



SUBRECIPIENT COMMITMENT FORM

All subrecipients should submit this form when submitting a proposal to the Brigham Young University. It provides a checklist of documents and certifications required by sponsors, as well as an area for the authorized official to sign.

SUBRECIPIENT'S LEGAL NAME: _____ SUBRECIPIENT'S PI: _____
BYU'S PI: _____ PRIME SPONSOR: _____
SUBMITTED PROPOSAL TITLE: _____
PERFORMANCE PERIOD BEGIN DATE: _____ END DATE: _____

SECTION A - Proposal Documents

The following documents are included in our subaward proposal submission and covered by the certifications below (check as applicable):

- STATEMENT OF WORK (required)
- BUDGET AND BUDGET JUSTIFICATION (required)
- SUBRECIPIENT COMMITMENT FORM, completed and signed by subrecipient's authorized official (required)
- Small/Small Disadvantaged Business Subcontracting Plan, in agency-required format (required for proposals over \$550,000)
- Biosketches and Other Support of all Key Personnel, in agency-required format
- Other: _____
- Other: _____

SECTION B - Special Review and Certifications

1. Facilities and Administrative Rates included in this proposal have been calculated based on:

- Our federally negotiated F&A rates for this type of work, or a reduced F&A rate that we hereby agree to accept.
(If this box is checked, a copy of your F&A rate agreement or a URL link to the agreement must be furnished to BYU before a subaward will be issued.)
- Other rates (Please specify the basis on which the rate has been calculated in an attached document.)
- Not applicable (no indirect cost request for subrecipient)

2. Fringe-Benefit Rates included in this proposal have been calculated based on the following:

- Rates consistent with or lower than our federally negotiated rates
(If this box is checked, a copy of your FB rate agreement or a URL link to the agreement must be furnished to BYU before a subaward will be issued.)
- Based on actual rates
- Other rates (Please specify the basis on which the rate has been calculated in an attached document.)

3. Subrecipient Business Status: (leave blank if not applicable)

- Large business Small business
- Alaska Native Corporation (ANC) (43USC1601) Historic Black College or University/Minority Institution

If a small business, identify business classification (*certified by the Small Business Administration):

- Small Disadvantaged Business (SDB)* (8a)*
- Women-owned small business (WOSB)
- Veteran-owned small business (VOSB)
- Service-disabled veteran-owned business (SDVOSB)
- HUBZone small business*

4. Cost Sharing yes no Amount: _____

Cost sharing amounts and justification must be included in the subrecipient's budget.

REGULATORY APPROVALS (Questions 5-7)

5. Human Subjects yes no Determination of Exemption or IRB Approval Date: _____ and IRB Number: _____ pending
(Note: Surveys, interviews, observations, or use of secondary data may be human subjects research. Contact your local IRB office for guidance.)

If "yes" Copies of the determination of exemption or IRB approval must be provided before any subaward will be issued. If not attached here, obtain approval as required and forward these documents to BYU's PI and to BYU's Sponsored Projects Office, orca@byu.edu, Attn: _____ as soon as they become available.

If "yes" and NIH funding is involved:

Have all key personnel involved completed human subjects training? yes no

Note: All key personnel engaged in human subjects research must take NIH or other human subjects' research training as required by NIH.

Does your organization/institution have a Federalwide Assurance (FWA) Number? yes no If "yes" provide number: _____



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6. Animal Subjects yes no Approval date: _____ and IACUC Number: _____ pending

If "yes" Copies of the IACUC approval must be provided before any subaward will be issued. If not attached here, obtain approval as required and forward these documents to BYU's PI and to the BYU Sponsored Projects Office, orca@byu.edu Attn: _____ as soon as they become available.

Does your organization/institution have a PHS Animal Welfare Assurance Number? yes no If "yes" provide number: _____

Is your organization/institution AAALAC accredited? yes no If "yes" provide AAALAC number: _____

7. Conflict of Interest (applicable to NIH, NSF, or any other sponsor that has adopted the federal financial disclosure requirements)

Not applicable because this project is not being funded by NIH, NSF, or any other sponsor that has adopted the federal financial disclosure requirements.

Subrecipient organization/institution hereby certifies that it has an active and enforced conflict of interest policy that is consistent with the provision of 42 CFR Part 50, Subpart F, "Responsibility of Applicants for Promoting Objectivity in Research." Subrecipient also certifies that, to the best of Institution's knowledge (1) all financial disclosures have been made related to the activities that may be funded by or through a resulting agreement, and required by its conflict of interest policy; and (2) all identified conflicts of interest have or will have been satisfactorily managed, reduced, or eliminated in accordance with subrecipient's conflict of interest policy prior to the expenditure of any funds under any resulting agreement.

Subrecipient does not have an active and/or enforced conflict of interest policy and hereby agrees to abide by BYU policy.

8. Debarment, Suspension, Proposed Debarment

Is the PI or any other employee or student participating in this project debarred, suspended or otherwise excluded from or ineligible for participation in federal assistance programs or activities? yes no (If "yes," explain in an attached document.)

The Organization Certifies they: (answer all questions below)

are are not presently debarred, suspended, proposed for debarment, or declared ineligible for award of federal contracts

are are not presently indicted for, or otherwise criminally or civilly charged by a governmental entity

have have not within three (3) years preceding this offer, been convicted of or had a civil judgment rendered against them for commission of fraud or criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property

have have not within three (3) years preceding this offer, had one or more contracts terminated for default by any federal agency

9. Fiscal Responsibility

The organization certifies that its financial system is in accordance with generally accepted accounting principles and:

has the capability to identify, in its accounts, all Federal awards received and expended and the Federal programs under which they were received;

maintains internal controls to assure that it is managing Federal awards in compliance with applicable laws, regulations and the provision of contracts or grants;

complies with applicable laws and regulations;

can prepare appropriate financial statements, including the schedule of expenditures of federal awards;

there are no outstanding audit findings which would impact contract costs. If there are findings, submit a copy of the most report that describes the finding and steps to be taken to correct the finding.

SECTION C - Audit Status

10. Audit Status

Does the subrecipient receive an annual audit in accordance with Uniform Guidance 2 CFR Part 200? yes no

If "yes": Has the audit been completed for the most recent fiscal year?

yes no

If "no": when is it expected to be completed: _____

Were any audit findings reported?

yes no

If "yes": explain in an attached document. **A complete copy of the subrecipient's most recent audit report, or the URL link to a complete copy, must be furnished to BYU.**

If "no": Does the subrecipient receive overall federal funding of at least \$750,000 per year? yes no

Subrecipient is a: Non-profit entity (under federal funding threshold)

Foreign entity

For-profit entity

Government entity

BYU reserves the right to perform a limited scope audit, before, during or after a subaward issued. BYU further reserves the right to request a site visit and have access to the records of the project.



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SECTION D – Cost Accounting Standards (CAS) Notices and Certifications

11. Disclosure Statement-Cost Accounting Practices and Certification

Caution: In the absence of specific regulations or agreement, a practice disclosed in a Disclosure Statement shall, not by virtue of such disclosure, be deemed to be a proper, approved, or agreed-to-practice for pricing proposals or accumulating and reporting contract performance cost data.

- a) Any subcontract in excess of the applicable CAS threshold resulting from this solicitation will be subject to the requirements of the Cost Accounting Standards Board (48 CFR Chapter 99), except for those subcontracts which are exempt as specified in 48 CFS 9903.201-1.
- b) Any proposal you submit, if accepted, that results in a subcontract subject to the requirements of 48 CFS Chapter 99, will require you, as a condition of contracting, to submit a Disclosure Statement as required by 48 CFR 9903.202. When required, the Disclosure Statement must be submitted as a part of your proposal under this solicitation unless you have already submitted a Disclosure Statement disclosing the practices used in connection with the pricing of this proposal. If an applicable Disclosure Statement has already been submitted, you may satisfy the requirements for submission by providing the information requested in (c) of this Part (Part 11), below.

c) Select Disclosure Statement type:

- Concurrent Submission of Disclosure Statement
- Previously Submitted Disclosure Statement
- Monetary Exemption
- Interim Exemption

Organization hereby certifies that, as a part of the proposal, copies of the Disclosure Statement have been submitted as follows: (a) original and one copy to the cognizant Administrative Contracting Officer (ACO) or Federal agency official authorized to act in that capacity, as applicable, and (b) one copy to the cognizant Federal auditor.

Date of Disclosure Statement: _____

Name of ACO or Federal official where filed: _____

Organization further certifies that the practices used in estimating costs in pricing this proposal are consistent with the cost account practices disclosed in the Disclosure Statement. Offer hereby certifies that the Disclosure Statement was filed as follows:

Date of Disclosure Statement: _____

Name of ACO or Federal official where filed: _____

Organization hereby certifies that, together with all divisions, subsidiaries, and affiliates under common control, it did not receive net awards of negotiated prime contracts and subcontracts subjects to CAS totaling \$50,000,000 or more in the cost accounting period immediately preceding the period in which this proposal was submitted. Organization further certifies that if such status changes before an award resulting from this proposal. Organization will advise BYU immediately.

Organization hereby certifies that: (a) Organization first exceeded the monetary exemption for disclosure, as defined in (c)(3) above, in the cost accounting period immediately preceding the period in which this offer was submitted; and (b) in accordance with 48 CFR 9903.202-1, Organization is not yet required to submit a Disclosure Statement. Organization further certifies that if an award resulting from this proposal has not been made within 90 days after the end of the period, Organization will immediately submit a revised certificate to the Contracting Officer, in the form specified under (c) above, as appropriate, to verify submission of a completed Disclosure Statement.

Caution: Organizations currently required to disclose because they were awarded a CAS-covered prime contract or subcontract of \$50,000,000 or more in the current cost accounting period may not claim this exemption (exemption (c) (4)). Further, this exemption applies only in connection with proposals submitted before expiration of the 90-day period following the cost accounting period in which the monetary exemption was exceeded.

Caution: In the absence of specific regulations or agreement, a practice disclosed in a Disclosure Statement shall, not by virtue of such disclosure, be deemed to be a proper, approved, or agreed-to-practice for pricing proposals or accumulating and reporting contract performance cost data.

12. Cost Accounting Standards-Eligibility for Modified Contract Coverage

If you are an education institution, this part (Part 12) does not apply unless the contemplated subcontract will be subject to full CAS coverage pursuant to 48 CFR 9903.201-2(c)(5) or modified CAS coverage pursuant to CFR 9903.201-2 (c)(6).

If you are eligible to use the modified provisions of 48 CFR 9903.201-2 (b) and elect to do so, indicate by checking the box below. By checking this box, you are claiming that the resultant subcontract is subject to the Disclosure and Consistency of Cost Accounting Practices clause in lieu of the Cost Accounting Standards clause:

- Organization hereby claims an exemption from the Cost Accounting Standards clause under the provisions of 48 CFR 9903.201-2(b) and certifies that Organization is eligible to use the Disclosure and Consistency of Cost Accounting Practices clause because during the cost accounting period immediately preceding the period in which this proposal was submitted, Organization received less than \$50,000,000 in awards of CAS-covered prime contracts and subcontracts. Organization further certifies that is such status changes before an award resulting from this proposal, Organization will advise BYU immediately.

Caution: Organization may not claim the above eligibility for modified contract coverage if this proposal is expected to result in the award of a CAS-covered subcontract of \$50,000,000 or more; or if, during its current cost accounting period, Organization has been awarded a single CAS covered prime contract or subcontract of \$50,000,000 or more.



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13. Additional Cost Accounting Standards Applicable to Existing Contracts

Will the awarding of the contemplated subcontract, in accordance with subparagraph (a)(3) of the Cost Accounting Standards clause, require a change in established cost account practices affecting existing contracts and subcontracts?

yes no

14. Proposal Disclosure-Cost Accounting Practices Changes

Complete this part (Part 4) only if CAS exemption is not claimed and the subcontract will be subject to CAS as specified in 48 CFR 9903-201 (see FAR 52.230-7).

Will the contract award result in a required or unilateral change in cost accounting practice, including unilateral changes requested to be desirable changes?

yes no

Prepare the price proposal in response to the solicitation using the changed practice for the period of performance for which the practice will be used; and (2) submit the description of the changed cost accounting practice to BYU and the Cognizant Federal agency official as pricing support for the proposal.

SECTION E – Subrecipient Approval

15. System for Award Management (SAM)

Is the subrecipient currently registered in the System for Award Management (SAM)?

yes no

NAICS Code: _____

Organizations that have not registered with SAM.gov will need to obtain a DUNS number first and then access the SAM online registration through the SAM home page at <https://www.sam.gov/portal/public/SAM>? (U.S. organizations will also need to provide an Employer Identification Number from the Internal Revenue Service that may take an additional 2-5 weeks to become active). Completing and submitting the registration takes approximately one hour to complete and your SAM registration will take 3-5 business days to process.

APPROVED FOR SUBRECIPIENT

The information, certifications, and representations above have been read, signed, and made by an **authorized official** of the subrecipient named herein. The appropriate programmatic and administrative personnel involved in this application are aware of agency policy in regard to subawards and are prepared to establish the necessary inter-institutional agreements consistent with those policies. **Any work begun and/or expenses incurred prior to execution of a subaward agreement are at the subrecipient's own risk.**

(Signature of Subrecipient's Authorized Official)

(Address)

(Type or print name and title of Authorized Official)

(City, State, Zip (Zip + 4 required))

(Congressional District)

(Name of Subrecipient's Organization/Institution)

(Phone)

(Fax)

(Federal Employer Identification Number (EIN))

(DUNS or DUNS +4 number)

(Date)

(Email)