
OFFICE OF CONTRACT & GRANT ADMINISTRATION UPDATES

APRIL 2024

RESEARCH ADMINISTRATION FORUM

TRACEY FRASER, SENIOR DIRECTOR, OCGA

UCLA Research
Administration

OCGA UPDATE TOPICS

01

SUBAWARD PROCESS

Revised Process For
Requesting POs For
Subawards

02

NASA

Review: China
Restriction & Required
Documentation

03

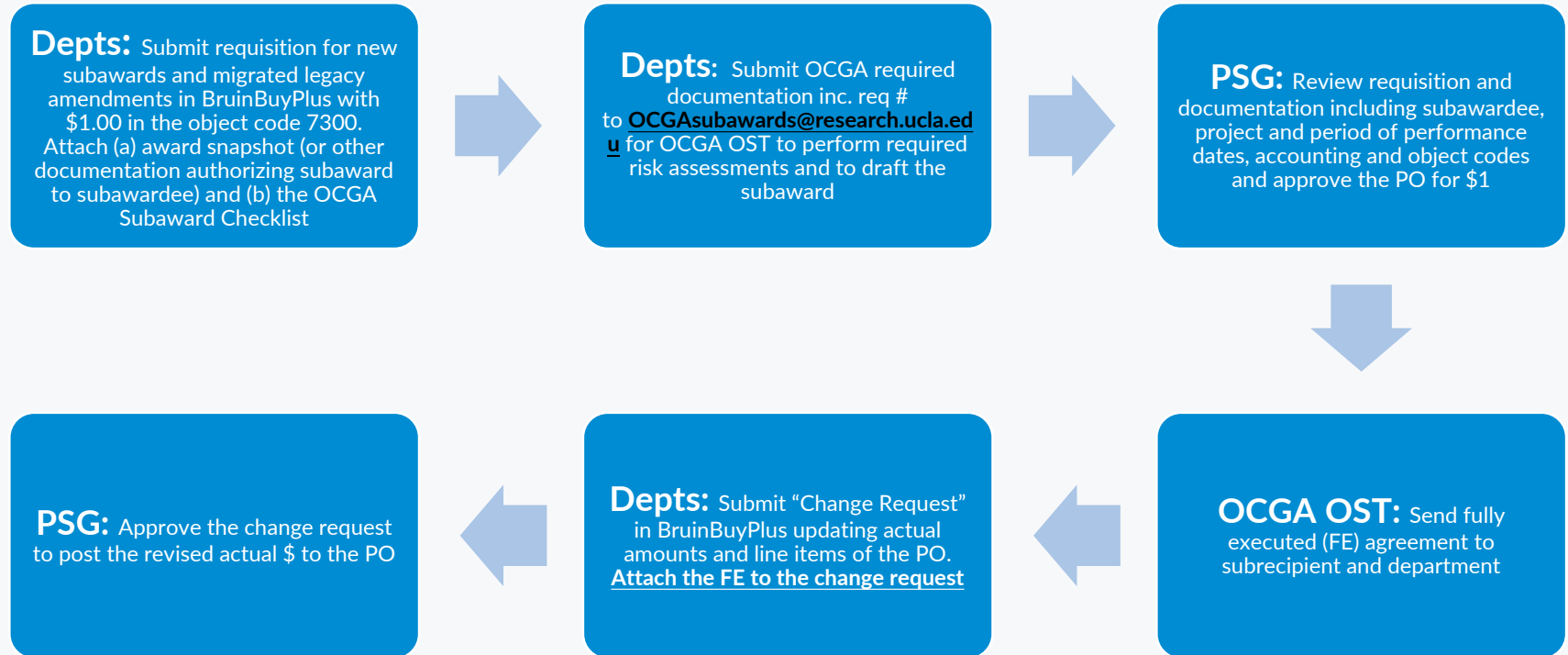
DEPT. OF ENERGY

Updated Special Terms
& Conditions

**REVISED SUBAWARD PO PROCESS FOR
OUTGOING AGREEMENTS UNDER GRANTS
AND COOPERATIVE AGREEMENTS**

Tentative Effective Date: May 1, 2024


NEW SUBAWARDS & MIGRATED LEGACY AMENDMENTS



REMINDERS



Migrated POs may be invoiced against as long as your migrated PO has sufficient funds to pay the invoices




Migrated Legacy BruinBuy POs **CANNOT** be extended or amended in BruinBuy Plus



If any changes are needed to dates and / or dollars on a migrated PO, a BruinBuyPlus PO is required

AMENDMENTS TO NEW SUBAWARDS


Depts: Submit OCGA required documentation inc. req # to OCGAsubawards@research.ucla.edu for OCGA OST to perform required risk assessments and to draft the amendment



OCGA OST: Send fully executed (FE) amendment to subrecipient and department



Depts: Submit “Change Request” in BruinBuyPlus for the previously posted PO with the actual amounts and line items of the subaward amendment, extended period of performance, etc. Attach the FE to the change request



PSG: Approve the change request to post the revised \$ to the PO

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NASA

CHINA

RESTRICTION

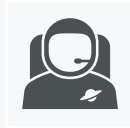
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REVIEW: NASA PEOPLES REPUBLIC OF CHINA (PRC) RESTRICTION

Requirements & Process



Since April 2011 the continuing appropriations acts that fund NASA have included the 'China Restriction'



NASA is prohibited from engaging in, or funding, any joint scientific activity with the PRC (including Chinese Universities)



Impact: We must assure that we will not use NASA funds to participate, collaborate or coordinate bilaterally in any way with the PRC



Applies to NASA funded activities and cost share activities described in the NASA scope of work.



Impacts NASA Grants, Cooperative Agreements, Contracts and our Subawardees

DEFINITIONS

NASA China Restriction



China or Chinese-owned Company means:

*The People's Republic of China (PRC), any company owned by the People's Republic of China, or any company incorporated under the laws of the People's Republic of China, **including Chinese universities**. The PRC includes Hong Kong and Macau, but not Taiwan (Republic of China).*

The statute does not restrict individual involvement based on citizenship or nationality.



Bilateral

As applied to a policy, program, order, or contract, means a reciprocal policy, program, order, or contract between China and a US entity, where there are no other international parties involved.

*This is distinct from a multilateral arrangement with parties from multiple countries. The NASA funding restriction **does not apply to multilateral arrangements***

REPRESENTATIONS TO NASA

Requirements and Process

Contracts

- We will not contract with China (including Chinese Universities) or Chinese-owned companies for any effort related to this contract except for the acquisition of commercial and non-development items
- We will flow requirements down to subcontractors

Financial Assistance

- We will not participate, collaborate or coordinate bilaterally with China (including Chinese Universities) or any Chinese-owned company regardless of whether the involvement is funded or performed under a no-exchange of funds arrangement
- We will flow requirements down to subawardees

FINANCIAL ASSISTANCE AWARDS

TWO STEP PROCESS

1

Questionnaire (see supplemental information)

- PI must complete a questionnaire on their own behalf and on behalf of all other UC participants (including at other campuses)
- The questionnaire is not required for subrecipients

Subawardee certifications are collected as part of the subaward process

2

Informed Participation Letter (see supplemental information)

KEY TAKE AWAYS: NASA CHINA RESTRICTIONS

Apply To:

- ✓ Activities described in the scope of work of a NASA award
- ✓ Bilateral activities with China, regardless of whether the activities are funded or unfunded

Do NOT:

- **Restrict individual involvement based on citizenship or nationality**
- Apply to multilateral projects
- Prohibit dissemination of data/results arising from a NASA project
- Disqualify us from using the Fundamental Research Exclusion under the export control regulations

Do NOT Apply to :

- × General scientific discussions
- × The purchase of commercial and non-developmental items, including the purchase of IT systems by the University under research awards (but other federal sponsor wide restrictions may apply)

NASA CHINA

RESTRICTION:

Supplemental Information

I certify that I will not enter or cause The Regents to enter into a bilateral contract or subcontract with The People's Republic of China (PRC), any company owned by the People's Republic of China or any company (including a Chinese university) incorporated under the laws of the People's Republic of China (including Hong Kong and Macau, but not Taiwan) to perform the scope of work of the NASA prime contract identified below, whether or not such contracts or subcontracts are funded by the NASA prime contract. (Vendor agreements for acquisition of commercial and non-developmental items are excluded from this certification.)

INFORMED PARTICIPATION LETTER:
CONTRACT

UCLA NASA Subaward Questionnaire

If the answer to any of the questions below is 'Yes' the participant will likely not be able to participate in the project. If the answer is no to all continue A-D

1. Is any Participant employed by the Chinese government or a Chinese owned company or university?
2. Does any non-student Participant receive salary support from the Chinese government or a Chinese owned company or university?
3. Does any non-student Participant receive any incidental financial compensation, such as housing or transportation, from the Chinese government or a Chinese owned company or university?
4. Does any Participant have a written agreement to become (or to return as) an employee of the Chinese government or a Chinese owned company or university?

If the answer to any of the questions below is Yes the participant is not necessarily excluded from participation but work with OCGA for additional analysis.

- A. Is any Participant enrolled at a Chinese university or does any Participant have a written agreement to become (or to return as) as a student of a Chinese university?
- B. If a Participant is a student, does such Participant receive any type of financial support (other than a scholarship) from the Chinese government or a Chinese owned company or university?
- C. Does any Participant receive research materials or any other type of goods from China or a Chinese owned company or university? (Do not include the purchase of commercial supplies needed to perform the NASA award scope of work.)
- D. Is any Participant co-authoring a paper with a person from China or a Chinese owned company or university that is the result of activity funded by NASA after April 2011?

I have completed the NASA Questionnaire for Assistance Awards on behalf of myself and all individuals performing any part of the scope of work of project identified below and have determined and hereby certify that :

Bilateral participation, collaboration, or coordination with The People's Republic of China (PRC), any company owned by the People's Republic of China or with any company (including a Chinese university) incorporated under the laws of the People's Republic of China (including Hong Kong and Macau, but not Taiwan) will not take place as part of the NASA scope of work for this award, whether or not such participation, collaboration, or coordination is funded by the NASA award.

Further, I certify that I will not enter or cause The Regents to enter into a bilateral subaward, memorandum of understanding, collaboration agreement, or any other type of written bilateral agreement with the PRC as defined above. (Vendor agreements for acquisition of commercial and non-developmental items are excluded from this certification.)

**INFORMED PARTICIPATION LETTER:
FINANCIAL ASSISTANCE**

DEPARTMENT OF ENERGY (DOE)
UPDATED SPECIAL TERMS &
CONDITIONS

DOE SPECIAL TERMS & CONDITIONS: FOREIGN NATIONALS

Applicable to Most Grants And Cooperative Agreements

Foreign National Participation (DOE)

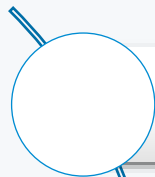
- Requirement that if UCLA and any subrecipients anticipate involving foreign nationals in the performance of the award we must provide DOE with specific information (volume and nature will be dependent upon the SOW) about each foreign national to ensure compliance with the requirements for foreign national participation.
- Approval from DOE for foreign nationals from countries of concern must be obtained **before** they can participate. Includes foreign nationals on all subawards.
- DOE may elect to deny a foreign nationals participation in the award.

UC Issues

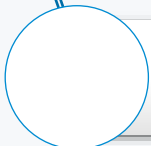
- UC does not restrict participation in research based on citizenship. If we need to provide information to DOE, **we must provide the same information at the same time for all employees participating in the project, not limited to foreign nationals.**
- If DOE determines someone cannot participate, depending on the circumstances, we may need to terminate the agreement.

DOE SPECIAL TERMS & CONDITIONS: C&P SUPPORT

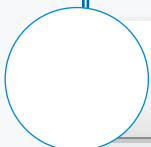
Applicable to Most Grants And Cooperative Agreements



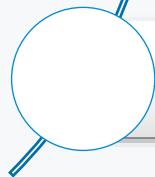
Any updates to previously submitted C&P disclosure statements require submission of an updated C&P disclosure statement **within thirty calendar days of the change.**



Must include all sources of support including **all gifts supporting a PI's research endeavors**



Must submit C&P disclosure statements and a CV or Biosketch for **any new PI and senior/key personnel at the recipient and subrecipient level**, added to the project funded under this Award **within thirty calendar days of the individual joining the project.**



Must ensure all PIs and senior/key personnel at the recipient and subrecipient level, are aware of the requirement to submit updated C&P disclosure statements to DOE

DOE SPECIAL TERMS & CONDITIONS: PARTICIPANTS

Applicable to Most Grants And Cooperative Agreements

Participants

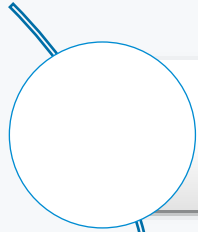
- If there are any changes in the information for **senior and key personnel** and **each person who has worked, or is expected to work, at least one person month (160 hours) per year** on the project, **regardless of the source of compensation**, UCLA must submit updated information within thirty calendar days after the end of the quarterly reporting period in which the change occurred

Information Required

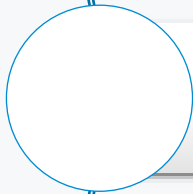
- i.Name
- ii.Organization
- iii.Job Title
- iv.Role in the project
- v.Start and end date (month and year) working on the project
- vi.State, U.S. territory, and/or country of residence
- vii.Whether this person collaborated with an individual or entity located in a foreign country in connection with the scope of this Award, and
- viii.If yes to vii, whether the person traveled to the foreign country as part of that collaboration, and, if so, where and what the duration of stay was.

DOE SPECIAL TERMS & CONDITIONS: FOREIGN COLLABORATIONS

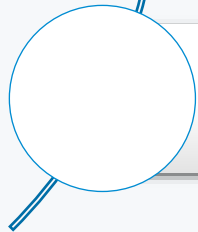
Applicable to Most Grants And Cooperative Agreements



We must identify all foreign collaborators and for each, provide name, UEI, zip code or latitude/longitude, role in the project, contribution to the project and start and end date.




We must provide DOE with advanced written notification of any potential collaboration with foreign entities, organizations or governments in connection with its DOE-funded award scope



We must await further guidance from DOE prior to contacting the proposed foreign entity, organization or government regarding the potential collaboration or negotiating the terms of any potential agreement.

DOE SPECIAL TERMS & CONDITIONS: **TRANSPARENCY OF FOREIGN CONNECTIONS**

Applicable to Most Grants And Cooperative Agreements



Requirement to report **within 15 days**: Any changes to the recipient or the subrecipients board of directors, including additions to the number of directors, the identity of new directors, as well as each new director's citizenship, shareholder affiliation (if applicable); each notification shall include a complete up-to-date list of all directors (and board observers), including their full name, citizenship and shareholder affiliation, date of appointment, duration of term, as well as a description of observer rights as applicable.

Several additional reporting requirements related to UCLA and subrecipients interactions or involvement with countries of risk

While these terms maybe especially challenging for for-profit subrecipients, UCLA cannot negotiate out these, or any of the other special T&C, in subawards

DOE SPECIAL TERMS & CONDITIONS: CONSIDERATIONS

Applicable to Most Grants And Cooperative Agreements

There is little to no room for negotiation on any of the special terms and conditions



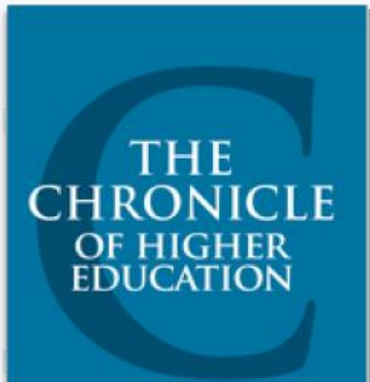
Depending on the size, scope and potential volume of participants and / or type of subawardees and collaborators that will be involved with the project – including in an unfunded capacity – there could be **significant additional administrative effort and potential risk** to managing these projects



Budget and plan accordingly

LATE REPORTS

**FEDERAL AGENCIES ARE TAKING
THIS VERY SERIOUSLY**



One Scientist Neglected His Grant Reports. Now U.S. Agencies Are Withholding Grants for an Entire University.

By [Francie Diep](#) APRIL 10, 2024

The National Institutes of Health, the Office of Naval Research, and the U.S. Army are withholding all of their grants from the University of California at San Diego because one scientist failed to turn in required final reports for two of his grants, according to a message sent to the campus community on Tuesday.

“This action is the result of one Principal Investigator’s extended non-submission of final technical reports for two awards,” Corinne Peek-Asa, vice chancellor for research and innovation, wrote in the message. “If you are a PI receiving a new or continuing award from one of these agencies, you will receive a notice that the award will be delayed.”

UPCOMING OCGA MONTHLY TRAINING

[Register for each session individually](#)

Submitting a Proposal for OCGA Review

April 17, 2024

NSF Research.gov

May 15, 2024

Preparing an NIH Multiple Component/Project
Application NIH ASSIST

July 17, 2024

Award Processing

August 21, 2024

S2S Grants Basics

September 18, 2024

Completing the EPASS

October 16, 2024

Electronic EPASS System

October 23, 2024

Post-Submission Requirements

November 20, 2024