Review An Award

RMS is responsible for preparing, interpreting, negotiating and accepting grants on behalf of The Regents of the University of California (UC) for sponsored projects. Awards given to UCSF and its researchers are awards to The Regents of the University of California. As a constitutional corporation, The Regents are responsible for the commitments made in their name by accepting grants and executing contracts.

GBC is responsible for preparing, submitting, negotiating and accepting all federal, state, city/county, private non-profit and business contracts, and subcontracts where the prime source is a contract.

A list of GBC Staff with signature authorization is available on the Institutional Information Page.

The Industry Contracts Division of the Office of Innovation, Technology & Alliances (ITA) is responsible for preparing, interpreting, negotiating and accepting all research agreements with for-profit companies.

Overview of Award Acceptance

- Step 1: Award Triage
- Step 2: Award Intake
- Step 3: Negotiation

What's Next? Step 4: Award Set-Up

Step 1. Award Triage

The RMS Triage team receives RMS award matters, identifies the required action and assigns matters to the correct RSC and PI. All awards should be forwarded to CGawardteam@ucsf.edu.

RMS Triage Team Responsibilities:

- Enter the matter into CACTAS
- Notify PI and Department that an award has been received
- Assign notice of award to RSC

RSC Responsibilities:
• Review award notification for budget cuts and notify department of any cuts or other changes from what was proposed

PI Responsibilities:

• Notify RMS if award should not be accepted or request further negotiation (e.g. budget cut impacts grant deliverables; proposal submitted to multiple sponsors and PI prefers a different funder, etc.).

Department Responsibilities:

• Review award notification for budget cuts, progress report deadlines, and terms and conditions on award management, including allowable costs and prior approval requirements.

Step 2: Award Intake

RSC reviews award document for accuracy, compliance and problematic terms & conditions. This may occur concurrently with Step 3: Negotiation.

OSR Guidance for DHHS Transition to Subaccounts

RSC Responsibilities:

• RMS reviews the award file for compliance and verifies the following:
  ○ Approvals from the Committee on Human Research and/or the Institutional Animal Care and Use Committee are in place and associated with the correct proposal or award.
  ○ Coverage analysis and budget reviews from a UCSF qualified unit.
  ○ Conflict of interest has been reviewed and released.
  ○ The budget reflects the amount awarded and the correct indirect costs calculation.
    ▪ Provides a revised budget only if requested by the Sponsor
  ○ The dates of the research match what was proposed and that there are no gaps in funding.
  ○ The researcher is aware of any changes to the terms and conditions of the award, or is aware of terms and conditions that could impact the intellectual property or performance of work.
  ○ Any change in scope of work.
• Communicate any restrictions or potentially problematic terms to PI.
• Communicate with PI / Department for approvals, or any issues arising from review.
• Communicate required changes to Sponsor
PI Responsibilities:

- Provide current Institutional Review Board (IRB)/Committee on Human Research (CHR) and Institutional Animal Care & Use Committee (IACUC) approvals and take actions required to be in compliance with award terms.
- Complete COI documentation and/or training.
- Acknowledge understanding of restrictions or potentially problematic terms as communicated by RSC.

Department Responsibilities:

- Chair reviews and approves award if time period awarded is 3 or more months different than what was originally proposed, or if budget is significantly reduced.
- Create and revise Budget Status Report or spending plan.

Step 3: Negotiation

This process is relevant for non-NIH sponsors only. If necessary, RSC will request changes to terms & conditions in order to ensure terms are acceptable to UCSF and all parties agree to the content of the document. If the award requires negotiation it will be assigned to an RMS Award Specialist that specializes in complex negotiations.

RSC/ RMS Award Specialist Responsibilities:

- Reviewing the Terms and Conditions

These terms and conditions are usually included within the sponsored agreement, but can also be incorporated by reference in an agreement. In some instances, a sponsor will reference the terms and conditions posted on the sponsor?s site or within the sponsor?s policy.

Every award is reviewed to ensure the terms:

- Are consistent with federal laws and regulations;
- Comply with UC Regents Standing Orders;
- Comply with UC and UCSF Policies; and
- Meet the needs of our researchers.

See Standard terms below
- Escalate non-resolvable issues to Manager or Associate Director and communicate material terms and conditions issues to PI.
- Take ownership of sponsor communication including follow-up and communicating developments back to the department and PI.
- Provide updates and respond to requests for information within 24 hours per the Service Expectation section above.

**PI Responsibilities:**

- Obtain approval for any restricted activities or items noted on the award letter prior to conducting the restricted activity.
- Consulted and will need to make decisions on terms and conditions options if Sponsors do not agree to proposed terms.

**Department Responsibilities:**

- Chair/Department will be consulted and will need to make decisions on terms and conditions options if Sponsors do not agree to our proposed terms.

**Standard Terms to Be Reviewed/Negotiated**

**Publication:** UC policy and the Contracts and Grants manual require UCSF to undertake research or studies only if the scientific results can be published and disseminated. Therefore, UCSF is unable to accept any award that prohibits or restricts publication, access or dissemination of research results, or prevents UCSF from disclosing the existence of an agreement.

**Indemnification:** The transfer of financial responsibility from one party to another in the event of a specified loss is called indemnification. UC is only permitted to indemnify for the culpable acts or omissions of UC’s own employees, officers, agents, students, invitees or guests, which include strict liability, negligence and gross negligence.

**Health Insurance Portability and Accountability Act (HIPAA):** UCSF is considered a covered entity under the Act.

**Warranty:** UC will not guarantee any research or study results.

**Liability:** UC generally is unable to accept third-party liability and will not accept unlimited liability.

**Intellectual property:** UC retains all rights and ownership to inventions developed prior to and during the course of sponsored research.

**Export control:** UC follows all federal guidelines on accepting and transferring export controlled information. The Office of Ethics and Compliance has a complete guide to the regulations.
Choice of law: Since UC is a state of California constitutional corporation, UC should accept the application of California law or, in the alternative, remain silent.

Visit Sponsored Agreements for more information.