
Eligible pre-award costs under a NIST financial assistance award will be considered in accordance with 2 CFR §§ 200.458 (Pre-award costs) and 200.308 (Revision of budget and program plans). Unless and until a NIST award is issued by the Grants Officer, pre-award costs remain at the sole risk of the applicant and at the risk of not being reimbursed if an award is not issued by NIST. The recipient may submit a Pre-Award Costs approval request to the NIST Program Officer for review with the Grants Officer. Only Pre-Award costs that are authorized in writing by the NIST Grants Officer are eligible for reimbursement. The request will be considered under the criteria below in accord with the “Reference” which follows.

Please note the following when preparing a submission:

- a. With construction grant funding, only Congressionally identified projects in which the Request for Applications has been posted are eligible to make a Pre-Award Costs request;
- b. Expenses incurred prior to a written and dated pre-award costs approval letter issued by the Grants Officer are not eligible for reimbursement;
- c. Prior to environmental (NEPA) and historic (NHPA) compliance, only pre-construction costs are eligible;
- d. Post NEPA and NHPA written and dated compliance, both pre-construction and construction costs are eligible;
- e. Regardless of pre-award approval, funds will only be available post award and only in the event that an award is issued by NIST; and
- f. Request for Pre - Award costs (following the issuance of award) will be under the same format and criteria as post award funds.

Please include the following in the submission:

- a. A Cover Letter explaining the nature of the request, including the need for the incurrence of pre-award costs, signed by an authorized official of the recipient.
- b. A brief Budget Narrative:
 - i. Include all pre-award costs;
 - ii. Dates the pre-award cost will be incurred; and
 - iii. A description adequate to determine that the costs are reasonable, allocable, and allowable.
- c. A SF-424C to reflect the pre-award costs; and

- d. Any additional supporting documentation

Reference

Per § 200.458 Pre-award costs.

Pre-award costs are those incurred prior to the effective date of the Federal award or subaward directly pursuant to the negotiation and in anticipation of the Federal award where such costs are necessary for efficient and timely performance of the scope of work. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the Federal award and only with the written approval of the Federal awarding agency. If charged to the award, these costs must be charged to the initial budget period of the award, unless otherwise specified by the Federal awarding agency or pass-through entity.

Per B.07.a of Department of Commerce Financial Assistance Standard Terms and Conditions

a. In accordance with 2 C.F.R. § 200.309 (Modifications to Period of Performance) and the terms and conditions of a DOC award, a non-Federal entity may charge to the Federal award only allowable costs incurred during the period of performance, which is established in the award document. As defined at 2 C.F.R. § 200.1, the “period of performance” means the total estimated time interval between the start of an initial Federal award and the planned end date, which may include one or more funded portions, or budget periods. Identification of the Period of Performance in the Federal award per § 200.211(b)(5) does not commit the awarding agency to fund the award beyond the currently approved budget period.” The period of performance may sometimes be referred to as the project period or award period. This Standard Term is subject to exceptions for allowable costs pertaining to: (i) pre-award costs (see 2 C.F.R. § 200.458); (ii) publication and printing costs (see 2 C.F.R. § 200.461); and administrative costs incurred relating to the close-out of an award (see 2 C.F.R. § 200.344).