WCMC Implementation of

The Uniform Guidance (2 CFR, Part 200)

Tuesday, September 22, 2015 &
Wednesday, September 23, 2015
UG Workshop

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Disclaimer

The information contained in this presentation is considered to be accurate as of September 22, 2015. The UG is an evolving document subject to updates, corrections, etc.

The WCMC research and research administration community are encouraged to refer to the following sources for the most up-to-date information:

- [2 C.F.R., Part 200](The Uniform Guidance)
- [COFAR](website)
- Agency-specific guidance (i.e., NIHGPS 2015 or PAPPG)
- The WCMC UG Guidebook (*for internal distribution*)
- Institutional policies
The Uniform Guidance

Quick Housekeeping

• Please sign the attendance sheet.
• Please return the electronic response cards before you leave.
• Please take a packet of the WCMC guidebook and companion documents before you go. Electronic versions of everything presented will be disseminated.
• There is a lot of material to cover so please silence your phones and provide your undivided attention.
Last housekeeping tip...

Please ask questions

Step to the microphones to ask your question(s)
Polling Time!!!
Did you attend any of the following WCMC UG sessions on-campus?

A. NCURA & at least 1 or > more RAPID sessions
B. Only NCURA, no RAPID
C. Only RAPID, no NCURA
D. No on-campus UG sessions attended
The Uniform Guidance

Today’s Agenda

I. Lightning Round: Uniform Guidance Overview

II. Deeper dive: Detailed review of specific UG sections and their applicability to WCMC grants management

III. Review of WCMC UG reference tools, companion documents & policies

IV. Next Steps
I. UG Overview

LIGHTNING ROUND
The Uniform Guidance

Purpose & Objectives of Final Uniform Guidance

PURPOSE
Provides a government-wide framework for grants management which will be complemented by additional efforts to strengthen program outcomes through innovative and effective use of grant-making models, performance metrics, and evaluation.

OBJECTIVE
To streamline the rules and regulations for federal awards, to reduce both administrative burden and to mitigate the risk of waste, fraud, and abuse of federal funding for non-federal entities receiving Federal awards.
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Goals and Intended Impact

1. Eliminate Duplicative and Conflicting Guidance
2. Performance over Compliance for Accountability
3. Efficient Use of IT and Shared Services
4. Consistent and Transparent Treatment of Costs
5. Limiting Costs for Best Use of Federal Services
7. Family Friendly Policies
8. Stronger Oversight
9. Target Audits on Risk of Waste, Fraud and Abuse
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History & Timeline

• December 26, 2013: The OMB, COFAR, and eight (8) Federal-awarding agencies published the joint interim final rule of Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards

  more commonly known as

  “Super Circular”

  “Omni Circular”

  “Title 2 CFR, Subtitle A, Chapter II, Part 200”

  “2 C.F.R. Part 200”

  **The Uniform Guidance**

• June 26, 2014: As mandated by OMB, Federal granting agencies required to release their UG implementation plans to OMB with final versions published on or before 12/26/2014.
The Uniform Guidance

History & Timeline


- December 26, 2014: Final Uniform Guidance went into effect.
In the past…

…there were three Office of Management and Budget (OMB) circulars that provided guidance to IHE’s on the management of awards subject to federal government administrative requirements, cost principles, and audit requirements: A-21 (cost principles), A-110 (administrative requirements), and A-133 (audit requirements).

Today…

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Highlights Part II

• UG is comprised of one (1) Preamble and six (6) Subparts:

  Preamble - Major Policy Reforms
  1. Subpart A (§ 200.0 - § 200.99) - Acronyms and Definitions
  2. Subpart B (§ 200.100 - § 200.113) - General Provisions
  3. Subpart C (§ 200.200 - § 200.212) - Pre Award Requirements
  4. Subpart D (§ 200.300 - § 200.345) - Post Award Requirements
  5. Subpart E (§ 200.400 - § 200.475) - Cost Principles
  6. Subpart F (§ 200.500 - § 200.521) - Audit Requirements (includes Appendices I-XI)

• All terms and conditions outlined in the Subparts of the UG applies to new awards and additional/incremental funding awarded on or after 12/26/2014.
  – Subpart F (audit requirements) will be effective July 1, 2015
  – Procurement requirements are deferred to July 1, 2017
Many of the UG Subparts will appear familiar since the guidance originated from familiar OMB circulars (i.e., A-21 and A-110).

Certain Subparts are new or include significantly different terms from original OMB circular guidance:
- Changes to allowable costs (allowance of certain computing devices as well as administrative/clerical salaries)
- Encouragement of family friendly policies (dependent care costs)
- Increase of the Single Audit threshold to $750,000

Some Subparts of the UG may appear new since the guidance originated from unfamiliar OMB circulars (§ 200.317- § 200.326 Procurement).
To-date 27 federal granting agencies have adopted the Uniform Guidance (2 CFR part 200)

21 federal granting agencies have partnered to develop a federal-wide Research Terms and Conditions (RTCs) companion document to provide additional clarity for select provisions consistent with the UG

Until the federal-wide RTC is published each Federal agency has been encouraged to develop their own Interim Terms and Conditions
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NSF Implementation: PAPPG

What is the PAPPG???

• The NSF PAPPG provides up-to-date policy guidance that is comprised of documents relating to the Foundation's proposal and award process.

• The December 26, 2014 PAPPG revision:

  ✓ Incorporates new and modified requirements;

  ✓ In conjunction with NSF’s Grant General Conditions, serves as the Foundation’s implementation of 2 CFR § 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;

  ✓ If the PAPPG is silent on a specific area covered by 2 CFR § 200, the requirements specified in 2 CFR § 200 must be followed.

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NSF Implementation: PAPPG

Dear [Name],

The National Science Foundation hereby awards a grant of $202,706 to the University of Maryland for support of the project described in the proposal referenced above. This award is expected to total $202,706.

This project, entitled [Project Title], is under the direction of [Project Director].

This award starts January 15, 2016 and ends December 31, 2018.

This grant is awarded pursuant to the authority of the National Science Foundation Act of 1950, as amended, to 73 Stat. 76 and as subject to NSF General Conditions 90-1, dated December 20, 2016, available at [URL].

This award is subject to the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (Uniform Guidance). NSF’s implementation of the Uniform Guidance is contained in the Grant Conditions referenced in this award.

This institution is a signatory to the Federal Demonstration Partnership (FDP) Phase VI Agreement which requires active institutional participation in new or ongoing FDP demonstration and pilots. All the terms and conditions.

This award is subject to the Federal Funding Accountability and Transparency Act (FFATA) award term entitled Reporting Subawards and Executive Compensation, which has been incorporated into the NSF terms and conditions referenced above.

The awardee has any questions related to the pre-populated data associated with this award in the FFATA Reporting System, please submit them to: FFATAreporting@nsf.gov or by phone to: (800) 673-6185.

Funds provided for participant support may not be diverted by the awardee to other categories of expenses without the prior written approval of the cognizant NSF Program Officer. Since participant support costs is not a normal amount classification, the awardee organization must be able to separately identify participant support costs. It is highly recommended that separate budget lines for participant support be established to facilitate these costs. The awardees should have written policies and procedures to segregate participant support costs.

P.L. 26, “Administration of NSF Conference or Group Travel Award Grant Special Conditions,” dated March 7, 2014, are applicable. See [URL].

The attached budget indicates the amounts, by categories, on which NSF has based its support.

Please view the project reporting requirements for this award at the following web address: [URL].

The cognizant NSF program official for this grant is Betty R. Tullar, (703) 292-2727.

The cognizant NSF grants official contact is Elizabeth Lee, (703) 292-4347.

Sincerely,

[Signature]

[URL]
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NIH Implementation: NIHGPS

What is the NIHGPS???

• The NIHGPS provides up-to-date policy guidance that serves as NIH standard terms and conditions of awards for grants and cooperative agreements.

• The March 2015 NIHGPS revision incorporates:
  - new and modified requirements;
  - clarifies certain policies, and implements changes in statutes, regulations, and policies implemented since the previous version of the NIHGPS dated 10/1/2013;
  - includes NIH implementation of 45 CFR Part 75, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards.

http://grants.nih.gov/grants/policy/nihgps/HTML5/introduction.htm or
NIHGPS (03/31/2015):

1. Applicable to all NIH grants and cooperative agreements (including supplemental awards) with budget periods beginning on or after 12/26/2014.

2. Supersedes NIHGPS (10/2013) in its entirety*


*October 2013 NIHGPS continues to be the standard term and condition for all NIH grants and cooperative agreements with budget periods that began between October 1, 2013 and December 25, 2014.
The Uniform Guidance
NIH UG Implementation

Old NIH NoA
(issued on or BEFORE 12/26/2014)

New NIH NoA
(issued on or AFTER 12/26/2014)
Polling Time!!!
The UG is comprised of how many subparts?

A. 4
B. 10
C. 2
D. 6
Scenario: NIH grant with an NoA issued on 9/30/14 is subject to which of the following T&C’s?

A. NIHGPS 2013
B. OMB Circulars
C. Uniform Guidance
D. NIHGPS 2015
II. UG Deeper Dive

HIGHLIGHTS
The Uniform Guidance

CFR Title 2, Part 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

Preamble - Major Policy Reforms

Subpart A (§ 200.0 - § 200.99) - Acronyms and Definitions

Subpart B (§ 200.100 - § 200.113) - General Provisions

Subpart C (§ 200.200 - § 200.212) - Pre Award Requirements

Subpart D (§ 200.300 - § 200.345) - Post Award Requirements

Subpart E (§ 200.400 - § 200.475) - Cost Principles

Subpart F (§ 200.500 - § 200.521) - Audit Requirements (includes Appendices I-XI)
“Should” versus “Must”

• Throughout the UG both “should” and “must” are used
• MUST = required
• SHOULD = recommended; indicates best practices or recommended approach for the Grantee to be aware of but not necessarily what is required to comply
Subpart A (§ 200.0 - § 200.99) - Acronyms and Definitions

- 200.0 – Acronyms listed in the beginning

- 200.1- 200.99 Definitions
  - 99 Definitions

- Key Definitions:
  - **200.33 Equipment**: means useful life of more than one year, an per unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal Entity, or $5,000.

  - **200.93 Subrecipient**: means a non-Federal entity that receives a Subaward from a pass-through entity to carry out part of a Federal program.

  - **200.23 Contractor** (replaces the term “Vendor” in the OMB circular): means an entity that receives a contract defined in 200.22 (*the document used does not matter as much as how WCMC defines and documents its relationship with the entity).
Key Definitions (continued):

- **200.99 Voluntary Committed Cost Sharing (VCCS):** means cost sharing specifically pledged on a voluntary basis in the proposal’s budget or in the Federal award on the part of the non-Federal entity and that becomes a binding requirement of the Federal award.
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Subpart B (§ 200.100 - § 200.113) - General Provisions

- 200.100, Purpose: 2 CFR, Part 200 establishes uniform administrative requirements, cost principles and audit requirements for all types of non-Federal entities.

- Federal awarding agencies must not impose additional or inconsistent requirements unless:
  - Required by Federal statutes, regulations, or Executive Order
  - OMB permits an exception
  - OMB approves information in the Federal award in accordance with 200.210
200.204 Federal Agency Review of Merit

- The scoring criteria used by Federal agencies to review the merit of a proposal.
- Not necessarily new requirement, but the UG clarifies that Federal awarding agencies must design and execute a merit review process for competitive grant applications and cooperative agreements.
- The merit review process must be described in the funding opportunity announcement (FOA)
The Uniform Guidance

Subpart C (§ 200.200 - § 200.212) - Pre Award Requirements

- **200.205 Federal Agency Review of Risk**
  - Federal awarding agencies will be required to have a framework for evaluating the risk posed by applicants prior to receipt of a federal award.
  - Items considered:
    1. Financial stability
    2. Quality of management systems
    3. History of performance
    4. Reports and findings from audits performed under Subpart F (Audit Requirements)
    5. Applicants ability to effectively implement statutory, regulatory or other requirements
  - Special conditions that correspond to the degree of risk may be applied by the Federal awarding agency to the grantee, if appropriate
WCMC get ready for FAPIIS!!!

- FAPIIS: The Federal Awardee Performance and Integrity Information System for Federal awards
- January 1, 2016 (???) goes into effect… we should get ready.
- Web-accessible database established to track contractor misconduct and performance and will be reviewed by Federal awarding agencies prior to issuing notices of award.

Read more here: http://blogs.managementconcepts.com/wrap-it-up-grant-closeouts/#.VgFGCk1dGUk
WCMC get ready for FAPIIS!!!

- FAPIIS database contains:
  - Federal contractor criminal, civil, and administrative proceedings in connection with federal awards;
  - suspensions and debarments;
  - administrative agreements issued in lieu of suspension or debarment;
  - Non-responsibility determinations;
  - contracts terminated for fault;
  - defective pricing determinations; and
  - past performance evaluations.

Read more here: http://blogs.managementconcepts.com/wrap-it-up-grant-closeouts/#.VgFGCk1dGUk
WCMC get ready for FAPIIS!!!

- The FAPIIS database will notify the contractor when the government posts new information regarding the contractor’s record of responsibility.

- The contractor will then have an opportunity to post a response concerning the information posted by the government.

Read more here: http://blogs.managementconcepts.com/wrap-it-up-grant-closeouts/#.VgFGCk1dGUk
WCMC get ready for FAPIIS!!!

URL: https://www.fapiis.gov/fapiis/index.action
WCMC get ready for FAPIIS!!!

• Save the Date!

• **October 15, 2015** Management Concepts is offering an instructor-led 1.5 hr online course targeted to recipients, pass through entities and Federal grants personnel to understand the implications of FAPIIS on grants administration in conformance with the UG.

• Location for attending the course for free on campus will be disseminated soon.

• More information on the course is here:
  [http://www.managementconcepts.com/Course/id/2801](http://www.managementconcepts.com/Course/id/2801)
Subpart D (§ 200.300 - § 200.345) - Post Award Requirements

- **200.301 Performance Measurement**
  - Federal awarding agencies must require recipients to use OMB-approved standard government-wide information collections to provide financial and performance information.
  - Recipients must be required to relate financial data to performance accomplishments, and must also provide cost information to demonstrate cost effectiveness.

- **200.301 Internal Controls**
  - Non-federal entities are required to provide reasonable assurance to the federal awarding agencies and taxpayers that funds are used as intended and in accordance with applicable laws and regulations.
Subpart D (§ 200.300 - § 200.345) - Post Award Requirements

200.301 Internal Controls

- **Control environment**: the foundation of internal controls and should set a positive and supportive attitude toward internal controls and conscientious management
- **Risk assessment**: the identification and analysis of risks and how to manage them
- **Control activities**: policies, procedures, techniques and mechanisms that enforce management’s directives.
- **Information & communication**: how issues are communicated to management for subsequent action
Subpart E (§ 200.400 - § 200.475) - Cost Principles

- **200.430 Compensation – Personal Services**
  - Clarifies what types of salaries are allowable on a grant

- **200.431 Compensation – Fringe Benefits**
  - Family-related leave is allowable
  - Severance

- **200.431(b)(i) Change in Leave Treatment**
  - Payment for unused leave when an employee retires or terminates is allowable

- **200.432 Conferences**
  - Temporary dependent care costs (what is considered an allowable expense for the conference host versus the PI).
This section of the UG sets forth standards for obtaining consistency and uniformity among Federal agencies for the audit of non-Federal entities expending Federal awards.

More information will be forthcoming regarding the best method to engage the research community.
Break time!!!
10 minutes
III. WCMC Reference Tools
The Uniform Guidance

• WCMC Guidebook – let’s review!
  – Detailed guide of WCMC’s implementation of the UG

• WCMC Companion Documents – let’s review!
  – Administrative & Clerical Salaries
  – Computing Devices

• Policies
  – Currently under review by Dean Koretzky
WCMC Guidebook & Companion documents – let’s review!
Detailed guide of WCMC’s implementation of the UG
UNIFORM GUIDANCE
2 C.F.R., Part 200
HIGHLIGHTS

Companion and Reference guidebook for WCMC PI's and Department/Research Administrator's

The Uniform Guidance (2 C.F.R. § 200) streamlines and consolidates government requirements for receiving and using federal awards so as to reduce administrative burden and improve outcomes. It was published in the Federal Register (79 Fed. Reg. 75871) on December 19, 2014, and became effective for new and continuation awards issued on or after December 26, 2014. Please note the new regulations do not affect grant funds awarded prior to December 26, 2014, unless funds made available under those grants are carried forward into a new Federal fiscal year or a continuation grant.
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Policies updated (currently under review by Dean Koretzky):

- COI Policies*
- Cost Sharing Policy
- Cost Transfer Policy
- Data Retention Policy
- Data Retention Procedures
- Direct Costs Policy
- Effort Compliance Policy & Plan
- Recharge Centers / Cores Policy**

- Detailed review of key policy changes at October 12, 2015 RAPID meeting

*Under review by Conflicts Advisory Panel leadership & University Counsel
**Under review by Assistant Dean, Dr. George Grills
Polling Time!!!
You can find more information on the allowability of charging admin/clerical salaries here (select all that apply)...

A. Dictionary
B. Uniform Guidance
C. WCMC Policy
D. WCMC UG Guidebook
IV. Next Steps
Next Steps

• Electronic versions of all information presented today will be disseminated.

• Dedicated website for UG in the works.

• Policies will be released upon notification of approval from the Dean.

• Dedicated session will be scheduled to review subrecipient monitoring changes.
Key sites to bookmark

Uniform Guidance:
http://www.ecfr.gov/cgi-bin/text-idx?SID=ee873e1aa906cf3b0d7474d25be3b5a9&node=2:1.1.2.2.1&rgn=div5

NIHGPS & FAQ:
• http://grants.nih.gov/grants/policy/faq_grants_uniformguidance.htm

NSF PAPPG & FAQ
The Uniform Guidance

Questions???

For any inquiries or guidance on the applicability of the UG to your award(s), please send your inquiries to the WCMC UG designated mailbox:

UniformGuidance@med.cornell.edu

Or call

646-962-4035