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Operating Guidance

No. 95-12
October 20, 1995

VICE CHANCELLORS--BUSINESS AND FINANCE ADMINISTRATION*
CONTRACT AND GRANT OFFICERS
OFFICE OF THE PRESIDENT FUNCTIONAL MANAGERS

Subject: Certifications Related to Federal Contracts and Grants

The enclosed document was distributed to Chancellors and the Vice President--Agriculture and Natural Resources on October 10. It contains an analysis of 61 certifications general required in connection with Federal research and training support, along with guidance on campus actions needed to ensure compliance. An earlier draft of the document was distributed via an Information Letter on April 3, 1995.

At the Contract and Grant conference in Riverside on January 25, 1994, University Counsel Christine Helwick led a discussion on the settlement of a lawsuit under the False Claims Act against the University and the implications of this settlement. The discussion centered on the uneasiness that Contract and Grant Officers felt when they routinely signed representations and certifications in federal grant and contract proposals, because for most of these certifications it was some other campus office that was ultimately responsible for compliance. The upshot was that the campuses requested OP to help out by undertaking a review of federal certifications and providing guidance on procedures or systems necessary to provide a reasonable level of assurance of compliance. The enclosed document is the result of that request.

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Subject Index: 02
Organization Index: F-005, U-115

David F. Mears

David F. Mears
Director
Research Administration Office

Enclosure

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October 10, 1995

CHANCELLORS VICE PRESIDENT—AGRICULTURE AND NATURAL RESOURCES

Certifications Related to Federal Contracts and Grants

Dear Colleagues:

Enclosed are lists of the major certifications that the University is required to make in connection with proposals for and the award of Federal grants and/or contracts. Most of these certifications are made by the campus Contract and Grant Officer signing the grant application or contract proposal, although some require a separate document to be signed. We are writing to clarify for campus officials their responsibilities with respect to the various certifications, and to provide guidance on procedures or systems necessary to provide a reasonable level of assurance of campus compliance.

Background Information

In February 1994, the University of California settled a claim of research fraud for \$625,000 at the San Diego campus under the False Claims Act. In commenting on the case, Science magazine quoted a former acting director of the National Institutes of Health, Office of Scientific Integrity: "for the first time in history, universities may be held legally accountable for signing on the front of a grant application that all statements are true and complete." This case has prompted the Office of the President to undertake an extensive review of such certifications and, at the recommendation of the Office of General Counsel, to take appropriate steps to ensure ongoing University compliance.

The Office of the President, Research Administration Office, collected and analyzed 61 certifications generally required in connection with Federal research and training support. This effort did not include University compliance with Federal award terms and conditions for which certifications are not required, nor with certifications for State or private programs.

The 61 Federally-required certification have been divided into three categories:

- Eleven items requiring special monitoring have been included in enclosed List A, under the headings "Fraud, waste and abuse," "Research subjects," and "Costs." These items are of particular concern because of the high risk of monetary damage to the University, and even criminal penalties, if violations occur.

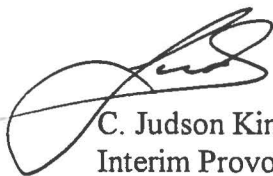
- 39 items have been included in enclosed List B, dealing with "Grantee/contractor responsibility," "Access to records," "Labor standards," "Special situations," "Nondiscrimination/affirmative action," and "Environmental issues." These items need routine monitoring.
- Eleven items shown in enclosed List C address "Type of business/place of performance" and "Patents/copyrights." These items only require that accurate information be provided to the sponsoring agency about the University or about a particular project, and therefore need minimal monitoring.

The UCOP Research Administration Office will place the enclosed certification lists, as well as full-text copies of related background materials and references, on line and will update the lists as new certifications are required. The lists will be accessible via the Worldwide Web (http://www.ucop.edu/raohome/rao_home.html). The UCOP Research Administration Office will continue, via Contract and Grant Memos, to alert campuses of any compliance problems associated with certifications.

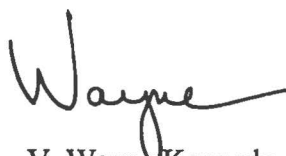
Requested Campus Action

For each of the certifications listed, we have provided guidance on compliance. Each campus must have procedures for ensuring compliance with certifications made in connection with Federal contracts and grants. One suggested approach is for the campus to appoint a designated official who would assign appropriate campus offices to: (a) review, at least once every two years, existing systems and procedures for conformance with these certifications; and (b) report back to the designated official on the results of these reviews. The campus Contract and Grant office staff would then be advised by the designated official whether and under what conditions the certifications could continue to be signed.

If you have any questions, please contact David Mears, Director, UCOP Research Administration Office, University of California, 300 Lakeside Drive, 12th Floor, Oakland, CA 94612-3550 (e-mail: david.mears@ucop.edu; fax: 510-835-3705). We appreciate your cooperation and assistance in this matter.



C. Judson King
Interim Provost and Senior
Vice President--Academic Affairs



V. Wayne Kennedy
Senior Vice President--
Business and Finance

Enclosures

cc: (w/o) Executive Director Feuerborn
Director Mears
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List A

Items Requiring Special Monitoring: Summary

Fraud, Waste, and Abuse

- 1: Accurate proposal data; provision of false information
- 2: Lobbying
- 3: Conflict of Interest
- 4: Scientific Misconduct
- 5: Debarment and Suspension

Research Subjects

- 1: Human Subjects
- 2: Laboratory Animals

Costs

- 1: Direct Cost Expenditures
- 2: Indirect Cost Expenditures
- 3: Cash Disbursements
- 4: Proposal Budgets

List A Items Requiring Special Monitoring

Fraud, Waste, and Abuse

1: Accurate proposal data; provision of false information

Summary

Most Federal grant applications require the official signing on behalf of the institution to certify that the factual statements made in the application are true and correct. For example, the National Science Foundation application face page states:

By signing and submitting this proposal, the individual applicant or the authorized official of the applicant institution is: (1) certifying that statements made herein are true and complete to the best of his/her knowledge; and (2) agreeing to accept the obligation to comply with NSF award terms and conditions if an award is made as a result of this application. Further, the applicant is hereby providing certifications regarding Federal debt status, debarment and suspension, drugfree workplace, and lobbying activities (see below), as set forth in the Grant Proposal Guide (GPG), NSF 94-2. Willful provision of false information in this application and its supporting documents or in reports required under an ensuing award is a criminal offense (U.S. Code, Title 18, Section 1001).

The Public Health Service grant application has the following statement that the grantee official must sign:

I certify that the statements herein are true, complete and accurate to the best of my knowledge, and accept the obligation to comply with Public Health Service terms and conditions if a grant is awarded as the result of this application. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties.

The civil penalties alluded to are contained in the Program Fraud Civil Remedies Act, which provides for significant economic penalties (to which the University has already been subjected in one case) in the event this certification is signed and then intentional falsehoods are found to have been stated anywhere in the grant proposal. The same penalties would apply to the willful provision of false information in reports submitted in connection with the award.

Reference

Standard Form (SF) 424B, Assurances - Nonconstruction Programs; Federal grant application forms (e.g. PHS and NSF)

Guidance

(a) *Institutional Certification*: At least once every two years, a campus official should coordinate a review of campus compliance with the certifications in Lists A-C and inform the Contract and Grant office staff that this certification may continue to be signed.

(b) *Principal Investigator Certification*: Each campus should give Principal Investigators a statement of what their duties and responsibilities are with respect to not providing false or misleading information in proposals, particularly with regard to the scientific claims made, the estimates of costs, and other items covered by the certifications in Lists A-C. A model statement that may be used for this purpose is being developed by the Office of the President.

2: Lobbying

Summary

Most Federal granting agencies have adopted the common rule called "New Restrictions on Lobbying," published in the *Federal Register* on February 26, 1990 (55 FR 6736). Applicants for both Federal contracts and Federal grants over \$100,000 must certify that no Federal funds were used to pay for lobbying activities. Any non-Federal funds so used, with certain exceptions, must be reported on Standard Form LLL, Disclosure of Lobbying Activities, along with the application. In addition, OMB Circular A-21 mandates that the costs of lobbying activities cannot be charged directly or indirectly to Federally-sponsored projects. For further information, see C&G *Memos* 90-2 (2/9/90), 90-2 Supplement 1 (5/21/90) and 90-2 Supplement 2 (7/12/90) on Lobbying Restrictions.

Reference

FAR 52.203-11; Federal grant application forms; OMB Circular A-21 Sections J.17., Executive Lobbying Costs; J.24., Lobbying; and K.2.b., Certificate of Indirect Costs. [See also A-21, Section J.1., Advertising and Public Relations Costs.]

Guidance

(a) Separately identify unallowable lobbying activity costs and exclude such costs from campus Federal indirect cost proposals and from expenditure reports on Federal awards.

(b) Enforce the University proscription on the use of University funds (Federal and non-Federal) in efforts to secure earmarking of Federal appropriations for non-competitive awards to the University.

(c) Provide notification to Principal Investigators and other campus officials concerning Federal lobbying restrictions and reporting requirements.

3: Conflict of Interest

Summary

Applicants for Federal financial assistance from certain agencies (currently NSF and PHS) must certify that the campus has a written and enforced conflict of interest policy; that if potential conflicts exist they will be reduced or eliminated; and that the campus will make pertinent information available upon request of the awarding agency. In addition, proposals for certain Federal consulting agreements may contain certificates with respect to organizational conflicts of interest.

Reference

(a) Financial Conflicts of Interest

PHS and NSF grant application forms; PHS grant award terms (42 CFR 50 Subpart F and 45 CFR 94); NSF grant award terms (60 FR 35820)

(b) Organizational Conflicts of Interest

SF-424B, #3; FAR ~~52.209-07~~; FAR ~~52.209-08~~

*Removed from
FAR 11/2/97*

Guidance

(a) Financial Conflicts of Interest

Implement the Universitywide "Interim Policy and Procedures on Disclosure of Financial Interests Related to Sponsored Projects." At least once every two years, selectively review PHS and NSF awards to confirm: that disclosures have been filed; that the PHS awarding component has been notified in cases where conflicts have been disclosed; and that disclosed conflicts have been managed in accordance with Independent Substantive Review Committee recommendations. Continue to enforce University rules pertaining to employee-vendor relationships (in *Business and Finance Bulletin* BUS-43, Part 7).

(b) Organizational Conflicts of Interest

If the certifications at FAR ~~52.209-07~~ or ~~52.209-08~~ are required, solicit information from the Principal Investigator on whether he/she believes that performance of the service under a Federal contract may give the Principal Investigator an unfair advantage in competing for other government contracts, or that because of other activities or relationships the Principal Investigator is unable to render impartial advice or assistance to the government.

4: Scientific Misconduct

Summary

Both NSF and PHS impose extensive procedural requirements on grantees for handling cases of alleged scientific misconduct, including, in the case of PHS, filing of an annual report in addition to certifications on each grant proposal. In response, the University has promulgated a policy on "Integrity in Research." For further information, see C&G *Memos* 87-26 (8/6/87), PHS Grant Application Form PHS 398, Assurance on Scientific Fraud (Misconduct); 90-1 (1/16/90), Integrity in Research: NSF and PHS Regulations and Proposed University Policy; and 90-1 Supplement 1 (6/26/90), University Policy on Integrity in Research. In addition, NSF requires the Principal Investigator to sign the following statement:

I certify to the best of my knowledge that:

- (1) the statements herein (excluding scientific hypotheses and scientific opinions) are true and complete, and
- (2) the text and graphics herein as well as any accompanying publications or other documents, unless otherwise indicated, are the original work of the signatories or individuals working under their supervision. I agree to accept responsibility for the scientific conduct of the project and to provide the required progress reports if an award is made as a result of this application.

Reference

42 CFR 50, Subpart A; PHS grant application form; NSF grant application form

Guidance

Submit the annual report on misconduct on Form 6349 to the Office of Research Integrity; implement the University policy on Integrity in Research (including making sure that current copies of local guidelines and procedures have been sent to the Provost and Senior Vice President--Academic Affairs). At least once every two years, review local guidelines for conformance with 42 CFR 50 and confirm that misconduct inquiries and investigations (if any) were conducted in compliance with local guidelines. Inform Principal Investigators, in an investigator handbook or similar document, of the importance of accuracy in the statement of work submitted with the proposal, and expected standards for the conduct of research.

5: Debarment and Suspension

Summary: Certify whether the offeror or applicant, or any of its principals, is currently debarred, suspended, proposed for debarment, or declared ineligible to receive Federal awards; whether within the past three years the offeror or applicant, or any of its principals, has been convicted of or had a civil judgment rendered against it for, or been indicted for, commission of

fraud or certain criminal offenses; and whether the offeror or applicant has had any Federal award terminated for cause or default in the past three years. Require similar certifications in subcontracts over \$25,000.

Reference: FAR 52.209-05; Federal grant application forms

Guidance: The routing sheet (or equivalent internal document) for any Federal grant application, or any Federal contract proposal over \$25,000, should state that the Principal Investigator: (a) has not been debarred or otherwise declared ineligible to receive Federal awards; and (b) has not, within the previous three years, been charged with committing an action that may be a cause for debarment. Actions that may be cause for debarment include: (i) commission of fraud or a criminal offense in connection with obtaining or performing a public contract or subcontract; and (ii) commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property. Contract and Grant Office directors should require office staff to report whenever any Federal award to the campus has been terminated for cause or default, and the date of termination. In the event a Federal award is terminated for cause or default, the Contract and Grant Office director should inform office staff that the certification may no longer be made. For further information, see *C&G Memo 88-19 (11/8/88)*, Certification of Nondebarment Status for Federal Assistance. The UCOP Research Administration Office monitors the Federal debarment list and will notify campuses if the University or any officer of the University appears on the list. The standard University terms and conditions for purchase agreements already provide for inclusion of the required certification in subagreements over \$25,000.

Research Subjects

1: Human Subjects

Summary

Applicants for Federal financial assistance for work involving human subjects must certify that they will comply with applicable agency rules for protection of such subjects. Most Federal agencies have adopted the common rule called "Federal Policy for the Protection of Human Subjects," published in the *Federal Register* on June 18, 1991 (58 FR 28001). The Department of Health and Human Services' codification of this common rule is at 45 CFR 46. In addition, Federally-funded research protocols involving human subjects must be reviewed by a campus Institutional Review Board (IRB). The operating procedures and composition of an IRB must conform to the campus "Assurance of Compliance" as approved by DHHS.

Reference

SF-424B, #14; grant application forms; 45 CFR 46, "Protection of Human Subjects"

Guidance

- (a) All proposals involving non-exempt use of human subjects must be reviewed by a campus IRB.
- (b) At least once every two years, IRB staff should review relevant procedures for conformance with 45 CFR 46 and the campus “General Assurance of Compliance” (or equivalent).

2: Laboratory Animals

Summary

Applicants for financial assistance for work involving live, vertebrate animals must certify that they will comply with all applicable State and Federal regulations. The principal Federal regulations are contained in the Public Health Service *Policy on Humane Care and Use of Laboratory Animals*, which in effect requires that all research protocols involving such animals be reviewed by a campus Institutional Animal Care and Use Committee (IACUC) and that the institution use the *Guide for the Care and Use of Laboratory Animals* as a basis for developing and implementing an institutional animal care and use program. The operating procedures and composition of an IACUC must conform to the campus “Animal Welfare Assurance” as approved by the National Institutes of Health (NIH).

Reference

SF-424B, #15; grant application forms; *Guide for the Care and Use of Laboratory Animals*

Guidance

- (a) All proposals involving use of live, vertebrate animals must be reviewed by a campus IACUC.
- (b) At least once every two years, IACUC staff should review relevant procedures for conformance with the *Guide for the Care and Use of Laboratory Animals* and the campus “Animal Welfare Assurance” (or equivalent).

Costs

1: Direct Cost Expenditures

Summary

Campus officials who submit requests for reimbursement of direct costs incurred on Federally-funded projects must certify that “to the best of my knowledge and belief this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.”

Reference

OMB Circular A-21, Sections D., J., and K.1.; SF-269

Guidance

- (a) Institute controls that prevent unallowable costs, as identified by object code, from being charged to Federal awards.
- (b) Complete the annual financial closing step that requires identification of unallowable expenditures not identifiable by object code, and institute controls that prevent such costs from being charged to Federal awards.
- (c) Conduct random sample testing of direct charges to determine whether only allowable costs, as identified by description of the charge, have been charged to extramural funds sources, and whether expenses have been recorded accurately.
- (d) Give guidance to Principal Investigators, in an investigator handbook or similar document, on what constitutes allowable and appropriate charges to extramural fund sources, and information concerning the PI's responsibility to charge or approve only allowable and appropriate costs, with particular attention to salaries of departmental administrative and clerical staff, office supplies and postage, telephone charges, and membership costs (see C&G Memo 94-5, Operating Guidance on OMB Circular A-21 Revision Affecting Departmental Direct Charging of Designated Categories of Expense, dated March 1, 1995).
- (e) Implement any University-accepted auditor recommendations in this area.

2: Indirect Cost Expenditures

Summary

A University official must sign the following certificate in conjunction with the submission of any Federal indirect cost proposal:

This is to certify that to the best of my knowledge and belief:

~~(1) I have reviewed the indirect cost proposal submitted herewith;~~

~~(2) All costs included in this proposal [identify date] to establish billing or final indirect costs rate for [identify period covered by rate] are allowable in accordance with the requirements of the Federal agreement(s) to which they apply and with the cost principles applicable to those agreements;~~

with the cost principles of the Fed Reg (FAR) and its supplements applicable to the contracts to which the final IDC rates will apply and

Certifications in Federal Contract and Grant Proposals

² (3) This proposal does not include any costs which are ^{expressly} unallowable under applicable cost principles ~~such as (without limitation): advertising and public relations costs, contributions and donations, entertainment costs, fines and penalties, lobbying costs, and defense of fraud proceedings; and~~ of the FAR or its supplements.

(4) All costs included in this proposal are properly allocable to Federal agreements on the basis of a beneficial or causal relationship between the expenses incurred and the agreements to which they are allocated in accordance with applicable requirements.

I declare under penalty of perjury that the foregoing is true and correct.

Reference

OMB Circular A-21, Section K.2.b.

Guidance

The University official who makes this certification is the Associate Vice President--Business and Finance. Such certifications are, and have been, predicated upon similar certifications from campus officials. Campuses should continue to follow those procedures that have in the past given assurance that the certification may be made.

3: Cash Disbursements

Summary

Campus officials submitting Federal cash transactions reports (SF-272) must certify that "to the best of my knowledge and belief this report is true in all respects and that all disbursements have been made for the purpose and conditions of the grant or agreement."

Reference

SF-272

Guidance

Follow the same procedures as for Item 1, Direct Cost Expenditures, in this section.

4: Proposal Budgets

Summary

In some proposals for Federal contracts over \$500,000, the authorized official signing for the University must certify that the budget information is accurate, complete, and current as of the date of submission.

Reference

FAR 15.804-4(a)

Guidance

When this certification is required, the Contract and Grant office should confirm with the originating department or unit: (a) that the cost estimates in the proposal conform with established campus guidelines (including guidelines for estimating costs of salaries, benefits, travel, and subcontracts); and (b) that the documentation of costs submitted to the government is accurate, complete, and current. When the University must submit the certification as the prime contractor, then similar certifications must be obtained from subcontractors when the amount of the proposed subcontract will exceed \$500,000. For additional information see C&G *Memo 76-19 (2/4/76)*, DHEW Audit Agency Finding on Supporting Documentation for Proposal Budgets.

List B

Items Requiring Routine Monitoring: Summary

Grantee/Contractor Responsibility

- 1: Contingent Fees
- 2: Procurement Integrity
- 3: Debt - Nondelinquency
- 4: Institutional, Managerial, Financial Capability
- 5: Completion of Work within Time Frame
- 6: Placement of Graduates - Physician Assistants

Access To Records

- 1: Access by Agency and Other Authorized Representatives
- 2: Confidentiality of Alcohol and Drug Abuse Patient Records

Labor Standards

- 1: Drug-Free Workplace
- 2: Drug-Free Schools and Communities
- 3: Promotions Based on Merit
- 4: Hatch Act
- 5: Wage and Hour Acts

Special Situations

- 1: Drug-Free Work Force
- 2: Recombinant DNA Molecules
- 3: Marine Mammals
- 4: Endangered Species Act

Nondiscrimination/Affirmative Action

- 1: Discrimination based on Race, Color, National Origin
- 2: Equal Opportunity; Nonsegregated Facilities
- 3: Affirmative Action Compliance
- 4: Affirmative Action for Special Disabled and Vietnam Era Veterans
- 5: Discrimination based on Sex
- 6: Discrimination based on Handicap
- 7: Discrimination based on Age
- 8: Discrimination based on Drug Abuse
- 9: Discrimination based on Alcohol Abuse
- 10: Housing Discrimination
- 11: Relocation Assistance
- 12: Graduates of Foreign Medical Schools

Environmental Issues

- 1: Clean Air and Water Acts; Executive Order (E.O.) 11738
- 2: Safe Drinking Water Act
- 3: Flood Disaster Protection Act
- 4: National Environmental Policy Act; E.O. 11514
- 5: E.O. 11990 (Protection of Wetlands)
- 6: E.O. 11988 (Flood Hazards)
- 7: Coastal Zone Management Act
- 8: Wild and Scenic Rivers Act
- 9: Historic Preservation Acts; E.O. 11593
- 10: Bloodborne Pathogens

List B

Items Requiring Routine Monitoring

Grantee/Contractor Responsibility

1: Contingent Fees

Summary: In proposals for contracts over \$100,000, certify whether the offeror has employed or retained any person or company to solicit or obtain the contract, and, if so, whether that person has been promised a commission, percentage, or other fee contingent on the award of the contract.

Reference: FAR 52.203-04

Guidance: Contract and Grant Officers should obtain relevant information from the Principal Investigator (through a check box on the proposal routing slip or equivalent) before completing this certification.

2: Procurement Integrity

Summary: In proposals for contracts over \$100,000, ~~certify~~ whether the offeror has any knowledge of a violation or possible violation of the "procurement integrity" sections of the Office of Federal Procurement Policy Act (41 USC 423).

*Certification
Req. removed 1/97
(See Fed. Register
61, 1/2/97)*

Reference: FAR 52.203-08

Guidance: For any Federal contract proposal over \$100,000, the Principal Investigator should be asked (through a check box on the proposal routing slip or equivalent) whether he/she has offered any gift, discussed any job offer, or solicited any proprietary or source selection information from a Federal official if that official is involved in awarding the contract to the University for which the proposal is submitted.

3: Debt - Nondelinquency

Summary: Certify whether the applicant is delinquent on any Federal debt at the time of application.

Reference: Federal grant application forms

Guidance: The campus Accounting Office should notify the campus Contract and Grant office if it becomes aware of any disallowance of costs on Federal grants to the campus that have been settled in favor of the government but have not been paid and are not in the process of being

paid. The campus may also want to review its procedures for payment of invoices from Federal agencies (particularly the National Institute of Standards and Technology). For further information, see C&G *Memo* 89-2 (1/19/89), Certification/Statement of Non-delinquency on Federal Debt.

4: Institutional, Managerial, Financial Capability

Summary: Certify that the applicant has the legal authority and the managerial and financial capability to conduct and complete the project; that it will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives; and that it will cause to be performed any required audits.

Reference: SF-424B, #1; SF-424B, #2; SF-424B, #17; FAR 52.230-01

Guidance: Comply with University audit requirements mandated by OMB Circular A-133. Maintain accounting and other business systems in accordance with the University *Accounting Manual* and *Business and Finance Bulletins*. Implement any University-accepted auditor recommendations arising out of the campus A-133 audit dealing with internal controls. [NOTE: The impending incorporation into A-21 of certain Cost Accounting Standards is likely to broaden the requirements associated with this certification.]

5: Completion of Work within Time Frame

Summary: Certify that the applicant will initiate and complete the work on the grant within the applicable time frame.

Reference: SF 424B, #4

Guidance: Implement any University-accepted recommendations arising out of the campus A-133 audit dealing with financial and technical reporting.

6: Placement of Graduates - Physician Assistants

Summary: Certify that the applicant has appropriate mechanisms for placing graduates of PHS-funded training programs for physician assistants.

Reference: Public Health Service (PHS) Form 6025, Non-research Training Grant application

Guidance: At least once every two years, the campus Contract and Grant office should confirm with the appropriate Dean or other official that the campus has "appropriate mechanisms" for placing graduates of PHS-funded physician assistant training programs. For further information, see C&G *Memo* 93-5 (3/29/93), PHS Training Grant Application - Additional Assurances.

Access To Records

1: Access by Agency and Other Authorized Representatives

Summary: Certify that the applicant will give the agency and other authorized representatives access to and the right to examine all records related to the award.

Reference: SF-424B, #2

Guidance: The University should be in *de facto* compliance with the duty to provide access to contract and grant records by virtue of its status as a public institution. For further information, see Chapter 17 of the Contract and Grant *Manual*.

2: Confidentiality of Alcohol and Drug Abuse Patient Records

Summary: Certify that the applicant will keep alcohol and drug abuse patient records confidential to the extent required by 42 USC 290 dd-3 and 290 ee-3.

Reference: SF-424B, #6.g.; 42 USC 290 dd-3 and 290 ee-3

Guidance: Scientists, administrators and others having custody of patient records pertaining to Federally-funded alcohol and drug abuse prevention programs should be aware of the necessity to consult with the campus records coordinator before responding to any request for the release of such patient records.

Labor Standards

1: Drug-Free Workplace

Summary: Certify that the offeror or applicant will provide a drug-free workplace by notifying employees that unlawful drug use is prohibited and specifying what actions will be taken against employees for violations. Establish an on-going drug-free awareness program that includes employee notification and, as appropriate, rehabilitation. Comply with agency-specific regulations as applicable.

Reference: FAR 52.223-05; Federal grant application forms

Guidance: Give all employees a copy of the University policy on substance abuse. Report drug-related convictions to the funding agency within 10 days of receiving notice of a conviction from the employee, and take appropriate corrective action or require such employees to participate satisfactorily in approved drug-abuse assistance or rehabilitation programs. For grant applications, identify the workplace(s) where the grant will be substantially performed, either in the grant application or in a record kept in the grant file. Inform the granting agency if such workplace(s) change during the grant period. Implement any University-accepted recommendations in this area arising out of the campus A-133 audit. For further information,

see C&G *Memo* 89-8 Supplement 3 (6/29/90), Certification Regarding Drug-Free Workplace, Final Regulations.

2: Drug-Free Schools and Communities

Summary: On a one-time basis, certify that the grantee institution has adopted and implemented a drug prevention program.

Reference: Drug-Free Schools and Communities Act of 1989 (P.L. 101-226; 4 USC 4001)

Guidance: Implement the University Policy on Substance Abuse, which includes annually giving each employee a copy of the policy and conducting biennial reviews of the campus substance abuse program. For further information, see Contract and Grant *Memo* 89-8 Supplement 4 (1/8/91), UC Policy on Substance Abuse,...and Certifications for the Drug-Free Workplace and the Drug-Free Schools and Communities. [NOTE: Each campus has already submitted the required one-time certification. The Drug-Free Schools and Communities Act expired on June 30, 1995.]

3: Promotions Based on Merit

Summary: Certify that the applicant will comply with the Intergovernmental Personnel Act of 1970 (42 USC 4728-4763) relating to prescribing standards for merit systems for certain Federally-funded programs.

Reference: SF-424B, #5

Guidance: The campus should be in *de facto* compliance in virtue of its implementation of University personnel policies.

4: Hatch Act

Summary: Certify that the applicant will comply with the provisions of the Hatch Act (15 USC 1501-1508 and 7324-7328), which limit the political activities of grantee employees.

Reference: SF-424B, #8

Guidance: Because the Hatch Act does not apply to University employees, campus Contract and Grant Officers should routinely line out or mark as “not applicable” any references to this Act in certifications. Alternatively, the Hatch Act references may be considered self-deleting if the certification is prefaced with words to the effect that the applicant will comply with *applicable* provisions of the listed laws or regulations. As a last resort, if none of these three options is available, the funding agency should be notified that the Hatch Act is not applicable to University employees. For further information, see Section 12-360 of the Contract and Grant *Manual*.

5: Wage and Hour Acts

Summary: Certify that the applicant will comply, as applicable, with the provisions of the Davis-Bacon Act (40 USC 276a to 276a-7), the Copeland Act (40 USC 276c and 18 USC 874), and the Contract Work Hours and Safety Standards Act (40 USC 327-333), regarding labor standards for Federally assisted construction subagreements.

Reference: SF-424B, #9

Guidance: Federally-funded contracts over \$2000 for construction, alteration, or repair awarded by the campus should conform with the requirements in the University *Facilities Manual*, and therefore would contain, when applicable, provisions requiring the contractor and any of its subcontractors to pay prevailing wages and premium overtime, to make wage payments at least once per week, to keep adequate records of such payments, and to make certified copies of payroll records available for inspection. In addition, as specified in the *Facilities Manual*, University personnel who manage Federally-funded construction projects should perform random checks to determine if the contractor is meeting the contract requirements. For further information, see Sections 12-320 and 12-330 of the Contract and Grant *Manual*.

Special Situations

1: Drug-Free Work Force

Summary: In proposals for certain DoD contracts, usually those involving access to classified information, the offeror must certify that it will institute a drug-free work force program that includes employee assistance, supervisory training, provision for self-referrals to treatment, and random drug testing.

Reference: DFARS 252.223-7004

Guidance: When a drug-free work force certification is required by the contract, an employee assistance program must be established and employees working under the contract in “sensitive positions” must participate in a drug testing program. Because drug testing of employees is controversial, this clause should not be accepted without careful planning and coordination with campus academic and staff personnel on the project to determine how the campus will comply with the requirements. This clause currently applies only to Scripps Institute of Oceanography ships and the DOE Laboratories.

2: Recombinant DNA Molecules

Summary: Certify that the applicant will comply with guidelines for research involving recombinant DNA molecules published by the National Institutes of Health (NIH).

Reference: NIH Guidelines for Research Involving Recombinant DNA Molecules

Guidance:

(a) Any non-exempt research involving recombinant DNA molecules must be reviewed and approved by the campus biosafety committee.

(b) At least once every two years, campus biosafety committee staff should review relevant procedures for conformance with NIH guidelines.

3: Marine Mammals

Summary: Certify that the applicant will comply with applicable provisions of the Marine Mammal Act.

Reference: Pub. L. 92-522

Guidance: The campus should have a designated office(s) responsible for securing required permits and providing required reports for research projects that will involve the taking or importation of protected marine mammals or marine mammal products.

4: Endangered Species Act

Summary: Certify that the applicant will comply with environmental standards for the protection of endangered species under the Endangered Species Act of 1973, as amended (Pub. L. 93-205).

Reference: SF-424B, #11.h.

Guidance: The campus should have a designated office(s) responsible for securing required permits and providing required reports if a research project will involve the import or export of endangered or threatened species.

Nondiscrimination/Affirmative Action

1: Discrimination based on Race, Color, National Origin

Summary: Certify that the applicant will comply with Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352) which prohibits discrimination in the provision of grant-supported services on the basis of race, color or national origin.

Reference: SF-424B, #6.a.; grant application forms; 45 CFR 80

Guidance: By memorandum dated July 5, 1994, from Provost Massey and Senior Vice President Kennedy, all campuses were required to submit certifications of compliance with Title VI, and on this basis Form HHS 441, Assurance of Compliance...Title VI, was submitted to the Department of Health and Human Services by the Office of the President Research Administration Office. No further campus action is required, though the campus may decide to periodically confirm on-going compliance.

2: Equal Opportunity, Nonsegregated Facilities

Summary: Certify that the offeror will comply with Executive Order 11246, Equal Employment Opportunity; that the offeror will not maintain for its employees any segregated facilities; and whether the offeror has filed all required reports.

Reference: FAR 52.222-26; FAR 52.222-22; FAR 52.222-21

Guidance: At least once every two years, the campus personnel office should confirm that the campus has a current affirmative action plan. With respect to the solicitation provision at FAR 52.222-22, check the box in (a) that the offeror has participated in contracts subject to the Equal Opportunity clause, and the box in (b) that the offeror has filed all required compliance reports.

3: Affirmative Action Compliance

Summary: Certify whether the offeror has developed and filed affirmative action programs as required by the Secretary of Labor.

Reference: FAR 52.222-25

Guidance: At least once every two years, the campus personnel office should confirm that the campus has a current affirmative action plan. With respect to the solicitation provision at FAR 52.222-25, check the box that the offeror has developed and has on file the required affirmative action programs.

4: Affirmative Action for Special Disabled and Vietnam Era Veterans

Summary: In proposals for contracts over \$10,000, certify that the offeror will comply with applicable provisions of the Vietnam Era Veterans' Readjustment Assistance Act of 1972.

Reference: FAR 52.222-35

Guidance: At least once every two years, the campus personnel office should confirm that the campus has a current affirmative action plan that includes special disabled and Vietnam era veterans. The required annual reports are submitted by the UCOP Affirmative Action office.

5: Discrimination based on Sex

Summary: Certify that the applicant will comply with Title IX of the Education Amendments of 1972, as amended (20 USC 1681-1683 and 1685-1686), which prohibits discrimination in the provision of grant-supported services on the basis of sex.

Reference: SF-424B, #6.b.; grant application forms; 45 CFR 86

Guidance: By memorandum dated July 5, 1994, from Provost Massey and Senior Vice President Kennedy, all campuses were required to submit certifications of compliance with Title IX, and on this basis Form HHS 639-A, Assurance of Compliance...Title IX, was submitted to the Department of Health and Human Services by the Office of the President Research Administration Office. No further campus action is required, though the campus may decide to periodically confirm on-going compliance.

6: Discrimination based on Handicap

Summary: Certify that the offeror or applicant will comply with Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794), which prohibits discrimination in the provision of grant-supported services on the basis of handicaps.

Reference: SF-424B, #6.c.; grant application forms; 45 CFR 84; FAR 52.222-36

Guidance: By memorandum dated July 5, 1994, from Provost Massey and Senior Vice President Kennedy, all campuses were required to submit certifications of compliance with Section 504, and on this basis Form HHS 641, Assurance of Compliance...Section 504, was submitted to the Department of Health and Human Services by the Office of the President Research Administration Office. No further campus action is required, though the campus may decide to periodically confirm on-going compliance.

7: Discrimination based on Age

Summary: Certify that the applicant will comply with the Age Discrimination Act of 1975, as amended (42 USC 6101-6107), which prohibits discrimination in the provision of grant-supported services on the basis of age.

Reference: SF-424B, #6.d.; grant application forms; 45 CFR 91

Guidance: By memorandum dated July 5, 1994, from Provost Massey and Senior Vice President Kennedy, all campuses were required to submit certifications of compliance with the Act, and on this basis Form HHS 680, Assurance of Compliance...Age Discrimination Act, was submitted to the Department of Health and Human Services by the Office of the President Research Administration Office. No further campus action is required, though the campus may decide to periodically confirm on-going compliance.

8: Discrimination based on Drug Abuse

Summary: Certify that the applicant will comply with the Drug Abuse Office and Treatment Act of 1972 (Pub. L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse. The Act prohibits discrimination, by hospitals that receive Federal support, in admission or treatment of drug abusers solely because of their drug abuse.

Reference: SF-424B, #6.e.; 42 USC 290 ee-2; 45 CFR 84

Guidance: The campus should be in compliance by virtue of its compliance with regulations dealing with nondiscrimination on the basis of handicap (see Item 6, above).

9: Discrimination based on Alcohol Abuse

Summary: Certify that the applicant will comply with the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (Pub. L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism. The Act prohibits discrimination, by hospitals that receive Federal support, in admission or treatment of alcohol abusers solely because of their alcohol abuse.

Reference: SF-424B, #6.f.; 42 USC 290 dd-2; 45 CFR 84

Guidance: The campus should be in compliance by virtue of its compliance with regulations dealing with nondiscrimination on the basis of handicap (see Item 6, above).

10: Housing Discrimination

Summary: Certify that the applicant will comply with Title VIII of the Civil Rights Act of 1968 (42 USC 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing.

Reference: SF-424B, #6.h.

Guidance: The campus should be in compliance by virtue of its compliance with regulations dealing with nondiscrimination on the basis of race, color, national origin, sex, handicap, or age (see Items 1, 5, 6, and 7, above).

11: Relocation Assistance

Summary: Certify that the applicant will comply with the requirements of Title II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Pub. L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs.

Reference: SF-424B, #7

Guidance: Do not accept any Federal grant that would require the displacement and relocation of persons or acquisition of their property unless such actions will be accompanied by fair and reasonable relocation payments and assistance paid for by the funding agency.

12: Graduates of Foreign Medical Schools

Summary: Certify that the applicant will not discriminate against graduates of foreign medical schools in considering applications for admission to graduate training programs in the health professions.

Reference: PHS Form 6025, Non-research Training Grant application

Guidance: At least once every two years, the campus Contract and Grant office should confirm with the appropriate Dean or other official that, in considering applications for admission to the training program being funded, the applicant will not refuse to consider an application solely on the basis that the application is submitted by a graduate of a foreign medical school. For further information, see *C&G Memo 93-5 (3/29/93)*, PHS Training Grant Application - Additional Assurances.

Environmental Issues

1: Clean Air and Water Acts; Executive Order (E.O.) 11738

Summary: Certify that no facility to be used in the performance of the contract or grant is listed on the EPA List of Violating Facilities [now merged with the Federal Debarment List], and that the work performed will not violate State clean air implementation plans.

Reference: FAR 52.223-01; SF-424B, #11.f.; SF-424B, #11.b.

Guidance: Lease agreements with The Regents as tenant should (and normally do) contain language requiring the landlord to notify the tenant of any environmental hazards, and to comply with all applicable State and Federal laws. Campus officials responsible for leases should be aware of their responsibility to inform the campus Contract and Grant office whenever: (a) a landlord notifies the campus of a violation involving leased space; and (b) a research project is being conducted in that space. The UCOP Research Administration Office monitors the Federal Debarment List and will notify campuses if the University or any officer of the University appears on the list.

2: Safe Drinking Water Act

Summary: Certify that the applicant will protect underground sources of drinking water pursuant to the Safe Drinking Water Act of 1974, as amended, (Pub. L. 93-523).

Reference: SF-424B, #11.g.

Guidance: The campus should be in *de facto* compliance by virtue of its compliance with the California Environmental Quality Act (CEQA). The campus Facilities Management or planning office is responsible for maintaining compliance with CEQA. At least once every two years a review should be conducted to confirm on-going compliance with CEQA. If the Contract and Grant office has reason to believe that a particular proposal is for work that may have a negative impact on underground sources of drinking water, the campus Facilities Management or planning office should be notified.

3: Flood Disaster Protection Act

Summary: Certify that the applicant will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.

Reference: SF-424B, #10

Guidance: State-owned property is generally exempt from these flood insurance requirements. If FEMA assistance has been requested, however, then flood insurance may be required; any such obligation is handled by the Office of the President Risk Management Office. No further campus action is required.

4: National Environmental Policy Act; E.O. 11514

Summary: Certify that the applicant will comply with environmental standards which may be prescribed pursuant to institution of environmental quality control measures under the National Environmental Policy Act of 1969 (Pub. L. 91-190) and Executive Order 11514.

Reference: SF-424B, #11.a.

Guidance: The campus should be in *de facto* compliance by virtue of its compliance with the California Environmental Quality Act (CEQA). The campus Facilities Management or planning office is responsible for maintaining compliance with CEQA. At least once every two years a review should be conducted to confirm on-going compliance with CEQA. If the Contract and Grant office has reason to believe that a particular proposal is for work that may have a negative impact on the environment, the campus Facilities Management or planning office should be notified.

5: E.O. 11990 (Protection of Wetlands)

Summary: Certify that the applicant will comply with environmental standards for the protection of wetlands pursuant to E.O. 11990.

Reference: SF-424B, #11.c.

Guidance: The campus should be in *de facto* compliance by virtue of its compliance with the California Environmental Quality Act (CEQA). The campus Facilities Management or planning office is responsible for maintaining compliance with CEQA. At least once every two years a review should be conducted to confirm on-going compliance with CEQA. If the Contract and Grant office has reason to believe that a particular proposal is for work that may have a negative impact on protected wetlands, the campus Facilities Management or planning office should be notified.

6: E.O. 11988 (Flood Hazards)

Summary: Certify that the applicant will comply with environmental standards for the evaluation of flood hazards in floodplains in accordance with E.O. 11988.

Reference: SF-424B, #11.d.

Guidance: The campus should be in *de facto* compliance by virtue of its compliance with the California Environmental Quality Act (CEQA). The campus Facilities Management or planning office is responsible for maintaining compliance with CEQA. At least once every two years a review should be conducted to confirm on-going compliance with CEQA.

7: Coastal Zone Management Act

Summary: Certify that the work performed will not violate State management programs developed under the Coastal Zone Management Act of 1972 (16 USC 1451 et seq.).

Reference: SF-424B, #11.e.

Guidance: The campus Facilities Management or planning office is responsible for complying with applicable provisions of the State's coastal zone management program. At least once every two years a review should be conducted to confirm on-going compliance with such programs.

8: Wild and Scenic Rivers Act

Summary: Certify that the applicant will comply with the Wild and Scenic Rivers Act of 1968 (16 USC 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

Reference: SF-424B, #12

Guidance: The campus Facilities Management or planning office is responsible for complying with applicable provisions of the State's outdoor recreation plans. At least once every two years a review should be conducted to confirm on-going compliance with such plans.

9: Historic Preservation Acts; E.O. 11593

Summary: Certify that the applicant will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 USC 470), E.O. 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 USC 469a-1 et seq.).

Reference: SF-424B, #13

Guidance: The campus should be in *de facto* compliance by virtue of its compliance with the California Environmental Quality Act (CEQA). The campus Facilities Management or planning office is responsible for maintaining compliance with CEQA. At least once every two years a review should be conducted to confirm on-going compliance with CEQA. If the Contract and Grant office has reason to believe that a particular proposal is for work that may have a negative impact on protected historic properties or archaeological sites, the campus Facilities Management or planning office should be notified.

10: Bloodborne Pathogens

Summary: Certify that the applicant for PHS-funded training grants will provide all trainees, as appropriate, instruction in the utilization of universal precautions and infection control procedures for the prevention of the transmission of bloodborne diseases.

Reference: PHS Form 6025, Non-research Training Grant application

Guidance: At least once every two years, the campus Environmental Health and Safety office should confirm that the campus has a current Exposure Control Plan (or equivalent) designed to eliminate or minimize exposure to bloodborne pathogens, and that PHS-funded trainees will receive appropriate instruction. For further information, see C&G Memo 93-5 (3/29/93), PHS Training Grant Application - Additional Assurances.

List C

Items Requiring Minimal Monitoring: Summary

Type of Business/Place of Performance

- 1: Type of Business Organization
- 2: Insurance - Immunity from Tort Liability
- 3: Small Business Concern Representation
- 4: Small Disadvantaged Business Concern Representation
- 5: Women-Owned Small Business Representation
- 6: Walsh-Healey Public Contracts Act Representation
- 7: Place of Performance
- 8: Preference for Labor Surplus Area Concerns

Patents/Copyrights

- 1: Patents - Notice of Government Licensee
- 2: Representation of Limited Rights Data and Restricted Computer Software
- 3: Certification of Technical Data Conformity

List C

Items Requiring Minimal Monitoring

Type of Business/Place of Performance

1: Type of Business Organization

Summary: Certify whether the offeror is a corporation, individual, partnership or nonprofit organization.

Reference: Federal Acquisition Regulations (FAR) 52.215-06

Guidance: Check the box on the certification that the offeror is a nonprofit organization.

2: Insurance - Immunity from Tort Liability

Summary: Certify whether the offeror is totally or partially immune from tort liability to third persons.

Reference: FAR 52.228-06

Guidance: Check the box on the certification that the offeror, as a State institution, is partially immune from tort liability.

3: Small Business Concern Representation

Summary: Certify whether the offeror is a small business.

Reference: FAR 52.219-01

Guidance: Check the box on the ^{representation} certification that the offeror is not a small business concern.

Certification
no longer
reqd as of
1/2/97.

4: Small Disadvantaged Business Concern Representation

Summary: Certify whether the offeror is a small disadvantaged business.

Reference: FAR 52.219-02

Guidance: Check the box on the certification that the offeror is not a small disadvantaged business concern.

5: Women-Owned Small Business Representation

Summary: Certify whether the offeror is a women-owned small business.

Reference: FAR 52.219-03

Guidance: Check the box on the certification that the offeror is not a women-owned small business concern.

6: Walsh-Healey Public Contracts Act Representation

Summary: Certify whether the offeror is a regular dealer in or manufacturer of the supplies offered.

Reference: FAR 52.222-19

Guidance: Check the boxes on the certification that the offeror is not a regular dealer in nor a manufacturer of supplies.

7: Place of Performance

Summary: Indicate whether, and if so where, the offeror intends to use one or more off-site facilities.

Reference: FAR 52.215-20

Guidance: As applicable, check on the certification whether in the performance of the contract the offeror intends to use one or more facilities located off-campus, and, if so, provide the off-campus addresses and, if not University-owned, the name of the facility owner.

8: Preference for Labor Surplus Area Concerns

Summary: If the offeror wants preference as a labor surplus area concern, indicate which labor surplus areas will be used to perform the contract.

Reference: FAR 52.220-01

Guidance: Unless special circumstances warrant, this provision may be left blank.

Patents/Copyrights

1: Patents - Notice of Government Licensee

Summary: Used only when the government is obligated to pay a royalty applicable to the proposed acquisition because of a license agreement between the government and the patent owner, and performance of the contract will involve payment of such royalties or license fees.

Reference: FAR 52.227-07

Guidance: If the funding agency notifies the offeror that the above situation is the case, the offeror must state whether it is the owner of or licensee under the patent.

2: Representation of Limited Rights Data and Restricted Computer Software

Summary: Used to give the offeror a chance to identify any data or computer software to be furnished in the performance of the contract that the offeror does not want the Government to have unlimited rights in.

Reference: FAR 52.227-15

Guidance: After obtaining confirmation from the Principal Investigator, the campus Contract and Grant office should check the appropriate box on the certification whether any of the data or computer software to be delivered under the contract will be delivered with limited or restricted rights, and identify any such data or software. If no notification is given to the government that any of the data or software to be delivered will be submitted with limited or restricted rights, then the government will obtain *unlimited* rights in any data or software delivered. For further information, see C&G *Memo* 84-31 (11/19/84), Rights in Data Issues and Clauses/University Copyright Policy.

3: Certification of Technical Data Conformity

Summary: When accepted in a DoD contract, requires that all technical data delivered under the contract be accompanied by a written certification to the effect that, to the best of the certifier's knowledge and belief, the data are complete, accurate, and comply with the data requirements of the contract as specified in form DD 1423 (Contract Data Requirements List).

Reference: Defense Acquisition Regulations (DFARS) 252.227-7036

Guidance: Identify the official (usually the Principal Investigator) who will make the required certifications. Make sure the designated official is aware of the nature of his/her responsibility, prior to the delivery of any data or software under the contract, to review such data or software for completeness, accuracy, and conformity with the data requirements listed in form DD 1423, Contract Data Requirements List. (This certification is required only when form DD 1423 is used.)

ADDENDUM

Please replace page 14 in the preceding document with the enclosed page. Item #4 on page 14 has been changed to provide more up-to-date guidance on completing the certification at FAR 52.230-01 on cost accounting standards.

paid. The campus may also want to review its procedures for payment of invoices from Federal agencies (particularly the National Institute of Standards and Technology). For further information, see C&G Memo 89-2 (1/19/89), Certification/Statement of Non-delinquency on Federal Debt.

4: Institutional, Managerial, Financial Capability

Summary: Certify that the applicant has the legal authority and the managerial and financial capability to conduct and complete the project; that it will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives; and that it will cause to be performed any required audits. In solicitations for contracts over \$500,000, complete the Certificate of Disclosure Statement Due Date for Cost Accounting Standards.

Reference: SF-424B, #1; SF-424B, #2; SF-424B, #17; FAR 52.230-01

Guidance: Comply with University audit requirements mandated by OMB Circular A-133. Maintain accounting and other business systems in accordance with the University *Accounting Manual* and *Business and Finance Bulletins*. Implement any University-accepted auditor recommendations arising out of the campus A-133 audit dealing with internal controls.

With respect to FAR 52.230-01, Cost Accounting Standards Notices and Certification, check boxes (5) and (a) in Part I and complete subpart (a) as follows: The Disclosure Statement due dates are June 30, 1996 for Berkeley, Los Angeles, San Diego and San Francisco; December 31, 1996 for Davis; June 30, 1997 for Irvine and Santa Barbara; and "Currently Not Required" for Riverside and Santa Cruz. The cognizant federal official is: Charles Gale, Director, DHHS Grant Policy and Oversight. The documentation for this is a letter from Anne Broome to Mr. Gale dated July 19, 1995 and Mr. Gale's reply of September 26, 1995.

5: Completion of Work within Time Frame

Summary: Certify that the applicant will initiate and complete the work on the grant within the applicable time frame.

Reference: SF 424B, #4

Guidance: Implement any University-accepted recommendations arising out of the campus A-133 audit dealing with financial and technical reporting.

6: Placement of Graduates - Physician Assistants

Summary: Certify that the applicant has appropriate mechanisms for placing graduates of PHS-funded training programs for physician assistants.

Reference: Public Health Service (PHS) Form 6025, Non-research Training Grant application

Guidance: At least once every two years, the campus Contract and Grant office should confirm with the appropriate Dean or other official that the campus has "appropriate mechanisms" for placing graduates of PHS-funded physician assistant training programs. For further information, see C&G Memo 93-5 (3/29/93), PHS Training Grant Application - Additional Assurances.