

# RESEARCH FOUNDATION POLICIES FOR THE CONDUCT OF RESEARCH PROJECTS

Adopted: 8/12/05

Amended: 1/31/06, 8/14/06, 2/2/07, 8/17/07, 2/1/08, 8/1/08, 1/23/09, 8/7/09, 1/29/10, 8/5/11, 7/31/12, 1/25/13, 8/2/13, 1/24/14

## 1. GENERAL PROVISIONS

- a. **Purpose and Intent.** These Policies set forth the procedures to be used for the conduct of research projects by the Fire Protection Research Foundation (hereafter referred to as the Foundation). These Policies support the Foundation mission to plan, manage and communicate research in support of the NFPA mission.\*
- b. **Responsibility.** The Foundation Board of Trustees is responsible for oversight of these Policies and for their periodic revision. The Research Advisory Committee (RAC) periodically reviews these Policies and provides recommended revisions to the Board of Trustees.
- c. **Types of Projects.** The Foundation will seek and undertake the conduct of projects that have a demonstrated technical need and are consistent with its mission. These projects may be research projects which fall under the general direction of the policies contained in Sections 2 through 5 of this document, or other types of projects which support its mission, such as those described in Section 6 of this document.

## 2. PROJECT DEVELOPMENT

- a. **Request for Proposals.** When appropriate, the Foundation will respond to Requests for Proposals (RFP) from government agencies and other funding sources when the Foundation can bring value to the proposal.
- b. **Subcontracting.** If the Foundation is asked to participate as a subcontractor to another organization that is responding to an RFP, the Foundation may agree to participate, with the understanding that the Foundation may make a similar agreement with another organization.
- c. **Unsolicited Proposals.** From time to time, the Foundation receives unsolicited proposals from the research community. The Foundation will agree to consider these proposals only if the submitter agrees that such consideration will not bar the Foundation from issuing an open request for proposals on the same topic. This policy may be waived in certain circumstances, for example when a commitment for substantial financial support accompanies a technically sound proposal.
- d. **Proposal Development.** The Foundation may engage consultants as required to develop proposals or to prepare the scope of work for a project prior to project initiation.

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\* NFPA Mission: To reduce the worldwide burden of fire and other hazards on the quality of life by providing and advocating consensus codes and standards, research, training, and education.

- e. **Pre-Proposals.** In order to develop the scope of work of a project for which there is demonstrated supporting interest, the Foundation may issue a request for pre-proposals prior to full funding commitment.
- f. **Project Scope Review.** Prior to initiation of work on a project, as requested by Foundation staff, the Foundation's Research Advisory Committee may be asked to review and provide input on the project scope of work and the composition of the Project Technical Panel in accordance with these policies.

### 3. PROJECT TECHNICAL PANELS

- a. **General.** All Foundation projects will be guided by a Project Technical Panel (PTP).
- b. **Formation.** A PTP will be established upon formal project initiation and when project funding is in place. Appointment as a PTP member indicates the member's willingness and consent to fully comply with these Policies.
- c. **Membership.** The composition of a PTP will be based on the following criteria:
  - **Size:** – Minimum three individuals
  - **Project Sponsors:** – Project sponsors may serve as non-voting members.
  - **Expertise:** – Panels will include independent technical experts, such as users and regulators of the given technology which is the subject of the project as well as independent technical expertise in areas covered by the project. The appropriate NFPA staff liaison will be a non-voting member. For those projects where the report will be authored by Foundation or NFPA staff, the PTP will include the appropriate expertise to facilitate a thorough technical review.
  - **Chairperson:** – Foundation staff may appoint a chairperson.
- d. **Roles and Responsibilities.** PTPs will be responsible for overseeing the technical conduct of projects including recommendations on contractors, review of progress, and review of and comment on the final project report. Overall project scope is determined by project sponsors prior to Panel formation.
- e. **General Operations of Panels.** Panel decisions and input are advisory in nature, are provided through meetings, teleconferences and email exchange, and are not binding on the activities of the primary contractor. Panel consensus is not required. At his or her own request, a Panel member may withdraw at any point during the project. Minutes are kept of panel meetings. Results as well as draft and actual reports are not to be released by the Panel or members thereof prior to the issuance of the final report, without Foundation approval.
- f. **Conflict of Interest.** Candidates for Panels should state their business interest in the project, if any, prior to selection. Candidates having a direct beneficial interest in the project should recuse themselves from consideration.
- g. **Volunteer Panel Activities.** Panel members may be asked for or may volunteer time, resources and expertise towards a project. Inclusion of the results of these activities in the final project report will be the responsibility of, and overseen by, the project's primary contractor.

#### 4. PROJECT CONTRACTORS

- a. **General.** The Foundation may engage a primary project contractor for each project or may undertake projects using staff. This section of the procedures (Section 4) applies to project contractors. Additional guidance for project contractors is available from staff.
- b. **Contractor Selection.** Except for staff projects in accordance with Section 4(a) or sole source projects in accordance with Section 4(d), a primary project contractor, if engaged, will be chosen by the Foundation for each project through an RFP process based on: the evaluation criteria of the RFP, and guidance from the PTP. The final decision on any such engagement shall be made by the Foundation.
- c. **Multiple Contractor(s).** In cases where there is a requirement, at the direction of the Panel, for more than one contractor (e.g., a consultant and a testing laboratory), other contractors will be under the supervision of the primary project contractor. The primary contractor will have responsibility to deliver the draft final report to the PTP and to respond substantially and fully to all comments of the Panel.
- d. **Distribution.** Solicitations for subcontractors or request for proposals will be distributed widely as follows: through public dissemination on the Foundation's website, through distribution to the database above, and through distribution to firms nominated by Foundation Panels or its RAC, NFPA Technical Committees or Sections, or NFPA or Foundation staff.
- e. **Sole Source.** Sole source award of contracts (i.e. those not subject to RFP process) must be justified and a written justification included in the project file. Justification may include factors such as accompanying funding or other support, small project size or funding level, or unique qualifications or facilities. In certain conditions projects may be undertaken by Foundation staff members. In all cases, Foundation panel procedures apply.
- f. **Grant Proposals.** If grant proposals submitted by the Foundation (e.g. to federal agencies) require identification of a project consultant/subcontractor, the Foundation will, after considering the recommendation of the RAC, submit names of firms that are qualified and interested. If possible, when and if the grant is awarded, the final selection of the subcontractor will be through the Foundation's own RFP process.
- g. **Referencing Other Work.** All project reports shall be the original work of the primary project contractor and all collaborators unless otherwise identified. The responsibility for the proper form of citation lies with the primary project contractor and any individual sub-contractor(s). Plagiarism is grounds to terminate a contract.
- h. **Right to Terminate.** The Foundation reserves the right to terminate the services of the contractor.

## 5. PUBLICATION

- a. **Copyright of Foundation Reports.** With the exception of identified pre-existing material, the Foundation retains the copyright on all published project reports other than reports published by others in accordance with Section 6.
- b. **Distribution.** All Foundation project final reports will be made available to the public, except when the work was not performed in accordance with the terms of the contract agreement or with the policies and procedures of the Foundation. A decision not to make a project's final report available to the public can be appealed to the Foundation Board of Trustees.
- c. **Panel Comments.** All Foundation reports will carry a standard release waiver indicating that the report was prepared by the contractor and reviewed by the Panel. The PTP will forward comments to the primary contractor who will address all comments with explanatory written documentation. Where there are outstanding differences between the PTP and the primary contractor concerning content of the final report, those differences, and the primary contractor reasons for dissent, will be recorded in the project record maintained by the Foundation.
- d. **Related Publications.** Where possible, project contractors are also encouraged to present project results at relevant conferences and as peer reviewed papers. Interim project results are not to be released prior to issuance of the final report without prior Foundation approval.
- e. **Intellectual Property.** The general knowledge, know how, expertise, generalized ideas, concepts, methods, techniques and skills developed by the project contractor(s) during the course of the project can be used by the contractor in any dealings with third parties and/or in other projects so long as the contractor can do so without using the deliverables of the project or any confidential information learned as a result of the project.

## 6. RESEARCH ADVISORY SERVICES

- a. **General.** This section describes the type of services provided by the Foundation to research organizations who are seeking independent review of their projects by the fire protection community.
- b. **Review.** The Research Advisory Committee will upon request review this type of project to evaluate their appropriateness for the Foundation to undertake. Criteria include: technical qualifications of the research organization, value added of the Foundation's services, and relevance of the work to the NFPA mission and the fire protection community. If at any time the Foundation deems a particular project involving research advisory service is not consistent with the mission of the Foundation and the spirit of these Policies, the Foundation reserves the right to withdraw support-for and involvement-with the project, within the bounds of the contractual relationship between the Foundation and the Research Organization.
- c. **Research Organization Requirements.** The Research Organization will acknowledge the contribution of the Foundation's services in the final project

report. As a condition of referencing the Foundation's services, the organization leading the research project is required to comply with these Policies.

- d. Panel Activities.** The Foundation will form an independent project technical panel in accordance with Section 3 of these Policies (with the exception of the reference to project sponsors). The Panel will carry out the activities outlined in Section 3 including review and comment on project scope, input on project progress and reviews of interim reports and final project report.
- e. Project Report.** The Research Organization will have responsibility to deliver the draft of the final project report to the Panel to obtain written comments.
- f. Panel Comments.** The Research Organization will have responsibility to respond substantially and fully to all comments of the Panel. Where there are unresolved disagreements between Panel members and the Research Organization concerning the content of the final project report, the reasons for dissent shall be recorded in the activity summary which in this case, shall be included in the published project report.
- g. Copyright of Advisory Service Reports.** The prime contractor, for which the Foundation is providing research advisory services, shall retain copyright on all published work, subject to copyright transfer agreements required by subsequent publisher.
- h. Activity Summary.** The Foundation will prepare an activity summary which will include Panel membership, minutes of Panel meetings, comments and other activities and make that summary available to the research organization and the Foundation project file.
- i. Dissemination.** As appropriate and at the discretion of Foundation staff, the Foundation will assist in the communication of the project report to the fire protection community, including web posting of the project report, with consent of the research organization.