

Uniform Guidance Updates

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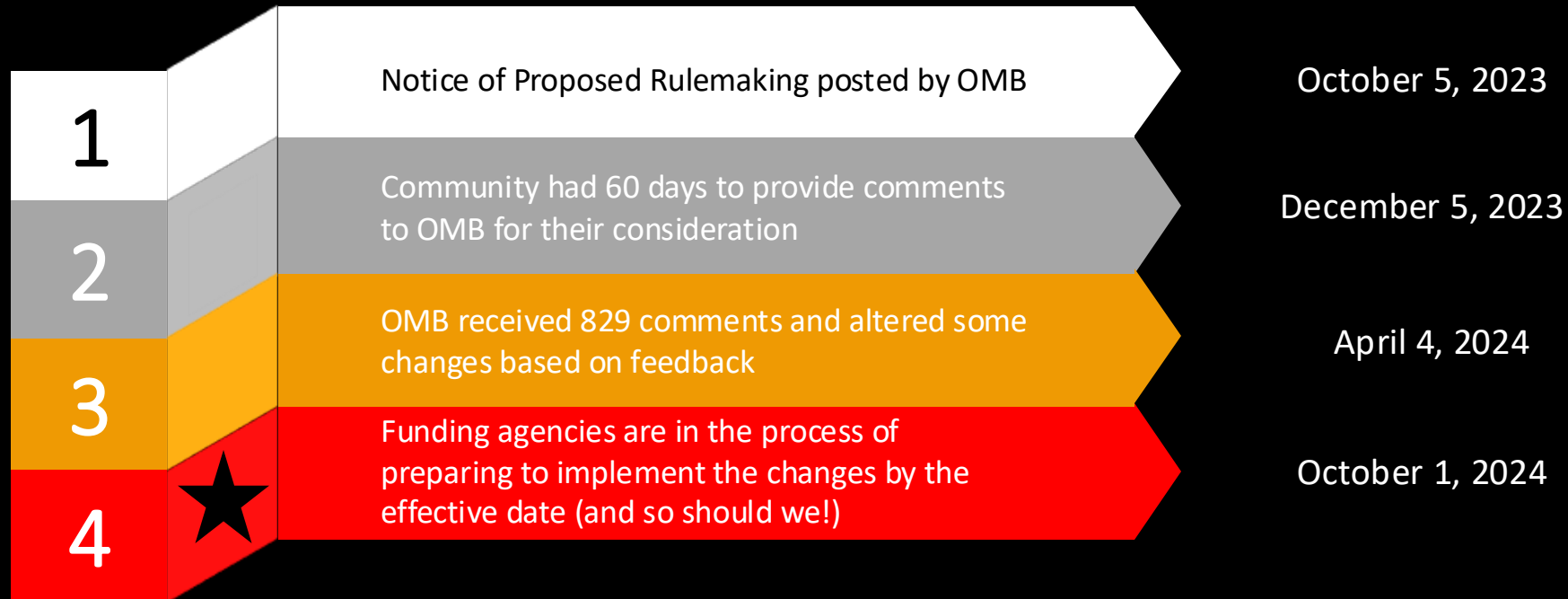


**Northeastern
University**

Agenda

- Overview of timeline
- Overview of selected provisions
 - Subawards/Collaborations
 - Financial Oversight
 - Admin Policies
- Dialogue with you!

TIMELINE OF CHANGES



Just over 4 months!



Subawards (Incoming & Outgoing)

Appendix II, PTE's Subaward IDC Recovery

The Change	PTEs will be able to recover \$50,000 instead of \$25,000 on every subaward
Hooray	Subawards utilize a lot of resources: this recognizes our investments in collaborations
Flip Side	Many faculty view this as a “tax” eating into valuable research dollars already
Operations	Systems and operational impact as we will have to wait for next rate negotiation to implement; messaging to faculty

200.308.(b) & (f)6: Revision of Budget & Program Plans

The Change	(b) Adds approval requirement for changes/new program scope/objective; adds reference to 200.329 (monitoring) (f)6: changes in subrecipients require approval when changing the scope of activities or if the agency puts it in the T&C of the award
Hooray	Ties rebudgeting of subrecipient entity changes more closely to programmatic goals; limiting when prior approval is required
Flip Side	Section b doesn't change all that much about when we have to ask for a rebudget request, but they do again put the onus on the PTE
Operations	Directly tying subrecipient activities & monitoring implies feds want the PTEs to be looking carefully at how expenditures tie to program objectives and performance

200.329.a: Monitoring

The Change	NEW: “The recipient and subrecipient are responsible for the oversight of the Federal award. ... must monitor their activities ... ensure they are compliant with all requirements and meeting performance expectations. Monitoring ... must cover each program, function, or activity. See also § 200.332.”
Hooray	Everyone is responsible for the performance of the award or subaward!
Flip Side	As we will see in 200.332, monitoring responsibilities are heavily weighted to PTE
Operations	Same as preceding slide

200.332.d: Subrecipient T&C's

The Change	If a subrecipient's risk assessment necessitates additional T&C's you must notify the federal agency of the specific conditions
Hooray	This could change how and when PTE's impose award-specific conditions, especially if agency implementations require justifications
Flip Side	It does not indicate what the federal agency will do with that information; do you have to explain the rationale or just provide T&C?
Operations	Federal agency may change its expectations for sufficient subrecipient monitoring based on the terms the PTE has imposed; PTEs will need to have the notification for additional terms on file

200.332.e: Subrecipient Monitoring

The Change	Stronger language that the PTE is responsible for subrecipient monitoring, including ensuring the subrecipient has completed the “goals and objectives of the subaward”
Hooray	Many of the requirements are consistent with the financial oversight we were already performing
Flip Side	Some of the requirements seem to bend more to integrity/performance matters, including obligation to consider when a subrecipient may no longer be able to meet its objectives
Operations	What implications might this have for research integrity and “checking the work” of a subrecipient? The text cites on-site reviews, what are the expectations for those?

200.333: Fixed Amount Subawards

The Change	Increases threshold from current Simplified Acquisition Threshold limit to \$500K for fixed amount subawards
Hooray	Provides increased flexibility in making programmatic and budgetary decisions
Flip Side	Fixed amount subs still requires prior approval, make sure it is clear and in writing: see NSF finding re: Oklahoma fixed amount sub
Operations	Does this change make it more desirable to leverage fixed-amount subawards here at NU? Pro might be for foreign sites: a milestone can be annual data delivery/access

200.414: Indirect Costs

The Change	PTEs and subrecipients may notify OMB of disputes related to a Federal agency's acceptance of a federally negotiated IDC rate; Raises the <i>de minimis</i> from 10% to 15%; while allowing PTEs and subrecipients to choose higher or lower rate
Hooray	Federal agencies/PTEs may not compel PTEs/subrecipients to use an IDC rate lower than 15%, unless required by statute;
Flip Side	How will the Federal agencies handle these disputes? Could it hold up awards?
Operations	This will benefit many of our subrecipients that either don't have a rate or are foreign

200.415: Required Certifications

The Change	Adds a separate certification for the subrecipient to use “whenever applying for funds , requesting payment, and submitting financial reports”
Hooray	Separates certification for PTE and subrecipients
Flip Side	Adds 18 USC 1343 which relates to wire fraud only to the subrecipient attestation
Operations	We will need to update our system generated attestation and train staff on the new attestation

Financial

DS-2 & Single Audit Requirements

The Change	If you have a single audit (threshold now \geq \$1M) you do not need to do the DS-2
Hooray	This is a reduction of administrative burden for many research institutions
Flip Side	Does not alleviate burden for smaller institutions with funding under $<$ \$1M Those with federal contracts still need DS-2 for FAR requirements
Operations	This will not change a lot for our operations, we will still need to do the DS-2 due to our federal contracts

200.100: Equipment & Supply Threshold

The Change	Raises the capital equipment threshold to \geq \$10K (and thus supplies is raised to $<$ \$10K)
Hooray	Fewer items will need to be classified as capital equipment (which does not bear overhead)
Flip Side	More items will be classified as supplies (which does bear overhead)
Operations	We cannot make the change until our next rate negotiation

200.308.(d) & (f)2: Revision of Budget & Program Plans

The Change	(d): requires funding agency notification & timeline if their review will exceed 30 days (f)2: narrows scope of prior approval to personnel identified in the federal award (removes reference to proposal)
Hooray	These are positive changes that provide more clarity on when we must seek prior approval and provide more structure around delayed approval communications
Flip Side	(f)2 adds in Contractors for which we would normally not notify the government of changes but again these Contractors must be named in the federal award
Operations	This will not generally impact our operations since the award set up check includes looking at contractors, we will be able to flag them at that time

200.313: Equipment & Supply Threshold

The Change	<p>Raises the capital equipment threshold to \geq \$10K (and thus supplies is raised to $<$ \$10K)</p> <p>Add requirement to report loss/damage/theft of equipment that impacts project</p>
Hooray	<p>Fewer items will need to be classified as capital equipment (which does not bear overhead)</p>
Flip Side	<p>More items will be classified as supplies (which does bear overhead)</p> <p>Reporting requirements for loss/damage/theft: we don't know yet what the expectations will be for timeline, etc.</p>
Operations	<p>Need to socialize the change with facilities and campus PD on loss/damage/theft</p>

200.314: Unused Supplies

The Change	\$10K threshold for unused supplies that may be vested with recipient for use on future projects; if sold, requires proportionate proceeds of any sales to go back to federal agency
Hooray	Changes also allow recipient to keep a portion of any sales of unused supplies
Flip Side	Tracking & accounting for unused supplies Concerns with tracking this toward the end of the project lifecycle
Operations	Tracking & disposition systems for this equipment may need to be in place to take advantage of this

200.413.c: Admin Salaries

The Change	Removes the prior approval by federal agency of admin and clerical salaries
Hooray	This has the potential to reduce administrative burden and provide greater flexibility to charge salaries in direct support of complex programs
Flip Side	Institutions still need to document the direct nexus/benefit to the project and confirm the costs are not already recovered under F&A
Operations	Documenting and retaining documentation of this for the PTE and potential subs will be critical

Administrative & Policy

200.113: Mandatory Disclosures

The Change	Prompt written disclosure to the funding agency's OIG of any <u>credible evidence</u> of a violation of Federal criminal law potentially affecting the Federal award
Hooray	In the initial proposal, credible evidence was not defined, it has been tied to FAR definition
Flip Side	OMB argues a <u>credible evidence</u> standard is more appropriate as it does not require recipients to make a legal determination that a criminal law has been violated before reporting
Operations	Northeastern will have to navigate defining the point of “credible evidence”

200.217: Whistleblower Protections

The Change	Moves Whistleblower Protection requirements from 200.300 to its own section
Hooray	This really isn't a new requirement; it's just moving an existing requirement to make it more visible
Flip Side	There isn't really one; this section continues to outline whistleblower protections; including non-retaliation
Operations	Need to update our Whistleblower Protection Policy with the new citation

Thank you!

