- Small Business Subcontracting Plan
- Reps & Certs
- Any award terms asking acceptance at proposal phase.
- Contract type: Infinite Delivery Indefinite Quantity, Deliverables, Task, Options, Fixed-price

DECONSTRUCT THE RFP THROUGH CASE STUDIES

- Language Interpretation
- Sponsor Crosswalk
- Writing for the Reviewer

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CASE STUDIES

1. NIH/NIDA 75N95024R00003: Federal

Solicitation_75N95024R00003_F.pdf

2. American Surgical Association Fellowship: Non-Federal

ASA: Awards - ASA Foundation Fellowship Research Awards

3. RFA-ES-22-005: Federal Hybrid

Expired RFA-ES-22-005: Centers for Oceans and Human Health 4: Impacts of Climate Change on Oceans and Great Lakes (COHH4) (P01 Clinal Trial Optional)

#1 FEDERAL CASE STUDY

National Institute on Drug Abuse
Request for Proposal (RFP) No. 75N95024R00003
"Preparation and Distribution of Research Drug Products"

NIH/NIDA RFP

- 141 pages
- 2 page Table of Contents

INITIAL THOUGHTS

Are we eligible?

Can we provide the goods, service, or product?

Is this something we want to propose?

Do we need partners, new hires, space, equipment, any thing else?

Where in the RFP are the answers?

Can we accept the terms?

Are We Eligible?

Yes, because the following are true:

- We are registered in SAM- System for Award Management
- We are compliant with FAR 52.204-13
- We have the expertise and experience
- We can demonstrate financial stability

Can we provide the goods, service, or product?

Attachment 3 has the scope of work.
Can we complete?

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(1) Acquire drugs and/or chemical compounds from domestic sources,
(2) Import and export drugs/chemical compounds from foreign sources,
(3) Determine the purity and stability of bulk drugs and other chemical compounds in the NIDA drug supply inventory periodically, or as required by the NIDA Contracting Officer's Representative (COR),
(4) Develop methods to prepare and analyze drug dosage forms, such as (but not limited to) pellets of morphine, naltrexone, methadone (of various strengths) with their placebo counterparts; cannabinoid preparations (such as, delta-8, and delta-9-tetrahydrocannabinol, cannabidiol, cannabinol, cannabichromene); and/or any other drug of interest,
(5) Maintain active inventory of all required bulk drugs and other chemical compounds for research purposes,
(6) Store and ship bulk drugs and other chemical compounds for research as required byNIDA,
(7) Manufacture, analyze, store, and ship marijuana cigarettes as required by NIDA, Develop, analyze, store, and ship nicotine research cigarettes (NRCs) for research as required by NIDA,
(8) Develop, prepare and amend current NIDA Drug Master File (DMF) on marijuana, and marijuana cigarettes and Tobacco Product Master File (TPMF) on nicotine research cigarettes (NRCs) annually or as needed by the NIDA COR, and

Is this something we want to propose?

- Do we already provide similar service to others?
- Does this align with priorities?

Do we need partners, new hires, space, equipment, any thing else?

In other words– is it feasible to complete the work?

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Where in the RFP are the answers?

LOOK IN THE INDEX

LOOK IN ATTACHMENTS

USE CTRL+F TO FIND A TERM

AI ASSISTANCE TO SUMMARIZE

Can we accept the terms?

IP

Data Ownership

Publication

Confidentiality

Defining the next steps

1. Deadlines and Timelines
2. Proposal Sections and Requirements
3. Format
4. Signatures/Letters of Support
5. Cost Share/In-Kind/Something Else
6. Reporting Requirements

AI Uses to define next steps

Summarize key dates

NIH Solicitation 75N95024R00003 – Key Dates

- **RFP Issue Date:** October 1, 2024
- **Proposal Due Date:** November 15, 2024 (1:00 PM ET)
- **Contract Start Date (Estimated):** March 20, 2025
- **Contract End Date (Estimated):** March 19, 2030

Recurring Report Deadlines:

- **Semi-Annual Reports:** April 15 & October 15 (each year)
- **Annual Reports:** March 31 (each year)
- **Final Report:** On or before contract expiration
- **Individual Subcontract Reports (ISR):** April 30 & October 30 (each year)
- **Summary Subcontract Report (SSR):** October 30 (each year)

Summarize Review Criteria

Technical Evaluation Factors

Total of **100 points**, broken down as follows:

- **Understanding the Project (25 points)**
  Depth of understanding of goals, tasks, challenges, and proposed solutions.

- **Technical Approach (30 points)**
  Soundness, feasibility, and practicality of methods, including drug formulation and analysis.

- **Management Plan (10 points)**
  Effectiveness of task coordination, staffing, quality assurance, and scheduling.

- **Personnel (25 points)**
  Qualifications and experience of key staff, including at least two Ph.D.-level scientists.

- **Facilities (10 points)**
  Suitability and security of physical infrastructure and equipment.

NIH Solicitation 75N95024R00003 – Proposal Review Checklist

I. Mandatory Qualification Criteria

- ☐ DEA Registration for Schedule II–V substances
- ☐ Capability to obtain DEA registration for Schedule I substances
- ☐ DEA-approved secure storage facility (including refrigeration)
- ☐ FDA cGMP compliance documentation (inspection reports)
- ☐ FDA registration for sterile and non-sterile dosage forms

II. Technical Evaluation Factors (100 Points Total)

1. Understanding the Project (25 pts)

- ☐ Clear understanding of goals and objectives
- ☐ Awareness of applicable laws, data, and constraints
- ☐ Identification of potential problems and proposed solutions
- ☐ Experience in analytical chemistry, formulation, and handling of controlled substances

2. Technical Approach (30 pts)

- ☐ Sound and feasible methodology
- ☐ Detailed steps for manufacturing and analysis
- ☐ Quality control and delivery schedule
- ☐ Problem-solving strategies

3. Management Plan (10 pts)

- ☐ Task loading chart
- ☐ Person-loading chart with time estimates
- ☐ Organizational chart and reporting structure
- ☐ Milestone and Gantt charts

4. Personnel (25 pts)

- ☐ Qualified key personnel (including 2 Ph.D.-level scientists)
- ☐ Letters of commitment from consultants/subcontractors
- ☐ Resumes with relevant experience

5. Facilities (10 pts)

- ☐ Secure, DEA-approved vaults and storage
- ☐ Adequate lab space and equipment
- ☐ Temperature-controlled storage

III. Cost/Price Evaluation

- ☐ Costs are reasonable and realistic
- ☐ Costs reflect understanding of scope
- ☐ Costs align with proposed methods
- ☐ Cost realism analysis supports feasibility

IV. Past Performance

- ☐ Record of meeting specifications and schedules
- ☐ Cost control and administrative performance
- ☐ Customer satisfaction and responsiveness
- ☐ Relevant references provided

Format - What section describes format?

The format for proposal submission is described in **Attachment 1** and **Section L** of the document.

Here's a summary of the key formatting and submission requirements:

Proposal Formatting Requirements

- **Page Size**: Letter size (8.5” x 11”)
- **Font Size**: Between 10 to 12 points
- **Spacing**: No more than 15 characters per inch; no more than six lines of text per vertical inch
- **Margins**: At least one inch on all sides
- **Content Restrictions**:
  - No links to external websites (URLs)
  - No audio or video files
- **File Naming Convention**:
  - Include offeror name, solicitation number, and proposal type
  - Examples:
    - XYZCompany_75N95024R00003_Technical.pdf
    - XYZCompany_75N95024R00003_Business.pdf
    - XYZCompany_75N95024R00003_Business.xlsx

Proposal Structure and Submission

- **Separate Documents**: Technical and Business proposals must be submitted as separate, complete documents.
- **Cover Page**: Include solicitation number, offeror name, contact info, and authorized signature.
- **Technical Proposal**:
  - Limited to **200 pages**
  - Should include cover page, table of contents, and required technical content
- **Business Proposal**:
  - Should include cover page, table of contents, and cost/pricing details

- Proposals must be submitted via the **NIH electronic Contract Proposal Submission (eCPS)** website.
- Proposals submitted by **facsimile, hard copy, or email will not be accepted**.
- Submission must be completed by the **due date and time specified** in the solicitation.

Letters of Support

Solicitation require **letters of commitment** for proposed personnel who are not currently members of the offeror's staff, including consultants and subcontractors. These letters must include:

- The specific items or expertise they will provide.
- Their availability to the project and the amount of time anticipated.
- Willingness to act as a consultant.
- How rights to publications and patents will be handled.

Cost-Share/In-Kind/Something else

Section B.2 clarifies terms as cost-reimbursable and clarifies that certain costs cannot qualify as Direct Costs (i.e. DEA license)

Reporting Requirements Overview

1. Technical Reports

•Monthly Progress Reports

- Due: Within 5 business days after each calendar month
- Contents: Summary of activities, samples received/analyzed, staffing changes, problems and solutions

•Semi-Annual Reports

- Due: By the 15th of the month following each 6-month period
- Contents: Summation of monthly reports and specific data/issues

•Annual Reports

- Due: Within 15 business days after the end of each contract year
- Contents: Comprehensive summary of yearly activities

•Final Report

- Due: On or before contract expiration
- Contents: Summary of all work conducted during the contract period

•Summary of Salient Results

- Due: With the Final Report
- Limit: ≤200 words
- Purpose: Highlight key achievements

2. Regulatory and Compliance Reports

•Financial Conflict of Interest (FCOI) Reports

- Required under 45 CFR Part 94
- Includes: New, annual, revised, and mitigation reports

•Invention Reporting

- Required under FAR 52.227-11
- Includes: Disclosure reports, confirmatory licenses, utilization reports, final invention statements
- Submission via: iEdison system

3. Administrative Deliverables

•Source Code and Object Code

- Due: At contract expiration

•Contractor Non-Disclosure Agreements (NDAs)

- Due: Prior to any work; updated annually

•Rules of Behavior

- Due: At contract initiation and annually

•Subcontracting Reports

- **Individual Subcontract Report (ISR)**: Due April 30, October 30, and at contract expiration
- **Summary Subcontract Report (SSR)**: Due annually on October 30

•Annual Utilization Reports

- Due: On contract anniversary date

•Final Invention Report

- Due: At contract expiration

•Final Invoice and Closeout Documents

- Includes: Property inventory, SF 1428/1429, release of claims, assignment of refunds/credits

FAR and Confidentiality

In general, contracts under FAR regulations may have very specific terms surrounding confidential or privileged information.

Last Step

#2 NON-FEDERAL CASE STUDY

American Surgical Association

The oldest surgical association in the United States

Established in 1880

ASA Foundation Fellowship Research Awards

The purpose of the American Surgical Association Foundation Fellowship is to support and encourage gifted young surgeons who choose careers in investigation and academic surgery. Fellows will be supported in an initial year; the Fellowship can be renewed by review of the Fellowship Committee for a succeeding one-year period. During the Fellowship years, the Awardee should have a primary role in research and teaching. It is expected that the Fellow will have a faculty position following the Fellowship in the Department of Surgery of the sponsoring institution.

INITIAL THOUGHTS

Are we eligible?

Is this strategic?

Is this something we want to propose?

How are reviews completed?

Do we have questions on the RFP?

Will we need additional approvals?

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Are we eligible?

Qualifications

An applicant for an ASA Foundation Fellowship must:

- Be a citizen or permanent resident of the United States of America or Canada.
- Have an M.D. or equivalent medical degree.
- Completed a residency, in either general surgery or a surgical specialty, that is approved by the Accreditation Council for Graduate Medical Education, Royal College of Canada, or equivalent body
- Hold a faculty appointment in an accredited medical school or a similar medical institution.
- The application for the Fellowship must be submitted within five years from the time that the applicant has completed their residency or fellowship training.
- Primary consideration will be given to applicants who have previously had relevant research experience.
- All candidates must have completed an NIH certified course in Research Ethics or plan to do so within the first year of the Fellowship award.

Are we eligible?

Qualifications

An applicant for an ASA Foundation Fellowship must:

•The ASA Foundation Fellowship is a career development award and is meant to support young investigators who have **not been awarded an aggregate of $100,000 or more in direct extramural career development and independent grant funding** (whether already used, a current grant, or funding committed to start on a future date). Young investigators who have been awarded an aggregate of $100,000 or more in such direct funding are not eligible to apply. For example, an investigator who has been funded by the National Institutes of Health and/or other professional society career development grants, *where such direct funding totals $100,000 or greater*, is precluded from applying for the American Surgical Association Foundation Fellowship.

Is this strategic?

Fellowship Compensation

The Fellowship Award is $75,000 per year. No indirect costs will be paid. The Awardee is not precluded from receiving additional compensation from the sponsoring institution resulting in a total salary consistent with the Awardee's rank, accomplishments, and years of service.

Is this strategic? What does 75K Cover?

- Jr Surgery Faculty salaries > $300K so likely will involve cost-share
- No indirects means we're losing money to operate the research
- Review offers feedback on career development plan
- Prestigious award and CV addition

Is this something we want to propose?

- If we have an eligible faculty member, will we have a strong application?
- Can we afford the award?
- Do we have infrastructure in place to support the fellow?

How are reviews completed?

Buried in the website: Since 1982, the Foundation has provided Surgical Fellowships to dozens of promising young surgeon scientists, many of whom have risen in their surgical sub specialty ranks and become Chairs of their respective Departments of Surgery. View previous recipients. The Foundation is directed by an elected Board of Trustees which has oversight for the review and selection of Foundation Fellowship recipients and all aspects of fundraising including an annual campaign and planned giving opportunities.

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Do we have questions on the RFP?

- Is information missing?
- Are forms present?
- Are instructions clear?

Will we need additional approvals?

- Fellowship applications typically require Chair and Mentor endorsement
- Institutional endorsement
- Others?

So that's it?

#3 FEDERAL CASE STUDY

Department of Health and Human Services

Request for Application RFA-ES-16-009

Centers for Oceans and Human Health 4: Impacts of climate Change on Oceans and Great Lakes

NIH/NSF Hybrid

- 50 pages
- Links about to policy guides

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INITIAL THOUGHTS

Are we eligible?

Can we provide the goods, service, or product?

Is this something we want to propose?

Do we need partners, new hires, space, equipment, any thing else?

Where in the RFP are the answers?

Can we accept the terms?

Are We Eligible?

Yes, because the following are true

- Higher Education Institution
- Registered in SAM with a CAGE Code
- We are in eRA Commons
- We fit the purpose, have the expertise and experience
- We can demonstrate resources needed

Can we provide the goods, service, or product?

The National Science Foundation (NSF) and the National Institute of Environmental Health Sciences (NIEHS) are jointly releasing the fourth Oceans and Human Health FOA (COHH4) to solicit applications for multi-component projects that will develop multidisciplinary research centers focused on human health effects related to events and exposures in marine or Great Lakes environments that are associated with climate change. *Can we complete?*

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The scope of research solicited by this program spans studies involving human health in relation to marine and freshwater environments; for example
(1) understand human exposure to and mechanisms of toxicity underlying health impacts from marine and Great Lakes toxicants,
(2) develop methods to detect, quantify and forecast ocean-related health threats, including improved surveillance and monitoring of disease-causing agents in coastal waters, marine organisms (esp. seafood), aerosols, sediments, and exposed human populations, and
(3) identify relationships among parameters of climate change and increased human exposure to toxins and waterborne pathogens.
Each Center will include a Community Engagement Core (CEC) (described in section B, below) through which they will engage communities in collaborative activities. Community engagement can also be an integral part of research projects that contribute to the Center. Projects and Centers addressing populations in US coastal and Great Lakes regions that will be more vulnerable to human health risks (e.g., those with existing health or social disparities) that are associated with or exacerbated by climate change are particularly encouraged.

Is this something we want to propose?

- Do we already have a Center that does something similar?
- Can we pull together the collaboration for the Cores?

Do we need partners, new hires, space, equipment, any thing else?

Requirements:

Director, Co-Director, business manager: hire?

Facilities: instrumentation, service. Do we have it, do we need it?

Community partnerships: Who?

Where in the RFP are the answers?

LOOK IN THE INDEX

MOST ANSWERS WILL BE IN THE LINKS

USE CTRL+F TO FIND A TERM

AI ASSISTANCE TO SUMMARIZE

Can we accept the terms?

Join the PEPH Network

Cooperative Agreement with two agencies

Data Ownership-PEPH?

Reporting Requirements

Prior Approvals


IT'S
GO
TIME

Defining the next steps

1. Part 1: Overview Info, key dates
2. Part 2: Program description, requirements, award information, eligibility information
3. Section IV: Application and submission information
4. Section V: Application review information
5. Section VI: Award information

R GRANTS CHECKLIST

NOTE: The SF424 guidance for Research Project (R) grant applications has changed to Forms I and will take effect for **NIH R applications submitted on or after 1/25/2025**. There are 2 main changes to call attention to:
-While the guidance for Research Project applications will not change, what will change is how Research Project grant applications will be evaluated, going from **5 evaluation criteria to 3 evaluation criteria**.
-For all NIH applications **submitted on or after 5/25/2025, the NIH biosketches must be created or updated in the SciENcv tool**.

The checklist below applies to standard R grant mechanisms (i.e., R01, R21, R03) based on SF424 guidance and the Parent Announcements for these R funding opportunities. Requests for Applications (RFAs) or other non-Parent funding announcements for these mechanisms may deviate from this standard R checklist.

NIH Deadline: Select deadline based on new or resubmission/renewal R01, R21, or R03; **ORS/ORA deadline: 5 business days before the intended NIH deadline**

Templates and guidance docs for all below are provided in the toolkit; all formatted to .5 inch margins all around, Arial 11—see other allowable fonts and formatting.

SF424 Section	Main Documents	Page-Limit
Other Project Information	Several online questions, including: • Are Human Subjects Involved? If yes, corresponding fields in PHS Human Subjects and Clinical Trials Information form will populate. • Are Vertebrate Animals Used? If yes, several additional questions will populate, and Vertebrate Animals doc will need to be submitted.	--
	Project Summary/Abstract	30 lines of text
	Project Narrative	3 sentences
	Facilities & Other Resources	--
	Equipment	--
	Bibliography/References Cited	--
Senior/Key Personnel Profile Form	**NIH Biosketch** for PI (or multi-PIs), Co-Investigators (Co-Is), other Senior Personnel, and if applicable, Other Significant Contributors (OSC) Note: For any submission due on or after 5/25/25, the NIH biosketches must be created or updated in SciENcv.	5 per person
Budget or Modular Budget Form	**Budget/Budget Justification** (Generally, you must use Modular Budget Form if you are submitting an R application requesting $250,000 or less per budget period in direct costs.)	--
Research Plan Form	Introduction *for resubmissions or revisions ONLY*	1
	Research Plan Section	
	Specific Aims	1
	Research Strategy	R03 or R21 = 6 R01 = 12
	Other Research Plan Section	
	Vertebrate Animals (required if conducting vertebrate animal research)	--
	Select Agent Research (required if using select agents in research)	--
	Multiple PI (MPI) Leadership Plan (required if identifying more than 1 PI)	--

Format - What section describes format? Remember the links?

Page Limits | Grants & Funding

Format Attachments | Grants & Funding

Rules for Text Fields | Grants & Funding

NIH Grants Policy Statement | Grants & Funding

Proposal Structure and Submission

- Proposals must be submitted via institution's S2S such as Cayuse, homegrown S2S, other or ASSIST.
- Must be electronic application.
- Submission must be completed by the **due date and time specified** in the solicitation. One due date!
- Proposal is electronically signed at time of submission.

Application Package: follows SF 424 (R&R) application guide.

Letter of Intent: not required, not binding, only recommended for NIH workload purposes.

Technical Proposal: Multi-component application

Other Attachments: Plan for Enhancing Diverse Perspectives (PEDP)

Award Mechanism

This is not a contract. However, it is a cooperative agreement with two awarding agencies with multiple restrictions and prior approval requirements. Can we manage it?

One, two, three, GO!

Poll #3
How are the 3 case studies similar?
How are the 3 case studies different?

DIVERSIFYING SPONSORS

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What does this mean?

In a time where federal support is inconsistent and volatile should we seek other support?

Will my expertise translate?

How can I adapt?

New Sponsors

- Yes– definitely seek new sponsors. A diverse portfolio is more secure.
- Examples include industry, professional foundations, internal, foundations related to cause or disease.
- Sometime just ask if there's a philanthropic arm to a company.

Help! This is new to me.

Sponsors want to know the same things

- What is the problem?
- How big is the problem?
- How will you fix the problem?
- How much will fixing it cost?
- How long will it take?
- Can your fix help fix other problems?
- What if it doesn't work?

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Key Question	Review Criteria Terms
Why does it matter?	Significance Importance
How is it new?	Innovation Novelty Creativity
How will it be done?	Approach Plan Methodology Objectives Aims
In what context will it be done?	Environment Resources Populations Facilities
What is special about the people involved?	Investigators Organization People Researchers Personnel Partners Collaborators Staff
What is the return on investment?	Impact Value Relevance
How effectively will the financial resources be managed?	Budget
How will success be determined?	Evaluation Assessment

Crosswalk

Falk-Krzesinski and Tobin analyzed review criteria from 10 federal sponsors (including humanities) and condensed these into 8 fundamental questions that sponsors are asking.

Falk-Krzesinski and Tobin, JRA, 46(2), 79

How do I adapt?

Learn the vocabulary.

Reframe arguments.

Recognize limitations and identify needs.

DEEP DIVES COMMON CONTRACT TERMS

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Common hot button issues that may hold up an award

- Intellectual Property (IP): who keeps what, who has rights to what
- Background IP: happened prior to the current agreement
- Publications: can we publish or not for future science and funding
- Payment Terms

On fire now!

- Governing law: what State's law can be accepted
- Indemnification: which party bears the risk
- Federal Acquisition Regulations: clauses
- Federal Acquisition Regulations: subset of clauses from awarding agency

This is all happening before it even gets to you!

You have it, now what?

- Break it out, Break it down!
- Sponsor: Agency, Federal or Non-Federal? Language will be different depending on sponsor.
- Type of Agreement: Break out the parts! Language will be different based on deliverable.
- Review the terms & conditions: What do I need to relay to my PI? What do I need to know to manage this?
- None of this is scary! Process of review is same as if you were reviewing a grant or cooperative agreement!

The heart of the matter: the agreement, it could be federal, it could be non-federal

- I open it and start reading: “Whereas blah, blah, blah; Whereas blah, blah blah.” My eyes start to roll up into my head!
- What does all this mean? Whereas is another way to say “considering that” or “that being the case.”
- Whereas Clauses state the purpose of this agreement, what the study or research is and the context attached such as a related contract, Federal grant, industry sponsor, master agreement, etc.
- This comes after the Preamble (a fancy word for introduction) which talks about the contract name and type, effective date and the parties. All important stuff!

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➢*Preamble:*

"This "Research Agreement" This "Research Agreement" (hereinafter referred to as "Agreement") made on September 1, 2018 (the "Effective Date") is between:" *The Effective Date and Term may sometimes be different. Very common in industry agreements.*

"[company name], which has its headquarters located at [address] (hereinafter referred to as "Contractor" or [name of company]); and [institution name], a non-profit educational, research and healthcare institution with business offices at [institution address] (hereinafter referred to as "[institution]" or "Subcontractor"). The Parties represented in this Agreement shall be referred to individually as a "Party" and collectively as the "Parties".

➢*Whereas Clauses:*

WHEREAS, ___ is a non-profit educational, research, and healthcare institution and, in pursuit of its educational and healthcare purposes, which include research, _____, undertakes scholarly research and experimental activities in a variety of academic disciplines; and;

WHEREAS, Contractor is engaged in the development of pharmaceutical products, and;

WHEREAS, Contractor has entered into a prime contract with National Institute of Environmental Health Sciences (hereinafter referred to as "Customer" or "NIEHS" or "Government") dated September 15, 2015, Contract Number: [contract number] (hereinafter referred to as "Prime Contract"); *"Whereas" Clauses will be different depending on agreement mechanism and sponsor.*

What did I find out so far?

- Type of Agreement
- Effective Date: date research may be able to begin. *Look for a term clause for cross-reference.*
- Sponsor
- May have Federal flow down: mentions the affiliate agreement but does not incorporate Federal terms yet. *Red Flag it!*

Let's add the layers

- *Term*: defined beginning and end

"This Agreement shall be come effective on the Effective Date and shall continue in full force and effect until the _____ year anniversary of the Effective Date, unless sooner terminated as provide herein."

You may find other language in this section such as early termination, extension terms, return of materials, payment if termination.

More layers…..

- *Payment*: How do we get paid? What do I need to give the sponsor to get paid?

"Contract Basis – This Agreement is a cost reimbursement type contract. As compensation for providing the Research in a timely, compliant and complete manner, [institution] shall be reimbursed its actual, allowable costs in accordance with FAR 52.216-7, Alternate II and 52.232-20 as specified in Attachment C.

Remember we said there might be Federal flow down!

Does not tell the whole story. Attachment C will break it down to milestone, cost reimbursable costs incurred, capitation, etc.

In this section you may find when to invoice, when payment is issued to us, audits

Even more layers…..

- *Intellectual Property and Data*: defines IP, what to do if there is IP, what to do with Data, ownership of such, *"what's mine is mine and what's yours is yours" or what's mine is mine and what's yours is mine!"*
- *Publications:* right to publish and when. *At this point, your institution will have negotiated the right. Not many institutions will not accept a "no publication" clause. This is export control. The goal in most research is to publish results.*
- *Important that you call these sections out to your PI or program personnel at kick off or monthly meetings.*

Common attachments

- ✓ Statement of Work: clearly defines the scope
- ✓ Research Plans
- ✓ Budget
- ✓ Invoicing Terms
- ✓ Payment terms such as milestone payments, detailed budget for cost reimbursable (G/L), etc.
- ✓ Federal flow down terms
- ✓ Date Use Agreement (DUA)
- ✓ Non-disclosure Agreement (NDA)

Every agreement is different. Attachments will vary depending on agreement and deliverable.

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- Contract Type Language:

"Cost reimbursement, Level of Effort, Term with Options"

"Master Agreement, Task Order"

"Firm, Base, Component A with Options"

"Firm Fixed Price"- not up for negotiation with the sponsor. University bears the risk. Costs need to be exact or consequence is a financial loss. However, if there is a *"redetermination"* clause then price can be adjusted based on actual cost.

"Fixed Ceiling Price"-sponsor will go up to but not over

Watch for the "time and material" language. Most institutions will not accept this language as they are effort-based. If this language is accepted, watch for more requirements for invoicing and reporting.

Why does any of this matter to me, the portfolio manager? This drives how you manage the funding and invoicing. Very little, if any, flexibility.

Where are the layers?

- ✓ Articles: statement of work, reporting requirements, applicable direct costs, estimated budget or costs, key personnel and effort, invention reporting, deliverables.

- ✓ Federal Acquisition Regulations: applicable clauses for your institution.

This is all negotiated before it gets to you. Need to understand the restrictions.

Example language…Just be mindful…..

Term of Agreement - The initial term of this Agreement shall commence on the Effective Date hereof and shall expire on the fourth anniversary of the effective date or until its earlier termination as provided herein below or the date of *termination of the Prime Contract*, whichever is earlier ("Term"). Notwithstanding any such termination, the terms and conditions of this Agreement shall continue to apply, and the Parties shall continue to perform in accordance with this Agreement prior to the effective date of termination of this Agreement.

You may think you have a 4 year contract but what happens if the Prime ends 2 years early or does not renew?

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Effort language

Effort of Key Personnel

For all key personnel specified under Article G.2., the contractor shall stay within 10 percent of effort as negotiated in the final proposal unless otherwise authorized by the Contracting Officer. For _____, Program Manager, percent of effort is 40% (reduced from 75%). The 35% reduction from _____'s role will be filled by other program managers to be identified by the contractor.

Payment Terms – Fixed Amount

"In consideration of the performance of the Research, and as detailed in the budget included as Exhibit B, Sponsor shall pay ____a fixed-price total of $84,446.42 (eighty-four thousand, four hundred forty-six dollars and forty-two cents). Upon submission of an invoice by ___, Sponsor will pay the full amount within forty-five (45) days of the Effective Date."

This is a fixed amount, payable upon an invoice to sponsor. Who in your institution does this invoicing for such an agreement? If it does not hit the G/L it is probably the portfolio manager!

Payment Terms - Milestone

Payment Schedule:

Sponsor will pay Institution as follows:

(a) Sponsor shall pay to Institution within Forty-five days following the Effective Date and receipt of invoice twenty-three thousand two hundred seventy-seven dollars and fifty cents. $23,277.50.

(b) Sponsor shall pay to Institution within Forty-five days following the completion of Aim 1 and receipt of invoice sixty-two thousand three hundred eighty-three dollars and seventy-five cents. $62,383.75.

Payment Terms - Milestone

(c) Sponsor shall pay to Institution within Forty-five days following the completion of Aim 2 and receipt of Final Report and invoice sixty-two thousand three hundred eighty-three dollars and seventy-five cents $62,383.75.

No Restrictions… Just Conditions

✓PUBLICATION AND PUBLICITY: In addition to the requirements set forth in HHSAR Clause 352.227-70, Publications and Publicity incorporated by reference in SECTION I of this contract, the Contractor shall acknowledge the support of the National Institutes of Health whenever publicizing the work under this contract in any media by including an acknowledgment substantially as follows:

"This project has been funded in whole or in part with Federal funds from the _____, National Institutes of Health, Department of Health and Human Services, under Contract No.____"

Only requirement is to give mention of the sponsor.

✓9.1 Right to Publish - _____ shall be free to use the results of the subject research for its own teaching, research, educational, clinical and publication purposes without the payment of royalties or other fees. Any proposed publication shall comply with the Confidentiality obligations described in Article 5 of this Agreement. _____ agrees to submit to Contractor for its review, a copy of any proposed publication resulting from the subject research at *least sixty (60) days* prior to the estimated date of publication; Contractor shall have the opportunity to comment on said proposed publication. _____ shall in good faith consider all comments received by Contractor related to said proposed publication. If no *response is received within sixty (60) days* of the date submitted to Contractor, it will be conclusively presumed that the publication may proceed without delay……. Pursuant Attachment C, ARTICLE H.20., _____ shall include in all publications related to the Research conducted under this Agreement an acknowledgement of the support of the Customer, which shall be substantially similar to the acknowledgement provided under ARTICLE H.20.

REACHING THE PI

Communications

- Clear
- Concise
- Brief but effective
- Complete
- Accurate

Communications to the PI

HOW:

- Prepare a submission guide or email: covers what you reviewed in FOA and who is responsible for what and when.
- Institution already have established Toolkits?
- Request a pre-award meeting-get them to focus on administrative stuff first.

Communications to the PI

DOE SUBMISSION GUIDE	
Principal Investigator:	
NOFA (PA/PAR/RFP/FOA):	DE-FOA-0003242
Sponsor Due Date:	20-Jun-24
Internal Deadline:	No later than 8:00 am June 12, 2024
Title of Project:	
Dates:	Earliest start 7/1/2025
LOI	Yes
Submission Portal:	Grants.gov
Type of Application:	Renewal or New?

THIS GUIDE IS MAY NOT BE ALL INCLUSIVE. OTHER REQUIREMENTS MAY BE NEEDED
READ THE NOTICE OF FUNDING AVAILABILITY (FUNDING ANNOUNCEMENT)

Sections	Elements to Complete/Page Limit	Notes	Link Instructions	Person Responsible	Internal Deadline	Final Check
Fields 1 to 6B		Package in Grants.gov		Lorrie		
Field 7: Attachment A, Project Summary/Abstract	2 pages	Name of applicant, project director/PI, project title, objectives of project in single paragraph, description of project, milestones listed by year.		Lorrie will attach in Grants.gov	6/11/2024	uploaded
Field 8: Attachment B, Project Narrative Summary	20 pages	Including cover page 1-2 pages, table of contents, charts, graphs	Page 26	Lorrie will attach in Grants.gov	6/11/2024	
Appendix 1: Biosketch	2 pages	Upload as one PDF	Page 28		6/11/2024	
Appendix 2: Current and Pending		sciENcv format	Page 28		6/11/2024	
Appendix 3: Potential Conflicts of Interest or Bias			Page 29		6/11/2024	
Appendix 5: Facilities/Other					6/11/2024	
Appendix 7: Non-US Citizen Support List			Page 30		6/11/2024	
Field 9: Appendix 4: Bibliography/References	No limit		Page 29		6/11/2024	uploaded
			Page 29		6/11/2024	
Field 11: Appendix 6 Equipment			Page 30		6/11/2024	uploaded

Communications to the PI

WHAT:

- Letter of intent deadline, Application deadline, ORS deadline and deadline to you.
- Proposal section requirements with page limits and formatting instructions such as project summary, project plan, references, Biosketch, current & pending support, facilities, equipment, budget, justification, subaward documents.

Communications to the PI

- Supplemental doc requirements: data management plan, letters of collaboration, Multi-PI plan, postdoc mentoring plan.
- Other project info: human subjects, vertebrate animals, resource sharing, special requirements, award requirements they may need to know up front.
- ***IMPORTANT: articulating to the PI the differences with this mechanism, contract vs. grant***.

Poll #4

Does your institution provide checklists or guides for RFP or communication to PIs?

1. Yes
2. No
3. If yes, briefly describe.

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BRINGING IT ALL TOGETHER

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Best Methods and Proven Techniques

- Start early
- Communication – PI, collaborators, central offices
- Adhering to university proposal policies
- Build relationships with our collaborators at other institutions

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Best Methods and Proven Techniques

- Utilize AI if available and acceptable
- Review NOFO often to check for revisions, amendments, etc.
- Review NOFO for correct templates for documents, budget, naming conventions, etc.
- Build your resources bank!

Let’s Talk!