



**Negotiation and Execution of Sponsored Project Awards and Agreements # 2320.055**

<b>INITIAL EFFECTIVE DATE:</b>	<b>LAST REVISION DATE:</b>	<b>RESPONSIBLE UNIVERSITY DIVISION/DEPARTMENT</b>
February 11, 2004	September 1, 2021	Office of Research and Economic Development

**POLICY STATEMENT**

All negotiations of sponsored project awards and agreements must be accomplished by a representative of the Office of Research and Economic Development (ORED). **FACULTY AND STAFF MAY NOT EXECUTE SPONSORED PROJECT AWARDS OR AGREEMENTS ON BEHALF OF THE UNIVERSITY.** Faculty and staff are not official signatories for the University on sponsored project documentation and therefore, may not execute such documentation. The President, Provost, the Vice President for Research, and personnel delegated as signatories for the University on sponsored project documentation may execute such documentation.

**SCOPE**

University Community (faculty, staff and students)

**REASON FOR POLICY**

To ensure that documentation that is executed on behalf of the University complies with University policies and applicable laws and regulations.

<b>DEFINITIONS</b>	
<b>TERM</b>	<b>DEFINITIONS</b>
ORED	“ORED” is the Florida International University Office of Research and Economic Development.
PI	“PI” is the principal investigator.

**ROLES AND RESPONSIBILITIES**

The PI must advise ORED of any issues the PI has with any term of the award document. The PI is responsible for proceeding with the project as set forth in the award document and budget. Until the award document is approved and executed by all parties, the PI is not to begin work



on the project unless specific approval for beginning the work is obtained from ORED. See Office of Research and Economic Development Policy #2320.100 - Temporary Release of Sponsored Project Funds or Temporary Extension.

The Award Services unit of ORED is responsible for reviewing and negotiating the award document with the sponsor.

#### RELATED RESOURCES

Office of Research and Economic Development Policy #2320.100 - Temporary Release of Sponsored Project Funds or Temporary Extension

#### CONTACTS

Office of Research and Economic Development  
Florida International University  
11200 S.W. Eighth Street - MARC 430  
Miami, Florida 33199  
Telephone: (305) 348-2494

#### HISTORY

**Initial Effective Date:** Office of Sponsored Research Administration Faculty/Staff Guide for the Administration of Externally Funded Projects, INTERIM VERSION. Effective Date: February 11, 2004

**Review Dates** (*review performed, no updates*): N/A

**Revision Dates** (*updates made to document*): December 10, 2008 and October 18, 2010; March 29, 2021; September 1, 2021



**Negotiation and Execution of Sponsored Project Awards and Agreements # 2320.055a**

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**PROCEDURE STATEMENT**

Awards:

ORED shall review all sponsored project awards received by the University for, among other things, compliance with University policies and procedures, appropriateness of legal requirements, scope of work and budget. ORED will negotiate the terms of the award with the sponsor, in collaboration with the PI, the General Counsel’s Office and the Office of Intellectual Property Management, as necessary. ORED will communicate with the PI during the award review and negotiation process to obtain the PI’s input, as necessary. The PI must advise ORED of any issues the PI has with any term of the award document so that ORED may review the same and negotiate alternate terms with the sponsor, if possible. ORED may request the PI to submit a revised scope of work, budget and cost sharing form, as appropriate, if the sponsored amount is less than the budget requested in the proposal.

Any sponsored project award documentation received by a PI or his/her staff must be delivered promptly to the Award Services unit of ORED for review.

Awards (including gifts/donations or charitable grants) that are in furtherance of research or to pay for individuals engaged in research activities must be managed by ORED if accepted by the FIU Foundation Inc.

Funds in furtherance of research accepted by the FIU Foundation Inc. will require an executed agreement between the donor and the FIU Foundation Inc. as well as a statement of work and budget to be routed via the Electronic Proposal Approval Form (ePRAF) system by the PI for review and approval by ORED. The sponsor on the ePRAF will be the FIU Foundation Inc. Once the ePRAF is approved a Subproject Letter of Agreement between the FIU Foundation Inc. and ORED will be issued and executed.

The PI is responsible for proceeding with the project as set forth in the award document and budget that is executed by FIU and the sponsor. Until the award document is approved and executed by all parties, the PI is not to begin work on the project unless specific approval for beginning the work is obtained from ORED.

**Other Agreements Processed through the Office of Research and Economic Development:**

If an agreement other than an award document is to be processed through the Office of Research and Economic Development (e.g. confidentiality agreement, material transfer agreement, teaming agreement, memorandum of understanding, collaboration agreement) and the agreement is NOT included as part of a sponsored project proposal packet, the PI must complete the Office of Research and Economic Development Agreement Request form and submit that form to the Award Services unit of ORED together with the draft agreement, if the PI has a draft. ORED will determine if the agreement is appropriate and if so, will negotiate the agreement with the entity with which the University will execute the agreement.

Such negotiation shall be done in consultation with the PI, the General Counsel's Office and the Office of Intellectual Property Management, as necessary. Once the agreement is finalized and executed by both ORED and the outside entity, ORED will provide a copy of the fully executed agreement to the PI.

**Communications with the Sponsor by PI and Project Staff:**

PIs and Project staff who are authorized by the PI may communicate with the sponsor's technical personnel regarding the Project's research, programmatic and technical matters. The Office of Research and Economic Development is solely responsible for communications with the Project sponsor about administrative, legal or fiscal matters, in conjunction with the Office of the General Counsel, other administrative units of the University, or the PI, as appropriate. PIs and Project staff are not authorized to bind the University regarding any sponsored project and therefore PIs and Project staff may not communicate with sponsors for the purpose of making any representations or commitments purporting to bind the University. Any such communications or purported representations or commitments are in violation of this policy, are not binding upon the University and may result in the Office of Research and Economic Development taking action as it deems appropriate with reference to the sponsored project, including up to terminating the awarded project. Moreover, should any costs be incurred as a result of the PI's or the Project staff's violation of this policy, such costs shall be borne by the college or center of the University employee responsible for violating this policy.