

Memorandum of Understanding between the National Science Foundation of the United States and the Executive Agency for Higher Education, Research, Development and Innovation Funding of Romania regarding research collaboration

1. Statement of Intent

This Memorandum of Understanding (MOU) outlines the guidance by which the National Science Foundation of the United States (NSF) and the Executive Agency for Higher Education, Research, Development and Innovation Funding of Romania (in Romanian: Unitatea Executivă pentru Finanțarea Învățământului Superior, a Cercetării, Dezvoltării și Inovării or UEFISCDI) collectively the "Participants", plan to manage the preparation, submission, review, and awarding of proposals submitted collaboratively from U.S. and Romanian investigators as part of a Lead Agency Opportunity between the NSF and UEFISCDI.

This document outlines the general principles and expectations that the Participants should adhere to with respect to:

- 1) what information should be provided to proposers in terms of preparing and submitting proposals,
- 2) how the merit review process will be conducted,
- 3) how funding decisions will be made, and
- 4) what information will be provided to principal investigators (PIs) on post-award conditions and reporting requirements.

2. Program Title

NSF-UEFISCDI Lead Agency Opportunity in the Mathematical Sciences

3. Authorities

NSF is acting pursuant to the National Science Foundation Act of 1950 as amended, 42 USC 1861 *et seq.*

UEFISCDI is acting pursuant to the Government Ordinance no. 62/1999 approved with amendments by Law no. 150/2000, amended by GEO 74/2010 to amend some normative acts in the field of education and research, approved with amendments by Law 11/2021, supplemented by GEO 1/2023.

These authorizations, together with the internal policies and procedures of each Participant, define the authority of the Participants to enter this MOU.

4. Expected Participant Responsibilities

NSF and UEFISCDI plan to collaborate via a Lead Agency Opportunity, in which the NSF acts as the Lead Agency for the duration of this MOU.

5. Overview and Goals

Both Participants understand that as research becomes increasingly global in nature it is important to continue to identify and develop flexible mechanisms to foster and support collaborative international

research. The overall goal of the Lead Agency Opportunity is to enable and facilitate research collaboration between U.S. and Romanian researchers. Through this collaboration the Participants expect to generate valuable discoveries and innovations that may lead to enhancements in multiple areas of science and technology. The partnership expects to achieve this goal through collaborative research projects in which the funding agencies fund the elements of research undertaken by researchers based in their respective countries.

This Lead Agency Opportunity seeks to reduce some of the barriers to working internationally that can be encountered if the review procedures are carried out separately by the two Participants, including duplication of tasks and unnecessary financial and administrative burden (e.g., different timetables for different funding agencies). These issues are addressed by:

- a. Allowing U.S. and Romanian researchers to submit a single collaborative proposal that will go through one review process at NSF as the Lead Agency;
- b. Managing the proposal review process through NSF as the Lead Agency in accordance with the NSF's standard procedures;
- c. Structuring the collaboration so that each country's researchers are supported by their Participant if an award is recommended. This will allow the Participants to maintain budgetary control over their awards;
- d. Ensuring the Participants align award actions where possible.

Nothing in this MOU is intended to change or limit either Participant's practice of internal co-funding.

6. Lead Agency Opportunity Scope

Proposals will be accepted for collaborative research in areas at the intersection of core research programs in the NSF Division of Mathematical Sciences (DMS), within the Directorate for Mathematical and Physical Sciences (MPS) and UEFISCDI.

The participating DMS programs can be found here:
<https://www.nsf.gov/od/oise/IntlCollaborations/Romania.jsp>

Modifications or inclusions of other themes are possible if agreed upon in advance by both Participants, based on an addendum to this MOU.

Proposers are expected to review the relevant NSF/MPS/DMS program descriptions and UEFISCDI call for proposals information on which areas of research are eligible for support through this collaboration.

Any publication of notice of this activity is intended to be shared with representatives from both Participants and agreed upon prior to its release. NSF intends to announce the opportunity through a Dear Colleague Letter (DCL) that highlights the programs that are participating in this collaboration. UEFISCDI intends to announce this funding opportunity via institutional newsletter and social media channels.

Each Participant is expected to cover its own administration costs regarding its contribution to the management of the respective calls for proposals, as well as expenditures for their respective country's teams according to its own rules.

7. Lead Agency Opportunity Procedure

A. Proposal Preparation, Content, and Submission

All proposals are to fall within the mission and funding parameters of both NSF/MPS/DMS and UEFISCDI. The Participants understand that proposals that do not fall within the missions of both funding organizations will not be considered.

There is a two-stage application process. Stage 1, Expression of Interest (EOI) submission, should be completed prior to Stage 2, full proposal submission.

Proposals are to be submitted in accordance with the deadlines of the participating NSF programs. For NSF programs with a proposal submission deadline, project teams should submit the EOI at least 60 days ahead of the proposal submission deadline. For NSF programs without a proposal submission deadline, project teams should submit the Expression of Interest 60 days ahead of their intended proposal submission date.

Stage 1: Expression of Interest (EOI)

1. The EOI submission includes the following information:
 - Proposed Project Title.
 - Names, email addresses, and departmental and institutional affiliations of the U.S. and Romanian researchers.
 - Bottom-line estimates of total expected funding (including indirect costs) to be requested from NSF and UEFISCDI in appropriate monetary units (USD for U.S. budget and RON for Romanian budget).
 - Clear indication of the NSF/MPS/DMS target program. This may not be the only NSF program that will consider the Expression of Interest, but identification of the target program allows for faster consideration.
 - Project Summary (1000 words maximum) of the proposed research which should include: (a) a statement on the intellectual merit of the proposed activity and (b) a statement on the broader impacts of the proposed activity. The U.S. portion of the work should fall within the scope of one or more participating programs as noted above. The Romanian portion of the work should fall within the scope of Bilateral/Multilateral Complex Projects, *Lead Agency Procedure*.

It is advisable for proposers to consult with their institution's Office of Sponsored Research for budget advice prior to finalizing a total estimate. Full proposal budgets should not vary from those specified in the EOI by more than 10% and any such changes should be fully justified.

2. To submit the above information, proposers complete an [Expression of Interest \(EOI\) form](#). Proposers email the completed form to nsf-uefiscdi@nsf.gov at least 60 days prior to the intended proposal submission date. EOIs will be shared with UEFISCDI and both agencies will review the submitted information.

3. NSF will conduct an initial check of the EOI for eligibility, including whether the proposed research fits within the participating NSF program's portfolio, whether the proposed researchers and institutions meet NSF funding eligibility requirements, and whether the proposed research budgets are appropriate for the proposed research. NSF will also use the information to gauge proposal pressure by programs and assist programs with budget planning. NSF will maintain a secure site that is accessible by both agencies that contains all EOIs received for monitoring purposes. UEFISCDI eligibility requirements for the Romanian side can be found here: <https://uefiscdi.gov.ro/nsf-uefiscdi-lead-agency-opportunity>.
4. For NSF programs with a deadline, NSF intends to communicate its decision about the eligibility of the EOI and anticipated availability of funding for this activity to UEFISCDI no later than 50 calendar days before NSF proposals are due. UEFISCDI intends to communicate its decision about the eligibility of the EOI and anticipated availability of funding for this activity to NSF no later than 40 days before the proposal is due to NSF. For NSF programs without a deadline, NSF intends to communicate its decision about the eligibility of the EOI and anticipated availability of funding for this activity to UEFISCDI no later than 50 calendar days before the intended proposal submission date. UEFISCDI intends to communicate its decision about the eligibility of the EOI and anticipated availability of funding for this activity to NSF no later than 40 days before the intended proposal submission date.
5. Upon confirmation from the NSF that both agencies have reviewed the EOI and confirmed that the proposed collaborative research is appropriate for review under the NSF-UEFISCDI Lead Agency Opportunity, NSF intends to contact the US PI no later than 30 calendar days before proposals are due to inform them whether they are encouraged to submit a full research proposal to the NSF/MPS/DMS program indicated. In some cases, an alteration of the budget request may be required in the full proposal submission. If the EOI has not been approved by NSF prior to submission of a full proposal, the proposal may not be considered for evaluation (i.e., may be returned without review).

Stage 2: Full Proposal Submission

1. Proposers from both countries are to collaborate to write a single proposal. It is the responsibility of the U.S. proposer to submit the proposal to the appropriate NSF program for review. The full proposal should be submitted within twelve months of the EOI being approved. In the case of the original EOI expiring, proposers should contact NSF for clarification on how to proceed; a new EOI may be necessary.
2. The proposal should indicate that it is to be considered under this Lead Agency Opportunity by prefacing the title with "NSF-UEFISCDI:".
3. Proposers are expected to comply with the proposal preparation requirements outlined in NSF's [Proposal & Award Policies & Procedures Guide \(PAPPG\)](#). The proposal is to be submitted to the appropriate standing program within MPS via Research.gov or Grants.gov.
4. The proposal should only indicate the U.S. expenses on the NSF Budget Form. A detailed breakdown of funding requested from UEFISCDI should be added to the proposal as a Supplementary Document, using the Budget Breakdown Template available on UEFISCDI's website, here: <https://uefiscdi.gov.ro/nsf-uefiscdi-lead-agency-opportunity>. This document is to be shared with UEFISCDI to verify eligibility of costs requested. The Budget Justification section of the proposal should address the full project budget (that is, both the U.S. and Romanian funding items).

5. Romanian personnel should be listed as "non-NSF funded collaborators." This listing is for administrative purposes and is not intended to characterize the level or value of the contribution of Romanian personnel to the project. *Guidance specific to "non-NSF funded collaborators" is as follows:*
 - Biographical Sketch - The biographical information is to be clearly identified as "non-NSF funded collaborators" biographical information and uploaded as a single PDF file in the Other Supplementary Documents section of the proposal. Use of a specific format is not required except in specific cases when the individual announcement to the community for the participating programs will indicate a required NSF format.
 - Collaborators and Other Affiliations (COA) Information - The COA information should be provided through the use of the COA template, identified as "non-NSF funded collaborators" COA information, and uploaded as a PDF file in the Single Copy Documents section of the proposal.
 - Current and Pending Support - Not required.
 - Results from Prior NSF Support - Not required.
6. An institutional statement in support of the joint submission should be provided by each Romanian partner organization in the proposal submission. This statement should be in the form of a signed letter from an Authorized Organizational Representative including the following text: "I confirm on behalf of [insert name or institution] that the U.S.-Romanian collaborative proposal between [insert name of the lead agency PI and institution] and [insert name of the non-lead agency PI and institution] is endorsed and has been submitted by [name of research office]." This letter is to be included in the "Supplementary Documents" section.
7. For projects involving human subjects/participants or animals, proposers are expected to adhere to the policies, law, and guidelines concerning research ethics and have requisite institutional approvals or exemptions in place prior to any potential award.
8. Research funded through this Lead Agency Opportunity is to be conducted in accordance with NSF's Responsible and Ethical Conduct of Research Policies (<https://www.nsf.gov/od/recr.jsp>).
9. Proposers will be advised that all documents and information submitted to NSF as the Lead Agency may be shared securely, via a password-protected SharePoint or extranet site, with UEFISCDI upon request by UEFISCDI. These documents and information will be hosted on a site associated with NSF, housed behind firewalls, and using NSF-specific protocols to ensure data protection (personal data protection included). In the event NSF or UEFISCDI discover or learn of a suspected or confirmed breach of such information, that party is expected to notify the other party immediately so that appropriate steps may be taken to address the incident.
10. Proposals that request duplicative funding from NSF and/or UEFISCDI may be returned without review.

B. Merit Review

Collaborative proposals will be reviewed in accordance with the NSF standard review process. A description of the NSF merit review process is provided on the NSF merit review website at: https://www.nsf.gov/bfa/dias/policy/merit_review/. The NSF PAPPG applies, along with any guidance in relevant program descriptions or solicitations. Joint NSF-UEFISCDI collaborative proposals will be reviewed alongside all other unsolicited or standard proposals received in the same funding round and will not undergo a separate or special review process.

Collaborative proposals are to be evaluated in accordance with the standard NSF merit review criteria of Intellectual Merit and Broader Impacts of the proposed project, along with any additional program or solicitation-specific review criteria.

While it is understood that NSF bears ultimate responsibility for obtaining written reviews, UEFISCDI may be invited to suggest names of qualified reviewers. Recommendations for reviewers are expected to be seriously considered in appointing the best selection of reviewers for each collaborative proposal. NSF retains final responsibility for selection of all reviewers and compliance with the U.S. Federal Advisory Committee Act.

NSF expects to share the full content of unattributed reviews and panel summaries with UEFISCDI via the secure site upon request.

The NSF confidentiality and conflict of interest policies are to apply.

C. Funding Decisions and Awards

NSF plans to use its usual internal procedures to determine whether a proposal will be awarded or declined. Funding decisions may be subject to budget limits.

NSF will endeavor to provide proposal review outcomes, with the list of proposals recommended for funding, to UEFISCDI in a timely manner. UEFISCDI is expected to accept the NSF recommendation on funding of individual proposals.

The Lead Agency is expected to advise the U.S. PIs whether their proposal has been recommended for funding or will be declined. Copies of the reviewers' unattributed reviews and, where applicable, a panel summary will be provided to the U.S. PIs following the official recommendation from NSF to either award or decline the proposal. The U.S. PIs are expected to provide to the Romanian lead researchers the results of the proposal review.

Once a proposer has been notified of a pending award, the Romanian researcher(s) associated with the project is expected to submit a copy of the proposal to UEFISCDI so that each agency has complete documentation of the overall proposed research project. UEFISCDI will provide further guidance to successful proposers at this stage.

NSF intends to make awards to the U.S. researchers participating in the recommended collaborative project, and UEFISCDI intends to make awards to the Romanian researchers participating in the recommended collaborative project. Awards are to be subject to the terms and conditions of each

Participant. Each funding agency may negotiate final budgets with their respective proposers prior to award.

NSF and UEFISCDI aim to synchronize communication on the selected projects (i.e., proposers in both the U.S. and Romania will be notified at approximately the same time of the decision on their projects). For projects recommended for award, NSF and UEFISCDI plan to coordinate the U.S. and Romanian award timing as much as possible. However, because the participating agencies have different funding cycles, it is possible that some projects will have delayed start dates to wait until funds become available or until all pre-award requirements are met. Wherever possible, both agencies will endeavor to hold standard turnaround times for each participating agency, but in exceptional circumstances outcomes could be delayed.

The number of US-Romania projects selected for funding and the total amount to be allocated by each Participant will depend on the number and quality of the submitted projects and available funding at each Participant.

D. Post-award considerations

Awardees are expected to comply with the award conditions and reporting requirements of the agencies from which they receive funding.

Awardees are to acknowledge both NSF and UEFISCDI in any publications or other public communications arising from the grant.

Requests for no cost extensions will be considered by the Participants using standard procedures. Requests for changes to awards will be discussed by both Participants with the aim for mutual decisions. In accordance with NSF and UEFISCDI standard procedures, awards will be publicly announced.

E. Resubmissions

Should a proposal be declined for funding, proposers should follow these guidelines on resubmission:

- i. Refer to the resubmission guidelines of both agencies.
- ii. Submit a new EOI at least 3 months in advance of resubmitting a full proposal. The EOI should clearly indicate that it is a resubmission and what changes have been made. Both agencies reserve the right to reject an EOI that does not meet their resubmission criteria.

8. Limitations and Disagreements

This document is neither a fiscal nor a funds obligation document. Nothing in this document authorizes or is intended to obligate the Participants to expend, exchange, or reimburse funds, services, or supplies, or transfer or receive anything of value. Nothing in this document may be construed to obligate NSF/MPS/DMS or UEFISCDI to any current or future expenditure of resources in advance of the availability of appropriations, nor does this document obligate NSF/MPS/DMS or UEFISCDI to spend funds on any particular project or purpose, even if funds are available.

This document is not intended to create binding obligations under domestic or international law. This document in no way restricts either of the Participants from participating in any activity with other

public or private agencies, organizations, or individuals. This document is strictly for internal management purposes for each Participant. It is not legally enforceable and should not be construed to create any legal obligation on the part of either Participant. This document should not be construed to provide a private right or cause of action for or by any person or entity.

Any disagreements between the Participants arising out of the interpretation, implementation, or application of any of the provisions of this document are to be settled amicably through mutual consultation by the respective heads of the Participants involved or their designees.

9. Confidentiality and Data Sharing

Each Participant is expected to keep confidential information about proposals and reviews disclosed by the other Participant during the proposal review and decision-making process, in accordance with their applicable national laws, regulations and policies.

Applicable to UEFISCDI only:

UEFISCDI processes personal data in accordance with the provisions of Regulation (EU) 2016/679 (RGPD 2018) and Law 190/2018 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, <https://uefiscdi.ro/protectia-datelorcaracter-personal>.

Applicable to NSF only:

Applicable U.S. laws, regulations and policies apply to NSF's information handling arising out of this collaboration to include, but not limited to, the Freedom of Information Act and the Privacy Act of 1974.

10. Evaluation Plan

The Participants plan to review this collaboration on at least a yearly basis to evaluate the following points:

- a. What is the annual volume of expressions of interest? How have these been handled?
- b. What is the volume of full proposals?
- c. What is the success rate of full proposals?
- d. What is the balance of the areas applied for and funded?

11. Duration and Modifications

Cooperative activities pursuant to this MOU are expected to continue for a period of five years from the date of signing, unless discontinued earlier by the Participants. This MOU may be amended only by written understanding of the Participants.

This MOU may be continued or discontinued with the Participants endeavoring to provide 90 days advance written notice, or sooner, of discontinuation, by mutual written understanding of the Participants. The expiry or discontinuation of this MOU will not affect the validity, implementation, funding or monitoring of any ongoing research projects which have received funding or have been awarded a grant pursuant to this MOU. Such projects will continue to be funded in accordance with the understandings in this MOU and carried out as provided in the funding decision.

Date activities commence: On the _____ day of _____, 2023.