RESEARCH PEER EXCHANGE REPORT

For

New Jersey Department of Transportation

October 26-28, 2016

Main Office Building
NJDOT Headquarters Main Office Complex
1035 Parkway Avenue
Trenton, NJ 08625

Research Peer Exchange

Implementing the Omni Circular
2 CFR 200 Impact on State DOT Research: SPR Subpart B

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INTRODUCTION

The State Department of Transportation (DOT) research peer exchange process facilitates the positive exchange of knowledge, which enhances States' management plans and work programs.

Formerly known as peer review, peer exchanges provide an instrument for sharing knowledge among professionals in the field. Each State is expected to conduct a peer exchange for its research program. This exchange can examine either the full management process or a focused area within the State's program. The peer exchange panel of four to five people should include participants from other State research programs, Federal Highway Administration (FHWA) staff, universities, or others.

As per the 2010 SPR Peer Exchange Guidelines and *regulations within 23 C.F.R. § 420 Subpart B, each State must agree to peer reviews of its Research, Development, and Technology Transfer (RD&T) management process to be eligible for the Federal Highway Administration's (FHWA) planning and research funds. A peer review (exchange) is to be conducted at least once every 5 years. The State is responsible for selecting and organizing the peer exchange team.*

The Bureau of Research at New Jersey Department of Transportation routinely convenes a federally mandated peer exchange. By both hosting and participating in peer exchanges the Bureau gains knowledge of other states' practices.

The 2016 Peer Exchange was organized to obtain targeted input from other state DOT staff on appropriate and effective mechanisms for the implementation of the provisions of 2 C.F.R. § 200: Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards. The Peer Exchange was combined with two other annual events including the Annual Research Showcase and the Annual Transportation Research Board Field Visit. This leveraging of activities and resources allowed participants and visitors an opportunity to meet with research staff, customers and university stakeholders consistently involved with the NJDOT research program.

This report includes a summation of key *take away items*; contact information for each Peer Exchange participant (Appendix C); the agenda for the combined series of events (Appendix A and Appendix B); bulleted highlights from individual presentations offered by participants and reference material.

PEER EXCHANGE PARTICIPANTS

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Maryland State Highway Administration

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U.S. Department of Transportation Federal Highway Administration

Federal Highway Administration – NJ

Technical Assistance

Bethany Dennis New Jersey Local Technical Assistance Program (NJ LTAP)

New Jersey Local Technical Assistance Program

Omid Sarmad New Jersey Local Technical Assistance Program (NJ LTAP)

New Jersey Local Technical Assistance Program

FOCUS

IMPLEMENTING THE OMNI CIRCULAR
State DOT Research: SPR Subpart B

In December 2014, the Federal Office of Management and Budget issued the Omni Circular / Uniform Guidance for cost principals and administrative requirements.

Our focus for the Research Peer Exchange centered on implementation of 2 C.F.R. § 200 as it relates to research program administration including: relating financial data to performance accomplishments; performance period end date and closeout; risk assessment and program evaluation.

Specifically, the focus of the peer exchange was on the challenges involved in implementation including timely invoicing and closeout of contracts, tracking performance, and the overhead rates to be applied to research institution partners.

As a part of the exchange, participants attended the Annual Research Showcase and provided evaluative feedback.

STATE RESEARCH PRESENTATIONS

Each participant was required to present their state transportation research office's organizational structure, a general overview of the research program and respective experiences relative to implementing the Omni Circular (also referred to as the Super Circular and 2 C.F.R. § 200). The agenda is shown below.

1. Brief Overview of Research Program
    a. Unit responsibilities, available Institutions of Higher Education (IHE), IHE engagement and coordination, state & federal funds, individual jobs versus programmatic program
2. Omni Circular Implementation & State DOT Research—Changes & Challenges
    a. Risk Assessment
    b. Performance Period End Date
    c. Linking Performance Accomplishments to Financial Data
    d. Timely Closeout
    e. OMB Reporting
    f. Program Evaluation

3. Tracking Performance
    a. Describe process for follow up on close out studies (meeting user/customer needs)
    b. Research Performance Measures
    c. Efficiency Measurements
        1. % Projects Completed on Time
        2. % Projects Completed Within Budget
        3. % Project Implemented
    d. Stakeholder Measurements
        1. Vendor Evaluation
        2. Showcase Feedback

GOALS

Goals for the Peer Exchange include:

1. Comply with program requirements in 23 C.F.R. § 420.207
2. Comply with cost and administrative requirements 2 C.F.R. § 200
3. Discuss changes and challenges of implementing 2 C.F.R. § 200

NJDOT was interested in expanding on the guidance provided by the Federal Highway Administration (FHWA) relative to the implementation of 2 C.F.R. § 200 http://www.fhwa.dot.gov/cfo/2cfr200guidance.cfm) as it relates to the Conduct of Research in state transportation agencies. NJDOT seeks to gain insight into how to best:

- Assess risk on Institutions of Higher Education (IHE')s
- Develop realistic project schedules
- Include a buffer to ensure performance period timeframes are met
- Ensure that each IHE submits their final invoice 90 days post contract end
- Report project terminations to the Office of Management and Budget (OMB)
- Link financial data to performance measurement.

SUMMARY OF DISCUSSIONS

1. Overview of State Transportation Research Programs

Peer Exchange participants were asked to prepare presentations describing their respective experiences in the implementation of 2 C.F.R. § 200 within their research programs. PowerPoint presentations may be found in Appendix D.

New Jersey: The Bureau conducts transportation research from policy to construction as long as it has value to the state—the research oversight committee prioritizes research projects. The committee consists of senior leaders including assistant commissioners, directors, key subject matter experts and representatives from the motor vehicle commission, NJ Transit, and unit directors. Notable facts include the following:

- Distribution of State Research SPR - $4.9 million of Subpart B funding.
- Research is conducted through a competitive bidding process that solicits problem statements, develops RFPs that are posted and distributed through a listserv. The entries are reviewed, clarified, prioritized, ranked and advanced for study. Monitored research is conducted with the goal of tech transfer and implementation.
- Each research institution must complete a 56 question survey that determines the level of risk of an institution in the following key areas of operation. They cannot bid unless this is completed.
- For each individual project, along with RFP proposal responses, a 15 question survey is completed by the Principal Investigator (PI) regarding implementation, staffing availability, level of individual experience or maturity in dealing with federal or state aid. NJDOT is pleased with the implementation thus far. IHEs are also subject to the administrative requirements and cost principles within 2 C.F.R. § 200 and therefore may conduct their own risk assessment as well.
- Quarterly reports aim to link performance deliverables and accomplishments with financial data as per 23 C.F.R. § 420 although it is a challenge to link these two data points within the IHE communities given the varied performance metrics.

FHWA-NJ:

- New Jersey DOT research office has implemented measures to improve internal controls and better monitor grant award recipients relative to 2

C.F.R. § 200. This should be implemented nationally or used as a successful practice in other organizations.

Maryland: Research is conducted through the State Highway Administration, which is why they mainly fund highway research. Located within the Office of Policy and Research, they administer SPR part B; support participation in National Cooperative Highway Research Program (NCHRP) , Transportation Pooled Fund program (TPF), American Association of State Highway Transportation Officials (AASHTO) Technical Services Programs (TSP), manage a summer internship program with Morgan State University, and serve as the Transportation Research Board (TRB) state representative.

- There are 7-8 new studies each year. Annual request for proposals; used to have professors work with technical staff to develop problem statements and then SHA's leadership team would select the top priority problem statements to fund. Professors had been pushing for research that they were interested in, but SHA leadership wanted to ensure that research needs were internally driven.
- Title 6 has been a challenge because staff cannot work directly with researchers. The FHWA Division Office felt the process should be more "open" despite lack of competition in the state (i.e. only two state engineering schools in MD). The result is the ideas are not as unique and innovative but they are at least internally driven as requested by SHA leadership.
- There is one federal close out when ALL projects are completed. Projects are not carried forward.
- Research program is funded at approximately $3.2 million: $2.8 million in federal, $400K in state match.
- Individual jobs vs. programmatic program: All projects are grouped with general research federal projects. One federal close out when all projects are completed.

California: California Department of Transportation, (Caltrans) has a bottom up approach. They created technical advisory panels for various subject areas (modal programs, maintenance, planning, environmental, etc.). The technical advisory panels come up with problem statements in each category. Division management ranks and selects the problems statements for funding.

In addition, Caltrans has a newly created strategic management plan; Caltrans Management wants project ideas to be integrated into plan, so new ideas are based on how well they coordinate with strategic management plan.

- $23.3 million budget. $4.5 million UTC matched funds. $4.47 million to TRB. $10.5 million in Caltrans functional research annually.
- Research process—conduct preliminary investigations and best practice research, supports Caltrans' innovation needs, the schools deliver research products (idea stage to implementable) and serve as national engagement liaisons (TRB, USDOT).
- Preliminary investigation is done through contracts. State law requires using state employees prior to contracting out: Consultant expense is $5,000, university is $20,000. Downside is contractor is more general, though less expensive.
- Research and innovation—what can they do to innovate? They are engaging with American Traffic Safety Services Association (ATSSA) and other industry organizations, finding quick turnaround solutions, bringing new ideas. Metric: we give customer deployable research result.
- Tasks are put into work plan, not the project. Tasks are closed out.
- Research program governance is the hardest part of research.
- Research is based on needs of customers, by group—maintenance, environment, etc. Research tasks are tied to goals of Caltrans. Goals are tied to division users, trying to manage and monitor expectations.
- Defining the answer at the beginning helps create a better result. Quality of projects is better. Have task that has set start and end dates that extend six months past the contract end date.

New Mexico: Research Bureau recently separated from Planning Bureau and placed under a new department division to allow management emphasis on organizational strategy and performance. Division Director and Research Bureau Chief report directly to the NMDOT Deputy Secretary, establishing a close working relationship designed to improve organizational outcomes. Greater emphasis will be placed on implementation. Research projects are developed in cooperation with department advocates but are approved by Research Oversight Committee.

- Annual federal funding distribution of $1.78 million total -- $240,000 to NCHRP, $100,000 to TRB, $573,000 for salary, $245,000 for operational expenses. Remaining funds used for research projects.
- Research Bureau works with three state research universities, primarily University of New Mexico.
- Research Bureau has used ITPs with state universities more than RFPs but research process and results have not been acceptable. Federal audit of Research Bureau in 2008 resulted in a number of serious material findings focused on inappropriate and illegal business practices between

the Research Bureau and state universities. As a result of these two issues, the Research Bureau is exploring new approaches to research process. Question is whether it focuses more on out of state contracts; you potentially pay more overhead when you go out of state, but you might get better results.

- Research Bureau recently switched from one federal project number used for entire budget to separate project codes for salary and operational expenses and each individual projects. Allows better program and project analysis and oversight.
- Challenges: Relationship with state universities needs to be redefined. Research process needs to focus on outcomes that are innovative, timely, cost-effective and implementable. Because projects have been allowed to extend past the timeline in the initial agreement, by the time a project is done another state has completed the research and the Research Bureau research project is irrelevant.

Idaho: ITD's Research Program supports a wide range of research including projects addressing materials, bridges, highway safety, winter maintenance practices, environmental, and DMV/POE operations.

- For FY17, the program has a total budget of approximately $1.8 million. Approximately $850,000 is budgeted to support ITD-specific research projects. In addition, they contribute $315,000 to support NCHRP, $80,000 for TRB core services, $200,000 for pooled fund projects, and $260,000 for AASHTO projects and technical service programs.
- The program has only one full-time staff person and relies on subject matter experts from other department sections and districts to serve a project managers and technical advisory committee members for research projects.
- Following elimination of the Research Librarian position, ITD has worked to downsize its research library. The library will focus on maintaining ITD and Idaho-specific materials — other materials were donated to Idaho universities.
- ITD has an annual project selection process. Ideas for projects can only be submitted by Department staff and each submission must have a management sponsor/champion. Approximately 20-30 research requests are received annually.
- Typically, 6-8 new projects are selected for funding each year. Projects selected for funding are expected to support department strategic goals.

2. Implementing 2 C.F.R. § 220 Uniform Guidance

Top 10 Changes

- Effective date (200.110)
- Conflict of interest (200.112)
- Procurement (200.317 – 200.326)
- Internal Controls (200.303)
- Indirect F&A (facilities and administrative) costs (200.414)
- Indirect F&A cost recovery for sub recipients (200.331 and 200.414)
- Sub recipient monitoring (200.331)
- Compensation – personal services (200.430)
- Required certifications (200.415)
- Audit considerations – Subchapter F

CHALLENGES INTRODUCED

1. **MEASUREMENT**
   - **Link financial data to performance accomplishments**
     - Different metrics and reporting @ IHE
     - Time & Effort versus timesheets
   - **OMB Database Reporting for termination**
   - **Evaluation System or Process**
     - Not consultants
2. **RISK**
   - **Risk Assessment (200.205)**
     - Requires additional resources
     - Bias and subjectivity in evaluation
3. **TIME**
   - **Performance period end date**
     - How to get performances done on time and timely reporting for on time deliverables?
     - Lack of incentives
   - **Closeout 90 days**
     - Invoice submittal delay
4. **PROCUREMENT**
   - (200.317) - (200.326)
   - State law vs Federal law

- Exemptions

Recommended actions for State Implementation:

- Conduct risk assessment on IHEs
- Develop realistic project schedules
- Include a buffer to ensure performance period
- IHE submits final invoice 90 days post contract end
- Report project terminations to OMB
- Link financial data to performance measurement

Discussion on Measurement

- Maryland used to conduct a 360 evaluation at the end of a project where the PI evaluates the support and the agency evaluates the PI. Everyone was too nice and avoided the issues so the survey was discontinued. Caltrans does a performance e-measurement. They send out evaluation per customer, not per project. Gives a better representation with less bias.
- New Mexico has emphasized qualitative over quantitative evaluation for each project., but is currently creating new performance measures
- New Jersey has a project closeout evaluation and intends to use the score to influence future work but this has gotten some push back.
- When tracking performance, clearly define what you are measuring, or implementing.
- Caltrans states that implementing research takes many years. Perhaps it is time to use a portion of the research money to fund implementation and technology transfer activities.
- With respect to measuring customer satisfaction, New Jersey believes it is important to be proactive when soliciting research needs from subject matter experts. Caltrans added that the measures should be on what was within the scope of the contract not on unmanaged customer expectations for outcomes beyond the purview of the project.

Discussion on Procurement

- Each state is supposed to have written procurement procedures. Questions typical for research programs include: Should the research program at state transportation agencies use lump sum or cost plus contracts or both? For research, fixed price contracts may not be the best option since research projects usually involve greater risk than capital program projects due to their unique nature and need for the development of new procedures or specifications. Each project is unique and it may be difficult to determine unit costs. Idaho and other states reimburse actual cost, where they cannot

exceed the amount in a contract. If there is a change of 10%, they need to seek approval.

Discussion on Time

- Principal Investigator over-commitment is an issue. How can you complete last year's tasks in addition to initiating work intended for the subsequent year? Hire new people? Delay the new work?
- As of December 2014 OMB issues the uniform guidance which requires that the start and end dates must be included in all federal awards. The *period of performance* must be included in the federal award (2 C.F.R. § 200.77) and entered into the federal Financial Management Information System (FMIS).
- Program period and performance period are mutually linked to comply with Sections 200.301 and 200.309 although requirements for performance are already included in 23 CFR420.
- At its discretion, FHWA may delegate the ability to issue a one-time extension for up to 12 months.
- Maryland notes that their situation is different—justification is only to them and not reported to Federal Highway.
- Caltrans does a task status report, "Annual Research Report Highlights" with 2-page results page updates per project. This has value.
- Caltrans has experienced challenges with researchers failing to adhere to deadlines by anticipating approval of time extensions and turning in subpar reports.
- New Jersey has quarterly progress meetings. On occasion, a PI will try to submit work that is estimated to be completed by the end of the quarter. Since this is considered advance payment, meetings are now convened well after the end of the quarter to ensure all activities within the time frame are allowable. They also have a draft report date built into the contract ensuring enough time for review and comment.
- Idaho holds quarterly project meetings between researcher and ITD project manager and TAC. Idaho also recently began using ProjectWise to improve communication and information sharing on projects. Given the small staff size in their Research Program, project managers and TAC members are expected to take the lead in project management/oversight.
- New Mexico has a research implementation engineer involved to provide checks and balances during the project process. From now on project will have to be implementable.

- The incentivization of timely submissions is a challenge. Incentives do not work/have not been tested. Disincentives and threats have been effective.

Discussion on Closeout and Implementation:

- FHWA noted that the state gets 90 days and the federal government gets a year to close out projects. Add a cushion to help manage expectations of agency and customer.
- FHWA will be required to assess the agencies 30 most aged projects. Not just research. Failure to comply may result in withholding future awards, loss of funding and/or suspension.
- Project termination must be reported to OMB,
- The goal is to link financial data to performance accomplishments.
- During the Annual Research Showcase Santiago Navarro from USDOT-OSTR recommended that to researchers or other staff put some money aside for implementation of research products/findings.
- Peer Exchange participants attended the 18th Annual New Jersey Department of Transportation Research Showcase, which included presentations and sessions focused on a combination of ongoing and implemented transportation research. Feedback was favorable. Peer Exchange participants liked the concept and some will explore the possibility of hosting one within their respective states.
- Peer exchange participants were aware that Minnesota DOT uses the IdeaScale web based program to collect and categorize ideas for research studies. This ensures buy-in by subject matter experts who will implement the findings or products. This is appealing to all Peer Exchange participants.
- Try to focus work on what supports strategic goal areas. Be responsive to customer research interest. Put more responsibility on project managers and give them credit, and opportunity to present.

Challenges

- Sometimes implementation happens 10 years after research is complete, but you have difficulty tracking down PI or subject matter experts that may have been involved leaving no one to provide feedback.
- Some research results just prove the standard, no implementation needed.
- Implementation manager is becoming a regulatory role instead of helping customer and bridging gap between the PI and agency.
- Research is a contracting function. The many levels of reporting show the lack of priority for research.

- Management in some states suggest using consultants to conduct research, however there is reluctance in eliminating the use of IHEs since they are the traditional mechanism for the conduct of research.

Discussion on Follow-up

- Idaho believes there needs to be more instruction and guidance at the AASHTO RAC meeting with more in-depth discussion of super circular requirements regarding risk assessment, linking performance and financial data.
- Caltrans recommended that the peer exchange group prepare a one-page problem statement of how to implement 2 C.F.R. § 200 to generate discussion among RAC.
- New Jersey noted that FHWA was still updating 23 C.F.R. § 420 to reflect changes in 2 C.F.R. § 200.

TAKEAWAYS

As a result of a single but significant incident of financial impropriety with a FHWA Division office staffer and 2 IHE, NJDOT Bureau of Research leadership, with the assistance of Federal Highway Administration (FHWA) Division office staff is proactively and effectively drafting a series of documents designed to implement the provisions of 2 C.F.R. § 200 Subpart B that specifically affect state DOT Research Programs. The multiple documents that were provided to the Peer Exchange participants for review, analysis and comment were innovative and detailed. A substantial amount of work had been completed on the project by NJDOT Bureau of Research staff prior to the Peer Exchange.

As a general observation, Peer Exchange participants recognized that the NJDOT Bureau of Research has been far more active in considering the provisions of 2 C.F.R. § 200 than other state DOT agency/departments. Furthermore, the analysis NJDOT Bureau of Research has pursued and the documents they have developed should act as the foundation for any further actions by the transportation policy community as it attempts to implement 2 C.F.R. § 200. Key takeaways and recommended actions are stated below for the NJDOT Bureau of Research, the transportation policy community in general and state transportation agencies as noted by New Mexico DOT.

Primary Takeaway from the Peer Exchange

2 C.F.R. § 200 Subpart B remains a complex document with significant ambiguity in its provisions, and this has caused frustration and concern as state DOT

agencies/departments attempt to implement the regulations. As a generic next step, it is imperative that state DOT agencies/departments, in cooperation with the Federal Highway Administration (FHWA), the Transportation Research Board (TRB) and American Association of State Highway and Transportation Officials (AASHTO) Standing Committee on Research (SCOR) and its Research Advisory Committee (RAC), take a lead role in clarifying the provisions of 2 C.F.R. § 200 as it relates to State Planning and Research (SPR), Subpart B program requirements within 23 CFR 420 and ensuring these clarifications are available to each state to ensure consistent and accurate implementation.

To the extent practicable, the NJDOT Research Bureau should continue current efforts to develop documents and procedures for the implementation of 2 C.F.R. § 200 that will act as templates for other state DOT agencies/departments actions on this issue. Given the progress the NJDOT Research Bureau has made on the assorted issues and challenges associated with the interpretation and implementation of 2 C.F.R. § 200, staff at the agency should consider taking a lead role in national efforts to provide guidance for other states on appropriate approaches for implementation.

RECOMMENDED ACTIONS

New Jersey:

Follow up of the feasibility of implementing the following items:

- Indirect Cost Rate (ICR) language from Idaho Transportation Department (ITD) in basic agreements and task orders
- ProjectWise online quality report submission
- Caltrans 8 deliverables for technology transfer & implementation
- More focus on agency strategic goals
- Limit the performance period (12-18 months)
- Decline participation in pooled fund studies if no end date is furnished
- Require timesheets from IHEs
- Review Implementation Review Process
- Designate an Implementation Engineer
- Separate SPR Subpart A & B processes
- Have consideration for Title VI more explicitly noted in Research process

New Mexico:

- Establish an internal working group at the NMDOT Research Bureau to examine the provisions of 2 C.F.R. § 200 Subpart B and ascertain the extent to which we are currently compliant.
- Analyze the documents provided by the NJDOT Bureau of Research and ascertain which of those documents can be quickly integrated into our financial procedures and, if they cannot, make appropriate changes to the documents so they can.
- Prepare a concise white paper document for circulation to executive staff at these individual entities stating the importance of compliance with the provisions of 2 C.F.R. § 200 Subpart B the potential penalties involved in non-compliance, and identified mechanisms for compliance, including a timeline for compliance.
- Continued communication with state DOT agencies/departments to ascertain progress on developing implementation procedures for 2 C.F.R. § 200 Subpart B and active participation by NMDOT Research Bureau staff in those efforts as well as any efforts required to ensure proposed implementation procedures are consistent across state DOT agencies/departments.
- Hold a one-day workshop at the NMDOT Research Bureau with NMDOT staff, FHWA Regional staff and NM research universities to discuss procedures required so these individual entities can, in cooperation, become compliant with the provisions of 2 C.F.R. § 200 Subpart B.
- Inclusion of final 2 C.F.R. § 200 Subpart B implementation procedures in the NMDOT Research Bureau Procedures Manual.
- Ascertain any approaches used at the Research Showcase -- research awards to employees as a specific example -- that might be duplicated by NMDOT and the NMDOT Research Bureau.

Idaho:

- Have a presentation about TRB for staff as part of the TRB state visit Consider establishing annual research awards
- Review risk assessment processes & assess what action is needed
- Identify process to assess PI time commitments
- Develop performance metrics and begin tracking
- Review project evaluation options and implement process for project evaluation
- Share information on Uniform Guidance (UG) with managers of other ITD programs

Maryland:

- Review risk assessment processes & assess what action is needed
- Develop performance metrics and begin tracking
- Consider implementing a similar process to Caltrans, which identifies products to be delivered from the research from a list of 8 research products in the project.
- Understand Performance period end dates in MDSHA
- Consider conducting more Technology Transfer activities
- Consider conducting preliminary explorations in advance of research

Caltrans:

- Review New Jersey's research awards program.
- Look to see if Caltrans can adopt a Research Showcase
- Look at establishing an implementation engineer position
- Reviewing A-133 surveys
- Adopting Risk Assessment forms
- Work with FHWA, TRB and AASHTO to develop guidance on how State DOT Research Groups can comply with 2 C.F.R. § 200
- Develop performance metrics and begin tracking

Peer Exchange Group:

Continued communication with state DOT agencies/departments to ascertain progress on developing implementation procedures for 2 C.F.R. § 200 and active participation by staff in those efforts as well as any efforts required to ensure proposed implementation procedures are consistent across state DOT agencies/departments.

Prepare a concise white paper document for circulation to executive staff at these individual entities stating the importance of compliance with the provisions of 2 C.F.R. § 200, the potential penalties associated with non-compliance, identified mechanisms for compliance and a timeline for compliance.

Ascertain approaches used at NJ's Research Showcase. Research recognition awards to employees as a specific example that might be duplicated by other DOTs (i.e. implementation, innovation, outstanding student awards).

Recommended Actions for the Transportation Policy Community:

State DOT agencies/departments should draft a one-page concept paper to both TRB and AASHTO/SCOR/RAC designed to generically outline the potential challenges in interpreting and implementing the provisions of 2 C.F.R. § 200 and recommending the issue be elevated as a policy action item. TRB and AASHTO/SCOR/RAC should include several sessions at the summer meeting to discuss challenges with the interpretation and implementation of the provisions of 2 C.F.R. § 200. TRB and AASHTO/SCOR/RAC should develop a training protocol that can be used in webinars, workshops, and sessions to ensure the provisions of 2 C.F.R. § 200 are interpreted and implemented consistently across states.

Appendix A: Peer Exchange Agenda

NJDOT Peer Exchange:
IMPLEMENTING THE OMNI CIRCULAR
State DOT Research: SPR Subpart B

October 26th-28th, 2016

Agenda

Peer Exchange Team

Camille Crichton-Sumners, NJDOT
Allison Hardt, MD SHA
Joseph Horton, Caltrans
Ned Parrish, ITD
Randall Soderquist, NMDOT

Additional Peer Exchange Attendees
Calvin Edghill, FHWA-NJ
Brian Goodson, FHWA-NJ
Patty Leech, FHWA-NJ
Bethany Dennis, NJ LTAP
Omid Sarmad, NJ LTAP

October 26th, 2016 **Annual Research Showcase** **Mercer County Community College**

October 27th, 2016

8:30 AM

1. Introduction
   - b. Welcome — Host
   - c. Housekeeping (travel reimbursement, facilities)
   - d. Peer Exchange Objectives — Team Leader
   - e. Review Agenda & Meeting Process — Team Leader
   - f. Team Introductions
   - g. Official Welcome: Senior Leadership NJDOT Assistant Commissioner CIPGA — Dave Kuhn
   - h. Comments FHWA-NJ — Calvin Edghill

2. Background Information
   (Each state will present the following)
   - a. Brief Overview of Research Program
     - i. unit responsibilities, available IHEs, IHE engagement and coordination, State & federal funds, Individual jobs versus programmatic program

3. Omni Circular Implementation & State DOT Research
   - a. Changes & Challenges
     - i. Risk Assessment
     - ii. Performance Period End Date
     - iii. Linking Performance Accomplishments to Financial Data

iv. Timely Closeout
v. OMB Reporting
vi. Program Evaluation

4. Tracking Performance
    a. Describe process for follow up on close out studies (meeting user/customer needs)
    b. Research Performance Measures
        i. Efficiency Measurements
            1. % Projects Completed on Time
            2. % Projects Completed Within Budget
            3. % Project Implemented
        vii. Stakeholder Measurements
            1. Vendor Evaluation
            2. Annual Showcase Feedback

End of Day 1 Provide written statements to scribe

October 28th, 2016

8:30 AM

5. Continuation of Discussion
6. Peer Exchange Document Finalization
7. Peer Exchange Closeout Session
    a. Comments
    b. Presentation to Senior Leadership
    c. Senior Leadership Response
    d. Miscellaneous housekeeping items

Adjourn

Appendix B: NJDOT Research Showcase Agenda

18th Annual NJDOT Research Showcase
October 26, 2016
Conference Center at Mercer

8:30 a.m.	**Sign-in begins, Exhibit Set-up (Set-up to start at 8:00 a.m.)** **Networking Continental Breakfast**
9:10 a.m.	**Opening Remarks -Auditorium** Christopher Newman, Assistant Division Administrator, FHWA-NJ E. David Lambert III, Assistant Commissioner, Capital Program Management, New Jersey Department of Transportation
9:25 a.m.	**Every Day Counts State Update** David Kuhn, Assistant Commissioner, Capital Investment, Planning, and Grant Administration, New Jersey Department of Transportation
9:40 a.m.	**Keynote Presentation: Multi-Modal Research** Santiago Navarro, Technology Transfer Program Manager Office of the Assistant Secretary for Research and Technology, USDOT
10:20 a.m.	**Break and Poster Exhibits**
10:50 a.m.	**Transportation Research Board Update** Scott Brotemarkle, Marine Board Staff Director Transportation Research Board of the National Academies of Science, Engineering and Medicine
11:20 a.m.	**Research Progress: Look How Far We Have Traveled** Ted Green, P.E., Engineering Research Program Manager New Jersey Local Technical Assistance Program
11:50 a.m.	**Presentation of: (awardees selected by NJDOT)** 2016 Outstanding University Student in Transportation Research Award 2016 NJDOT Research Implementation Award 2016 Best Poster Award 2016 NJDOT Innovator Award
12:00 p.m.	**Buffet Lunch and Poster Exhibits**
1:00 p.m.	**Concurrent Breakout Sessions** (3 speakers per session/30 min. each with 10 min. between) Presenters selected from abstract solicitation by NJDOT. • Mobility • Safety • Environment • Infrastructure
3:00 p.m.	**Adjourn**

Appendix C: Contact Information

Peer Exchange Panel

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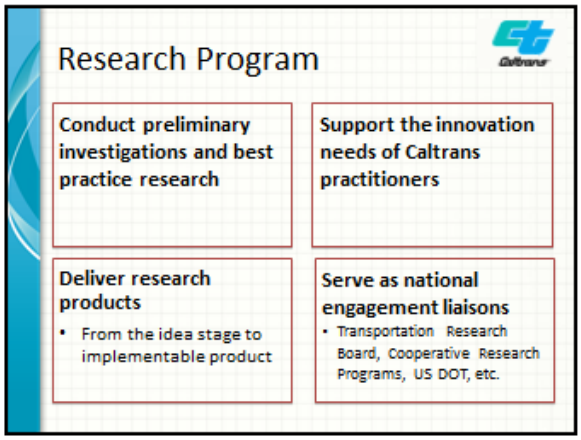
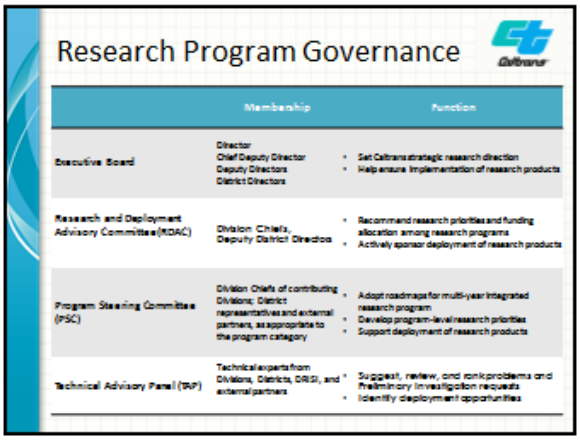
Appendix D: PowerPoint Presentations

Caltrans





Allocation of FY 2014/15 Research Funds

Caltrans Research Funding

SP&R Part II provided $12.8 million (55%)

- Fund state-specific transportation
- Support NCHRP, TRB, and TPF

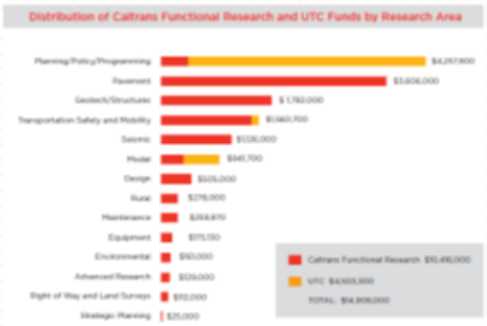
SHA provided $10.5 million (45%)

- Provide match funding
- Fund university transportation centers
- Support technology transfer and implementation
- Assist state research support partnerships (research centers)
- Fund roadside safety research (crash testing)

Programmatic Program?

- Caltrans does research to support Caltrans Programs
  - Research is customer Focused
  - Research Tasks are tied to the goals of Caltrans and the user Divisions
- Supported by Research Centers
  - UC Berkeley (PATH and PEER)
  - UC David (AHMCT and UCPRC)
  - Caltrans supports the Centers to provide researchers who are familiar with Caltrans processes.

Distribution of Funds by Research Area



Institutions of Higher Education (IHEs)

- Department of General Services maintains a master contract between State Agencies and the UC/CSU System
  - State law requires using State Employees prior to contracting out
  - Contract negotiates boiler plate issues to improve efficiencies
  - Each State Agency enters into an Interagency Agreement with the UC or CSU to conduct research
    - UC Davis, UC Berkeley, UC San Diego, UC Irvine, CSU San Jose, CSU Fresno, and CSU Sacramento are our main IHEs
    - Try to do more research with CSUs that have higher representation of minorities

Contracting

- Most Caltrans research use interagency agreements with UC/CSU System
- Caltrans uses a "Call for Submissions" to the Universities to find interested researchers.
- Contract negotiates boiler plate issues to improve efficiencies
- RFP Process used for outside universities and businesses


Find out more...
Welcome to the DRISI Internal Website
DRISI Strategic Plan
2014-2016
http://www.dot.ca.gov/drisi/index.html


Thank You!

MD DOT SHA

Research Program Overview

Allison Hardt
Maryland Department of Transportation
State Highway Administration
October, 2016

Organizational Structure

- Division within the Office of Policy and Research
- Three full-time employees
- Office reports directly to the State Highway Administrator

Responsibilities

- Administer and manage SHA's SPR, Part 2 Research Program
- Support participation in national research programs (NCHRP, TPF, AASHTO TSPs)
- Develop and administer research and technical assistance agreements with IHEs
- Manage a summer internship program with Morgan State University
- Serve on the AASHTO Research Advisory Committee
- Serve as the TRB State Representative

Available IHEs

Civil Engineering:
- University of Maryland
- Morgan State University

Other Research:
- Salisbury University
- Towson University
- University of Maryland Center for Environmental Science
- University of Maryland Baltimore County

- Other IHEs are eligible
- Out-of-state IHEs can be considered if no in-state interest

IHE Engagement & Coordination

- An Annual request for proposals is sent to IHEs
- SHA participates on advisory boards at the University of Maryland and Morgan State University
- UM and MSU are members of SHA's Innovations council
- UM and MSU seek matching funds and input/support from SHA for UTC activities

State & Federal Funds

- Research program is approximately $3.2M/year
- Approximately $2.8M in federal funds
- Approximately $400K in state matching funds

Individual Jobs versus Programmatic Program

- Programmatic Program -
  - All projects grouped within "general research" federal project
  - One federal close-out when all projects are completed

NJDOT


new jersey
department of transportation
BUREAU OF RESEARCH
PEER EXCHANGE
October 26-28, 2016


Scranton
Danbury
Barre
Bridgeport
Stamford
New York
Long Island
Easton
Allentown
Princeton
Trenton
King of Prussia
Philadelphia
Cherry Hill
Brick
Toms River
Wilmington
WELCOME TO
NewJersey


new jersey
department of transportation
Participants
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Idaho Department of Transportation
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New Mexico Department of Transportation
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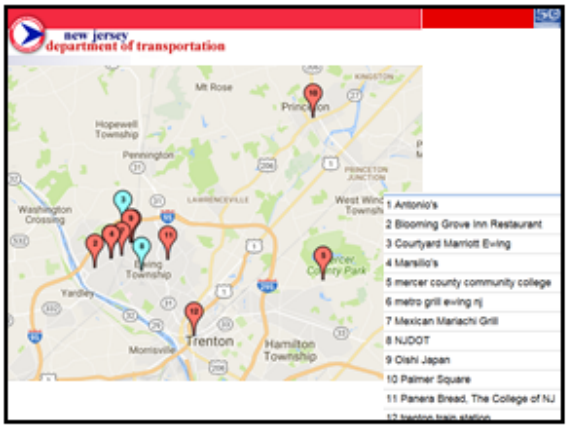
Federal Highway Administration –NJ
Patty Leech
Federal Highway Administration –NJ
Brian Goodson
Federal Highway Administration –NJ
Bethany Dennis
Rutgers University, NJ LTAP
Janet Leli
Rutgers University, NJ LTAP


new jersey
department of transportation
Mt Rose
Princeton
Hopewell Township
Pennington
Washington Crossing
Lawrenceville
West Windsor Township
Yardley
Morrisville
Trenton
Hamilton Township
1 Antonio's
2 Blooming Grove Inn Restaurant
3 Courtyard Marriott Ewing
4 Marsilio's
5 mercer county community college
6 metro grill ewing nj
7 Mexican Mariachi Grill
8 NJDOT
9 Oishi Japan
10 Palmer Square
11 Panera Bread, The College of NJ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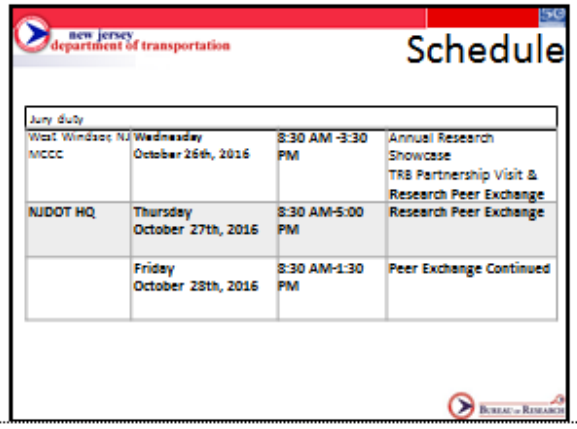
Trenton-Mercer Airport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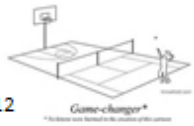
Schedule
Jury duty
West Windsor NJ MCCC
Wednesday October 26th, 2016
8:30 AM -3:30 PM
Annual Research Showcase
TRB Partnership Visit & Research Peer Exchange
NJDOT HQ
Thursday October 27th, 2016
8:30 AM-5:00 PM
Research Peer Exchange
Friday October 28th, 2016
8:30 AM-1:30 PM
Peer Exchange Continued

Self Assessment

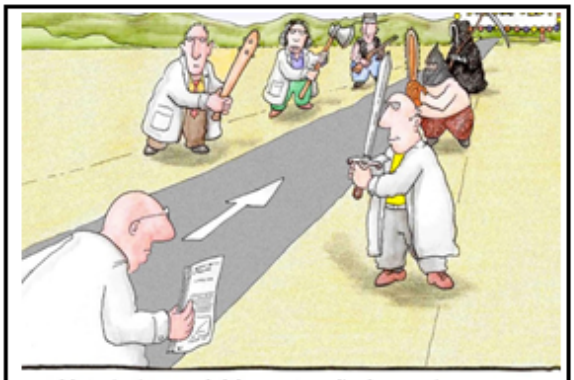
A. Uniform Guidance 2014
- Federal Criminal Compliant 2014
- NJ State Comptrollers Report 2012



B. FHWA National Process Review 2014
1. Monitor obligations beyond work program end date
2. Reserve funding for future modification without tying up funds
3. Follow up on audit recommendations
4. Develop monitoring procedures for measuring performance & timely closeout
5. Federal procurement law compliance for IHE

Research Peer Exchange Objectives:

1. Comply with program requirements in 23 CFR 420.207
2. Comply with cost and administrative requirements &
3. Discuss Changes and Challenges of Implementing 2 CFR 200



Most scientists regarded the new streamlined peer-review process as "quite an improvement."

Overview

The Bureau of Research delivers customer focused quality research and technology transfer solutions.

Research Team

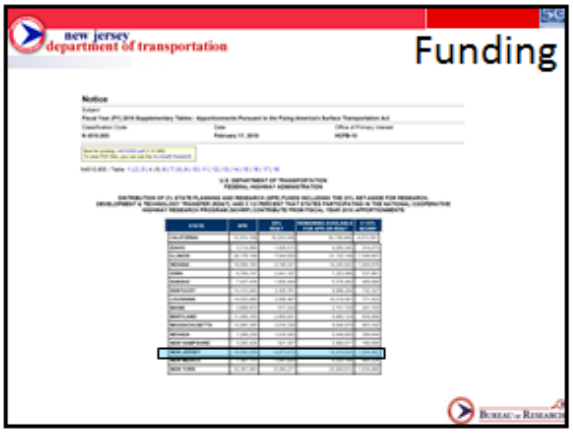
Research Project Managers
- Kimbrali Davis
- Amanda Gendek
- Tineen Howard
- Stefanie Potapa
- Mamun Rashid
- Pragna Shah
- Priscilla Ukpah
- Giri Venkiteela

Research Team

Administration
- Stephanie Nock

Contracts
- Sue Rizzo

Research Library
- Carol Paszamant
- Laurie Strow


new jersey
department of transportation
Funding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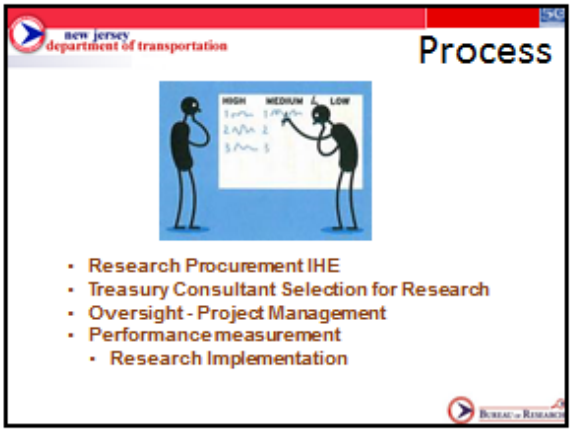
Functions
New Jersey Transportation Research Program
National Research Coordination
Technology and Knowledge Transfer Services
Research Implementation Assistance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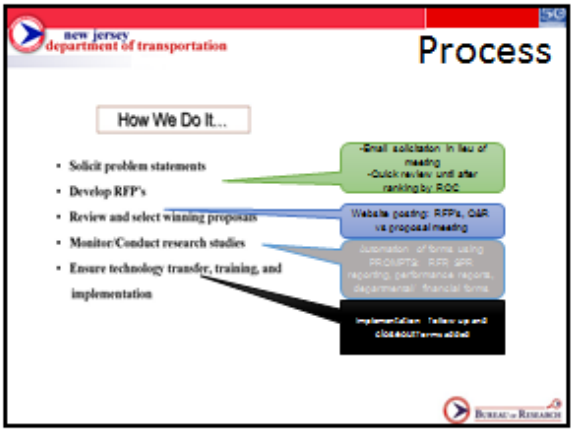
Process
HIGH
MEDIUM
LOW
Research Procurement IHE
Treasury Consultant Selection for Research
Oversight - Project Management
Performance measurement
Research Implementation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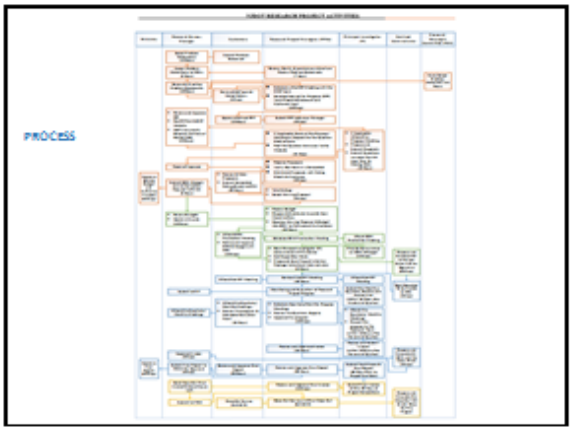
Process
How We Do It…
Solicit problem statements
Develop RFP's
Review and select winning proposals
Monitor/Conduct research studies
Ensure technology transfer, training, and implementation
-Email solicitation in lieu of meeting
-Quick review until after ranking by ROC
Website posting: RFPs, Q&R vs proposal meeting
Automation of forms using PROGRESS: RFP, IPR reporting, performance reports, departmental financial forms
Implementation: Tailor up and closeout forms added


PROCESS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SOLICITATION
Solicitation


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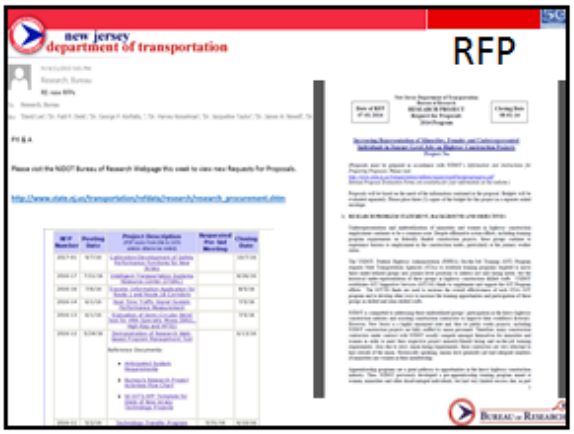
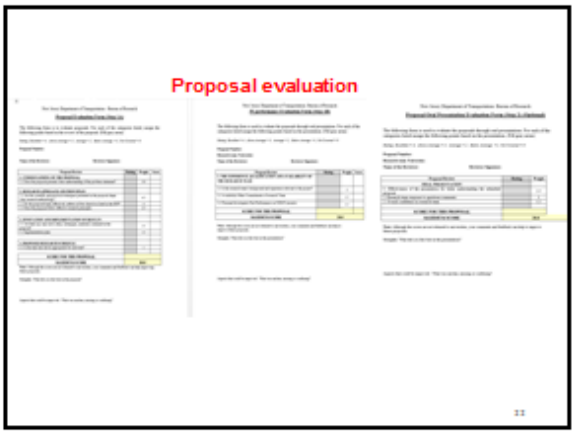
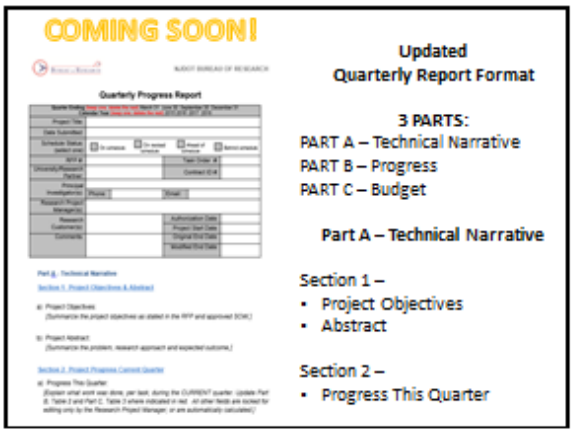
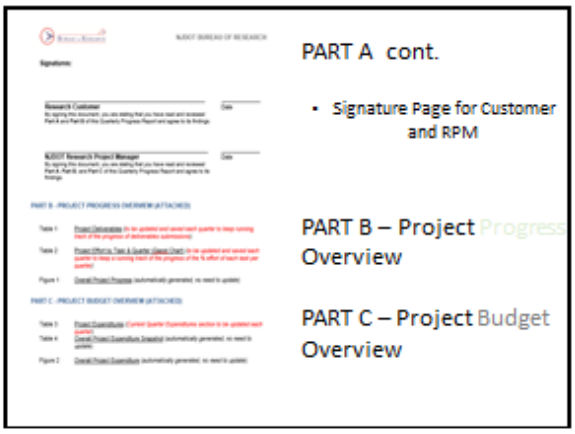
Rank

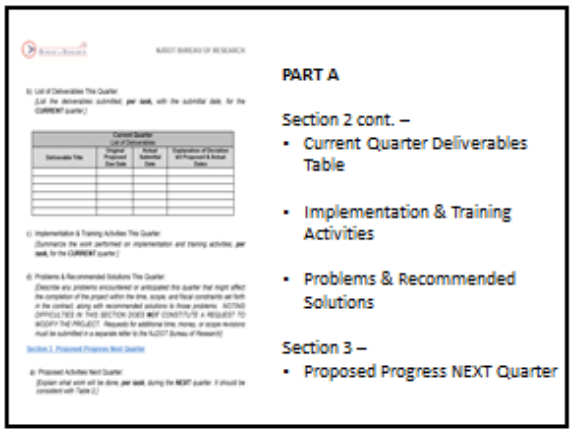

Research Partners
Cambridge Systematics, Inc.
City College of NY, Research Foundation*
Lehigh University
Monmouth University
New Jersey Institute of Technology
Princeton University
Richard Stockton College
Rowan University
Rutgers, The State University of New Jersey*
Stevens Institute of Technology
The College of New Jersey
UTRC/CAIT partners

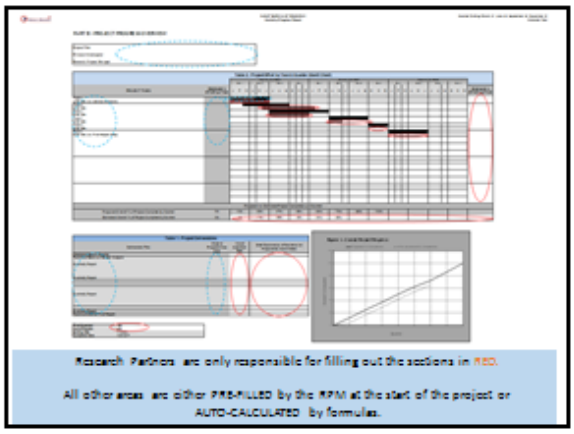

new jersey department of transportation
RFP

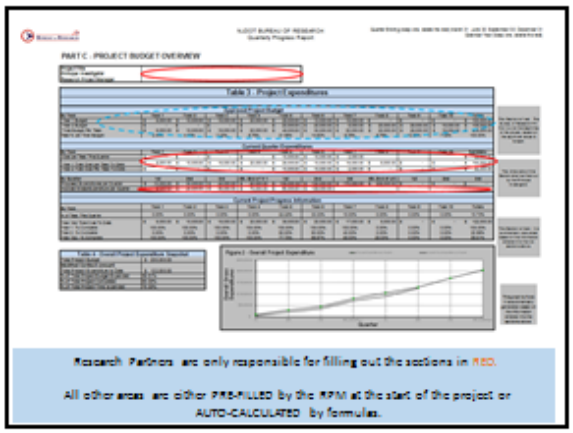

Proposal evaluation


COMING SOON!
Updated
Quarterly Report Format
3 PARTS:
PART A – Technical Narrative
PART B – Progress
PART C – Budget
Part A – Technical Narrative
Section 1 –
• Project Objectives
• Abstract
Section 2 –
• Progress This Quarter


PART A cont.
• Signature Page for Customer and RPM
PART B – Project Progress Overview
PART C – Project Budget Overview


PART A
Section 2 cont. –
• Current Quarter Deliverables Table
• Implementation & Training Activities
• Problems & Recommended Solutions
Section 3 –
• Proposed Progress NEXT Quarter


Research Partners are only responsible for filling out the sections in RED.
All other areas are either PRE-FILLED by the RPM at the start of the project or AUTO-CALCULATED by formulas.


PART C - PROJECT BUDGET OVERVIEW
Research Partners are only responsible for filling out the sections in RED.
All other areas are either PRE-FILLED by the RPM at the start of the project or AUTO-CALCULATED by formulas.


new jersey department of transportation
Overview
Caltrans


new jersey department of transportation
Overview
IDAHO
TRANSPORTATION DEPARTMENT


new jersey department of transportation
Overview
SHA

new jersey department of transportation

Overview

New Mexico DEPARTMENT OF TRANSPORTATION

new jersey department of transportation

UG

2 CFR 200 Omni-Circular purpose:

- Increase Efficiency
- Drive performance (and or outcomes) by establishing a reduced or streamlined regulatory process or system for federal aid,
- To reduce improper payments.

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UG Top 10

- Effective date (200.110)
- Conflict of interest (200.112)
- Procurement (200.317 – 200.326)
- Internal Controls (200.303)
- Indirect F&A (facilities and administrative) costs (200.414)
- Indirect F&A cost recovery for subrecipients (200.331 and 200.414)
- Sub recipient monitoring (200.331)
- Compensation – personal services (200.430)
- Required certifications (200.415)
- Audit considerations – Subchapter F

	Pre-award	Award	Monitor	Implement	Close
Risk assessment	✔	✔	✔		✔
Procurement	✔				
Performance period		✔			✔
Monitoring			✔		
Reporting			✔		
Relate financial data to performance			✔	✔	✔
Extensions of time			✔		
Notify OMB termination for			✔		

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Emphasis

Implementing 2 CFR 200

- MEASUREMENT
  - Link financial data to performance accomplishments § 200.301
  - OMB Reporting § 200.340
  - Evaluation
- TIME
  - Performance period end date § 200.77
  - closeout
- RISK
  - Risk Assessment § 200.205
- Procurement § 200.317- § 200.326

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Challenge

Implementing 2 CFR 200

RISK

- Risk Assessment § 200.205
  - Requires additional resources
  - Bias and subjectivity in evaluation

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RISK ASSESSMENT

Victorian risk assessment

SOLICITATION

Implementation of Risk Management 2 CFR 200 Guidelines

Each Research Partner must complete a 56 question survey that determines the level of risk of an institution in the following key areas of operation:

- Financial Management Systems
- Audit Information
- Procurement Management Systems
- Personnel Systems
- Property Management Systems
- Document Retention Policy
- Project Schedule Management Systems

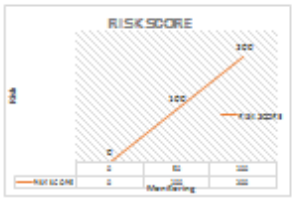
PROCUREMENT

Implementation of Risk Management 2 CFR 200 Guidelines

Each Principal Investigator (PI), primary and sub-primary must complete an additional 15-question survey that identifies and risk associated with the research team members. Key areas include:

- Research Team Member Experience
- Potential Affects from project implementation
- Research Team staffing availability
- Research Team staffing capability
- Research Team's equipment/facility adequacy

RISK ASSESSMENT PROCESS
2 CFR 200



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Discussion

Implementing 2 CFR 200 Discussion

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Challenge

Implementing 2 CFR 200

- **Procurement**
  - § 200.317- § 200.326
  - State law vs Federal law
    - Exemptions

Method of Procurement	Requirements/Threshold/Criteria 2 CFR 200.32
Micro-purchases	Micro-purchase 3K (§200.67)
Small Purchase Procedures	Simplified Acquisition Threshold 150K
Sealed bids (formal advertising)	• Lowest bid conforming to terms and conditions, • preferred for procuring construction • Procurement suitable for fixed price contract; • Selection can be made on the basis of price.
Competitive proposals	• more than one source bids • either a fixed price or cost-reimbursement type contra • when sealed bids are not appropriate • RFPs, selection criteria publicized to adequate qualifie sources • written method for conducting technical evaluations • price & other factors considered, award to most advantageous proposal • may use for qualifications-based procurement of architectural/engineering (A/E) professional services

Method of Procurement	Requirements/Threshold/Criteria 2 CFR 200.32
Non-competitive proposals.	• Item is available only from a single source • public exigency or emergency for the requirement will not permit a delay • authorized in response to a written request (subject to federal approval /FHWA does not have this authority) • After solicitation of a number of sources, competition is determined inadequate

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Discussion

Implementing 2 CFR 200 Discussion

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Challenge

Implementing 2 CFR 200

- **TIME**
  - Performance period end date
    - Time and Effort reporting
    - Lack of incentives
  - closeout 90 days
    - invoice submittal delay

Schedule

Project #3

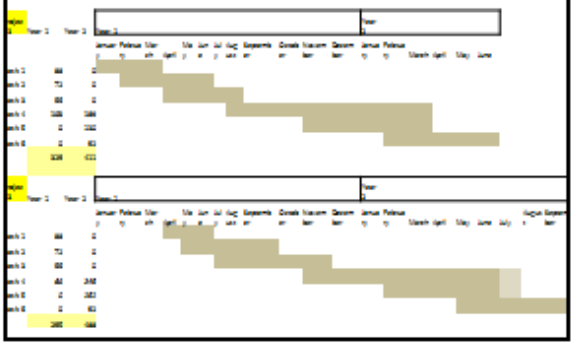
	PI	2080	Year 1		Year 2	End
	Dr. Delay	1644	hr/project			
NJDEP	Project 1	15%	247	20%	329	
NJDOT	Project 2	15%	247	5%	82	
NJDOT	Project 3	20%	329	25%	411	1-Jun
NJ University	Teaching	50%	822	50%	822	
		100%		100%		

Schedule

Project #3 Widget

	PI	2080	Year 1		Year 2		End	Revised
	Dr. Delay	1644hr/project						
NJDEP	Project 1	15%	247	20%	329	20%		
NJDOT	Project 2	15%	247	5%	82	5%		
NJDOT	Project 3	20%	329	25%	411	30%	f--/u	17-Sep
NJ University	Teaching	50%	822	50%	822	50%		
		100%		100%		105%		

Schedule



Schedule

CONSEQUENCES
- Overcommitted
- Underperforming
- Sacrifice quality
- Impact other staff schedules

ALTERNATIVES
- Additional Labor
- Delay Other Projects
- Do not complete all /projects activities

SCHEDULE

TASK ORDER 93 days

Date to University	Task Order From University	d	Date to DAG	d	Date Executed Task Order to NJDOT	d	Date Letter to University	d
3/19/2012	4/2/2012	14	4/2/2012	59	7/2/2012	32	7/2/2012	0
4/5/2012	5/4/2012	29	5/4/2012	33	6/28/2012	22	6/28/2012	0
5/24/2012	6/4/2012	11	6/4/2012	120	1/2/2013	92	1/3/2013	1
5/24/2012	7/3/2012	40	7/3/2012	21	9/18/2012	56	9/18/2012	1
6/25/2012	7/2/2012	7	7/2/2012	35	9/10/2012	35	9/10/2012	0
6/25/2012	7/3/2012	8	7/3/2012	15	9/10/2012	54	9/10/2012	0
7/20/2012	3/5/2013	228	3/5/2013	9	4/25/2013	42	4/29/2013	4
8/27/2015	9/16/2015	20	9/16/2015	15	11/4/2015	34	11/6/2015	2
8/27/2015	9/21/2015	25	9/22/2015	9	11/4/2015	34	11/6/2015	2
8/28/2015	9/2/2015	5	9/2/2015	2	9/14/2015	10	9/15/2015	1
9/2/2015	9/9/2015	7	9/9/2015	14	10/29/2015	36	11/2/2015	4
2/8/2016	2/10/2016	2	2/10/2016	22	4/11/2016	39	4/11/2016	0
2/8/2016	2/10/2016	2	2/10/2016	22	4/11/2016	39	4/11/2016	0
3/22/2016	3/29/2016	7	3/29/2016	23	6/27/2016	67	6/28/2016	1
9/1/2016								
		21	University	28	DAG signs	44	AD 12	2

MODIFICATION

83 days

Date to University	Task Order From University	d	Date AD-12 Circulate	d	Date Executed Contract Modification to NJDOT	d	Date Letter to University	d
[illegible]								

20-University 18-Research 45-AD-12

Schedule

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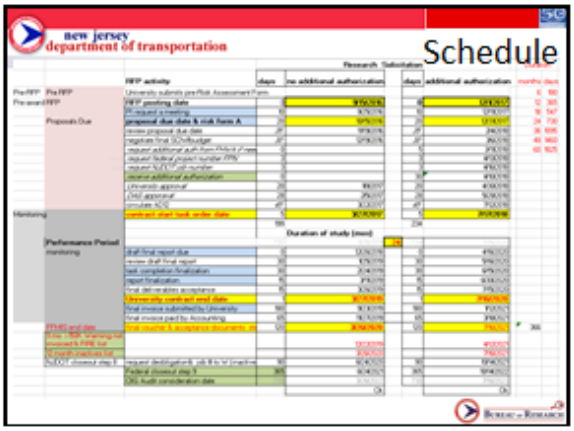
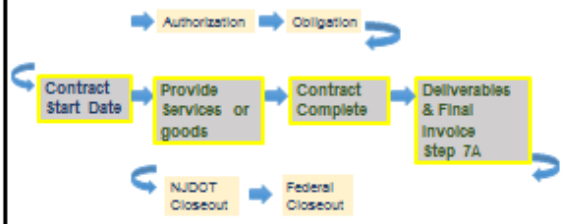


Performance Period

- From Authorization to Closeout (FATC)
- Start and end dates of the period of performance must be included in the Federal award 2 CFR 200.77
- Program Period and Performance Period are mutually linked to comply with Sections 200.301 and 200.309. The SCHEDULE COUNTS!!!!!
- 1 time extension for 12 months

Performance Period



Closeout

- Draft final report 3 months prior to contract end date
- Federal government agencies want to close awards bilaterally within **90 days**
- UG §200.343 **90 days after the contract end date** recipient submits:
  - All Eligible Incurred Costs
  - Performance and Financial Reports
  - Specified Project Records
- NJDOT Project Closure Procedures

Closeout

- Government Oversight and New Efficiency (GONE) Act January 28, 2016
  - Termination **OMB terminations 2 CFR 200**
  - Withhold future awards
  - Loss of funding
  - Suspension
- FAPIIS - Federal Awardee Performance & Integrity Information System

RISK ASSESSMENT PROCESS 2 CFR 200

RISK IMPLEMENTATION & CLOSEOUT FORM

Discussion

Implementing 2 CFR 200 Discussion

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Challenge

Implementing 2 CFR 200

- MEASUREMENT
  - Link financial data to performance accomplishments
    - **Different metrics and reporting @ IHE**
    - **IHE don't have timesheets**
  - OMB Reporting for termination
    - **Not consultants**
  - Evaluation
    - **Not consultants**

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Measures

METRICS EMPHASIZED	Research Organization		
Typical Performance Measures	State Agency	University Research	R&D for profit
Number of papers/published		x	x
Patents		x	x
Receive grants		x	
Student graduation		x	
Implementation	x		x
Cost Savings	x		
Skill/competency	x		
Project Completion Time	x		
Potential financial return/revenue			x
Satisfied technical parameters			x
Within Budget	x	x	x

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Quarterly Progress Reports

In accordance with 2 CFR 200.301 …the Federal awarding agency must require the recipient to:

- **relate financial data to performance accomplishments** of the Federal award.
- use OMB-approved standard information collections when providing financial and performance information.
- when applicable, provide cost information to demonstrate cost effective practices

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Evaluation

- Financial Data related to performance accomplishments
  - Quarterly and annual report
- Extensions of Time
- Performance period

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Reporting

- Quarterly Report
- Contract Modification
- Final Report
- Close-out Procedure
- Research
- Implementation Survey
- TIWA Report

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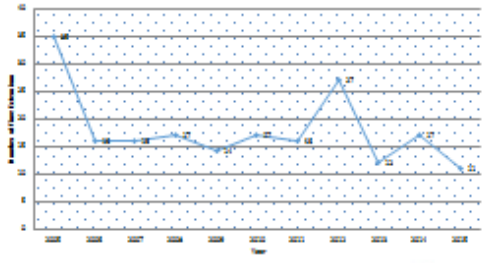
Performance Measures

Time Extensions 2005-2015



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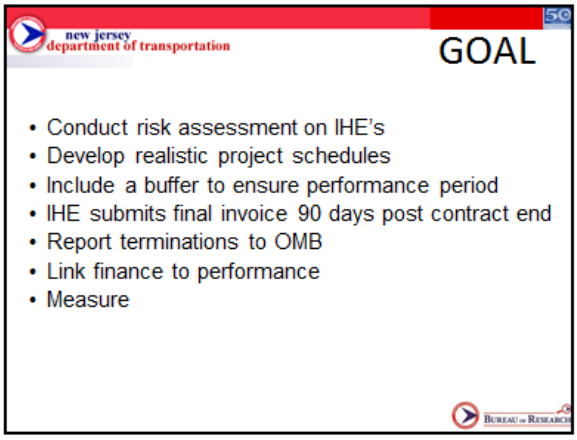
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GOAL
• Conduct risk assessment on IHE's
• Develop realistic project schedules
• Include a buffer to ensure performance period
• IHE submits final invoice 90 days post contract end
• Report terminations to OMB
• Link finance to performance
• Measure
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Discussion
Implementing 2 CFR 200 Discussion
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