

COLLEGES AND UNIVERSITIES RATE AGREEMENT

EIN:

DATE:07/08/2020

ORGANIZATION:

University of Delaware
220 HULLIHEN HALL

Newark, DE 19716-0160

The rates approved in this agreement are for use on grants, contracts and other agreements with the Federal Government, subject to the conditions in Section III.

SECTION I: INDIRECT COST RATES

RATE TYPES: FIXED FINAL PROV. (PROVISIONAL) PRED. (PREDETERMINED)

EFFECTIVE PERIOD

<u>TYPE</u>	<u>FROM</u>	<u>TO</u>	<u>RATE (%)</u>	<u>LOCATION</u>	<u>APPLICABLE TO</u>
PRED.	07/01/2018	06/30/2019	56.00	On-Campus	Organized Research
PRED.	07/01/2019	06/30/2020	59.50	On-Campus	Organized Research
PRED.	07/01/2020	06/30/2021	60.00	On-Campus	Organized Research
PRED.	07/01/2018	06/30/2021	28.00	Off-Campus	Organized Research
PRED.	07/01/2018	06/30/2019	41.00	On-Campus	OR - College of Agriculture
PRED.	07/01/2019	06/30/2020	46.00	On-Campus	OR - College of Agriculture
PRED.	07/01/2020	06/30/2021	51.00	On-Campus	OR - College of Agriculture
PRED.	07/01/2018	06/30/2021	28.00	Off-Campus	OR - College of Agriculture
PRED.	07/01/2018	06/30/2021	38.40	On-Campus	Other Sponsored Activities
PRED.	07/01/2018	06/30/2021	26.30	Off-Campus	Other Sponsored Activities
PRED.	07/01/2018	06/30/2021	48.60	On-Campus	Instruction

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<u>TYPE</u>	<u>FROM</u>	<u>TO</u>	<u>RATE (%)</u>	<u>LOCATION</u>	<u>APPLICABLE TO</u>
PRED.	07/01/2018	06/30/2021	33.00	Off-Campus	Instruction
PROV.	07/01/2021	Until Amended			Use same rates and conditions as those cited for fiscal year ending June 30, 2021.

The above rates were originally negotiated and issued by the Department of Defense / Office of Naval Research / Indirect Cost Branch on March 25, 2019.

*BASE

Modified Total Direct Cost (MTDC), consisting of all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel and up to the first \$25,000 of each subaward (regardless of the period of performance of the subawards under the award). MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward in excess of \$25,000. Vessel (ship) charges are also excluded.

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SECTION I: FRINGE BENEFIT RATES**

<u>TYPE</u>	<u>FROM</u>	<u>TO</u>	<u>RATE (%)</u>	<u>LOCATION</u>	<u>APPLICABLE TO</u>
FIXED	7/1/2020	6/30/2021	38.80	All	Faculty / Prof. Employees
FIXED	7/1/2020	6/30/2021	60.50	All	Staff Employees
FIXED	7/1/2020	6/30/2021	12.00	All	Graduate Students
FIXED	7/1/2020	6/30/2021	6.70	All	Other*

** DESCRIPTION OF FRINGE BENEFITS RATE BASE:

Salaries and Wages

*Excludes student wages exempt from FICA.

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SECTION II: SPECIAL REMARKS

TREATMENT OF FRINGE BENEFITS:

The fringe benefits are charged using the rate(s) listed in the Fringe Benefits Section of this Agreement. The fringe benefits included in the rate(s) are listed below.

TREATMENT OF PAID ABSENCES

Vacation, holiday, sick leave pay and other paid absences are included in salaries and wages and are claimed on grants, contracts and other agreements as part of the normal cost for salaries and wages. Separate claims are not made for the cost of these paid absences.

OFF-SITE DEFINITION: For all activities performed in facilities not owned by the organization and to which rent is directly allocated to the project(s), the off-site rate will apply. Grants or contracts will not be subject to more than one indirect cost rate. If more than 50% of a project is performed off-site, the off-site rate will apply to the entire project.

Fringe benefits include: FICA, Unemployment Compensation, Workers' Compensation, Retirement, Medical Insurance, Dental Insurance, Life Insurance, Disability Insurance, Tuition Fee Waiver, Special Employee Death Benefit, Employee Service Award, Flexible Benefits Cash Out, Vacation Payout, and Mortgage Assistance.

The next indirect cost rate proposal based on the fiscal year ending June 30, 2020 is due in our office by December 31, 2020.

The next fringe benefit rate proposal based on the fiscal year ending June 30, 2020 is due in our office by December 31, 2020.

Equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$5,000.

SECTION III: GENERAL

A. LIMITATIONS:

The rates in this Agreement are subject to any statutory or administrative limitations and apply to a given grant, contract or other agreement only to the extent that funds are available. Acceptance of the rates is subject to the following conditions: (1) Only costs incurred by the organization were included in its facilities and administrative cost pools as finally accepted: such costs are legal obligations of the organization and are allowable under the governing cost principles; (2) The same costs that have been treated as facilities and administrative costs are not claimed as direct costs; (3) Similar types of costs have been accorded consistent accounting treatment; and (4) The information provided by the organization which was used to establish the rates is not later found to be materially incomplete or inaccurate by the Federal Government. In such situations the rate(s) would be subject to renegotiation at the discretion of the Federal Government.

B. ACCOUNTING CHANGES:

This Agreement is based on the accounting system purported by the organization to be in effect during the Agreement period. Changes to the method of accounting for costs which affect the amount of reimbursement resulting from the use of this Agreement require prior approval of the authorized representative of the cognizant agency. Such changes include, but are not limited to, changes in the charging of a particular type of cost from facilities and administrative to direct. Failure to obtain approval may result in cost disallowances.

C. FIXED RATES:

If a fixed rate is in this Agreement, it is based on an estimate of the costs for the period covered by the rate. When the actual costs for this period are determined, an adjustment will be made to a rate of a future year(s) to compensate for the difference between the costs used to establish the fixed rate and actual costs.

D. USE BY OTHER FEDERAL AGENCIES:

The rates in this Agreement were approved in accordance with the authority in Title 2 of the Code of Federal Regulations, Part 200 (2 CFR 200), and should be applied to grants, contracts and other agreements covered by 2 CFR 200, subject to any limitations in A above. The organization may provide copies of the Agreement to other Federal Agencies to give them early notification of the Agreement.

E. OTHER:

If any Federal contract, grant or other agreement is reimbursing facilities and administrative costs by a means other than the approved rate(s) in this Agreement, the organization should (1) credit such costs to the affected programs, and (2) apply the approved rate(s) to the appropriate base to identify the proper amount of facilities and administrative costs allocable to these programs.

BY THE INSTITUTION:

University of Delaware

(INSTITUTION)



(SIGNATURE)

Gregory S. Oler

(NAME)

Vice President for Finance and Deputy Treasurer

(TITLE)

07/08/2020

(DATE)

ON BEHALF OF THE FEDERAL GOVERNMENT:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Darryl W. Mayes
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Digitally signed by Darryl W. Mayes -S
DN: c=US, o=U.S. Government, ou=HHS,
ou=PSC, ou=People,
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cn=Darryl W. Mayes -S
Date: 2020.07.08 15:48:57 -0400'

(SIGNATURE)

Darryl W. Mayes

(NAME)

Deputy Director, Cost Allocation Services

(TITLE)

7/8/2020

(DATE) 7960

HHS REPRESENTATIVE: **Steven Zuraf**

Telephone: **(301) 492-4855**