UNIFORM GUIDANCE - FAQs

• Issued 30 pages on 8/29/14
• Utilized some material provided by COGR
• Clarified timing and some other issues
• More detail needed in some areas
• Webcast planned for 10/2/14
APPLICABILITY

“The new rules apply as of the Federal award date (see 200.39) to new awards and, for agencies that consider incremental funding actions on previously made awards to be opportunities to change award terms and conditions, the first funding increment issued on or after 12/26/14.”
FUND SET-UP

“For agency incremental funding actions that are subject to the Uniform Guidance, non-Federal entities are not obligated to segregate or otherwise track old funds and new funds but may do so at their discretion.”
MUST VS. SHOULD

Q: According to auditing standards, "should" really means "must unless there is a well-documented reason why not".

A: No. The word “must” is used throughout part 200 to indicate requirements. The word “should” is used to indicate best practices or recommended approaches that the COFAR wanted non-Federal entities to be aware of, but not necessarily required to comply with.
PROCUREMENT

• Grace period for implementation

• On/before 7/1/2016 for WUSTL

• FDP Workgroup will collect stats and plan to work with OMB

• See Fiscal 2014 stats
Procurement “Claw” (Sections 200.317-326)

1. Micro-Purchases
2. Small Purchases
3. Sealed Bids
4. Competitive Proposals
5. Sole Source

General Standards:
A. Documented Policies
B. Necessary
C. Full & Open Competition
D. Conflict of Interest
E. Documentation
   i. Cost & Price Analysis
   ii. Vendor Selection
Procurement “Claw” (Section 200.320)

1. Micro Purchases
   - Up to $150K
   - Rate quotations
   - No cost or price analysis
   - $3K
   - No quotations
   - Equitable distributions

2. Small Purchases
   - > $150K
   - Construction projects
   - Price is a major factor

3. Sealed Bids
   - > $150K
   - Fixed price or cost reimbursement
   - RFP with evaluation methods

4. Competitive Proposals
   - > $150K
   - Fixed price or cost reimbursement
   - RFP with evaluation methods

5. Sole Source
   - Unique
   - Public emergency
   - Authorized by agency (or PTE)
   - No competition
A: Yes, the requirements for competition apply to broader procurement decisions. Section 200.318 General Procurement Standards paragraphs (d) and (e) explicitly encourage non-Federal entities to build into their procurement policies practices that consolidate procurements where appropriate to make most efficient use of Federal funds.
OMB / COFAR – OPEN ITEMS

- Will issue “technical corrections”
- Terminal leave not resolved
- Vendor purchases >$25K, not addressed
- Codify/reference FAQs
- “Same Same, But Different”
KEEP CALM AND UNDERSTAND THE RULES
December 2013: Uniform Guidance Published

January-April 2014: Training Webcasts, Publish 2014 Single Audit Compliance Supplement

June 2014: Agencies Submit Draft Rules to OMB, Continued Outreach on Implementation

December 2014: Final Guidance Effective, Baseline Metrics Collected, Case Studies of Best Practices Published

Fall 2014: Metrics, Additional FAQs and Webcast
QUESTIONS?

JOE GINDHART – SPONSORED PROJECTS ACCOUNTING
314-935-7089
JGINDHART@WUSTL.EDU