



# Uniform Guidance

ABC Meeting

March 12, 2015

**WHAT'S THE BIG DEAL?**



Uniform Guidance

It's a Federal Regulation!

# Remember this diagram?



# Research Terms and Conditions (RTCs)

RTCs – draft developed by NIH, NSF and six other federal agencies

- Draft RTCs need to be reviewed by:
  - Research Business Models subcommittee
  - Federal Demonstration Partnership
  - The public, through a comment period, and
  - The Office of Management and Budget (OMB)
- In the interim, institutions must comply with terms and conditions issued by each federal agency
- Once issued, some agencies may allow RTCs to be retroactive to awards received on or after December 26, 2014
- Agency participation is voluntary; we don't yet know which agencies will use the RTCs

# NIH: Waived Prior Approvals

NIH prior approval is not required to rebudget funds for any direct cost item that the applicable cost principles identify as requiring the Federal awarding agency's prior approval, unless the incurrence of costs is associated with or is considered to be a change in scope.

- Incur pre-award cost
- Initiate a one-time no-cost extension
- Carryforward Unobligated balances
- **Rebudget among budget categories**
- Rebudget between direct and F&A costs
- Provide subwards based on fixed amounts
- **Direct charge the salaries of administrative and clerical staff if conditions in the UG are met**
- Direct charge payments of Incidental activities for which supplemental compensation is allowable under written institutional policy (at a rate not to exceed the institutional base salary)
- Include charges for Intra-IHE faculty consulting on sponsored agreements that exceed a faculty member's base salary, but only in unusual cases
- Direct charge capital expenditures for general purpose equipment
- Direct charge capital expenditures for special purpose equipment with a unit cost over \$5,000

# Office of Management and Budget (OMB)

- Implementation of Uniform Guidance Procurement regulations delayed until FY16 (*September 2015 for Stanford*)
  - Institutions indicated the \$3,000 threshold for micro-purchases to be the most burdensome issue
  - Council on Government Relations requested meeting with OMB
  - Federal Demonstration Partnership (FDP) hosting a brainstorming session in March to develop a potential “pilot” to simplify implementation for universities
- OMB said federal agencies have the option of adopting RTCs and 120 days for sponsored project closeout

**Question 1: When does the UG become effective?**

**December 26, 2014**

For those awards incorporating the Uniform Guidance



## Question 2: How do I know if my award is subject to the UG?

*I mean sure if the award incorporates the UG... but is there a way to tell on the Award Acceptance Notification (AAN)?*

*OSR and RMG will review the sponsor's award documents to make the determination.*

*Sponsors are incorporating the UG in various ways*

*Examples:*

*NSF awards have clearly stated "This award is subject to the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (Uniform Guidance)."*

*Other sponsors include the reference to the actual federal regulation "45 CFR part 75"*

*Some NIH awards have included "45 CFR Part 75 or as applicable 45 CFR Part 74 or 45 CFR Part 92."*

# OSR and RMG will mark the AAN/NOA if the award is subject to the UG

**Stanford University  
Notice of Award**

Date: 01/20/2015  
Project Action: Award - New

SPO No: SPO-116742  
Associated PDRF No: PR582799

Principal Investigator: Arbabian, Amin  
Transaction Id: AW598496  
Administering Org: Electrical Engineering

Other Stanford Faculty: --

Title: CAREER: Ultrasonically-Powered Smart Medical Implants for Monitoring and Modulating Local Physiology

Sponsor: National Science Foundation  
Prime Sponsor: --  
Sponsor Award No.: ECCS-1454107  
Agreement Type: Grant, Organized Research (On Campus)

CFDA#: 47.041

Current Funding Period: 02/15/2015 to 01/31/2020  
Amount Funded this Action: \$500,000.00  
Project Funding to Date: \$500,000.00

Project Period of Performance: 02/15/2015 to 01/31/2020  
Additional Amount Anticipated by Sponsor: \$0.00  
Total Estimated Project Cost: \$500,000.00

Indirect Cost Rate : 60.5%

**Remarks**  
Please note, this award is subject to Uniform Guidance.

**Compliance**

Human Subjects: No	Animal Subjects: No	Human Stem Cells: No	Cancer Research: No
Protocol #: Approved: Expires:	Protocol #: Approved: Expires:	Protocol #: Approved: Expires:	Protocol #: Approved: Expires:
Cancer Related Research: No	Human Blood or Body Fluids: No	Infectious Biohazardous Agents: No	
Recombinant DNA Molecules: No	Radiological Hazards: No		
International resources: No	Enroll participants outside US: No		
Countries: N/A			

**Terms and Conditions**  
This Notice of Award provides a summary of basic information. Please read the award document for complete requirements.

General: Uniform Guidance: Yes    Effective Date:  
Major Project: No  
Integral Administrative Salary: No  
Cost Sharing: No

**Remarks**  
Please note, this award is now subject to Uniform Guidance.

**Terms and Conditions**  
**This Notice of Award provides a summary of basic information.**

General: Uniform Guidance: Yes    Effective Date:  
Major Project: No  
Integral Administrative Salary: No  
Cost Sharing: No

## Question 4: Is this subject to UG or not?

*You have an NIH R01 award that started in January 2013.*

*You receive Year 3 funding with a budget period that started January 2015.*

*The NIH notice of award has an effective date of 12/29/2014.*

The NIH has been incorporating the UG into new funds issued effective 12/26/2014. Therefore in this scenario:

Years 1-2 Not subject to UG

Year 3 UG

## Question 5: Is this Subject to UG or not?

*You have an NSF grant that has a project period of 12/1/2012 – 11/30/2014.*

*You receive an amendment for a sponsor-approved no-cost extension dated 1/5/2015.*

It is not subject to UG

The UG does not apply to no-cost extensions or other administrative amendments, even if the award is issued after 12/26/2014, when no new funds are awarded.

In a nutshell what do I need to know?



# It's Here

## Uniform Guidance: Concepts That Are Changing

The Office of Management and Budget (OMB) issued the Uniform Guidance to supersede OMB Circulars A-21, A-110, and A-133 for federally sponsored agreements and new funding increments incorporating the Uniform Guidance awarded on or after December 26, 2014. Current guidance for the implementation of the Uniform Guidance can be found below. The last box on the matrix contains a summary of all changes in a single table!

OMB Circulars A-21 and A-110 are still effective for federally sponsored agreements awarded before December 26, 2014.

If you have questions about any aspect of the Uniform Guidance or would like us to clarify a specific point, please send us a [message](#).

Administrative Salaries

Computing Devices

Cost Sharing

Visa Costs

PI Absence from Project

Participant Support Costs

Subaward

Memberships

Publication Costs

Closeout

Conferences

Travel Costs

Procurement

Federal Agency Implementation Guidelines

UG Summary



## Administrative Salaries

Charging Administrative and Clerical Salaries to Sponsored Projects

Stanford Summary



Application at Stanford



Affected Stanford Policies



Stanford FAQs



Related Stanford Training

Uniform Guidance Text

OMB FAQs

Agency Guidelines

Related Links

ORA-1101: Understanding Cost Policy

ORA-1126: Managing Sponsored Projects:

ORA-1120: Proposal And Budget Preparation

ORA-1121: The Award Process

### Topics

Administrative Salaries

Closeout

Computing Devices

Conferences

Cost Sharing

Direct Cost Matrix

Faculty Disengagement

Procurement

Publication Costs

Record Retention

Subawards

Travel Costs

Visa Costs

Take a  
peek  
inside

Read a  
lot or a  
little.

It's up to  
you!

# Charging Administrative Salaries

## A-21

- Major Project

## Uniform Guidance

- Integral



[RPH 15.4](#) Charging for Administrative and Technical Expenses

[RPH 14.1](#) Preparation Review and Submission of Sponsored Project Proposals



## Question 6:

Will the current administrative salaries on a major project be considered *integral* when the continuation proposal is awarded?

Yes!

It will need to follow the definition of “integral” under the Uniform Guidance. If it previously met the major project criteria, it will most likely meet the “integral” requirement.

# Visa Costs

## A-21

- Silent
- NIH considers visa costs allowable under recruiting costs

## Uniform Guidance

- Costs associated with visas when critical skills are needed for a specific award may be proposed and charged as a direct cost
- H-1 or J-1



# Question 7: Can I charge the visa cost to the grant?

## Can I charge processing fees?

Premium processing fees, dependent form fees, or Stanford internal processing fees (Bechtel) are NOT allowable as direct charges to a federal award.

## I have a postdoc coming to Stanford to work on my federal award.

You may charge visa application fees to your grant provided the postdoc/researcher is critical and necessary for the conduct of the project.

## I have a postdoc or research associate that needs to have his/her visa renewed.

No. Visa costs are only allowable as part of recruitment not retention.

## I have a postdoc who is here on a J-1 visa and is transitioning to a H-1B visa.

No. Only those visa costs associated with the initial recruitment may be directly charged to a federal award.

# Participant Support Costs

## A-21

- Didn't address such costs
- NSF defined participant support costs (PSC), and provided no indirect costs on PSC

## Uniform Guidance

- Participant support costs (PSC) on federal grants are now excluded from the MTDC base and will accrue no indirect costs
- PSC only used with federal agencies
- Some agencies may choose not to use the term PSC



[RPH 15.1](#) Facilities & Administrative (Indirect Cost) and Fringe Benefits Rates

## Question 8:

Should I use the term *Participant Support Costs* on non-federal proposals and awards?

The term *Participant Support Cost* should not be used on a non-federal sponsored project unless required by the sponsor. Propose and charge such expenses as travel, stipend, etc.

# Principal Investigator/Project Director Disengagement

## A-21

- Prior approval required for the absence by the approved project director or principal investigator for more than three months.

## Uniform Guidance

- New language added to reflect that project directors or PIs can be away from campus and remain engaged in the project at the proposed and awarded levels.



[RPH 3.3](#) Special Requirements Related to Sponsor Notifications and Prior Approval

[RPH 14.2](#) Academic Policies Pertaining to Sponsored Project Proposals

[RPH 2.2](#) Acting Principal Investigatorship

## Question 9: *Is the PI disengaged?*

My PI will be traveling to Australia for 4 months. She will be working with collaborators and keeping in touch with his students via Skype.

Yes, the PI is engaged as she is actively working on the project. In the School of Medicine the Application for Faculty Sabbatical or Leave of Absence - form, Attachment A requests information on this subject.

# Subawards

## A-21

- Fixed Price Subawards allowed without burdensome oversight

## Uniform Guidance

- Fixed Price Subawards require prior approval and limit each subaward to \$150,000
- Increased emphasis on risk analysis prior to issuing a subaward



# Subawards

My CGO contacted me and my PI letting us know that one of our subawards is considered “high risk”. Is this UG related?

*The requirement to conduct a risk analysis existed under A133 and has been part of the Stanford subaward issuance process since 2006. However, it has been highlighted as a key area under the UG.*

*High risk scenario example: giving significantly more \$ than an entity has managed in the past. We typically mitigate this risk by tying payment to deliverables.*

# Cost Sharing

## A-21

- No prohibition on cost sharing included in merit review of proposals.
- NSF implemented guidance prohibiting cost sharing unless in the program announcement
- January 5, 2001 Clarification on Voluntary Uncommitted Cost Sharing (VUCS) effective

## Uniform Guidance

- Cost sharing cannot be used during the merit review of proposals unless specified in a notice of funding opportunity
- References the Jan. 5, 2001 clarification on VUCS

### Note:

- NSF still prohibits cost sharing unless in the program announcement



[RPH 15.3](#) Cost Sharing Policy

[RPH 14.3](#) University Commitments Pertaining to Sponsored Project Proposals

## Question 9: Can my PI Cost Share?

- My PI wants to cost share on a Air Force project but the requirement to cost share is not mentioned in the *Notice of Funding Opportunity*.

Yes, he can propose cost sharing but you must tell your PI that cost sharing on federal proposals cannot be used as a factor during the merit review of a proposal unless it is both in accordance with Federal awarding agency regulations and specified in the notice of funding opportunity.

# Membership Costs

## A-21

Items such as office supplies, postage, local phone costs, and memberships shall normally be treated as F&A cost.

## Uniform Guidance

- Individual membership costs for business, technical, and professional organizations are generally not an allowable expense as a direct charge on a federally sponsored project
- Allowable for non – federal if there is benefit to the project

# Contact Information

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- Ken Merritt, Manager, Research Administration Compliance, DoR, 4-8133

Or if you have questions about any aspect of the Uniform Guidance or would like us to clarify a specific point, please send us a message to us at [uniform\\_guidance@lists.stanford.edu](mailto:uniform_guidance@lists.stanford.edu).