

FDP Subawards Subcommittee

September 11, 2014

Agenda

- Introductions
- Subawards Subcommittee
- Comments re: updated/new templates
- Whistleblower language
- UG Working Group

Research Administration

Functional Standing Committee -- Research Administration

- Contracts
- Subawards
- Open Government
- STAR Metrics Project
- Expanded Clearinghouse Working Group

Subawards Subcommittee Co-chairs

- Jennifer Barron, Johns Hopkins University
- Jim Becker, Indiana University
- Susan Sutherland, ONR

Subawards Subcommittee

What we do:

- Develop and maintain model language for subaward templates
- Coordinate with federal agencies on required flow downs, T&Cs
- Initiate projects or working groups to improve subrecipient engagement and monitoring (e.g. FCOI database, subcontract template)

What we don't do:

- Advocate for a particular term or position with the federal agencies
- Force institutions to use the templates
- Make changes without significant membership input

Subawards Subcommittee

- Come with feedback!
 - We expect and encourage active participation.
- Bring up issues!
 - We discuss everything from various legal counsel interpretations to noncompliant subrecipients. Get advice from fellow member institutions.
- Discuss best practices!
 - Innovative ideas or efficiency measures are always welcome. They may make it into future templates (ie. unilateral modifications).

Current Templates

- Cost Reimbursement Subaward
- Fixed Price Subaward
- Foreign Subaward
- Subcontract
- Modifications

New/Updated Templates

Cost Reimbursement Updates:

- Added FAIN field
- Removed ARRA field
- Added Cost Sharing field
- Added unilateral modification language
- Expanded audit language

New/Updated Templates

New Fixed Price Template:

- Different payment terms
- Includes unilateral modification language
- “Access to Records” replaces A-133 audit language

New/Updated Templates

- Items for discussion?

Whistleblower Protections

- 41 USC §4712
- Pilot Program applicable 7/1/2013-1/1/2017
- Applies to civilian agencies other than NASA
- Should we include in all templates as “if applicable”, or only in specific Att 2s?

Whistleblower Protections

Suggested language:

“Pursuant to 41 USC §4712, Subrecipient is required to:

1. Inform their employees working on any Federal award that they are subject to the whistleblower rights and remedies of the pilot program;
2. Inform their employees in writing of employee whistleblower protections under 41 U.S.C. §4712 in the predominant native language of the workforce; and,
3. Contractors and grantees will include such requirements in any agreement made with a subcontractor or subgrantee.

See more at: *link*”

UG Working Group

- Working Group established to complement other FDP UG activities
- Focus on template updates
- Co-chairs:
 - Rosemary Madnick, University of Alaska Fairbanks
 - Jeremy Forsberg, University of Texas at Arlington

Section Leads

- Look at current FDP tools for subawards, update related subaward templates, include new data elements on facepage.
 - Jennifer Rodis, University of Wisconsin-Madison, Maren Boyak, University of Alaska Fairbanks
- Incorporate definitions of UG and determination of Subaward vs Contractor (vendor), create tool
 - Maren Boyack, University of Alaska Fairbanks
- Review Agency Implementation Terms and Conditions, update template attachments.
 - Rosemary Madnick, UA Fairbanks, Jeremy Forsberg, UTA
- Update Foreign subaward template.
 - Erin Thacker, Duke University