

Omni Circular Overview



**UNIFORM ADMINISTRATIVE
REQUIREMENTS
AND COST PRINCIPLES
SUBPARTS A-E**

Omni Circular Resources

- The new guidance is located in the Federal Register Vol. 78 No. 248 on December 26, 2013.
- COFAR website www.cfo.gov/cofar
- 1/27/14 Training webcasts are available. OMB and COFAR will provide web-based training throughout 2014 on these reforms and basic grants administration. A government-wide grants 101 course will be launched.
- There are 6 Uniform Grants Guidance Crosswalks that compare the old and new policy guidance.
- COFAR released FAQs in response to over 200 inquiries.

Subpart A: Acronyms and Definitions

- 200.38, **Federal award** (depending on the context, means the \$ funding or the document)
- 200.40, **Federal financial assistance** (no change) 200.69, **Non-Federal entity** (state, local government, Indian tribe, institution of higher education, or nonprofit that is the recipient or subrecipient)
- 200.74, **Pass-through entity** (non-Federal entity that subawards to a subrecipient)
- 200.90, **State** no longer includes **Indian tribe** (200.54)
- 200.93, **Subrecipient**
- *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** is used rather than “vendor” (used in A-133)
- *Contractor* means an entity that receives a contract as defined in 200.22 Contract.

Subpart B: General Provisions

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- Two new requirements that strengthen oversight:
 - **200.112, Conflict of interest**

The Federal awarding agency must establish conflict of interest policies for their Federal awards .

The non-Federal entity must disclose in writing any potential conflict of interest to the Federal awarding agency (or pass-through entity) in accordance with applicable Federal awarding agency policy
 - **200.113, Mandatory disclosures**

Non-Federal entities (and applicants) must disclose all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award

Subpart C: Pre-Federal Award Requirements and Contents of Federal Awards

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- **200.201, Use of Grant Agreements (Including Fixed Amount Awards), Cooperative Agreements, and Contracts:**
 - Federal Awarding Agencies must determine appropriate award instrument
 - Incorporates new coverage on fixed amount awards:
 - ✦ Payments are based on meeting specific requirements of the Federal Award
 - ✦ Accountability is based on performance and results
 - ✦ Award amount is negotiated using cost principles as a guide
 - ✦ No governmental review of the actual costs incurred
 - ✦ Significant changes (i.e., principal investigator, project partner or scope) must receive prior awarding agency written approval

Notices of Funding Opportunities

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- **200.203, Notices of funding opportunities:**
 - Notice of the Funding Opportunity – Expands 505 DM 2.12
 - ✦ For competitive grants and cooperative agreements, Federal awarding agencies must announce specific funding opportunities by posting a public notice on Grants.gov.
 - ✦ Specifies a set of six data elements that must be included in the public notice: 1. Federal Awarding Agency Name, 2. Funding Opportunity Title, 3. Announcement Type, 4. Funding Opportunity Number, 5. CFDA Number, and 6. Due Date for Application.

Notices of Funding Opportunities (Cont'd)

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- **200.203 6 (c) Full Text of Funding Opportunities**
 - ✦ Identifies required information that must be included in the full text of each Federal funding opportunity
 - ✦ Detailed instructions for the full text of the notice of funding opportunity is included in Appendix 1.
 - ✦ This coverage was originally published by OMB at 68 FR 58146 (October 8, 2003)

- **200.203 6(b) Establishes minimum timeframes** Federal awarding agencies must generally make all funding opportunities available. At least 60 days and no less than 30 days unless there needs to be an immediate action such as an emergency.

Federal Agency Review of Merit

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- **200.204, Federal awarding agency review of merit of proposals:**
 - New Requirement
 - For competitive grants or cooperative agreements, Federal awarding agencies must design and execute a merit review process for applications
 - Process must be described (or incorporated by reference) in funding opportunity

Federal Agency Review of Risk

- **200.205, Federal awarding agency review of risk posed by applicants:**
 - In addition to use of the OMB-designated repositories of government-wide eligibility information, Federal awarding agencies must have a framework for evaluating the risks posed by applicants prior to receipt of a federal award.
 - Items that MAY BE considered by Federal awarding agencies include: DIG 2011-03, Amendment 1, FA Monitoring Protocol provides risk elements on the Risk Assessment Checklist.
 - ✦ Financial stability
 - ✦ Quality of management systems
 - ✦ History of performance
 - ✦ Reports and findings from audits performed under Subpart F
 - ✦ Applicant's ability to effectively implement statutory, regulatory or other requirements

Standard Application Requirements

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- **200.206, Standard application requirements:**
 - Requires Federal awarding agencies to use OMB-approved application standard information collections.
 - Use of standard OMB-approved collections is a consistent theme throughout 2 CFR 200
 - Currently approved OMB Grants Management Forms (and formats) are available on the OMB Web site at:
 - ✦ http://www.whitehouse.gov/omb/grants_standard_report_forms/

Information Contained in a Federal Award

- **200.210, Information contained in a Federal award:**
 - Provides a standard set of 15 data elements which must be provided in all Federal awards
 - Identifies coverage which must be included in the general terms and conditions
 - Provides guidance on Federal Awarding Agency, Program, or Award Specific Terms and Conditions
 - Requires Federal awarding agencies to include an indication of the timing and scope of expected performance as related to the outcomes intended to be achieved
 - ✦ In some instances, (e.g., discretionary research awards) this may be limited to submission of technical performance reports

Subpart D: Post Federal Award Requirements Standards for Financial and Program Management

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- **200.301, Performance Management:**
 - Provides more robust guidance to Federal agencies to measure performance in a way that will help the Federal awarding agency and other non-Federal entities to improve program outcomes, share lessons learned, and spread the adoption of promising practices.
 - Recipients must be required to relate financial data to performance accomplishments, and must also provide cost information to demonstrate cost effective practices.

200.303, Internal Controls For Federal awards Non-Federal entities must:

- Establish and maintain effective internal controls
- Evaluate and monitor compliance
- Safeguard protected personally identifiable information

Internal Controls

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200.320, Methods of procurement to be followed includes a new element that includes the use of micro-purchases.

200.343, Award Closeout: The timeframes are based upon period of performance and must be stated in the award.

Subpart E: Cost Principles



- 200.414 Indirect Cost Rates
- 200.428 Collections of Improper Payments (new)
- 200.424, 431 and 432 Family Friendly Policies (new)
- 200.440 Exchange Rates (new)
- 200.441 Fines, Damages, and Other Settlements