



Congratulations!

FY2004 Competition
PROJECT KICKOFF
MEETING

Date of Kickoff goes here

Company(ies) Name(s) go here
Award Number 70NANBxxxxxx



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Project Management Team (PMT)

Project Manager

Name

Phone Number

Email address

Business Specialist or Technical Specialist

Name

Phone Number

Email address

Grants/Cooperative Agreement Specialist

Name

Phone Number

Email address



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Today's Goals

- Meet team and establish communications
- Discuss key factors for success
 - ATP project management process
 - Grants processes and requirements
 - Project plans and objectives
 - Year 1 technical milestones
 - Commercialization plans and business goals
- Understand how ATP project fits with long-term goals of company



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ATP's Comments

- **Background**
 - NIST and ATP: who we are
 - Understanding ATP's perspective
 - Intellectual property
 - FY2004 competition status and results to date
- **Establishing Expectations**
 - Project management and planning
 - Managing change
 - Reporting requirements
 - Human and animal subjects research
 - Closeout procedures



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NIST's Mission ...

Develop and promote measurement, standards, and technology to enhance productivity, facilitate trade, and improve the quality of life.



NIST assets include:

- \$771 million FY 2004 operating budget
- 3,000 employees
- 1,800 associates
- **NIST laboratories:** National measurement standards
- **Advanced Technology Program:** \$2,269 million co-funding with industry since 1990
- **Manufacturing Extension Partnership:** 400 centers nationwide to help small manufacturers
- **Baldrige National Quality Award**



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ATP's Mission

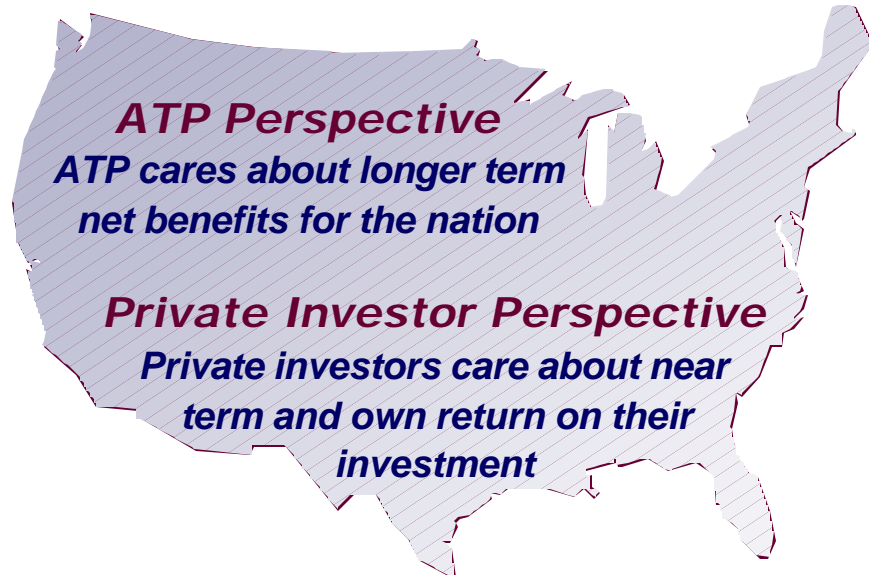
*To accelerate the development of
innovative technologies for
broad national benefit through
partnerships with the private sector.*



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National Economic Benefits



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Two Major Criteria

- Scientific and Technological Merit (**50%**)
 - Technical innovation
 - High technical risk with evidence of feasibility
 - Detailed technical plan
- Potential for Broad-Based Economic Benefits (**50%**)
 - National economic benefits
 - Need for ATP funding
 - Pathway to economic benefits



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Intellectual Property: Protection

- ATP protects your intellectual property
- Proprietary technical and business reports/information is exempt from FOIA
- Mark **all** documents “proprietary”
- E-mail may not be secure



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Intellectual Property Provisions

- U.S. for-profits may retain title to inventions
- Companies may license inventions
- Universities/non-profits:
 - may receive royalties
 - cannot own title
 - cannot be granted exclusive license to inventions
- Any recipient may hold copyright or trademark
- Government reserves right to paid up, royalty-free non-exclusive license for government use
 - not exercised to date



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Since 1990 ...

- Since 1990, 44 competitions
 - 6,924 proposals, \$14,708 M requested from ATP
- 768 projects awarded
 - 1,511 participants with an equal number of subcontractors
- 218 joint ventures and 550 single applicants
- \$4,371 M of high-risk research funded
 - ATP Share = \$2,269 M
 - Industry Share = \$2,102 M



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Since 1990 ... (cont'd)

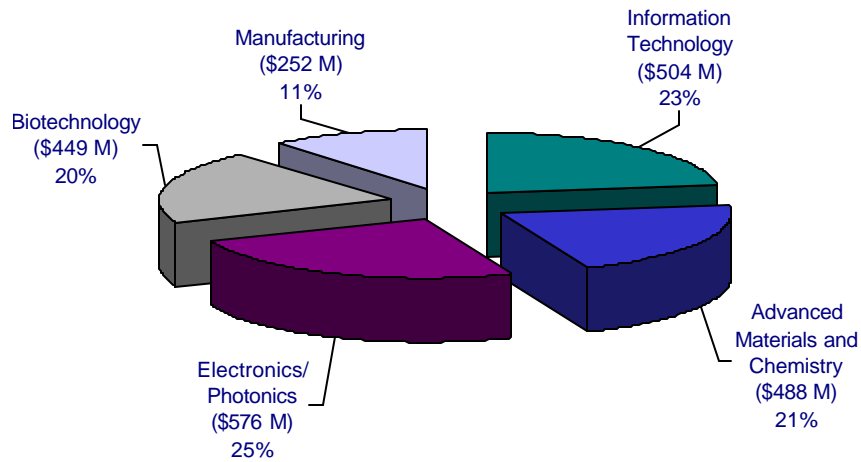
- Small businesses are thriving
 - 66% of projects led by small businesses
 - 443 single company applicants, 75 joint ventures
 - \$1,202 M in ATP funding
- Over 170 universities represented
 - >649 participation instances, ~\$201 M received
- 30 national laboratories participate
- Over 1,171 patents



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768 ATP Awards by Technology Area (As a Percent of \$2,269 M Awarded)



Forty Four Competitions (1990 – September 2004)



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FY2004 Competition Results (Announced September 2004)

- 870 proposals submitted
- 32 awards
 - 7 joint ventures
 - 25 single companies
 - \$137 M total funding
 - \$ 80 M ATP funds
 - \$ 57 M industry cost share
 - \$2.5 M average award size



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ATP's Comments

- Getting Started
 - NIST and ATP: who we are
 - Understanding ATP's perspective
 - Intellectual property
 - FY2004 competition status and results to date
- **Establishing Expectations**
 - Project management and planning
 - Managing change
 - Reporting requirements
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 - Closeout procedures



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Project Management and Planning



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Project Management Objectives

- Maintain fidelity to original proposal and cooperative agreement governing the award
- Continued fidelity of project to its original merit against ATP selection criteria
- Monitor progress through reports and other communications
- Monitor technological and business environments
- Company makes all business decisions



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ATP Project Management Team Roles

- Project Manager
 - Provides general oversight and PM functions
 - Ensures that the project is executed in accordance with the proposal and the award
 - Recommends appropriate actions to NIST Grants Officer
 - Reviews technical reports and progress against milestones
- Business Specialist
 - Reviews business and commercialization issues
 - Follows diffusion strategy of results beyond commercialization path
- NIST Grants/Cooperative Agreement Specialist
 - Performs cooperative agreement administration
 - Issues final prior approval for changes (Grants Officer)



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Recipient Project Team

- Needs to be well integrated team
- Ensures technical and business personnel work together to accomplish long term commercialization goals
- PI must be familiar with terms and conditions of award, not just the contract administrator



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Project Management Tools

- Site visits
 - Kickoff, annual, and close-out meetings
 - Additional meetings, as needed or requested
- Technical and business reports
- Audits
- Open communications
 - phone, email, etc.
- Long-term evaluation



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Project Milestones

- Essential element for measuring progress:
 - Define qualitatively and quantitatively what it means to overcome technical barriers
 - Integrate efforts of project tasks
 - Advance state of the technology
 - Describe project's achievements
 - Provide foundation for reporting project activities and accomplishments



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Project Milestones (cont'd)

- How ATP uses milestones:
 - Encapsulates scope and merit of original goals
 - Helps in assessment and comparison of alternative pathways
 - Supports flexibility in project by defining critical project decision points
 - Provides foundation for decision point analysis



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Annual Meetings

- Comparison of previous year's accomplishments to milestones
- Comparison of budget vs. progress
- Problems/challenges/opportunities
- Review of technology in light of domestic and global advances in technology and market changes
- Commercialization and market developments
- Establish and achieve mutual understanding of technical milestones and business plans for upcoming year



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Project Continuations

- Timeline
 - Obligation of next year's funds
 - can occur 1 - 2 quarters before continuation date
 - Authorization to spend next year's funds
 - close to actual continuation date
- Requires
 - Prompt submission of complete technical and business reports, and budget changes
 - Approval of revision of any project elements that may change (i.e., tasks, budget)



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Managing Change



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Change Happens!

- Change is to be expected in conducting innovative, high risk research
- Keep ATP Project Manager and Grants Specialist informed of possible changes
- ATP encourages change that strengthens the project against the ATP selection criteria and makes project success more likely, without unduly diminishing technical risk



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What Kind of Change Matters and Why Does Reporting it Matter?

- Any change in the project that can significantly impact the relationship between the project and ATP's criteria and/or the terms and conditions of the award
- Costs may be disallowed if prior written approval is not obtained
- Eligibility may be affected
- Recipient proceeds "*at your own risk*" prior to approval



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We Need to Talk When a Change Could Impact...

- Milestones, decision points, plans, and task timeline
- Risk profile (increases/decreases too much)
- Commercialization plan and national economic benefits
- Budget
- Human and/or animal subjects protocols
- Changes to joint venture participants
- Company ownership, control, or name



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Change in Name or Ownership

- Report any change in name or ownership to your Grants Specialist in writing within 15 days after the change becomes legally effective
- Grants Specialist will provide samples of documents needed
- If you are no longer majority U.S.-owned or controlled, a foreign eligibility finding will be required by ATP
- Refer to “ATP Eligibility Criteria for U.S. Subsidiaries of Foreign-Owned Companies: Legislation, Implementation, and Results”

www.atp.nist.gov/eao/ir-6099contents.htm



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Written Prior Approval Required for...

- Change in technical plan/tasks/approach from approved proposal
- Transfer of funds among direct cost categories >10% of total annual approved budget
- Key personnel changes
- Sole source subcontracts over \$100K
- Addition, withdrawal, or substitution of:
 - Subcontractors
 - Joint venture participants
- Change in organizational structure, mergers, acquisitions, new foreign ownership or control, bankruptcy protection
- Changes to JV agreements
- Name change
- Involvement of human and/or animal subjects



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Managing Change

- Identify potential or actual change and notify ATP and the NIST Grants Specialist early and in writing
- Pursue consistent and auditable decision making
 - simplifies project audits re: prior approval/appropriateness
 - protects award recipient from being at risk for costs
 - maintains peer-reviewed merit of projects
 - enables ATP to correctly track all project benefits
- Change should result in a project that is equivalent or stronger against ATP's criteria



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Reporting Requirements



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Reporting During Award

- Technical Reports
 - Quarterly reports
 - Final technical report
- Financial Reports
- Formatted Business Reports



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Reports Are Used for ...

- Project monitoring
- Continuations
- Documenting project changes
- Short- and long-term evaluation



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Quarterly Technical Report

- Due within 30 days after end of each calendar quarter
 - reports due NLT: April 30, July 31, October 31, January 31
 - reporting periods: Jan - Mar, Apr - June, Jul - Sept and Oct - Dec
- Prepared by PI with input from R&D team
- Submit original report to Grants Specialist
- Submit two copies of report to ATP Project Manager
 - ATP PM will make further distribution to ATP Business Specialist
- Last quarterly report due 30 days following award end date



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Technical Report Content

- Executive Summary
 - Brief statement of project and its end objectives
 - Significant accomplishments during reporting quarter
 - Perspective on status of project in terms of final technical and business objectives
- Project Objectives
- Project Baseline
 - Assess technology at start of project to current state of art
 - Status of technology at large; within team
 - Allows for future assessment of project progress
- Technical Milestones
 - Key remaining ones for the year



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Technical Report Content (cont'd)

- Technical progress and impact
 - Report against milestones and metrics
 - Technical findings in reporting quarter and implications for future progress
 - Gantt chart helpful
 - Identify work and progress of each participant (including subcontractors)
- Problems or opportunities
- Potential project changes (technical or business)
- Highlight any business developments of interest
 - Include this info in business quarterly short-form report



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Business Reports

- ATP's Economic Assessment Office (EAO) notifies recipient of business reporting requirements
- EAO explains on-line reporting system
- Each recipient receives a company-specific password for on-line submission



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Business Reports (cont'd)

- EAO sends formatted reports to recipients to complete on-line, including:
 - Baseline report
 - Anniversary reports
 - Quarterly short-form reports
 - Close-out report
 - Post-project reports (currently telephone survey)



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Business Reporting On-line: Baseline, Anniversary, Closeout

- ATP recipients file following reports on-line via ATP web-based system
 - Baseline reports
 - due within 30 days after end of first calendar quarter
 - Anniversary reports
 - due within 30 days after the end of anniversary quarter
 - Closeout reports
 - due within 90 days after project end



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Business Reporting: Quarterly Short-Form Reports

- One page document
 - due 30 days after 2nd, 3rd and 4th calendar quarters
 - submit by hard copy, fax, or email
- Recipient will review and update organization, address, telephone, and contact information
- Recipient will report significant business developments occurring during quarter



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Business Report Content

- General company information
- Business goals and objectives
- Target application areas
- Commercialization strategies
- Collaboration experiences and activities
- Strategies for IP protection and diffusion
- Progress towards commercialization
- Short- and long-term economic impacts



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Business Report Content (cont'd)

- Update on competitive factors
 - Company's position relative to major competitors
 - Current status of the technology (for project baselining)
 - Major cost and/or performance drivers
 - Project fit within company's strategic vision
- Future investment plans



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Summary of ATP Business Reporting System

Key: =web =Telephone

- Brevity is built in
- Confidential-participant level of information
- Comprehensive

Reporting Schedule

Baseline Quarterly Annual Close-out Post Project

• Business Plans –Identification of applications –Strategies for commercialization, protection of IP, and dissemination of non-proprietary information				
• Significant business developments				
• Update of business plan and progress – Products, processes, and licensing activity				?
• Collaboration experiences				?
• Attraction of new funding				?
• New IP				?
• Technology diffusion				?
• Company financial data				?
• Next 5 years – Technical & Business Goals				
• Effects outside your organization				?



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Human and Animal Subjects Research



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General Information

- Carefully read the ATP publication entitled
***“Guidelines and Documentation
Requirements for Research Involving
Human and Animal Subjects”***

www.atp.nist.gov/atp/kit-04/has_guide/contents.htm

- To request copy, call 1-800-ATP-FUND



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Human Subjects Research Examples

- **Bodily materials** such as cells, blood, urine, tissues, hair, organs, even if you did not collect the materials
- **Humans to test research output** such as products, software usability, human-machine interfaces or materials
- **Data collected** through intervention or interaction with individuals, including data from voice, video, digital or image recordings made for research purposes
- **Private information or data** that can be readily identified with an individual, including genetic information, medical records, worker surveillance studies, even if you did not collect the information
- **Human studies** involving categories or classes of subjects such as certain types of workers in an organization



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Human Subjects Regulations

- NIST requires full compliance with all Presidential Orders, Federal guidelines, regulations and policies
- Human Subject Protection regulations for DOC are found at **15 CFR Part 27**
- Regulations for the protected classes are found at **45 CFR 46 Subpart B, C and D**



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Human Subjects Approvals

- All research involving human subjects must be approved by NIST prior to beginning
- All non-exempt research must be reviewed and approved by an Institutional Review Board (IRB)



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Human Subjects Exemptions

- NIST may grant exemptions for research involving human subjects
- Exemptions typically fall into three categories:
 - Normal educational practices in an established or commonly accepted educational setting
 - 15 CFR 27.101(b)(1)
 - Surveys, interviews, observation of **public behaviors** (unless people can be identified *and* information disclosure poses risk to the individual)
 - 15 CFR 27.101(b)(2)
 - **Pre-Existing** sources of data or specimens (if publicly available or subjects are not identifiable)
 - 15 CFR 27.101(b)(4)



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Human Subjects Non-exempt Research

- NIST is required to review requests for non-exempt research prior to beginning use of human subjects
- An Institutional Review Board (IRB) must review and approve research
 - NIST IRB cannot perform review
 - NIST cannot provide or recommend IRB services
- The IRB reviewing the research must have an assurance on file with OHRP
 - Multiple Project Assurance (MPA)
 - Federal-wide Assurance (FWA)



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Human Subjects Deferred

- Previously deferred research involving human subjects is allowed to begin only after NIST has reviewed and approved the research
- Depending on the type of research, follow the guidelines and documentation requirements



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Animal Subjects Assurances/Certifications

- Each institution housing and caring for live animals must have and maintain at least one of the following:
 - USDA Certification
 - Animal Welfare Assurance (OLAW/AWA)
 - AAALAC Accreditation



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Animal Subjects Approvals

- All Animal Study Protocols (ASP's) must have IACUC review and approval prior to beginning research involving animals
- A copy of the approved ASP, the IACUC approval letter and assurance/certification documentation must be submitted to ATP and approved by NIST in advance of using live animals



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Human and Animal Subjects Modifications

- Notify ATP well in advance if changes are made to your project that involves the use of human or animal subjects
- Contact Human and Animal Subjects Advisor at (301) 975-8779 with any questions



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Closeout Procedures



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Closeout Meeting

- Closeout meeting held within last 30 days of award end date
 - if 30 days before, can be charged to project
 - if 30 days after, cannot be charged to project
- Review requirements for completing closeout
- Recipient project team and ATP PMT meet to review entire ATP project
- Recipient project team compares technical accomplishments against milestones
- Discuss any technical activities or remaining barriers for project success
- Discuss current business activities and keys to move project through to commercialization



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Final Technical Performance Report

- Due within 90 days following award end date
- Summarize work performed during entire ATP project
- Discuss technical barriers overcome and milestones achieved
- Discuss plans to achieve any remaining technical milestones
- Review commercialization plans and partnering activities

*Last quarterly technical report
is not the same as the
final technical performance report!*



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Final Business Report

- Due **within 90 days** after project completion
- Document business achievements during project award and discuss future plans for commercialization
- File on-line via ATP web-based business reporting system



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Special Economic Studies

- Recipient to participate in a telephone interview to update commercialization activities and other impacts of project
 - Every 2 years for a total of 6 years beyond project completion
- Recipient may be asked to participate in studies conducted through ATP's EAO to:
 - Evaluate success of ATP in achieving its goal of assisting U.S. businesses in technological development to promote U.S. economic growth



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NIST Grants Information



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NIST Grants and Agreements Management Division (GAMD) Administrative Highlights for a Single Recipient

Name, Grants Specialist

National Institute of Standards and Technology

Grants and Agreements Management Division

100 Bureau Drive, Stop 3580

Building 411, Room A-143

Gaithersburg, MD 20899-3580

Phone number

Fax number

Email address



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NIST GAMD

- **Division Head**
Angela McNerney

- **Grants Officer**
Marilyn Goldstein
 - ATP Awards

- **Grants Officer**
Shamim Shaikh
 - Audit Resolution
 - Policy and Procedures



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Grants Officer's Core Responsibilities

- Issue and Administer Cooperative Agreements
- Issue Amendments
 - Continuations
 - No-cost extensions
 - Key personnel changes
 - financial officer, administrator, principle investigator and/or project manager
 - Revised technical plans
 - Revised budgets, etc.
 - Approve revisions to joint ventures
 - Authorize human and animal subject research



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Grants Officer's Core Responsibilities (cont'd)

- Monitor Recipient Compliance with award terms & conditions
- Only Grants Officer Binds the Government and Approves Changes to the Award



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Recipient Responsibilities

- Adhere to Terms and Conditions, Related Award Regulations, and Order of Precedence
 - Special Award Conditions (SACs)
 - ATP General Terms & Conditions
 - DoC Financial Assistance Standard Terms and Conditions
 - 15 CFR Part 14
 - Cost Principles
 - ATP Program-Specific Audit Guidelines



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Recipient Responsibilities (cont'd)

- Written Prior Approval Requirements needed for:
 - Change in technical plan/tasks/approach from approved proposal
 - Transfer of funds among direct cost categories >10% of total annual approved budget
 - Key personnel changes
 - Sole source subcontracts over \$100K
 - Addition, withdrawal, or substitution of:
 - Subcontractors
 - Joint venture participants
 - Change in organizational structure, mergers, acquisitions, new foreign ownership or control, bankruptcy protection
 - Changes to JV agreements
 - Name change
 - Involvement of human and/or animal subjects



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Recipient Responsibilities (cont'd)

- Report Intellectual Property
- Report Changes in Use of Equipment
- Timely Submission of:
 - Quarterly technical, business and financial reports
 - Final technical, business and financial reports
 - Final patent reports
 - Final equipment inventory
 - Audits



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Recipient Responsibilities (cont'd)

- Standards for Financial Management
 - Time tracking system
 - employee time records
 - cost center(s) for project



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Recipient Responsibilities (cont'd)

- Procurement Standards
 - Written procedures
 - Competitive procurements
 - Sole source justification
 - Document each procurement or contract
- Keep all Records for Audit Purposes



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Recipient Responsibilities (cont'd)

- Budgets
 - Review costs at end of each budget period
 - Submit revised line item budget and budget narrative (Budget Data)
 - Conduct audit using approved budget



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Recipient Responsibilities (cont'd)

- Audits
 - Frequency based upon length of project
 - Who gets audited?
 - recipient
 - R&D subcontracts > \$300K over entire award



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Recipient Responsibilities (cont'd)

- **Responsibilities of Administrator**
 - **Central Point of Contact**
 - **Request prior approval for changes**
 - **Administer** budget revisions, 10% rule, continuations
 - **Withdraw funds using ASAP**
 - **Submit** accounting certifications, as appropriate
 - **Submit** timely audits
 - **Ensure** cost-share is met, if applicable
 - **Resolve** special award contingencies in timely manner, if applicable
 - **Submit** close-out documentation



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Common Audit Problems

- Inadequate documentation
- Failure to obtain prior approval at all, or starting action before approval is obtained
- Late notice of changes
- Activities outside scope of work
- Varying interpretation of rules
- Lack of written policies and procedures in accordance with 15 CFR 14.21 (financial management system)



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Common Audit Problems (cont'd)

- Estimated costs billed vs. actual
- Issues with valuation of in-kind cost-sharing
- Lack of proper accounting for equipment and depreciation
- Lack of timely reporting
- Failure to comply with award terms and conditions
- Indirect costs (estimates vs. actual)
- Labor cost estimates/average vs. actual



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How to Avoid Audit Problems

- Be familiar with applicable cost principles
- Be familiar with ATP Proposal Preparation Kit
- Be familiar with award terms and conditions
- Expend funds in accordance with approved budget
- Seek written prior approval, when necessary
- Account and report for actual project expenses



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How to Avoid Audit Problems (cont'd)

- Maintain required documentation
- ATP project managers make recommendations to Grants Officer
- Grants Officer is the only Authorizing Official
- Avoid last minute budget changes
- Obtain independent CPA advice
- Prepare financial statement in accordance with GAAP



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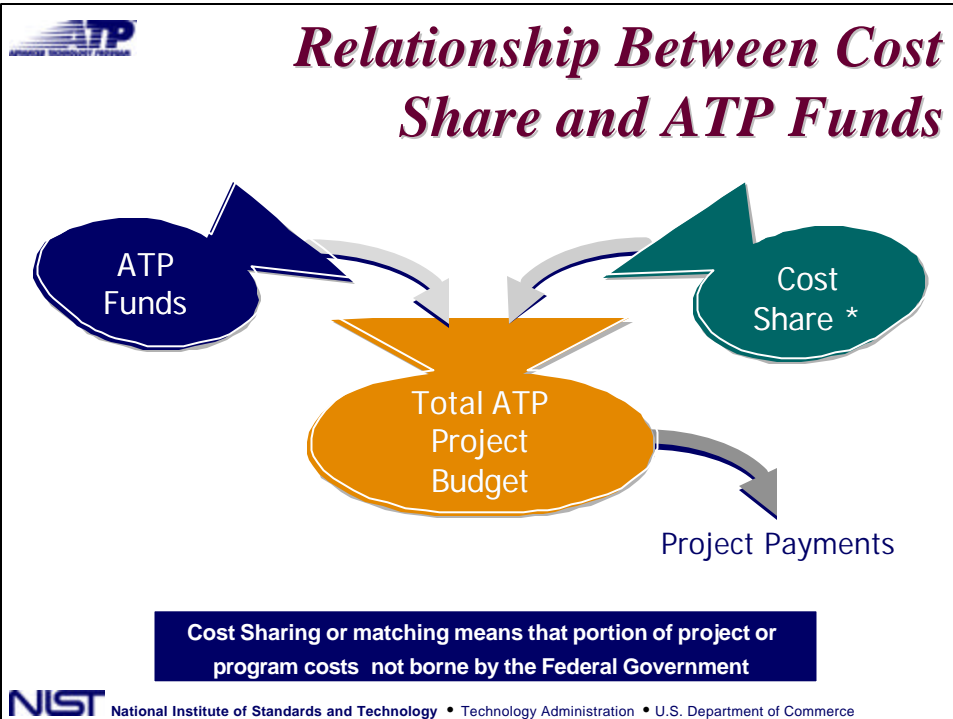


Grants/Cooperative Agreements (An Honors Process)

- Most recipients accomplish project goals with no problems
- Most problems are honest mistakes
- Non-intentional or intentional wrong-doing is discovered
- Enforcement
 - 15 CFR 14.61 and 15 CFR 14.62
 - 15 CFR 24.43 and 15 CFR 24.44



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-
- ATP**
ADVANCED TECHNOLOGY PROGRAM
- ## Method of Payment to Recipient
- Withdrawals through ASAP to meet immediate needs
 - *note:* name change will affect ASAP withdrawals if name change amendment is not issued
 - Financial Reports
 - SF-269 submitted on calendar quarter
 - SF-272 submitted to reconcile advanced funds in accordance with 15 CFR 14.52
- NIST** National Institute of Standards and Technology • Technology Administration • U.S. Department of Commerce