

Outgoing Subaward Basics - Subawards Issued by UCLA under Extramurally Funded Grants/Cooperative Agreements

PREVIEW: Master Training (Mary Haskins, OCGA Subaward Officer)

When: Wednesday, April 18, 2018 from 9:30 am-11:00 am

Where: UCLA Wilshire Glendon, 10889 Wilshire Blvd., Conf. Room 820-20

Who: OCGA Outgoing Subaward Team

<http://ora.research.ucla.edu/OCGA/Pages/Training-Resources/training-calendar.aspx>

Description

The Master Training session will discuss the OCGA Outgoing Subaward process:

- Key concepts and terminology, such as:
 - Distinguishing between different types of third parties
 - Uniform Guidance (UG) determination, evaluation and monitoring
- The life cycle of a Subaward
- Review of applicable forms

This session is appropriate for anyone with responsibility for proposing/requesting outgoing subawards, especially those new to the process.

Types of Third Party Agreements

- Subaward [aka Subgrant/Consortium Agreement] (*Subrecipient*)
 - Terms used when Sponsor's award is a **grant or cooperative agreement** (Intent of funding is to *ASSIST* in project)
- Subcontract Agreement (*Subcontractor*)
 - Usually terms used when Sponsor's award is a **prime contract** (Intent of funding is to *PROCURE* goods, services, or outcome)
- Contract Agreement (*Contractor, previously Vendor*)
- Consultant Agreement (*Consultant*)
- Professional Services Agreement (*Independent Contractor*)

* UC Multi-Campus Award (MCA): at proposal stage treated similar to third party agreement (except UCLA IDC); however, technically not a "third party" since all UC campuses part of the same legal system (UC Participating Campus).

Uniform Guidance (UG)

- Required by the §200.330
UNIFORM GUIDANCE (UG)
 - Why is it important to **document** how the correct “Type” of third party was determined?
 - Under the Uniform Guidance, we are required to document whether a third party receiving federal (assistance) funds from UCLA qualifies as a: **“Subrecipient”** via a Subaward (carrying out an intellectually significant portion of the federal award) **OR** **“contractor”** (previously **vendor**) via a contract (obtaining goods and services, creating a procurement relationship).
 - UCLA must make a case by case determination whether each agreement it makes for the disbursement of funds casts the third party in the role of a **Subrecipient or a contractor**.
 - **Subrecipient vs Contractor “Determination” Form**

Additional Uniform Guidance (UG)

- Required by the §200.331 (b)
UNIFORM GUIDANCE (UG)
 - “***Evaluate*** each subrecipient’s ***risk*** of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for purposes of determining the appropriate Subrecipient ***monitoring.***”

Additional Uniform Guidance (UG) con't

- Required by the §200.331 (b)
UNIFORM GUIDANCE (UG)
 - The OCGA Subaward Team “**Evaluate[s]** each subrecipient’s **risk** of noncompliance ...” prior to Subaward issuance:
 - If risk is identified, “addition requirements” (ex. reporting, prior approvals, monitoring, etc.) are noted in the Subaward.
 - Ex. Foreign Subrecipients often present risk, therefore, the Subaward often requires monthly invoices
 - It is up to the **UCLA PI/department** to ensure they are “**monitoring**” as laid out in the Subaward agreement:
 - “Financial and programmatic **reports** [as identified in the Subaward] are being **reviewed.**” [200.331 (d)(1)]
 - Subrecipient is adhering to “any additional **requirements**” as identified in the Subaward that UCLA imposes due to evaluation of identified **risk** [200.331 (a)(3)]

Additional Uniform Guidance (UG) con't

SAMPLES - The level of risk: low, medium, or high [200.207 (b)-(c); 200.338]:

Low Risk Subrecipient Monitoring Requirements: When OCGA has categorized a Subrecipient as “low-risk” the subawards are monitored through standard requirements to review technical performance and financial reports (i.e. the Subaward follows prime deliverable requirements as applicable. No additional terms are added to the Subaward.

Medium Risk Subrecipient Monitoring Requirements: When OCGA has categorized a Subrecipient as “medium-risk,” in addition to standard monitoring requirements identified above for “low-risk” Subrecipients, OCGA may modify the subaward agreement to include additional terms and conditions or conduct heightened reviews and approvals. Such measures may include:

1. Requiring financial reports/invoices more frequently [200.207 (b)(3)];
2. Reiterate authority to require expenditure details as supporting documentation for all invoices and evaluating documentation received for sufficiency [200.207 (b)(3)];
3. Smaller increments of funding [200.207 (b)(2)];
4. Heightened/additional prior approvals (ex. carry forward; rebudgeting; restricted line items such as equipment, subawards, etc.; effort; etc. [200.207(b)(6)]);
5. Initiating more frequent communication with the Subrecipient to verify progress [200.207 (b)(2) and 200.207(4)];
6. Heightened termination [200.207 (b)(6)]; and/or
7. Adding terms that are specific to deficiency [200.207 (b)].

High Risk Subrecipient Monitoring Requirements: When OCGA has categorized a Subrecipient as “high-risk,” in addition to standard monitoring requirements identified for “low-risk” & “medium risk” Subrecipients, OCGA may contact the PI to ascertain whether or not a subaward should be issued to the Subrecipient. If it is determined it should, OCGA may modify the subaward agreement to include additional terms and conditions or conduct heightened reviews and approvals. Such measures may include:

1. Requiring monthly invoices with expenditure detail as supporting documentation [200.207 (b)(3)]
2. Ensuring regular communication between UCLA and the Subrecipient and documenting communications [200.207 (b)(2) and 200.207(4)]
3. Maintaining regular contact with PI to ensure the Subrecipient is meeting programmatic expectations [200.207 (b)(2) and 200.207(4)]
4. Exercising the option to audit; consider performing a desk review or site visit [200.207 (b)(4)-(5)]
5. Withholding future funding and/or payments to Subrecipient if deemed necessary [200.207 (b)(2)]
6. Issuing cost reimbursement only; no advanced payments [200.207 (b)(1)]
7. Taking prompt action if an instance of non-compliance is identified [200.207 (b)(4)-(5)]

Subaward Cycle

UCLA's award
 received and set-up

Subaward agreement
 established and
 Subaward set-up

Subaward proposal
 prepared and
 incorporated into
 UCLA's proposal

The
 Life Cycle of a
 Subaward

Subrecipient
 performs work and
 submits invoices to
 UCLA

UCLA obtains close-
 out reports from
 Subrecipient

UCLA monitors
 Subrecipient progress,
 reviews and approves
 invoices

Accounts Payable
 processes
 invoices

Required Forms (Handouts)

Proposal (Pre-Award) Stage

- Subrecipient vs. Contractor Determination Checklist (UCLA)
- UCLA Letter of Intent *for FDP Expanded Clearinghouse members* (Sub) [or] MCA Commitment (Site) [or] Subrecipient Commitment Form (Sub). Commitment may *trigger*:
 - PHS Financial Disclosure Form (Sub)
 - Fair and Reasonable Cost Analysis Form (UCLA)
 - Certificate of Compliance - Audit (Sub)
 - Financial Audit Management Questionnaire, *formerly A133 Mini Audit* (Sub)

Award

- OCGA Subaward Checklist (UCLA) [or] MCA Checklist (UCLA)
- Subaward Invoice Certification (UCLA)
- UCLA OCGA Subaward Final Close-Out Certification (UCLA)

Proposal Development: UCLA PI/Department – Letter of Intent

- When working with an FDP **Expanded Clearinghouse** Participant Institution, request the short **UCLA Letter of Intent** instead of a full **Subrecipient Commitment Form**.

The UCLA Letter of Intent (LOI) provides project specific information and eliminates institutional information, including “trigger” documents

Ex: UCLA Commitment = 5 pages vs. UCLA LOI = 1 page →

Who:

A list of the 180+ **Clearinghouse Participants** is at:
http://sites.nationalacademies.org/cs/groups/pgasite/documents/webpage/pga_173303.pdf.

NOTE: If an institution is **not** listed as a Clearinghouse participant institution, there is no change to our current process (i.e. requiring the full Subrecipient Commitment Form, plus “triggers” as applicable).



FDP EXPANDED CLEARINGHOUSE PILOT SUBRECIPIENT LETTER OF INTENT

This can ONLY be used in lieu of the UCLA OCGA Subrecipient Commitment Form by institutions who are listed as part of the FDP Expanded Clearinghouse Pilot at:
http://sites.nationalacademies.org/cs/groups/pgasite/documents/webpage/pga_173303.pdf

Subrecipient (Sub) Legal Name:		Pass-Through Entity (PTE) Legal Name:	The Regents of the University of California, Los Angeles	
Sub DUNS:		PTE DUNS:	092530369	

Information above must match FDP Expanded Clearinghouse Pilot Entity Profile

Sub Principal Investigator:		PTE Principal Investigator:	
Sub Internal Project Identifier (optional):		PTE Internal Project Identifier (ex. PATS #):	

Project Title:				
Prime Awarding Agency:		Complete Project Period:	Start:	End:
Total Proposed Amount for Complete Project Period:	\$	Cost Sharing Amount for Complete Project Period:	\$	

If Cost Sharing, a separate cost share budget and justification should be attached

Project Facilities & Administrative Rates (check one):

Federally negotiated F&A rate that matches our FDP Expanded Clearinghouse Pilot Entity Profile
 A reduced F&A rate dictated by the prime awarding agency. Rate: _____ Base Type: _____
 Not applicable (no indirect costs are requested by Sub)

Project Use Information:

Human Subjects	Yes	No	Animal Subjects	Yes	No	Stem Cells	Yes	No	Genomic Data Sharing	Yes	No
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If Yes, please forward approval(s) to PTE PI as soon as available as approval(s) must be provided before any subaward can be issued

Institutional Authorized Official Information:

Sub Name/Title:		PTE Name/Title:	
Sub Phone:		PTE Phone:	
Sub Email:		PTE Email:	
Sub Email for Awards (if different from above):			
Sub Place of Performance the same as FDP Expanded Clearinghouse Pilot Entity Profile's:	Yes	No	(for FFATA reporting purposes)

This proposal has been reviewed and approved by the appropriate official(s) of Subrecipient, and certified to its accuracy and completeness. The appropriate programmatic and administrative personnel of Subrecipient involved in this application are aware of the prime awarding agency's policies, agree to accept the obligation to comply with award terms, conditions and certifications, and are prepared to establish the necessary inter-institutional agreement consistent with that policy.

The following documents are attached to this Statement of Intent:

Sub Statement of Work (required)	Sub Budget Justification (required)
Sub Detailed Line Item Budget (required)	Other: _____

Signature of Subrecipient's Authorized Official _____ Date _____

Name and Title of Authorized Official _____

Contact: outgoing Subaward questions

- **For pre-award questions:**

For questions related to the proposal stage, contact the Department DRA or OCGA Grant Representative who will be handling submission of the UCLA Proposal.

- **For post-award questions:**

For questions regarding specific subawards, contact the OCGA Subaward Team member named in the agreement.

Or send an email to ocgasubawards@research.ucla.edu (or if about an MCA: outgoingMCA@research.ucla.edu). It will be forwarded to the Subaward Team member assigned to that Subaward (or MCA).

Hope to see you at the Master Training:

Wednesday, April 18, 2018 from 9:30 am-11:00 am
UCLA Wilshire Glendon, 10889 Wilshire Blvd.,
ConfRoom 820-20
OCGA Outgoing Subaward Team

OCGA Subaward Team:

- Sharon Lam, Assistant Director of Subawards
 - Mary Haskins, Subaward Officer
 - Katy Sonnenleiter, Subaward Analyst
 - Patrick Busto, Subaward Specialist
- New! Veronika Barsegyan, Senior Subaward Analyst
- <http://ora.research.ucla.edu/OCGA/Pages/Outgoing-Subawards/outgoing-subawards-home.aspx>