

# Award Acceptance and Negotiation

## AWARD ACCEPTANCE AND NEGOTIATION

All accepted awards must be in the name of the *Division of Agriculture of the University of Arkansas*. Contracts and Agreements must be in the name of the *Board of Trustees of the University of Arkansas acting for and on behalf of the Division of Agriculture of the University of Arkansas*. Awards specifying individuals, departments or programs within the University are not acceptable. The signature accepting awards on behalf of the Division of Agriculture of the University of Arkansas must be that of a University official with contracting authority on behalf of our institution. Most awards and agreements require some negotiation, and all awards must have prior approval through the Internal Grants Approval process (via Streamlyne). While some awards are executed upon receipt, contracts and agreements must be executed by authorized signature on behalf of the Division of Agriculture of the University of Arkansas and the sponsoring organization before the project begins. When warranted, agreements are reviewed by general counsel prior to execution. Negotiations related to fiscal and administrative matters are the responsibility of Sponsored Programs, and applicable state and federal regulations must all be complied with in the terms and conditions of an award.

There are common **contractual terms and conditions** that are unacceptable to the Division of Agriculture of the University of Arkansas. These terms and conditions conflict with state law or our institutional policies. The terms and conditions that commonly require resolution are:

- Our contracts cannot be governed by the laws of another state.
- By law, we cannot indemnify our sponsors, or hold harmless.
- By law, we cannot give up title to intellectual properties that result from research if the effort involves any expenditure of state funds.
- As an institution of higher education, we must preserve the right to publish the results of research done by faculty.

Once the **agreement/award** with its terms and conditions, is considered acceptable (negotiations may take days or even weeks), and both the sponsor and the University have signed the award, the award and proposal documents are forwarded to the Grants & Contracts analyst to be assigned a fund number and entered into the accounting system.