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URIC Administrative Meeting December 18, 2020

Agenda December 18, 2020

TIME	ΤΟΡΙϹ	PRESENTER
9:00 – 9:10	Introduction & Overview	Joe Boes
9:10 – 9:30	OSR: Troublesome Clauses	Kirk Samson
9:30 – 9:40	Sponsored Research and URICs	Joe Boes
9:40 - 9:50	Corporate Card Policies and Processes Review	Alexandra Manetas
9:50 - 10:00	Budget/Finance and URICs	Joe Boes

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Introduction & Overview

- Today's Agenda
- Extra Days from President, "POD" in Kronos
- Quarterly Projections Thank you!
- Year-end Reports
 - Proposals & Awards; Revenue Sources; Operations Evaluation
- PAC forms URIC staff role important to maximize submission quality

Troublesome Clauses for Universities Kirk Samson Senior Contract & Grant Officer Sponsored Research

Troublesome Clauses

Background

- •Unless a *gift*, all funding comes with terms and conditions (T&Cs)
- Some T&Cs are particularly challenging because Northwestern is
 1. academic (business needs versus research freedom)
 2. non-profit (financial aspects and risk)
- Working with commercial partners can be difficult because they are used to working with 'vendors' with very different expectations and requirements.





Troublesome Clauses

Intellectual Property (IP): proprietary data & publication

- As an academic institution, Northwestern's primary purpose is to conduct and disseminate research:
 - Ownership: (per INVO) we always* maintain the right to inventions and IP developed in a research project, but offer a license to the sponsor for their use.
 - We don't do 'work for hire'
 - Publication review period is acceptable, but requiring *approval* is not.
 - To take out confidential information and allow for the filing of patents / IP protection
- Liability and Indemnification:
 - Commercial partners are going to use and commercialize the research results so they need to accept the risk (and costs) of things going wrong.
 - Northwestern, as a non-profit, does not have the economic wherewithal to shoulder this burden. We require that we be held harmless.

Trends in government oversight (overreach?)

Foreign Nationals, Export Control and Foreign Talent Programs T&Cs:

- Increasing scrutiny, particularly with certain sponsors (DOE, DARPA, NIH)
- Can conflict with "Fundamental Research" exclusion
 - We require an exception letter from the gov't CO (on letterhead) if certain clauses appear.
- Cybersecurity / NIST: friendly reminder we don't do anything classified. Even for CUI/sensitive, though, we have some issues with training and security requirements.
- Highly recommend the use of our NU template for gov't subcontracts! If you don't have that, let me know and I will provide.

Impact and Action

Impact

- Problematic terms will likely require time-intensive negotiation, but we can't 'jump' these agreements up to the front of the line.
- If unable to negotiate T&Cs out, Northwestern will not accept absent a exception to policy – these can go up to Milan / VPR.
- Delays in award review and set-up, increased burden on research administration in all areas
 - May require INVO, OGC, OR leadership involvement.

<u>Action – how you can help</u>

- Be aware of main issues, understand why they are relevant to the university and that our position is to protect all research and researchers
- Highlight to OSR when troublesome T&Cs are found
- Flag for faculty members ASAP to manage expectations.
- Highlight problematic T&Cs early we can provide some productive negotiations tools and supportive commentary (especially true of the non-profit issue!).

Resources

Sponsored research team:

<u>https://osr.northwestern.edu/agreements/</u>





<u>UIDP – Researcher Guidebook:</u>



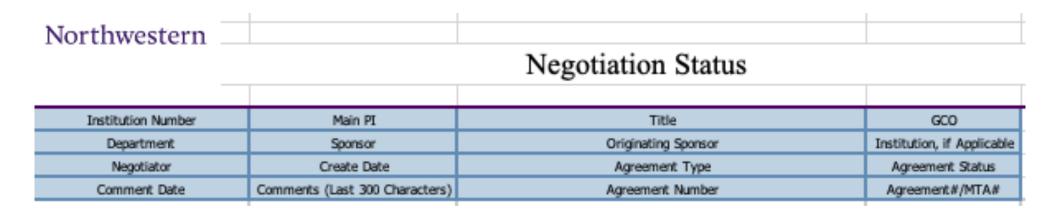
 <u>https://www.uidp.org/wp-</u> content/uploads/documents/Researcher-Guidebook.pdf

Sponsored Research and URICs

Award Set-up

Standard Expectations

- Goal is for total "with department" time to be less than 5-business days
- Check negotiation status with Cognos report (GM055)
 - OSR expectation is that GOs will track and utilize
- For unique situations, remember and SP record in InfoEd is essential
 - Note, if this needs to involve URICA, lead time is critical
- Award set-up for URICA units is point of transition



Award Set-up, Continued

Terms and Conditions Impact

- Inclusion of any of the "Troublesome Terms" can cause significant delays
 - If you see troublesome term, highlight to OSR early to get it in queue (will get referred on as needed)
- Require additional technical expertise and review
 - IP language: INVO
 - Other terms: Contract Officer
- If does not meet standard OSR parameters, have to defer to Risk Management

Pre-Spending

Track	ct Information ng #:					
CR00	15399					
Linke	i Proposal					Add New
Spons	or Award # :					
Reque	st Creator:		Boes, Jos	eph M		
	is the status of your project?				 	
	The award has not yet been The award has been receive The end date of my award is	d but I need an e	arlier start	date	-	

Three Relevant project status to select from:

- <u>New</u>, and need to start
 - Risky, depending on terms
- **<u>Received</u>**, but start earlier
 - Needs pre-spend authority... not always allowed
- <u>Continuation</u> of award, but pre-spend next period
 - Low risk if within existing budget
 - Think ahead on these to request early to avoid payroll issues
 - Think in conjunction with extensions, if not automatic

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Prespending

Pre-Spending

Responsibility:

- If NU cannot accept terms, or if award fails to be received for any reason, unit is responsible
- OSR or other offices are not responsible for any expenses if agreement cannot be reached
- For URICs, responsibility is local we do not have any central budget to cover
 - Pre-spending can be very helpful, but weigh the risk
 - Always happy to discuss strategy and situations with URICs

Guarantee chart strings:

- Need to truly be able to provide support to dollar amount
- URIC operating should not be utilized, unless discussed with (and approved by) URICA

Terms Unknown:

- Foreign Nationals (particularly DOE) terms can cause some pre-spend costs to be invalidated
- Need to carefully evaluate if terms are not yet clear

Link to all Change Request job Aids

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Corporate Card Policies and Processes Review

Corporate Card Process

- Please inform Joe Boes and/or Alexandra Manetas when intending to request a new card or make changes to your current card.
- Complete the <u>Northwestern Corporate Card Application and Agreement</u> <u>Form</u> (URL) to the Corporate Card office to request a new card or make changes to current card.
- Reminder: Cardholder is the only approved individual who can make purchases with card. Proxies cannot make purchases for cardholder.

Corporate Card Reconciliation

- All transactions should be reconciled on an expense report in NUFinancials and approved within 30 days after the transaction occurs.
- Cardholders who have unreconciled transactions in My Wallet for more than 90 days will have their account suspended until the transactions are reconciled on an expense report.
- Cardholders who either transfer to a new department or leave the University should cease use of the card, notify the Corporate Card office, and return the card. Cardholders need to make sure all outstanding transaction are reconciled on an expense report and approved before leaving.
- <u>https://www.northwestern.edu/procurement/payment/corporate-</u> card/docs/cardholder-guide.pdf

Budget/Finance and URICs

Overview

FY21:

- This year will review and track FY21 (Projections)
- We will start looking forward to FY22 needs

Reminder

- Mid-year changes challenging, planning highly encouraged
 - Funding Request from OR: rarely, if ever, possible mid-year, needs to come via Annual Report
 - Management Budget Changes: typically, will just watch the variance (and URICA/OR should know if significant variance), rarely will changes be made to budget unless major size <u>and</u> includes revenue source alongside expense

Budget Calendar: Office for Research (link – to PDF)

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13	14	15	16	17	18	19		11	12	13	14	15	16	17		15	16	17	18	19	20	21
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OBP Deadlines



Forecast and Current Resource Request Due to OBP

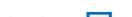
Resource Request for Operating & Capital

Review Forecast Variance with OBP

Deadlines Internal to OR

FY21 Forecast to OR Finance

FY22 Major requests - Res Admin & Faculty Support FY22 Major requests - URIC to OR Finance



FY22 Resource Request to OBP -Operating & Capital

Prior month financial info available

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FY21 Projections

<u>Anytime</u>

 Keep in mind if any major budget shifts get identified, notify URICA, don't wait for next quarterly projection if major/\$50k+

1Q in December

• Thank you, important to catch major early variances at this time

2Q in March

- Increasingly accurate, coordinating with Core Facilities Admin this year
 - May mean a request for core-level (disaggregated)
- First baseline for Annual Report carryforward balances anticipated
 - If deviate from this significantly be sure to provide context for Annual Report
 - Changes are fine, just want to track and align consistently
 - Update then should also track to 3Q projection then if updated for Annual Report

<u>3Q in June</u>

- Should be very accurate to close, ensure to get all end of year captured
- Important to get a sense for capacity to budget use of fund balance
 - if 3Q projection carry-forward < management budget usage the disparity will need to be reconciled
 - Management budget will be reduced a use of fund balance consistent with 3Q Projections

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FY22 Planning

FY22 Resource Requests - January

- Spend of carry-forward existing resources, but not balanced
- Increase expense authority alongside new revenue expansion/growth
- Requests for new funding to be followed on in Annual Report, but need to capture at this point

FY22 Annual Reports - May

- URIC Operating request from OR, specific to OR provided URIC Operating
- Management budget (all funds) category needs, shifts,
 - If didn't catch resource request, still note major differences at this point

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Closing & Questions

THANK YOU!!