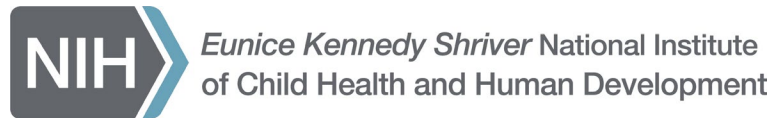


Fundamentals of Contracting: Funding Research through Contracts

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Agenda

- What? When? Why?...Contracts
- How About When to Use a Grant?
- Government's Role in Setting Objectives and Approaches
- Program Funding Mechanisms
- What Do We Buy Using Contracts?



Agenda (continued)

- Benefits of a Contract
- Data Rights and Uses in Contracts and Grants
- Acquisition Roles: CO and COR
- NICHD OA Highlighted Contracts
- Contract Funding Opportunities
- Questions?



What? When? Why?...Contracts

- What?
 - Contracts are mutually binding legal relationships obligating the seller to furnish supplies or services and the buyer to pay for them. Basically, a contract is an exchange of consideration.
 - Created from a Government-initiated Statement of Work
 - Can be competitive or sole source.
- When?
 - Contracts are used when the principal purpose of the transaction is the acquisition of goods or services for the direct benefit or use of the Federal Government.
- Why?
 - Government has greater control/direction of a project.
 - To stimulate interest in research initiatives that are not of public priority.



How About When to Use a Grant?

- Assistance awards are used when the principal purpose of the transaction is to transfer money, property, or services to a recipient to accomplish a public purpose of support or stimulation authorized by law.
- Under assistance relationships:
 - Grants are used when no substantial programmatic involvement is anticipated between the Federal agency and the recipient during performance of the assisted activity.
 - Cooperative Agreements are used when substantial programmatic involvement is anticipated between the Federal agency and the recipient during performance of the assisted activity.



Government's Role in Setting Objectives and Approaches

- Assistance mechanisms (Grants)
 - Government staff identify general or specific program areas for support. Applicants define aims, objectives, and approaches.
- Acquisition mechanisms – (Contracts)
 - Government staff specify both objectives and desired approaches. Offerors describe their capabilities to accomplish the requirements.
 - Government staff define specific problems or objectives. Offerors submit creative or innovative approaches.



Program Funding Mechanisms

Mechanism Type	Government Role
Grant	Patron - assistance, encouragement with no substantial programmatic involvement
Cooperative agreement	Partner - assistance with substantial program involvement
Contract	Purchaser - procurement, acquisition of goods or services for direct use of the Government with program oversight



What Do We Buy Using Contracts?

- The Government buys both goods and services:
 - Basic laboratory, medical, office and information technology supplies
 - Construction
 - Services include consulting, program and administrative support services, and Research & Development (R&D)



Benefits of a Contract

- Flexibility
 - Flexible for the government in the planning and award phases
 - Flexibility in funding services
 - For example: Indefinite Delivery/Indefinite Quantity Contracts, Contracts with Options
- Technical Direction and Programmatic Oversight
- Obtaining best value for the Government
 - Conducting appropriate market research
 - Technical evaluation process
 - Negotiations



Data Rights and Uses in Contracts and Grants

- **Contracts:** The Government generally has unrestricted rights to data, consistent with the acquisition of the services performed or the results obtained and is responsible for arranging for appropriate dissemination of findings and other results from the activity. Encourage Contractors to protect their intellectual property and publish the results.
- **Grants and Cooperative Agreements:** Awardees have primary rights to their data developed under assistance awards; and Government has rights of access to those records. The Government may assist cooperative agreement awardees in decisions on publication of findings and interpretations, recognizing, however, that those results are not primarily for Government benefit or use.



Acquisition Roles: Contracting Officer (CO)

The Contracting Officer is the only person with authority to act as agent of the Government to:

- Bind the government through contract awards and modifications
- Modify contracts to include, but not limited to, extending the period of performance, changing the delivery schedule, changing any terms and conditions
- Direct or negotiate any changes in the statement of work
- Authorize reimbursement to the Contractor for any costs incurred during the performance of a contract
- Terminate contracts



Acquisition Roles: Contracting Officer's Representative (COR)

- The COR is experienced in the scientific and technical disciplines of the contract and are primarily responsible to:
- Monitor the Contractor's technical progress
- Perform technical evaluation, technical inspections and acceptances as required by the contract
- Assist in the resolution of technical problems encountered during performance
- The COR has a primary relationship with the Contractor's Principal Investigator



NICHD OA Highlighted Contracts

The following are several projects the NICHD OA awarded and administers in helping support the NICHD mission:

- NICHD Perinatology Research Branch (PRB) Support Services - Wayne State University
- NICHD PregSource and DS Connect Registries
- NICHD International and Domestic Pediatric and Maternal HIV program
- Best Pharmaceuticals for Children Act (Pediatric Trials Network)
- Limb Loss Registry
- Newborn Screening



NICHD OA Highlighted Contracts (continued)

- NICHD Human Biospecimen Repository
- Contraceptive Clinical Trials Network (CCTN)
 - Male and Female Contraceptives
- Epidemiology Branch
 - Fetal Growth Studies
 - Diabetes, Obesity and Women's Health
 - Upstate Kids – Fecundity and Infertility Treatments
- Health Behavior Branch
 - NEXT Generation Health Study – Longitudinal survey of adolescent health & behavior



Contract Funding Opportunities

- All Federal Contract Solicitations are posted on beta.SAM.gov under Contract Opportunities (Then click on Search Contract Opportunities)
 - This new system replaced legacy website Federal Business Opportunities (FBO)
 - Federal-wide portal that supports searching, monitoring, and retrieving contract opportunities
 - NICHD Specific Opportunities can be searched by entering NICHD in the Keywords Field.



Questions?

