



UNIVERSITY of NORTH CAROLINA WILMINGTON

Research Integrity Office

Conflicts of Interest Guidance

Questions? Email: COI@uncw.edu

Organizational Conflicts of Interest

Adapted from University of Pittsburgh Policy 11-01-08, "Organizational Conflict of Interest."

Background

UNCW is committed to identifying, avoiding, and/or managing actual or perceived conflicts of interest relating to its research activities consistent with federal laws and regulations. In conducting federal research and contracting activities, University members have a responsibility to comply with this guidance.

A unique type of conflict of interest may arise when members of UNCW assist in the development of new federal programs or federal contract specifications, and UNCW later competes for federal support through those new programs or contracts. This type of conflict of interest has been named "Organizational Conflict of Interest" (OCI) and is described in Federal Acquisition Regulation (FAR) Subpart 9.5 "Organizational and Consultant Conflicts of Interest" <https://www.acquisition.gov/far/current/html/Subpart%209.5.html>.

Federal agencies often invite university faculty members to provide advice and technical assistance. Such public service is part of UNCW's mission and is encouraged. However, there may be the potential for an OCI in such cases. For example, if a faculty member is on a panel that provides input for a new Request for Applications that will be put forth in the future, an OCI may exist if UNCW then submits an application. Although the important contributions that faculty members and other UNCW personnel may make in advising federal agencies must not be discouraged or diminished, any OCI must be managed.

UNCW seeks to identify and manage OCI in a manner consistent with FAR Subpart 9.5. This guidance applies to all University members, to include faculty, staff, and students.

Types of OCIs

For purposes of this guidance, an OCI is defined as any relationship, interest, commitment or obligation that may adversely affect or be in conflict with the services the University performs as a federal awardee or contractor.

An OCI may exist in three basic categories:

Unequal Access to Information: This type of OCI arises when the University gains an unfair competitive advantage because of a University member's access to information not generally available to other parties competing for the same federal funding. For example, a faculty member may have had access to budgets, statements of work or evaluation criteria providing an unfair advantage in the proposal submission and award process.

Impaired Objectivity: This type of OCI arises when a University member's work on a government contract places the University in a situation of evaluating itself or a related entity. For example, the University's work under one government contract could require it to evaluate its own activities or evaluation of proposals from entities competing with the University. In this case, the concern is that the University's ability to render impartial advice under a federal contract could appear to be undermined.

Biased Ground Rules: This type of OCI arises when a University member provides consultation, advice, or technical assistance relating to a federal funding opportunity and the University then applies for that same funding opportunity. For example, a faculty member may serve on a federal advisory board or act as a consultant to develop standards which are used as basis of Scope of Work or specifications that are used to support a federal funding opportunity.

OCI Disclosure by University Members Required

The University is required to certify to the federal government that it is appropriately managing any potential OCI. To collect the information needed to make these mandated certifications, the University requires all University members to disclose those relationships, interests, commitments or obligations relating to the federal government ("Activities") that may give rise to an OCI, as defined in FAR Subpart 9.5 and Section II.B of this guidance.

Specific examples of the types of Activities that must be reported include, but are not limited to:

- Serving as an advisor or consultant to the federal government;
- Serving as a member of a federal advisory board;
- Working, consulting or serving on any federal standard setting committee or board;
- Working on contracts providing scientific, engineering and technical direction to the federal government;
- Having any access to proprietary, confidential or sensitive data in the custody and possession of the federal government or other entities working with the government.

OCI Disclosure Procedures

1. New faculty and staff that participated in Activities prior to University employment that may give rise to an OCI at the University must disclose those Activities to the UNCW Office of Research Integrity within 30 days of hire by email to COI@uncw.edu.
2. Faculty and staff must disclose any Activities that may give rise to an OCI to the UNCW Research Integrity Office annually by October 1 during the University's annual disclosure process.
3. Faculty and staff must disclose any new Activities that may give rise to an OCI within 30 days of the start of the Activity to the UNCW Research Integrity Office by email to COI@uncw.edu.
4. When an OCI is identified, the Research Integrity Office will collaborate with the discloser, the Office of Sponsored Programs, and the Office of General Counsel, as needed, to develop a management plan to prevent unfair advantage or loss of objectivity regarding federal contract work.

If you have any questions, please contact Lee Prete at 910-962-7774 or email COI@uncw.edu.

For additional information, a link to the AIR system, and COI resources, please visit the UNCW COI website: <https://uncw.edu/sparc/integrity/COI.html>.