General Information

1. The following procedures are in no way meant to circumvent or deviate from NMIMT University Policy, but rather to supplement it.
2. Unfunded Agreements are contractual agreements that the University enters into that have no funding tied to them. They are usually executed in anticipation of future funded agreements.
3. Unfunded agreements can include, but are not limited to: Non-Disclosure Agreements (NDAs), master Agreements, Teaming Agreements, Memorandums of Understanding (MOUs) or Memorandums of Agreement (MOAs), license agreements and service agreements.
4. EMRTC’s first preference is always to use EMRTC’s unfunded agreement templates.
5. Unfunded Agreements can be executed with potential customers, vendors

Process when EMRTC Template is Utilized

1. Pre-Award receives a request from a Principle Investigator (PI), Project Manager (PM) or other appropriate party (herein referred to as “Employee” for the remainder of this document) to get an unfunded agreement in place with a potential vendor, contractor or customer
2. The Pre-Award Administrator will assign the Agreement an EMRTC Number if the Employee has not already done so
3. Pre-Award Administrator works with Employee and the potential customer, vendor, or contractor (herein referred to as “Party”) to fill in the Party’s required information on the template
4. When a final version of the Unfunded Agreement is agreed on, the Pre-Award Administrator does a final review of the agreement utilizing the unfunded agreement checklist to verify that no required clauses have been deleted or changed, and that all requirements for execution have been met.
5. Once the Party has signed the Agreement Pre-Award will route to the PI/PM to sign acknowledgement
6. Once the PI has signed Pre-Award will route to the Associate Director for Finance and Administration for approval
7. Once the Associate Director has initialed approval Pre-Award will route to R&ED for review who will then route to the Vice President for Administration and Finance for signature/execution
8. Once the fully executed agreement is received back at EMRTC a copy is emailed (or mailed if required) to the Party
9. The Pre-Award will complete an Unfunded Agreement Data Sheet and attached to the original copy; they will then forward to the Records Room to be filed
10. During this entire process the Pre-Award Log will be kept up-to-date

Process when EMRTC Template is not Utilized

1. Pre-Award receives a request from a Principle Investigator (PI), Project Manager (PM) or other appropriate party (herein referred to as “Employee” for the remainder of this document) to get an unfunded agreement in place with a potential vendor, contractor or customer
2. The Pre-Award Administrator will assign the Agreement an EMRTC Number if the Employee has not already done so
3. Pre-Award Administrator works with the potential customer, vendor, or contractor (herein referred to as “Party”) to receive the Party’s template
4. Administrator does a review of the agreement utilizing the unfunded agreement checklist to verify that NMIMT/EMRTC’s interests are protected and that all required clauses are incorporated and complete
5. If any changes are required to the document, the Pre-Award Administrator requests the changes and works with the Party to develop an agreed upon Agreement
6. Once the Party has signed the Agreement Pre-Award will route to the PI/PM to sign acknowledgement
7. Once the PI has signed Pre-Award will route to the Associate Director for Finance and Administration for approval
8. Once the Associate Director has initialed approval Pre-Award will route to R&ED for review who will then route to the Vice President for Administration and Finance for signature/execution
9. Once the fully executed agreement is received back at EMRTC a copy is emailed (or mailed if required) to the Party
10. The Pre-Award will complete an Unfunded Agreement Data Sheet and attached to the original copy; they will then forward to the Records Room to be filed
11. During this entire process the Pre-Award Log will be kept up-to-date

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Mona Torres

Associate Director for Administration and Finance