

01/14/13

**ANNOUNCEMENT OF FEDERAL FUNDING OPPORTUNITY (FFO)
NIST Standards Services Curricula Development Cooperative Agreement Program**

EXECUTIVE SUMMARY

- **Federal Agency Name:** National Institute of Standards and Technology (NIST), United States Department of Commerce (DoC)
- **Funding Opportunity Title:** NIST Standards Services Curricula Development Cooperative Agreement Program
- **Announcement Type:** Initial
- **Funding Opportunity Number:** 2013-NIST-SSCD-01
- **Catalog of Federal Domestic Assistance (CFDA) Number:** 11.609, Measurement and Engineering Research and Standards
- **Dates:** Electronic applications must be received no later than 11:59 p.m. Eastern Time, Friday, March 15, 2013. Paper applications must be received no later than 5:00 p.m. Eastern Time on Friday, March 15, 2013. Applications received after the respective deadline will not be reviewed or considered. Review, selection, and award processing is expected to be completed in April 2013. The earliest anticipated start date for awards under this FFO is expected to be July 1, 2013.
- **Proposal Submission Address:** See Section IV in the Full Announcement Text of this FFO.
- **Funding Opportunity Description:** The Standards Services Curricula Development Cooperative Agreement Program provides financial assistance to support curriculum development for the undergraduate and/or graduate level. These cooperative agreements support the integration of standards and standardization information and content into seminars, learning resources, and courses. The recipients will work with NIST to strengthen education and learning about standards and standardization.
- **Anticipated Amounts:** In Fiscal Year (FY) 2013, NIST anticipates funding approximately two (2) to eight (8) projects in the \$25,000 - \$100,000 range per year, with project performance periods of up to two (2) years, consistent with NIST multi-year funding policies (see Section II. of this FFO). Approximately \$200,000 may be available for new awards in FY 2013, subject to the availability of funds.
- **Funding Instrument:** Cooperative agreement.
- **Who Is Eligible:** Institutions of higher education; non-profit organizations; commercial organizations; state, local, and Indian tribal governments; foreign governments; organizations under the jurisdiction of foreign governments; and international organizations. An eligible applicant may work individually or include proposed subawards or contracts with others in a project proposal, effectively forming a team or consortium.
- **Cost Sharing Requirements:** Cost sharing is not required.

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FULL ANNOUNCEMENT TEXT

I. Funding Opportunity Description

The Standards Services Curricula Development Cooperative Agreement Program provides financial assistance to support curriculum development for the undergraduate and/or graduate level. This Program supports the integration of standards and standardization information and content into seminars, learning resources, and courses.

The recipients will work with NIST to strengthen education and learning about standards and standardization. Specifically, the recipients are expected to:

- 1) develop curriculum for the undergraduate and/or graduate level to educate students about the impact and nature of standards and standardization so that they enter the workforce and/or continue their academic studies with a strong understanding and appreciation for the value and benefits of standards and standardization, in accordance with the supporting or advancing standards and standardization in the educational infrastructure evaluation criterion (see Paragraph (1) Technical Project Approach of Section V.1. Evaluation Criteria, of this FFO),
- 2) identify new, sustainable approaches, methods, and models that can be replicated or built-on by other educational programs to support the integration of standards and standardization information and content into undergraduate and/or graduate level curricula, in accordance with the methodology plan evaluation criterion (see Paragraph (2) Methodology Plan of Section V.1. Evaluation Criteria, of this FFO),
- 3) develop communication plans that make use of multiple media and technologies to share project information with curriculum development stakeholders, in accordance with the communication plan evaluation criterion (the implementation should be discussed in the communication plans and will be evaluated as part of the proposal; however, the implementation will not be funded under this program; see Paragraph (3) Communication Plan of Section V.1. Evaluation Criteria, of this FFO), and
- 4) disseminate project results for public release, including a summary of major conclusions, in the form of a summary paper. This paper will describe the identified problem or need, explain original project goals, describe the innovation that was tested and how it was evaluated, and report the findings, and lessons learned through the activity, including a summary of the tested innovation's suitability and potential for adoption in other educational organizations, communities, or fields of practice. Wherever possible, the results of the research should be published in the open scientific literature in such a way as to be generally available to American Scientific Libraries. The funding instrument is a cooperative agreement, and NIST Standards Services will collaborate with recipients by reviewing the publication prior to release and assisting in dissemination of the publication. See also Department of Commerce Standard Terms and Conditions, Section M.11, Publications (see Section VI.1. of this FFO)).

Funds can be used for the design, testing, and evaluation of specific innovations in teaching methods, curricula, course content and materials, courses or course modules, class assignments, and/or student projects. Funds can also help cover the cost of students who assist instructors in revising a course or course module, travel and related expenses for guest lecturers, or other costs entailed with the integration of standards and standardization into the academic studies program. Standards curriculum activities in any technical area that supports science, technology, engineering, math (STEM) and/or business education will be considered.

II. Award Information

- 1. Funding Instrument.** The funding instrument used in this program will be a cooperative agreement. The nature of NIST's "substantial involvement" will generally be NIST collaboration and involvement in the direction of the scope of work. Additional forms of substantial involvement that may arise are described in the Department of Commerce (DoC) Grants and Cooperative Agreements Manual: http://www.osec.doc.gov/oam/grants_management/policy/doc_grants_manual/default.htm.
- 2. Funding Availability.** In FY 2013, NIST anticipates funding approximately two (2) to eight (8) projects in the \$25,000 - \$100,000 range per year, with project performance periods of up to two (2) years, consistent with NIST multi-year funding policies (see paragraph 3. of Section II. of this FFO). Approximately \$200,000 may be available for new awards in FY 2013, subject to the availability of funds.
- 3. Multi-Year Funding Policy.** When a proposal for a multi-year award is approved, funding will usually be provided for only the first year of the program. If a project is selected for funding, NIST has no obligation to provide any additional funding in connection with that award. Continuation of an award to increase funding or extend the period of performance is at the sole discretion of NIST. Continued funding will be contingent upon satisfactory performance, continued relevance to the mission and priorities of the Standards Services Curricula Development Cooperative Agreement Program, and the availability of funds.

III. Eligibility Information

- 1. Eligible Applicants.** Institutions of higher education; non-profit organizations; commercial organizations; state, local, and Indian tribal governments; foreign governments; organizations under the jurisdiction of foreign governments; and international organizations. An eligible applicant may work individually or include proposed subawards or contracts with others in a project proposal, effectively forming a team or consortium.
- 2. Cost Sharing or Matching.** Cost sharing is not required for this program.
- 3. Other**

Pre-Proposals. NIST is not accepting pre-proposals or white papers under this FFO.

IV. Application/Proposal and Submission Information

- 1. Address to Request Application Package.** The standard application package, consisting of the standard forms, i.e., SF-424, SF-424A, SF-424B, SF-LLL, and the CD-511, is available at www.grants.gov. For applicants without Internet access, the standard application package may be requested by contacting:

Erik Puskar, National Institute of Standards and Technology, NIST Standards Services Curricula Development Grant Program, 100 Bureau Drive, Mail Stop 2100, Gaithersburg, MD 20899-2100 (Phone: 301-975-8619)

2. Content and Format of Application/Proposal Submission

a. Proposal Forms and Documents

Proposals contain the following:

- (1) SF-424, Application for Federal Assistance. The SF-424 must be signed by an authorized representative of the proposer organization. The FFO number 2013-NIST-SSCD-01 must be identified in item 12 of the SF-424. The list of certifications and assurances referenced in item 21 of the SF-424 is contained in the SF-424B.
- (2) SF-424A, Budget Information - Non-Construction Programs
- (3) SF-424B, Assurances - Non-Construction Programs
- (4) CD-511, Certification Regarding Lobbying
- (5) SF-LLL, Disclosure of Lobbying Activities (if applicable)
- (6) **Technical Proposal.** The Technical Proposal is a word-processed document responsive to the applicable program description(s) (see Section I. of this FFO) and the evaluation criteria (see Section V.1. of this FFO). It should contain the following information:
 - a) **Technical Project Approach.** A description of the proposed approach to support or advance standards and standardization in the educational infrastructure, sufficient to permit evaluation of the proposal in accordance with the potential for supporting or advancing standards and standardization in the educational infrastructure evaluation criterion (see Section V.1.(1) of this FFO).
 - b) **Methodology and Project Management Plan.** A description of new, sustainable approaches, methods, and models that can be replicated or built-on by other educational programs to support the integration of standards and standardization information and content into undergraduate and graduate level curricula, in accordance with the methodology plan evaluation criterion (see Section V.1.(2) of this FFO). The operating plan, timetable, expected products and results, and evaluation plans should be included here.
 - c) **Communication Plan.** A description of communication plans that make use of multiple media and technologies to share project information with curriculum development stakeholders, in accordance with the communication plan evaluation criterion (see Section V.1.(3) of this FFO).
 - d) **Staffing Description.** A description of the qualifications of key personnel who will be assigned to work on the proposed project are required. Examples of key personnel past experiences should include demonstrated knowledge of the current state, impact and nature of standards and standardization activities and/or experience with bringing together diverse stakeholders in educational environments for undergraduate and/or graduate level STEM and/or business curricula development, in accordance with the staffing and institutional capacity description evaluation criterion (see Section V.1.(4) of this FFO).
 - e) **Use of Funds and Cost-effectiveness Description.** A description of how the funds will be used, in accordance with the use of funds and cost-effectiveness evaluation criterion (see Section V.1.(5) of this FFO).

- (7) **Budget Narrative.** There is no set format for the Budget Narrative; however, it should provide a detailed breakdown of each of the object class categories as reflected on the SF-424A.
- (8) **Indirect Cost Rate Agreement.** If indirect costs are included in the proposed budget, provide a copy of the approved negotiated agreement if this rate was negotiated with a cognizant Federal audit agency. If the rate was not established by a cognizant Federal audit agency, provide a statement to this effect. Successful proposers will be required to obtain such a rate.

If submitting the proposal electronically via Grants.gov, items IV.2.b.(1) through IV.2.b.(5) above are part of the standard application package in Grants.gov and can be completed through the download application process. Items IV.2.b.(6) through IV.2.b.(8) must be completed and attached by clicking on "Add Attachments" found in item 15 of the SF-424, Application for Federal Assistance. This will create a zip file that allows for transmittal of the documents electronically via Grants.gov. Proposers should carefully follow specific Grants.gov instructions at www.grants.gov to ensure the attachments will be accepted by the Grants.gov system. A receipt from Grants.gov indicating a proposal is received does not provide information about whether attachments have been received.

If submitting a proposal by paper, the required proposal documents should be submitted in the order listed above.

b. Recommended Proposal Format

- (1) **Double-sided copy.** For paper submissions, print on both sides of the paper (front to back counts as two (2) pages).
- (2) **E-mail submissions.** Will not be accepted.
- (3) **Facsimile submissions (fax).** Will not be accepted.
- (4) **Figures, graphs, images, and pictures.** Should be of a size that is easily readable or viewable and may be landscape orientation.
- (5) **Font.** Easy to read font (10-point minimum). Smaller type may be used in figures and tables but must be clearly legible.
- (6) **Line spacing.** Single-spaced.
- (7) **Number of paper copies.** For paper submissions, one (1) signed stapled original and two (2) stapled copies. If original proposal is in color, the two (2) copies must also be in color. If submitting electronically via Grants.gov, paper copies are not required.
- (8) **Page layout.** Portrait orientation only except for figures, graphs, images, and pictures (see Section IV.2.b.(4)).

- 3. **Submission Dates and Times.** Electronic applications must be received no later than 11:59 p.m. Eastern Time, Friday, March 15, 2013. Paper applications must be received no later than 5:00 p.m. Eastern Time on Friday, March 15, 2013. Applications received after the respective deadline will not be reviewed or considered. Review, selection, and award processing is expected to be completed in April 2013. The earliest anticipated start date for awards under this FFO is expected to be July 1, 2013.

Proposals not received by the specified due date and time will not be considered and will be returned without review. NIST determines whether proposals submitted by paper have been timely received by the deadline by the date and time receipt they are physically received by NIST at its Gaithersburg, Maryland campus. For electronic proposal submissions via Grants.gov, NIST will consider the date and time stamped on the validation generated by www.grants.gov as the official submission time.

NIST strongly recommends that proposers do not wait until the last minute to submit a proposal. NIST will not make any allowances for late submissions, including but not limited to incomplete Grants.gov registration, delays in mail delivery caused by Federal Government security screening for U.S. Postal Service mail, or for delays by guaranteed express mailing and/or couriers. To avoid any potential processing backlogs due to last minute Grants.gov registrations, proposers are highly encouraged to start their Grants.gov registration process at least four (4) weeks prior to the proposal due date.

Important: All proposers, both electronic and paper submitters, should be aware that adequate time must be factored into proposers' schedules for delivery of their proposal. Submitters of electronic proposals are advised that volume on Grants.gov may be extremely heavy on the deadline date, and if Grants.gov is unable to accept proposals electronically in a timely fashion, proposers are encouraged to exercise their option to submit proposals in paper format. Submitters of paper proposals should allow adequate time to ensure a paper proposal will be received on time, taking into account that Federal Government security screening for U.S. Postal Service mail may delay receipt of mail for up to two (2) weeks and that guaranteed express mailings and/or couriers are not always able to fulfill their guarantees.

In the event of a natural disaster that interferes with timely proposal submissions, NIST may issue an amendment to this FFO to change the proposal submission due date.

4. Funding Restrictions. Profit or fee is not an allowable cost.

5. Other Submission Requirements

a. Proposals may be submitted by paper or electronically.

- (1) Paper proposals must be submitted in triplicate (an original and two copies) and submitted to the NIST staff identified in Section IV.1. of this FFO.
- (2) Electronic proposals must be submitted via Grants.gov at www.grants.gov, under announcement 2013-NIST-SSCD-01.
 - a) Submitters of electronic proposals should carefully follow specific Grants.gov instructions to ensure the attachments will be accepted by the Grants.gov system. A receipt from Grants.gov indicating a proposal is received does not provide information about whether attachments have been received. For further information or questions regarding applying electronically for the 2013-NIST-SSCD-01 announcement, contact Christopher Hunton by phone at 301-975-5718 or by e-mail at christopher.hunton@nist.gov.
 - b) Applicants are strongly encouraged to start early and not wait until the approaching due date before logging on and reviewing the instructions for submitting a proposal through Grants.gov. The Grants.gov registration process must be completed before a new registrant can apply electronically. If all goes well, the registration process takes three (3) to five (5) business days. If problems are encountered, the registration process can take up to two (2) weeks or more. Applicants must have a Dun and Bradstreet Data Universal Numbering System (DUNS) number (See Section VI.2.b) and must maintain a current registration in the Federal government's primary registrant database, the System for Award Management (<https://www.sam.gov/>), as explained on the Grants.gov Web site. After registering, it may

take several days or longer from the initial log-on before a new Grants.gov system user can submit a proposal. Only authorized individual(s) will be able to submit the proposal, and the system may need time to process a submitted proposal. Applicants should save and print the proof of submission they receive from Grants.gov. If problems occur while using Grants.gov, the applicant is advised to (a) print any error message received and (b) call Grants.gov directly for immediate assistance. If calling from within the United States or from a U. S. territory, please call 800-518-4726. If calling from a place other than the United States or a U. S. territory, please call 606-545-5035. Assistance from the Grants.gov Help Desk will be available around the clock every day, with the exception of Federal holidays. Help Desk service will resume at 7:00 a.m. Eastern Time the day after Federal holidays. For assistance using Grants.gov, you may also contact support@grants.gov.

- c) Information essential to successful submission of proposals on the Grants.gov system is detailed in the For Applicants section found in red on the left side of the www.grants.gov home page, and all potential applicants should pay close attention to the information contained therein. The All About Grants, Applicant FAQs, and Submit Application FAQs sections found under the Applicant Resources option are particularly important.

Refer to important information in Section IV.3. Submission Dates and Times, to help ensure your proposal is received on time.

- b. **Amendments.** Any amendments to this FFO will be announced through Grants.gov. Proposers can sign up for Grants.gov FFO amendments or alternatively may call Erik Puskar at 301-975-8619 to request copies.

V. Application/Proposal Review Information

The evaluation criteria that will be used in evaluating these proposals and assigned weights are as follows:

1. Evaluation Criteria

- (1) **Technical Project Approach.** The extent to which the applicant's proposal demonstrates how the applicant will efficiently and effectively support or advance standards and standardization in the educational infrastructure will be evaluated. The extent to which the applicant's approach encompasses the role of standards in innovation will be considered. (0 - 35 points)
- (2) **Methodology and Project Management Plan.** The extent to which the applicant's proposed methods and approach to managing the project and identifying and resolving problems will ensure the quality of its performance. The reviewers will consider the detailed work plan; clear and measurable performance objectives; key interim and final outputs reflecting the performance objectives; milestones and timelines provided; and the likelihood that the approach would be successful in achieving the objectives and addressing challenges that may arise in the course of the project. (0 – 15 points)
- (3) **Communication Plans.** The extent to which the applicant's proposal describes approaches to develop communication plans that make use of multiple media and technologies to share project information with curriculum development stakeholders will be evaluated. How the applicant proposes to use and disseminate the plans will be relevant to the evaluation of proposals, but the dissemination will not be funded under this program. (0 – 15 points)

- (4) **Staffing.** The qualifications and experience of the proposed staff to carry out the objectives of the proposal will be evaluated. The extent to which the applicant demonstrates access to technical experts and overall support to accomplish the project objectives will be considered. Experience may include demonstrated knowledge of the current state, impact and nature of standards and standardization activities. Experience may also include bringing together diverse stakeholders in educational environments for undergraduate and/or graduate level STEM and/or business curricula development. (0 - 25 points)
- (5) **Use of Funds and Cost-effectiveness.** An assessment of the budget against the proposed activities will be conducted to determine the appropriateness of the proposed budget with respect to carrying out the objectives of the proposal as described in Section I of this FFO. (0 - 10 points)

2. Review and Selection Process

- a. **Initial Administrative Review of Proposals.** An initial review of proposals will be conducted, and proposals determined to be ineligible, incomplete, and/or non-responsive may be eliminated from further review.
- b. **Review of Eligible, Complete, and Responsive Proposals.** At least three (3) independent, objective individuals knowledgeable about the particular standards area described in the proposal will conduct a technical review of each proposal, based on the evaluation criteria (see Section V.1. of this FFO). If non-federal reviewers are used, the reviewers may discuss the proposals with each other, but scores will be determined on an individual basis, not as a consensus. Based on the reviewers' scores, a rank order will be prepared.

The Selecting Official, Director, Standards Coordination Office, or designee, will make final proposal selections. The Selecting Official shall select proposals for awards based on the rank order of the proposals, and may select a proposal out of rank based on one or more of the following selection factors: the results of the reviewers' evaluations, relevance to the objectives described in Funding Opportunity Description (see Section I of this FFO), duplication vs. variety among the most meritorious projects, and the availability of funds.

In accordance with the Federal appropriations law expected to be in effect at the time of project funding, NIST anticipates that the selected applicant will be provided a form and asked to make a representation regarding any unpaid delinquent tax liability or felony conviction under any Federal law.

NIST reserves the right to negotiate the budget costs with the proposers that have been selected to receive awards, which may include requesting that the proposer remove certain costs. Additionally, NIST may request that the proposer modify objectives or work plans and provide supplemental information required by the agency prior to award. For international applications, NIST will follow applicable U.S. laws and policies. NIST also reserves the right to reject a proposal where information is uncovered that raises a reasonable doubt as to the responsibility of the proposer. NIST may select part, some, all, or none of the proposals. The final approval of selected proposals and issuance of awards will be by the NIST Grants Officer. The award decisions of the NIST Grants Officer are final.

- 3. **Anticipated Announcement and Award Dates.** Review, selection, and award processing is expected to be completed in April 2013. The earliest anticipated start date for awards under this FFO is expected to be July 1, 2013.
- 4. **Additional Information**

- a. **Safety.** Safety is a top priority at NIST. Employees and affiliates of award recipients who conduct project work at NIST will be expected to be safety-conscious, to attend NIST safety training, and to comply with all NIST safety policies and procedures, and with all applicable NIST visitor policies.
- b. **Proposal Replacement Pages.** Applicants may not submit replacement pages and/or missing documents once a proposal has been submitted. Any revisions must be made by submission of a new proposal that must be received by NIST by the submission deadline.
- c. **Notification to Unsuccessful Proposers.** Unsuccessful proposers will be notified in writing.
- d. **Retention of Unsuccessful Proposals.** One (1) of each non-selected proposal will be retained for three (3) years for record keeping purposes and the other two (2) copies will be destroyed. After three (3) years the remaining copy will be destroyed.

VI. Award Administration Information

1. **Award Notices.** Successful proposers will receive an award from the NIST Grants Officer. The award cover page, i.e., CD-450, Financial Assistance Award is available at http://ocio.os.doc.gov/s/groups/public/@doc/@os/@ocio/@oitpp/documents/content/dev01_002513.pdf and the DoC Financial Assistance Standard Terms and Conditions (January 2013), http://www.osec.doc.gov/oam/grants_management/policy/documents/DOC_Standard_Terms_and_Conditions_01_10_2013.pdf.

1. Administrative and National Policy Requirements

- a. **DoC Pre-Award Notification Requirements.** The DoC Pre-Award Notification Requirements for Grants and Cooperative Agreements, 77 FR 74634 (December 17, 2012), are applicable to this FFO and are available at <https://www.federalregister.gov/articles/2012/12/17/2012-30228/departement-of-commerce-pre-award-notification-requirements-for-grants-and-cooperative-agreements>.
- b. **Employer/Taxpayer Identification Number (EIN/TIN), Dun and Bradstreet Data Universal Numbering System (DUNS), and System for Award Management (SAM).** All applicants for Federal financial assistance are required to obtain a universal identifier in the form of DUNS number and maintain a current registration in the Federal government's primary registrant database, SAM. On the form SF-424 items 8.b. and 8.c., the applicant's 9-digit EIN/TIN and 9-digit DUNS number must be consistent with the information in SAM (<https://www.sam.gov/>) and Automated Standard Application for Payment System (ASAP). For complex organizations with multiple EIN/TIN and DUNS numbers, the EIN/TIN and DUNS numbers MUST be the numbers for the applying organization. Organizations that provide incorrect/inconsistent EIN/TIN and DUNS numbers may experience significant delays in receiving funds if their proposal is selected for funding. Confirm that the EIN/TIN and DUNS number are consistent with the information on the SAM and ASAP.

Per 2 C.F.R. Part 25, each applicant must:

- (1) Be registered in the CCR before submitting a proposal noting the CCR now resides in SAM;
- (2) Maintain an active CCR registration, noting the CCR now resides in SAM, with current information at all times during which it has an active Federal award or a proposal under consideration by an agency; and
- (3) Provide its DUNS number in each application or proposal it submits to the agency.

The applicant can obtain a DUNS number from Dun and Bradstreet. A DUNS number can be created within one business day. The CCR or SAM registration process may take five or more business days

to complete. If you are currently registered with the CCR, you may not need to make any changes. However, please make certain that the TIN associated with your DUNS number is correct. Also note that you will need to update your CCR registration annually. This may take three or more business days to complete. Information about SAM is available at SAM.gov. See also 2 C.F.R. Part 25 and the *Federal Register* notice published on September 14, 2010, at 75 FR 55671.

- c. **Collaborations with NIST Employees.** All proposals should include a description of any work proposed to be performed by an entity other than the proposer, and the cost of such work should ordinarily be included in the budget.

If a proposer proposes collaboration with NIST, the statement of work should include a statement of this intention, a description of the collaboration, and prominently identify the NIST employee(s) involved, if known. Any collaboration by a NIST employee must be approved by appropriate NIST management and is at the sole discretion of NIST. Prior to beginning the merit review process, NIST will verify the approval of the proposed collaboration. Any unapproved collaboration will be stricken from the proposal prior to the merit review.

- d. **Use of NIST Intellectual Property.** If the proposer anticipates using any NIST-owned intellectual property to carry out the work proposed, the proposer should identify such intellectual property. This information will be used to ensure that no NIST employee involved in the development of the intellectual property will participate in the review process for that competition. In addition, if the proposer intends to use NIST-owned intellectual property, the proposer must comply with all statutes and regulations governing the licensing of Federal government patents and inventions, described in 35 U.S.C. §§ 200-212, 37 C.F.R. Part 401, 15 C.F.R. § 14.36, and in Section B.21 of the DoC Pre-Award Notification Requirements, 77 FR 74634 (December 17, 2012). Questions about these requirements may be directed to the Chief Counsel for NIST, (301) 975-2803.

Any use of NIST-owned intellectual property by a proposer is at the sole discretion of NIST and will be negotiated on a case-by-case basis if a project is deemed meritorious. The proposer should indicate within the statement of work whether it already has a license to use such intellectual property or whether it intends to seek one.

If any inventions made in whole or in part by a NIST employee arise in the course of an award made pursuant to this FFO, the United States government may retain its ownership rights in any such invention. Licensing or other disposition of NIST's rights in such inventions will be determined solely by NIST, and include the possibility of NIST putting the intellectual property into the public domain.

- e. **Research Projects Involving Human Subjects, Human Tissue, Data or Recordings Involving Human Subjects Including Software Testing.** Any proposal that includes research involving human subjects, human tissue/cells, data or recordings involving human subjects, including software testing, must meet the requirements of the Common Rule for the Protection of Human Subjects ("Common Rule"), codified for the Department of Commerce (DoC) at 15 C.F.R. Part 27. In addition, any such application that includes research on these topics must be in compliance with any statutory requirements imposed upon the Department of Health and Human Services (DHHS) and other Federal agencies regarding these topics, all regulatory policies and guidance adopted by DHHS, the Food and Drug Administration, and other Federal agencies on these topics, and all Executive Orders and Presidential statements of policy on these topics.

NIST reserves the right to make an independent determination of whether an applicant's research involves human subjects. If NIST determines that your research project involves human subjects, you will be required to provide additional information for review and approval. If an award is issued, no research activities involving human subjects shall be initiated or costs incurred under the award until the NIST Grants Officer issues written approval. Retroactive approvals are not permitted.

NIST will accept applications that include exempt and non-exempt human subjects research activities. Non-exempt human subjects research activities will be required to have protocols approved by an Institutional Review Board (IRB) currently registered with the Office for Human Research Protections (OHRP) within the DHHS and that will be performed by entities possessing a currently valid Federal-wide Assurance (FWA) on file from OHRP that is appropriately linked to the cognizant IRB for the protocol. Information regarding how to apply for an FWA and register an IRB with OHRP can be found at <http://www.hhs.gov/ohrp/assurances/index.html>. ***The applicant should clearly indicate in the proposal, by separable task, all research activities believed to be exempt or non-exempt research involving human subjects and the expected institution(s) where the research activities involving human subjects may be conducted.***

Generally, NIST does not fund research involving human subjects in foreign countries. NIST will consider, however, the use of **preexisting** tissue, cells, or data from a foreign source on a limited basis if all of the following criteria are satisfied:

- (1) the scientific source is considered unique,
- (2) an equivalent source is unavailable within the United States,
- (3) an alternative approach is not scientifically of equivalent merit, and
- (4) the specific use qualifies for an exemption under the Common Rule.

Any award issued by NIST for the program announced in this FFO is required to adhere to all Presidential policies, statutes, guidelines, and regulations regarding the use of human embryonic stem cells. The DoC/NIST follows the NIH Guidelines by supporting and conducting research using only human embryonic stem cell lines that have been approved by NIH in accordance with the NIH Guidelines. Detailed information regarding NIH Guidelines for stem cells is located on the NIH Stem Cell Information website: <http://stemcells.nih.gov>. The DoC/NIST will not support or conduct any type of research that the NIH Guidelines prohibit NIH from funding. The DoC/NIST will review research using human embryonic stem cell lines that it supports and conducts in accordance with the Common Rule and NIST implementing procedures, as appropriate.

Any request to support or conduct research using human embryonic stem cell lines not currently approved by the NIH, will require that the owner, deriver or licensee of the human embryonic stem cell line apply for and receive approval of the registration of the cell line through the established NIH application procedures: http://hescregapp.od.nih.gov/NIH_Form_2890_Login.htm. Due to the timing uncertainty associated with establishing an embryonic stem cell line in the NIH registry, the use of existing human embryonic stem cell lines in the NIH Embryonic Stem Cell Registry may be preferred by applicants or current award recipients. The NIH Embryonic Stem Cell Registry is located at: http://grants.nih.gov/stem_cells/registry/current.htm.

An applicant or current award recipient proposing to use a registered embryonic stem cell line will be required to document an executed agreement for access to the cell line with the provider of the cell line, and acceptance of any established restrictions for use of the cell line, as may be noted in the NIH Embryonic Stem Cell Registry.

If the applicant's proposal appears to include research activities involving human subjects the following information may be requested during the proposal review process:

- (1) The name(s) of the institution(s) where the research will be conducted;
- (2) The name(s) and institution(s) of the cognizant IRB(s), and the IRB registration number(s);
- (3) The FWA number of the applicant linked to the cognizant IRB(s);
- (4) The FWAs associated with all organizations engaged in the planned research activity linked to the cognizant IRB;
- (5) If the IRB review(s) is pending, the estimated start date for research involving human subjects;

- (6) The IRB approval date (if currently approved for exempt or non-exempt research);
- (7) If any FWAs or IRB registrations are being applied for, that should be clearly stated.

Additional documentation may be requested, as warranted, during review of the applicant's proposal, but may include the following for research activities involving human subjects that are planned in the first year of the award:

- (1) A signed (by the study principal investigator) copy of each applicable final IRB-approved protocol;
- (2) A signed and dated approval letter from the cognizant IRB(s) that includes the name of the institution housing each applicable IRB, provides the start and end dates for the approval of the research activities, and any IRB-required interim reporting or continuing review requirements;
- (3) A copy of any IRB-required application information, such as documentation of approval of special clearances (i.e., biohazard, HIPAA, etc.) conflict-of-interest letters, or special training requirements;
- (4) A brief description of what portions of the IRB submitted protocol are specifically included in the applicant's proposal submitted to NIST, if the protocol includes tasks not applicable to the proposal, or if the protocol is supported by multiple funding sources. For protocols with multiple funding sources, NIST will not approve the study without a non duplication-of-funding letter indicating that no other federal funds will be used to support the tasks proposed under the proposed research or ongoing project;
- (5) If a new protocol will only be submitted to an IRB if an award from NIST issued, a draft of the proposed protocol may be requested;
- (6) Any additional clarifying documentation that NIST may request during review of proposals to perform the NIST administrative review of research involving human subjects.

- f. Research Projects Involving Live Vertebrate Animals.** Any application that includes participation in research involving live vertebrate animals, that are being cared for, euthanized, or used by the project participants to accomplish research goals, teaching, or testing, must be in compliance with the National Research Council's "Guide for the Care and Use of Laboratory Animals," which can be obtained from National Academy Press, 500 5th Street, N.W., Department 285, Washington, DC 20055. In addition, such applications must meet the requirements of the Animal Welfare Act (7 U.S.C. § 2131 et seq.), 9 C.F.R. Parts 1, 2, and 3, and if appropriate, 21 C.F.R. Part 58. These regulations do not apply to proposed research using **preexisting** images of animals or to research plans that do not include live animals. These regulations also do not apply to obtaining animal materials from commercial processors of animal products or to animal cell lines or tissues from tissue banks. ***The applicant should clearly indicate in the proposal, by separable task, all research activities believed to include research involving live vertebrate animals and the institution(s) where the research activities involving live vertebrate animals may be conducted.***

NIST reserves the right to make an independent determination of whether your research involves live vertebrate animals. If NIST determines that your research project involves live vertebrate animals, you will be required to provide additional information for review and approval. If an award is issued, no research activities involving live vertebrate animals subjects shall be initiated or costs incurred under the award until the NIST Grants Officer issues written approval.

If the applicant's proposal appears to include research activities involving live vertebrate animals the following information may be requested during the proposal review process:

- (1) The name(s) of the institution(s) where the animal research will be conducted;
- (2) The assurance type and number, as applicable, for the cognizant IACUC where the research activity is located. [For example: Animal Welfare Assurance from the Office of Laboratory Animal Welfare (OLAW) should be indicated by the OLAW assurance

- number, i.e. A-1234; an USDA Animal Welfare Act certification should be indicated by the certification number i.e. 12-R-3456; and an Association for the Assessment and Accreditation of Laboratory Animal Care (AAALAC) should be indicated by AAALAC.]
- (3) The IACUC approval date (if currently approved);
 - (4) If the review by the cognizant Institutional Animal Care and Use Committee (IACUC) is pending, the estimated start date for research involving vertebrate animals;
 - (5) If any assurances or IACUCs need to be obtained or established, that should be clearly stated.

Additional documentation will be requested, as warranted, during review of the proposal, but may include the following for research activities involving live vertebrate animals that are planned in the first year of the award:

- (1) A signed (by the Principal Investigator) copy of the IACUC approved Animal Study Proposal (ASP);
 - (2) Documentation of the IACUC approval indicating the approval and expiration dates of the ASP; and
 - (3) If applicable, a nonduplication-of-funding letter if the ASP is funded from several sources.
 - (4) If a new ASP will only be submitted to an IACUC if an award from NIST issued, a draft of the proposed ASP may be requested.
 - (5) Any additional clarifying documentation that NIST may request during review of proposals to perform the NIST administrative review of research involving live vertebrate animals.
- g. Funding Availability and Limitation of Liability.** Funding for the program listed in this FFO is contingent upon the availability of appropriations. In no event will NIST or DoC be responsible for proposal preparation costs if this program fails to receive funding or is cancelled because of agency priorities. Publication of this FFO does not oblige NIST or DoC to award any specific project or to obligate any available funds.
- h. Collaborations Making Use of Federal Facilities.** All proposals should include a description of any work proposed to be performed using Federal facilities.

If an applicant proposes use of NIST facilities, the statement of work should include a statement of this intention and a description of the facilities. Any use of NIST facilities must be approved by appropriate NIST management and is at the sole discretion of NIST. Prior to beginning the merit review process, NIST will verify the availability of the facilities and approval of the proposed usage. Any unapproved facility use will be stricken from the proposal prior to the merit review. Examples of some facilities that may be available for collaborations are listed on the NIST Technology Services Web site, <http://www.nist.gov/user-facilities.cfm>.

2. Reporting

- a. Reporting requirements.** In lieu of the reporting requirements described in Sections A.01 Financial Reports and B.01 Performance (Technical) Reports of the DoC Financial Assistance Standard Terms and Conditions dated March 2008 (<http://www.osec.doc.gov/oam/archive/docs/GRANTS/DOC%20STCsMAR08Rev.pdf>), the following reporting requirements shall apply:
- (1) **Financial Report.** Each recipient will be required to submit an SF-425, Federal Financial Report in triplicate (an original and two (2) copies), on a semi-annual basis for the periods ending March 31 and September 30 of each year. Reports will be due within 30 days after the end of the reporting period.
 - (2) **Performance (Technical) Report.** Each recipient shall be required to submit a technical progress report in triplicate (an original and two (2) copies), on a semi-annual basis for the

periods ending March 31 and September 30 of each year. Reports will be due within 30 days after the end of the reporting period. A final technical progress report shall be submitted within 90 days after the end of the award. Technical progress reports shall contain information as prescribed in 15 C.F.R. 14.51. In accordance with Section I.4 of this FFO, the recipient will be expected to disseminate project results for public release, including a summary of major conclusions, in the form of a summary paper.

(3) **Patent and Property Reports.** From time to time, and in accordance with the Uniform Administrative Requirements and other terms and conditions governing the award, the recipient may need to submit property and patent reports.

b. Audit Requirements. Single or program-specific audits shall be performed in accordance with the requirements contained in OMB Circular A-133, “*Audits of States, Local Governments, and Non-Profit Organizations*,” and the related *Compliance Supplement*. OMB Circular A-133 requires any non-Federal entity (*i.e.*, including non-profit institutions of higher education and other non-profit organizations) that expends Federal awards of \$500,000 or more in the recipient’s fiscal year to conduct a single or program-specific audit in accordance with the requirements set out in the Circular. Commercial organization audit requirements are described in DoC Standard Terms and Conditions, Section D. AUDITS (see Section VI.1. of this FFO). Proposers are reminded that NIST, the DoC Office of Inspector General or another authorized Federal agency may conduct an audit of an award at any time.

c. Federal Funding Accountability and Transparency Act of 2006. In accordance with 2 C.F.R. Part 170, all recipients of a Federal award made on or after October 1, 2010, are required to comply with reporting requirements under the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. No. 109-282). In general, all recipients are responsible for reporting sub-awards of \$25,000 or more. In addition, recipients that meet certain criteria are responsible for reporting executive compensation. Proposers must ensure they have the necessary processes and systems in place to comply with the reporting requirements should they receive funding. Also see the *Federal Register* notice published September 14, 2010, at 75 FR 55663.

VII. Agency Contact(s)

Questions should be directed to the following contact persons:

Subject Area	Point of Contact
Programmatic and technical questions	Erik Puskar Phone: 301-975-8619 Fax: 301-975-4715 E-mail: erik.puskar@nist.gov
Technical Assistance with Grants.gov submissions	Christopher Hunton Phone: 301-975-5718 Fax: 301-840-5976 E-mail: christopher.hunton@nist.gov or Grants.gov Phone: 800-518-4726 E-mail: support@grants.gov
Grant rules and regulations	Scott McNichol Phone: 301-975-5603 Fax: 301-840-5976 E-mail: scott.mcnichol@nist.gov