



Strategies for Winning and Managing US Government Projects with Non-US Partners - Managing an Overseas Collaboration

Securing funding and successfully executing US Government funded projects is more difficult than ever. Funding is shrinking and competition is more intense. Overseas execution is trickier with foreign governments monitoring even minor projects. Compliance is complex, and the penalties are much more severe. The auditors are as relentless as ever.

This 2-day workshop focuses on some the most challenging aspects of winning and managing projects funded by Agencies of the US Government, with an emphasis on overseas execution.

The discussions and exercises will be led by two experts with more than 70 years of combined experience in winning, successfully managing, and auditing US Government development projects domestically and overseas.

Key course take-aways:

- Learn the difference between contracts and grants. Align your capture management, teaming, and compliance strategies to reflect your target donors and programs.
- Learn the critical issues in setting up and managing a partnership with overseas collaboration.
- Understand the new Internal Control regulatory framework for US and Non-US partners, and how “the auditors” will use this approach in reviews of your organization.
- Discuss real-life, practical examples of how to apply the Uniform Guidance compliance rules and setting up shop overseas.
- Discuss the final (July 2017) OMB COFAR guidance on The Uniform Guidance (Q&A) with a focus on the 10% de minimus and Indirect Cost Rates.
- Explore revisiting and revising the Organizational Strategy to consistent with long term goals, external realities, and your branding & social marketing initiatives.

For a full description of the four, 4-hour modules please see below.

Session #1

Strategies for Teaming to Win Contracts & Subcontracts

Universities, academic institutions, and other research organizations are expanded their portfolio beyond traditional grants and cooperative agreements. They are bidding on subcontract agreements under major Government-funded programs by teaming with international or domestic commercial entities as “partners”. Some are seeking prime contracts from their principal sources of funding.

These differences are amplified when staff are will be in long term assignments overseas and/or you plan to hire host country nationals as project staff.

There are key differences in how organizations should approach teaming for contracts/subcontracts versus assistance awards/subawards. This four-hour session focuses on where they differ: competitive posture, pricing, cost accounting, compliance, and organizational culture.

In this session we will cover the following, interrelated issues:

- How is a “contract proposal” different than a “cooperative agreement (CoAG) application”?
- How does this difference impact your win strategy?
- Do you know the purpose of the following: Non-disclosure agreement, teaming agreement, and model subcontract?
- What are the practical and operational differences between contracts/subcontracts versus CoAg awards/subawards during performance?
- How different is the cost accounting, billings, and cash flow between contracts versus CoAGs?
- How do you position yourself to “move up the food chain” from sub to prime for future projects?
- What “in county” research is critical when bidding on projects that require local hires or long term assignments (LT/TA) in an unfamiliar country? How do you get this info?
- What can you do now for smooth in-country operations, and avoid labor, tax, COI, and ethics issues?
- What are the possible organization-wide impacts of expanding operations into additional countries?
- How might your organizational culture be impacted by the types of awards accepted?

Session #2

Green Book Internal Controls for Management (US and Non-US Partners)

For both US and Non-US-based organizations, the new Federal Guidance (2 CFR 200.303 for USAID and 45 CFR 75.303 for HHS/CDC) clearly states that “The Non-Federal entity **must**: (a) Establish and maintain effective internal control over the Federal award that provides reasonable assurance that the non-Federal entity is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls should be in compliance with guidance in “Standards for Internal Control in the Federal Government,” (also known as the “GREEN BOOK”) issued by the Comptroller General of the United States or the “Internal Control Integrated Framework.”

This four-hour session will provide an overview of the Green Book, tailored specifically to the management of both US and foreign organizations with USG Contracts and Grants, including how the Green Book is structured as well as how to implement its standards. This course also provides critical information and real-life, practical examples of risks and effective internal controls. Regardless of your existing internal control environment, this course will enable management to better understand how to ensure that your organization is equipped to operate efficiently, effectively, and compliantly. This is especially important to management, as it is ultimately management’s responsibility to ensure that the organization’s system of internal controls is adequately designed and that controls are operating effectively. If you have a foreign sub-partner, or if you will be operating under a foreign prime, there are additional risks with foreign partners which we will explore in the Risk and Fraud sections.

The course content that will be covered in detail includes the five components and seventeen principles summarized below:

- **Control Environment**
 - Demonstrate Commitment to Integrity and Ethical Values
 - Exercise Oversight Responsibility
 - Establish Structure, Responsibility and Authority
 - Enforce Accountability
- **Risk Assessment**
 - Define Objectives and Risk Tolerances
 - Identify, Analyze and Respond to Risks
 - Assess Fraud Risk
 - Identify, Analyze and Respond to Change
- **Control Activities**
 - Design Control Activities
 - Design Activities for the Information System
 - Implement Control Activities
- **Information and Communication**
 - Use Quality Information
 - Communicate Internally
 - Communicate Externally
- **Monitoring**
 - Perform Monitoring Activities
 - Evaluate Issues and Remediate Deficiencies

Session #3

Uniform Guidance 2 CFR 200 – Compliance Challenges beyond Accounting

The Uniform Guidance sent shock waves through the grant and cooperative agreement community. It is over three years later, and all recipients are now required to be in compliance. The cost accounting provisions are similar to the OMB Circulars, and organizations appear to be coping with those requirements. Other aspects of the Uniform Guidance create whole new requirements, and the guidance is less than clear in some areas. Compliance seems to be lagging. Managing foreign partners can be a minefield and the risks for US primes with foreign subs affects your US audit risk profile.

This four-hour session will explore the challenging requirements, other than cost accounting and reporting, that are imposed by the Uniform Guidance. We will focus on:

- Sub-recipient monitoring and management for US and Non-US team members (NB – the compliance rules are different for US and Non-US partners. Are your field staff aware?)
- Procurement Standards

- 10% de minimus and Indirect Cost Rate issues and the newest guidance available from the OMB
- Property Standards
- Financial Management
- Pitfalls when opening and managing foreign operations, including: legal, taxes, labor laws, banking, fraud, HR, internal controls, etc.
- Participants will consider at least fourteen operational steps that should be taken when opening a foreign office
- A real “case study” with actual issues faced by one large international NGO will be discussed.

Session #4

Revisiting your Organizational Strategy

There is a dramatic shift occurring in the community of university, academic, and research organizations that execute programs funded by the US Government. Assistance funding (grants and cooperative agreements) are less attractive and more difficult to obtain. The expansion of projects into contract & subcontracts has opened a wide range of operational challenges and market forces. The cultural norms of well-established organizations are changing in the face of increasing pressure to be more efficient, business-like, and transparent.

Does your Organizational Strategy recognize the changing environment? This four-hour session will survey a wide range of policy decisions that are fundamental to the organization’s comprehensive strategy. At each topic, we will discuss how you might periodically assess if the organization and its policies are consistent with the Mission Statement. Are they realistic for the current environment?

The topics covered include:

- Mission Statement: philosophy, goals, values, and beliefs
- Services & Products offered, areas of research, projects accepted
- Business Development & Capture Management
- Sources of Funding: Assistance vs. procurement
- Private Fundraising
- Communications Strategy
- Branding and social media
- Organizational Model: overall structure (centralized/distributed)
- Organizational culture: collaborative, collegiate, business-like, hybrid
- Human Resources and the labor market: Staffing levels, career development, salaries, full time/part time, employee benefits, staff turnover
- Business Systems: Accounting, Administration, Award Management, Facilities, IT, Operations, HR, Compliance, Procurement, Project Control, Internal Audit, Security, etc.