



## NATIONAL SCIENCE FOUNDATION (NSF)

### Revision of the Small Business Innovation Research (SBIR)/Small Business Technology Transfer (STTR) Phase II Grant General Conditions

are retitled

### Small Business Innovation Research (SBIR)/Small Business Technology Transfer (STTR) Phase II Cooperative Agreement Financial & Administrative Terms and Conditions (SBIR/STTR-II-CA-FATC)

**Effective July 6, 2020**

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Effective July 6, 2020, new NSF Phase II SBIR/STTR cooperative agreements and funding amendments to existing SBIR/STTR Phase II cooperative agreements will begin referencing, and are subject to, the Small Business Innovation Research/Small Business Technology Transfer Phase II Cooperative Agreement Financial & Administrative Terms and Conditions (SBIR/STTR-II-CA-FATC) dated 07/06/2020.

Unless otherwise noted in a specific article, the SBIR/STTR Phase II Cooperative Agreement Financial & Administrative Terms and Conditions apply to new NSF Phase II SBIR/STTR cooperative agreements and funding amendments issued to existing Phase II cooperative agreements awarded on or after July 6, 2020.

A summary of the changes is included below. Any questions regarding these changes may be directed to the cognizant SBIR/STTR Program Director.

#### **Significant Changes**

- The most significant change is that the SBIR/STTR Phase II awards will be made as fixed-price cooperative agreements. As such, Awardee Responsibilities and Compliance with Federal Requirements, Article 2, has been revised to reflect cooperative agreement requirements.
- **NSF Responsibilities, Article 3.** This is a new article that outlines the role of the cognizant NSF Program Officer as a participant in programmatic, technical, managerial or scheduling concerns; providing advice and guidance as required to resolve NSF award questions or issues.
- **Prior Approval Requirements, Article 4.** This article has been revised to include the list of all award changes that require prior NSF approval.
- **Procurement Standards, Article 11.** The revisions update NSF's Procurement Standards article to state the micro-purchase threshold for procurement activities for all types of awardee organizations, and the increase in the simplified acquisition threshold from \$100,000 to \$250,000.

- **Technical and Business Assistance Costs, Article 13.** This is a new article describing the additional funds available to awardees for third-party service providers offering assistance with technology commercialization efforts.
- **Project Reporting Requirements, Article 16.** This article has been revised to reflect the new reporting requirements.
- **Expenditure Reports, Article 17.** This is a new article that provides guidance to awardees on submitting payment requests through NSF's Award Cash Management Service.
- **Reporting Fraud, Waste, and Abuse, Article 20.** This is a new article that describes the process for reporting fraud, waste and abuse to NSF's Office of Inspector General (OIG).
- **Post-award Disclosure of Current Support and In-Kind Contribution Information, Article 46.** This entirely new article establishes a post-award disclosure requirement of undisclosed current support and in-kind contribution information. If an organization discovers that a PI or co-PI on an active NSF award failed to disclose current support or in-kind contribution information as part of the proposal submission process, the AOR must submit the information outlined in the article within 30 calendar days of the identification of the undisclosed current support or in-kind contribution.
- **Changes to Cooperative Agreement, Article 49.** This is a new article stating the requirement that awardees must submit requests to NSF for changes to their cooperative agreements.
- **Limitation of Funds, Article 50.** This is a new article that states that awards are limited to amounts currently obligated to the award.
- **Resolution of Disagreements and Disputes, Article 52.** This is a new article outlining the process for resolving disagreements and disputes arising from the cooperative agreement.
- **Sharing of Findings, Data and Other Research Products, Article 54.** This article has been revised to include the caveat to protect commercial considerations.

#### Clarifications and Other Changes

- **Overall Document.** The terms and conditions have been revised to update all *Proposal & Award Policies & Procedures Guide (PAPPG)* references and conform with PAPPG terminology. They also have been modified to incorporate editorial changes to either clarify or enhance the intended meaning of a sentence or section or ensure consistency with other NSF policy documents.
- **Non-Discrimination Statutes, Article 34.** References regarding providing Nondiscrimination Certifications have been removed now that government-wide representations and certifications, including Nondiscrimination Certifications, are provided in the System for Award Management.