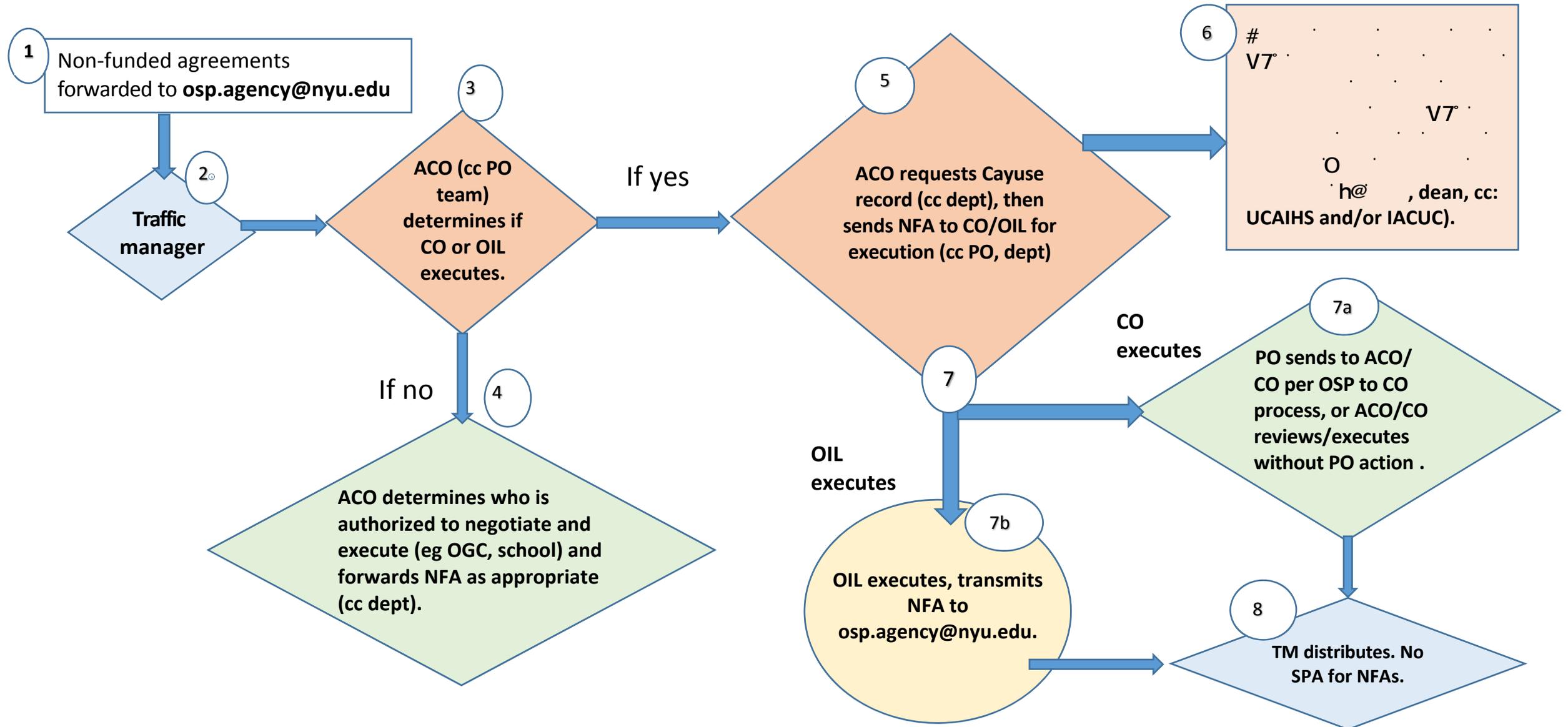
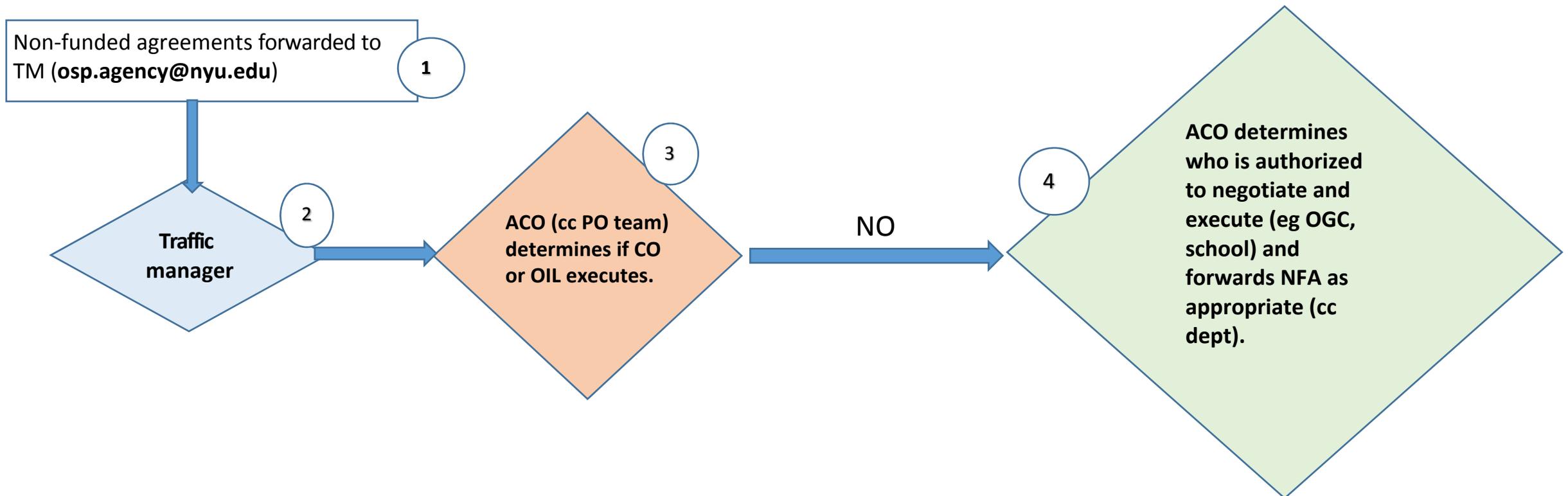


Non-funded Agreements (NFA)

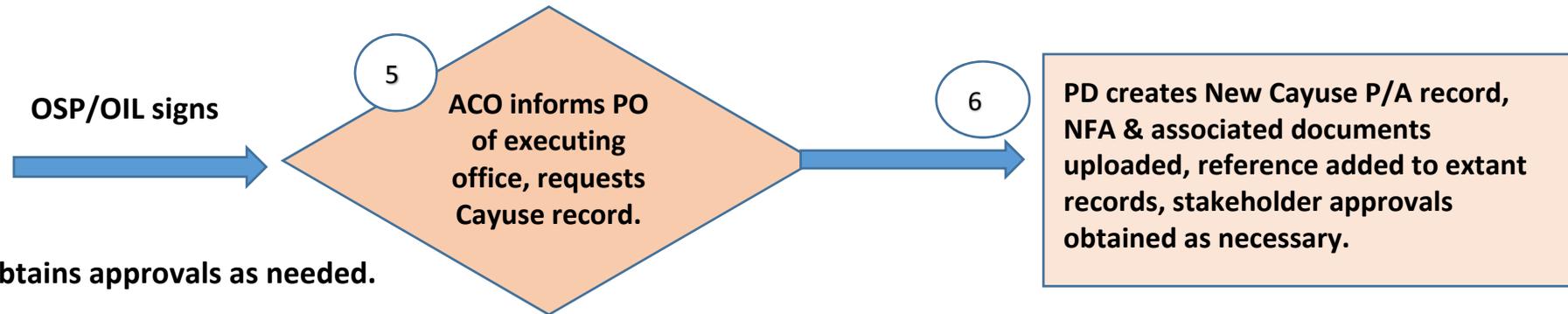
All NFAs are sent to the Traffic Manager (TM) at osp.agency@nyu.edu for processing. TM forwards to ACO for initial review (NFA department of origin determines relevant ACO), copying the PO team. ACO reviews NFA to identify document type and party responsible for review. If CO does not handle, ACO forwards to appropriate office, copying the department. If NFA is executed by CO or OIL, ACO informs PO of NFA type and requests the creation of a Cayuse record. As per normal process, the CO or OIL negotiates with sponsor and executes. TM distributes NFAs signed by OIL or CO as per established procedures. See attached definitions for document requirements.



1. NFAs are directed to TM (osp.agency@nyu.edu) for processing.
NFAs may come to anyone in OSP/CO from anyone, e.g. OIL, PI, dean, other institution.
2. TM determines applicable ACO for document review based on departmental assignments; forwards NFA to ACO by email and copies PO Team (Proposal Development [PD] and Award Management [AM]).
TM does not enter anything in Cayuse or upload to the H drive. The email is the transaction record.
3. ACO Reviews to determine OSP-CO/OIL/OGC/School review and signature authority. ACO communicates with PO and any stakeholders to make this determination.
4. If the NFA is NOT managed by OSP/CO/OIL:
 - ACO/CO determines appropriate office to review and execute. No Cayuse record is created.
 - ACO/CO forwards NFA to authorized office and notifies stakeholders of status (where it was sent). ACO requests that authorized office notify CO of status once finalized as part of good customer service.



5. If the NFA will be executed by OSP-CO or OIL, ACO informs PO of status (cc dept). PD PO manages Cayuse.



6. PD creates Cayuse record, obtains approvals as needed.

- For each NFA, a new Cayuse Proposal and Award Record is created by the PD PO, using the labelling and naming conventions below for the record and document. PD determines whether or not a record already exists.
- PD obtains PI and other local information and approvals as necessary.

Labelling and Naming Convention for NFA Records and Documents

NFA documents will be labelled and recorded in a consistent manner to allow for searching, filtering and to reflect the content of the document

For Proposal records:

Proposal Type: Non-Funded Agreement **Proposal Instrument:** LIST TO BE REVIEWED/EXPANDED

Document Naming Format- OSP_SP Proposal#_NFA_DOCUMENT CONTENT_ Date: YYYYMMDD _PI: Last name, First initial

Example: Richard Arum, Data Use Agreement, SP Proposal # 16-0048, received on October 15, 2015

OSP_16-0048_NFA_DUA_20151015_ArumR

For Award Records:

Project Type: Contract **File Type:** Other (list being expanded) **Award Type:** NFA

Document Naming Format OSP_SP Award#_NFA_DOCUMENT CONTENT_ Date: YYYYMMDD _PI: Last name, First initial

Example:

Jane Price, Data Use Agreement, SP Award # A16-0049-001, received on January 21, 2016

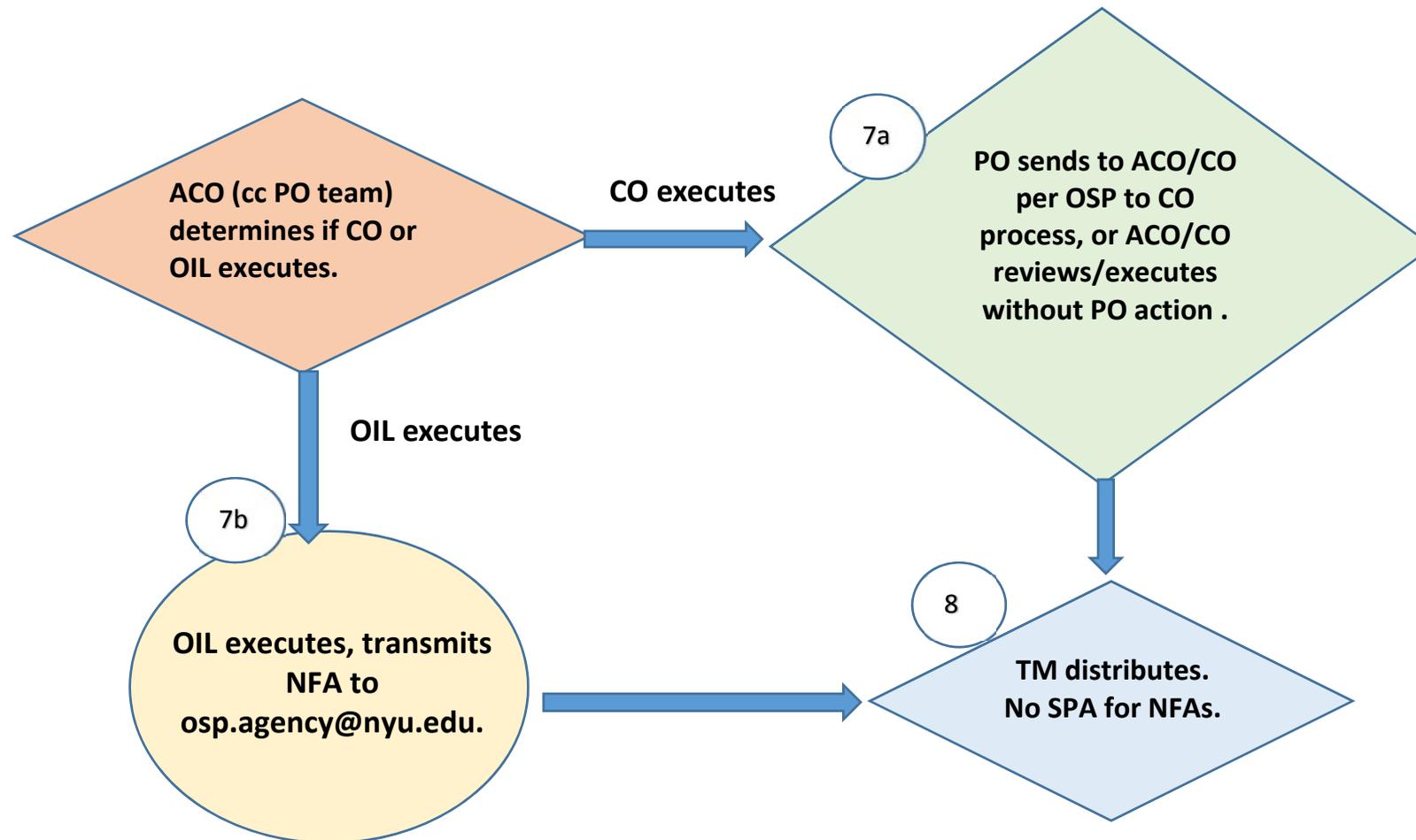
OSP_A16-0049-001_NFA_DUA_20160121_PriceJ

7. **NFA is reviewed and signed. ACO forwards the NFA to CO or OIL for review and signature.**

7. a. ACO reviews, negotiates, executes agreement. TMs upload executed agreement to Cayuse and update status, send executed copy to **sponsor**, and distribute in accordance with established procedures.

7. b. OIL reviews, negotiates, executes, and sends a copy to osp.agency@nyu.edu.

8. TM distributes executed agreement to all relevant parties as per established procedures. SPA is excluded.



A **Data Use Agreement (DUA)** is a contractual document used for the transfer of data that has been developed by an organization, where the data is nonpublic or is otherwise subject to some restrictions on its use. Often, this data is a necessary component of a research project and it may or may not be human subject data from a clinical trial, or a Limited Data Set as defined in HIPAA. DUAs are similar to confidentiality agreements in that they restrict the use and disclosure of a data set. DUA terms should protect confidentiality, but permit publication and sharing of research results in accordance with University policies, applicable laws and regulations, and federal requirements.

A **Material Transfer Agreement (MTA)** is a contract that governs the transfer of tangible research materials between two organizations, when the recipient intends to use it for his or her own research purposes. The MTA defines the rights of the provider and the recipient with respect to the materials and any derivatives.

A **Non-Disclosure Agreement (NDA)**, also known as a **confidentiality agreement (CA)**, **confidential disclosure agreement (CDA)**, or **proprietary information agreement (PIA)**, is a legal contract between at least two parties that outlines confidential material, knowledge, or information that the parties wish to share with one another for certain purposes, but wish to restrict access to or by third parties. The parties agree not to disclose information covered by the agreement and it creates a confidential relationship between the parties to protect any type of confidential and proprietary information or trade secrets.

A **Certificate of Confidentiality (COC)** helps researchers protect the privacy of human research participants enrolled in biomedical, behavioral, clinical and other forms of sensitive health-related research by protecting against compulsory legal demands (such as court orders and subpoenas), for identifying information or identifying characteristics of a research participant.

A **Teaming Agreement (TAG)** is an arrangement between two or more organizations forming a partnership or working jointly on a proposal and potential awarded project. They cover various aspects like project scope, roles of each involved party, and any other items relevant to the specific proposal/project.

A **Master Agreement (MAG)** is a contract reached between parties, in which the parties agree to most of the terms that will govern future transactions or future agreements. It permits the parties to quickly negotiate future transactions or agreements, since only the project-specific terms would need to be negotiated.

A **Memorandum of Understanding (MOU)** is a formal agreement between two or more parties. Organizations can use MOUs to establish official partnerships for a variety of activities: DUA, MTA, even a sponsored agreement. MOUs are not legally binding but they carry a degree of seriousness and mutual respect.

A **Government Furnished Property (GFP)** is property in the possession of, or directly acquired by, the government and subsequently furnished to the contractor for performance of a contract.

A **Patent Assignment Agreement (PAA)** is the assignment/transfer of the University's patent rights to a third party when the intellectual property was generated and reduced to practice in the performance of a sponsored agreement. Patent Assignment Agreements require agency approval when federal dollars were expended/used in the development of the intellectual property comprising the patent application and/or patent issued that is to be assigned.