Introductions

• We are…
  o Grace Liu, Associate Director, Awards
  o Kassie Obelleiro, Training Officer
  o Brian Russ, Award Team Leader

• Please tell us…
  o Name and department
  o What do you hope to learn today?
What We Do

Sponsored Programs is responsible for reviewing and submitting research proposals, and negotiating and accepting awards on behalf of the Regents. Our office is also responsible for drafting, negotiating, and executing subawards for collaborative research.

Source: Policy #PPM 230-01, PPM 230-02 and UCOP RAO-95-01
https://ucdavispolicy.ellucid.com/documents/view/131
http://researchmemos.ucop.edu/index.php/site/memoDetail/memo_id/RAO-95-01

Learning Objectives

After today’s class you should:

• Understand what happens from an award’s arrival in Sponsored Programs until it is signed and sent to Contracts & Grants Accounting
• Understand the advance account process
• Identify “show stoppers” and other items to be negotiated
• Identify what to look for in the signed award document
Today’s Handouts

- Power Point Presentation
- Reference Materials
  - Award Review Checklist
  - Sponsors Exempt from the 700-U
  - The Principles Regarding Rights to Future Research Results in University Agreements with External Parties
  - Quick Reference Guide to the Uniform Guidance
- Exercise Packet
  - Answer Sheet
  - Sample NIH Award
  - Sample NSF Award
  - Sample State Award
  - Sample Private Award

Class Outline

- Getting Started
- Award Process
- Advance Accounts
- Understanding the Award Terms
- Negotiating Changes
- Post-Award
- Resources
Getting Started
Common Acronyms
Gift vs. Grant
Award Mechanisms

Common Acronyms
• AB20: Assembly Bill 20
• BAA: Broad Agency Announcement
• BUA: Biological Use Approval
• CGA: Contracts and Grants Accounting
• COI: Conflict of Interest
• ERA: Electronic Research Administration
• F&A: Facilities & Administrative rates; also referred to as indirect cost rate (IDC or ICR) or “overhead”
• FOA: Funding Opportunity Announcement
• GMS: Grant Management System
• IACUC: Institutional Animal Care and Use Committee
• IP: Intellectual Property
• IRB: Institutional Review Board
• PI: Principal Investigator
• RCI: Research Compliance and Integrity
• RCR: Responsible Conduct of Research
• RFA: Request for Applications
• RFP: Request for Proposals
• PHS: Public Health Service
• RPPR: Research Performance Progress Reports
• SBIR: Small Business Innovation Research
• SPO: Sponsored Programs unit in the Office of Research
• STTR: Small Business Technology Transfer
Gift/Grant Determination

Often requires analysis

- **Don’t** base decisions upon the presence or absence of a single characteristic or criterion.
- **Do** look at the award as a whole.
- SPO analysts are able to assist.

Quick Guide to Gift/Grant Determination

In general, classify funds as GIFTS when the following characteristics exist:

- No contractual requirements;
- No quid pro quo;
- No audit requirements;
- No obligation to return unspent funds;
- No intellectual property rights to donor;
- No obligation for reports (reports not tied to payments);
- However, stewardship progress reports okay
- Qualifies for tax treatment as charitable contribution by donor

In general, classify funds as GRANTS when the following characteristics exist:

- Provision for audits;
- Grantor receives consideration (can be detailed technical/expenditure reports);
- Involves testing of proprietary products;
- Research is directed to satisfying specific grantor requirements (e.g., precise scope of work specified rather than a general area of research);
- Specified period of performance or termination at discretion of grantor;
- Unexpended funds returned to grantor;
- Patent/IP rights requested by grantor.

Determination can only reliably be made upon reading the award document!
Award Mechanisms

Grants
- Assistance relationship
- PI has significant freedom to change the emphasis within the general area
- Minimal deliverables
- Benefits of the project are to the nation and world

Cooperative Agreements
- Substantial Sponsor scientific or programmatic involvement
  - Scientific or programmatic staff with assist, guide, coordinate or participate in the project

Award Mechanisms

Contracts
- Procurement relationship
- Legally binding contract with
  - Detailed financial and legal requirements
  - Specific statement of work
  - Specific set of deliverables and/or reports due to the sponsor
- A federal contract typically includes Federal Acquisition Regulations (FARs).

No sponsor award mechanism? Contact SPO
Award Process

SPO receives agreement.

SPO reviews the agreement and notifies the Principal Investigator and Department Administrator of outstanding documents.

SPO receives all outstanding documents and negotiations are successful.

SPO initiates contract negotiations with the sponsor, if needed.

SPO signs the agreement and sends it to the Sponsor.

SPO receives the fully-signed agreement from the Sponsor.

Copies of the fully-signed agreement are available to:
• Principal Investigator
• Department Administrator
• Contracts & Grants Accounting
• Other campus units as needed (e.g., Equipment Management, Risk Management, etc.)
Working With SPO

• Send all awards to awards@ucdavis.edu

• How does the award arrive?
  o FedConnect or other sponsor electronic systems (SPO will retrieve)
  o Email
  o Hand delivery, FedEx, campus mail (inter-campus mail delivered 3/week)

• Who do I contact?
  o Contact your Award Analyst.
    ▪ When SPO receives an award, an analyst is assigned and the department is notified of the assigned analyst.

Tip: Email SPOeRAhelp@ucdavis.edu for assistance with Electronic Research Administration (eRA) like eRA Commons, GM5, Research.gov. Email ORCayuseHelp@ucdavis.edu for assistance with Cayuse 424 or SP.

Required Documents – What Do I Submit to SPO?

• **Required items** – if not already provided
  o Cayuse SP Internal Processing Form (IPF) – complete and approved
  o Budget Information
  o Final Scope of Work

• **May be required** depending on project scope and sponsor
  o Cost Share Certification
  o IRB, IACUC and/or BUA Approval
  o Financial Conflict of Interest Items
  o Stem Cell Research Approval
  o Use of Anatomical Specimens Approval

Tip: If resources from more than one department will be impacted (ex. multiple PIs), the respective Chairs of both departments must authorize the IPF!
Financial Conflict of Interest Items

- File online at: [https://or-forms.ucdavis.edu/](https://or-forms.ucdavis.edu/)
- Need help? Contact [or_coi@ucdavis.edu](mailto:or_coi@ucdavis.edu)

Form 700U - Required for awards from any non-governmental entity not listed on the exempt list.
  - Why? 700U’s are required by the State of California
  - When? 700U’s must be signed at award acceptance (*We interpret this to mean no more than 30 days before award acceptance.*)

Form 800 – Required for awards from:
  - National Science Foundation (NSF)
  - Any project involving human subjects except PHS-funded projects
  - California Institute of Regenerative Medicine (CIRM)
  - UC Special Research Programs (California Breast Cancer Research Program, Tobacco-Related Disease Research Program, University-wide AIDS Research Program and any UCOP Special Programs)

*Statement of Economic Interests Supplemental Form* required for positive disclosures (RCI will follow up, and once approved, award will be released)
Financial Conflict of Interest Items

- **PHS COI (online)** – Required when PIs and other Investigators are participating in research funded by any PHS agency or any other sponsor that has adopted the PHS regulations. Form 800 is not required for PHS funded projects. Other sponsors include:
  - American Cancer Society
  - American Asthma Foundation
  - American Heart Association
  - American Lung Association
  - Alliance for Lupus Research
  - Arthritis Foundation
  - Cure PSP Foundation
  - Juvenile Diabetes Research Foundation
  - Lupus Foundation of America
  - Patient-Centered Outcomes Research Institute
  - Susan G. Komen for the Cure

PHS defines “**Investigator**” as the project director or principal investigator and any other person, regardless of title or position, who is responsible for the “… design, conduct, or reporting of research…”

PHS COI includes:
- PI certification
- Required training every 4 years
- Disclosures

Questions about COI? Email RCI at or-coi@ad3.ucdavis.edu.

Reviewing Award Terms and Conditions

• SPO reviews award terms and conditions subject to policy and law and inform PIs of the review outcome as quickly as possible.
• Problematic terms identified at the proposal stage will need to be resolved at the award stage.
  o Problematic terms negatively impact UC’s missions of research, education and public service.
  o Examples:
    ▪ Discriminatory terms disadvantaging foreign nationals
    ▪ Issues related to export controlled data or materials
    ▪ Infringements on Academic Freedom (“gag clauses”) (also disguised as “PI may publish only with Sponsor’s consent”)
    ▪ Sponsor ownership of data or results generated by UC researchers
    ▪ Sponsor ownership of inventions created by UC researchers
    ▪ Any term in conflict with the “Principles Regarding Rights to Future Research Results in University Agreements with External Parties” (8 Guiding Principles)

Reviewing Award Terms and Conditions:
Principles Regarding Rights to Future Research Results in University Agreements with External Parties

1. Open Dissemination of Research Results & Information
2. Commitment to Students
3. Accessibility for Research Purposes
4. Public Benefit
5. Informed Participation
6. Legal Integrity and Consistency
7. Fair Consideration for University Research Results
8. Objective Decision-Making

Source: [http://www.ucop.edu/research-policy-analysis-coordination/policies-guidance/future-research-results/index.html](http://www.ucop.edu/research-policy-analysis-coordination/policies-guidance/future-research-results/index.html)
After the Award is Signed: Next Steps

• SPO will make the final award available to the PI, department contact and CGA.
• CGA will notify the PI and department contact when the account can be set up.
• The PI should notify:
  o Human Resources
  o Payroll
  o co-PIs
  o Other involved departments (academic and non-academic)

Advance Accounts

What is an Advance Account? When is it Appropriate?
Advance Account Process
**What is an Advance Account? When is it Appropriate?**

- Advance accounts allow starting a project before receipt of the award document.
- SPO has authority to approve advance accounts if the following criteria are met:
  - A compelling reason to expend funds before agreement execution;
  - Confirmation from the sponsor’s official that an award is forthcoming*;
  - Advance dates fall within the award period;
  - Guidelines from the sponsor do not prohibit pre-execution spending (e.g., State awards);
  - Expenditures are allowable and allocable;
  - The department or college/school has funds available to cover the expenditures if an award fails to materialize. (SPO is not liable for unreimbursed expenses.)

*Under the Uniform Guidance (2 CFR §200.458), pre-award expenditures on federal grants (or federal flow-through grants) require prior written approval from the federal agency.

Some agencies, like NSF and NIH, allow pre-award spending up to 90 days before the project start date.

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**General Advance Account Process**

The process may vary.

1. Dept/PI submits Advance Account request in Cayuse SP
2. Dept. Chair reviews for funds available
3. Dean reviews, if Admin Unit is in the School of Veterinary Medicine
4. SPO reviews to ensure all criteria are met
5. If approved, CGA assigns fund # and notifies dept.
6. If not approved, SPO notifies PI and dept.
Advance Accounts

• Why would SPO not approve an Advance Account request?
Understanding the Award Terms

• **Review each award carefully** to determine when spending can begin even if you’ve received similar awards before.

• **Important items to note** throughout the project
  - Terms regarding reports, deliverables, invoicing, prior approvals, due dates and deadlines
  - Award restrictions, if any

• Read the award thoroughly for “do’s” and “don'ts” and know when to make request related to:
  - Budget, Scope of Work, supplemental funds, extensions of time, key personnel changes, equipment purchases, etc.
  - Prior to expenditure, 60/90 days prior to expenditure, Within X days of execution? Can you purchase equipment within 120 days of the expiration of the project?
  - Read carefully to spot “options” – for example, Sponsor has the option to fund the project in year 2, but not a commitment. Don’t spend the money for year 2 until you have an agreement for year 2

Understanding the Award Terms

Remember, the **PI has primary responsibility** for:

- Scientific integrity and management of the project
- Financial management of project funds
- Adherence to all University Policies
- Adherence to agreement terms and conditions including:
  - State and federal policy and regulations (law)
  - Reporting
  - Record keeping requirements
## Activity
Identify Important Award Information

### Activity: Identify Important Award Information

<table>
<thead>
<tr>
<th>Award/Grant/Agreement number</th>
<th>NIH Award</th>
<th>NSF Award</th>
<th>State Award</th>
<th>Private Award</th>
</tr>
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<tbody>
<tr>
<td>1R21EB018750-01A1</td>
<td>IIP-1454641</td>
<td>D1583004</td>
<td></td>
<td>5000</td>
</tr>
<tr>
<td>Dollar amount</td>
<td>$174,066</td>
<td>$50,000</td>
<td>$184,529</td>
<td>$500,000</td>
</tr>
<tr>
<td>Award mechanism</td>
<td>Grant</td>
<td>Grant</td>
<td>Contract</td>
<td>Contract</td>
</tr>
<tr>
<td>Was it funded at the full amount requested?</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Is it subject to FFATA?</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>
Negotiating Changes

SPO’s Role: When Does SPO Negotiate?
What are the Risks?
AB20: Model Template for Contracts with State of California Agencies

SPO's Role: When Does SPO Negotiate?

- SPO is the **primary negotiator** with the sponsor.
  - SPO will keep the PI and department informed of the progress.
  - Contact your analyst for updates.
- SPO negotiates when award terms:
  - Violate university policy;
  - Would put UC activities in conflict with California or federal law;
  - Lack legal integrity (do not further UC’s missions; or with which UC cannot reasonably comply);
  - Researchers find objectionable; or
  - Would negatively impact or limit other UC research programs.
- PI concurrence is critical so that SPO does not accept terms that are consistent with policy and law but unacceptable to a PI or department.
  - Please read the award carefully!

**AB20: Model Template for Contracts with State of California Agencies**

**Sponsored Programs**
What Terms Does SPO Negotiate? What are the Risks?

Severity of provision requiring negotiation

- Atypical intellectual property rights
- Contract governed by foreign law
- Payment in currency other than USD
- Payment conditional on “satisfactory” performance
- Reporting timelines

“Business Decision” made in consultation with dept.

Publication Restriction

Policy Violation may need exception from UCOP

AB20: Model Template for Contracts with State of California Agencies

- Use of the model agreement is predicated on a different working relationship with the State.
  - Campuses will provide complete proposals
  - Proposals will be reviewed in advance by university sponsored projects office
  - Proposals will contain more detail upfront, allowing for less detail to be required later, for example, with each invoice

- The following awards will not use AB20 templates
  - CIRM, CEC – PIER/EPIC and California Marketing Boards

- Contact SPO for instructor-led training for your department: spotraining@ucdavis.edu

- See: http://research.ucdavis.edu/proposals-grants-contracts/spo/#model contract
Post-Award
Progress Reports
Subawards
Closeout

Progress Reports
Technical Progress Reports

The PI is responsible for submitting all requirement interim and final technical reports. Review the award to determine:

- What technical or program reports are required?
- What are the deadlines for reports?
- What format and submission methods are required?

Tips:
- Generally PIs can submit progress reports directly to the sponsor without going through SPO.
- PI or key personnel must complete their profiles in eRA Commons first.

Need help? Email spoerahelp@ucdavis.edu
Progress Reports
RPPRs

There are many NIH resources available to help prepare and submit RPPRs.

- RPPR FAQs: https://grants.nih.gov/grants/rppr/faqs.htm

Subawards

- Is a subaward or other mechanism appropriate?
  - Campus Contracting Services: Independent contractor agreements, independent consultant agreements, purchase orders, etc.
  - Health System Contracts: Non-research service agreements, independent contractor agreements and independent consultant agreements
  - UCDHS Material Management: Purchase orders for goods and services for the health system
  - Sponsored Programs: Subawards, service agreements (if no approved rate), teaming agreements, etc.

(Outgoing) Subawards Process

Prime Award has been executed and processed.

PI/Department submits Subaward Request form and required documents to subawards@ucdavis.edu

Do not submit request through Cayuse SP.

SPO determines if additional documents or information is needed.

SPO sends a fully executed version of the agreement.

Subrecipient returns signed documents to SPO.

Once the subaward agreement is fully executed, SPO awards the subaward in Cayuse SP.

SPO drafts and sends a subaward agreement/amendment to subrecipient.

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Subawards Team Review

- Required documents
  - Subaward Request Form
  - Subrecipient Commitment Form or Multiple Campus Award (MCA) Commitment Form*
  - Subrecipient's Scope of Work
  - Subrecipient's Budget and Budget Justification
  - Additional Elements Required by the Sponsor (e.g. sponsor required invoice report form, etc.)

*FDP Pilot Program
UCD is participating in the Federal Demonstration Partnership (FDP) Expanded Clearinghouse Pilot. This pilot is testing the use of on-line entity profiles to decrease the amount of duplicate information collected from potential subrecipient institutions.

Participating pilot institutions will not fill out the full three-page Subrecipient Commitment Form. Instead, participating institutions should complete the one-page FDP Pilot Subrecipient Project Information sheet.
Closeout

• Closeout (definition): The process by which the Sponsor determines all applicable administrative actions and required work of the award have been completed by the grantee.

• Requirements vary by sponsor.

• Common requirements are:
  o Final Financial Report – Completed by CGA
  o Final Technical Report – Completed by PI
  o Final Equipment Report – Completed by Equipment Management
  o Final Patent Certification – Completed by PI or SPO with assistance from Innovation Access, when needed
    ▪ Required even if no inventions from the award

More on the Financial Report

• You’ll receive automated notification from CGA 90 days prior to the award end date. Using CGA’s Award Closeout Checklist and reviewing your financial ledgers you will:
  o Compare approved budget with the ending actual budget. Any re-budgeting required?
  o Are all expenditures allowable based on the T&Cs of the award?
  o Were expenditures incurred within the budget period?
  o Have payroll appointments been changed to ensure no further expenditures are recorded?

SPO Closeout Analyst: **Alexa Rubio**
closeouts@ucdavis.edu
Resources

- Contacts
- Office of Website
- Guide to Research Compliance
- Listserv Subscriptions
- Research Administrators Forums
- Other SDPS Classes

Contacts

- SPO Contact Us webpage: http://research.ucdavis.edu/contact-us/sponsored-programs/
- Awards: awards@ucdavis.edu
- Subawards: subawards@ucdavis.edu
- Closeouts: closeouts@ucdavis.edu
- eRA Help: SPOeRAhelp@ucdavis.edu
- Cayuse Help Desk: ORCayuseHelp@ucdavis.edu
- Training: SPOTraining@ucdavis.edu
Guide to Research Compliance
https://goo.gl/nxVt67

Office of Research Listserv Subscriptions

• C&G Listserv: https://lists.ucdavis.edu/sympa/info/ovcr-cg

• Other Office of Research Listservs:
  http://research.ucdavis.edu/resources/listserv-subscriptions/
  • Core Facilities Program
  • Digital Millennium Copyright Act (DMCA)
  • Funding
  • Institutional Review Board (IRB)
  • Research Compliance and Integrity (RCI)
  • Responsible Conduct of Research (RCR)
  • Research Unit Lists
Monthly Research Administrators Forum

• The fourth Wednesday of each month from 8:30-10:00 am
• Located at Sponsored Programs office
  • 1850 Research Park Drive, Davis.
• Reminders are sent out via the OVCR-cg listserv (visit our website to sign up for this listserv)

Other SDPS Classes Offered by SPO

• Sponsored Programs Essentials
• Proposal Preparation and Submission
• Writing a Proposal Budget: Concepts (e-course only)
• Writing a Proposal Budget: Lab
• Electronic Research Administration (eRA)

Visit the SDPS website for a list of dates and times and to sign up. [http://sdps.ucdavis.edu/](http://sdps.ucdavis.edu/)
Q&A

• Do you have any questions for us?

Thank You!
For research-related announcements, you can now follow SPO on Twitter and YouTube!

@UCDavis
SPO

Sponsored Programs
UC Davis