

**COLLEGES AND UNIVERSITIES RATE AGREEMENT**

EIN: 27-0093858

DATE: 12/5/2022

ORGANIZATION:

FILING REF.: The preceding  
agreement was dated  
04/07/2020University of California (UCM)  
Merced Campus  
P.O. Box 2039  
Merced, CA 95344

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>
FINAL	07/01/2016	06/30/2022	55.00	On-Campus	All Programs
FINAL	07/01/2016	06/30/2022	26.00	Off-Campus	All Programs
PRED.	07/01/2022	06/30/2023	56.50	On-Campus	Organized Research
PRED.	07/01/2023	06/30/2024	58.00	On-Campus	Organized Research
PRED.	07/01/2024	06/30/2025	58.50	On-Campus	Organized Research
PRED.	07/01/2022	06/30/2025	26.00	Off-Campus	Organized Research
PROV.	07/01/2025	Until Amended		(1)	

\*BASE

Modified total direct costs, 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). Modified total direct costs shall exclude 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.

(1) Use same rates and conditions as those cited for fiscal year ending June 30, 2025.

NOTE:      See Special Remarks regarding Genomic Arrays.

ORGANIZATION: University of California (UCM) Merced

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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	39.00	All	Faculty
FIXED	7/1/2021	6/30/2022	37.00	All	Faculty
FIXED	7/1/2022	6/30/2023	36.50	All	Faculty
FIXED	7/1/2020	6/30/2021	46.90	All	Academic & Exempt Staff
FIXED	7/1/2021	6/30/2022	45.70	All	Academic & Exempt Staff
FIXED	7/1/2022	6/30/2023	44.70	All	Academic & Exempt Staff
FIXED	7/1/2020	6/30/2021	3.40	All	Limited Benefit Eligibility
FIXED	7/1/2021	6/30/2022	3.00	All	Limited Benefit Eligibility
FIXED	7/1/2022	6/30/2023	4.80	All	Limited Benefit Eligibility
FIXED	7/1/2020	6/30/2021	16.70	All	Post Doc
FIXED	7/1/2021	6/30/2022	14.00	All	Post Doc
FIXED	7/1/2022	6/30/2023	15.80	All	Post Doc
FIXED	7/1/2020	6/30/2021	54.90	All	Staff Non- Exempt Benefit
FIXED	7/1/2021	6/30/2022	53.50	All	Staff Non- Exempt Benefit
FIXED	7/1/2022	6/30/2023	53.40	All	Staff Non- Exempt Benefit
PROV.	7/1/2023	Until Amended		(1)	

\*\* DESCRIPTION OF FRINGE BENEFITS RATE BASE:

Salaries and wages excluding vacation and catastrophic leave.

(1) Use same rates and conditions as those cited for fiscal year ending June 30, 2023.

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**SECTION II: SPECIAL REMARKS**

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TREATMENT OF FRINGE BENEFITS:

Effective 01/01/2018, the fringe benefits are charged using the rate(s) listed in the Fringe Benefits section of this Agreement. The fringe benefit (s) included in the rate(s) are listed below.

Effective 01/01/2018, the following fringe benefits are included in the fringe benefit rate(s):  
BENEFITS ADMINISTRATION; DENTAL, DISABILITY, LIFE, MEDICAL, UNEMPLOYMENT, VISION, AND WORKERS' COMPENSATION INSURANCE; EMPLOYEE SUPPORT PROGRAMS; FICA AND MEDICARE TAX; INCENTIVE AWARD PROGRAMS; AND RETIREMENT BENEFITS.

TREATMENT OF PAID ABSENCES

Vacation leave costs are charged on the accrual basis of accounting as an assessment to payroll. All other leave costs, including sick, holiday, and other leave costs (e.g., jury duty) are charged on the cash basis of accounting. Leave costs other than vacation are included in salaries and wages and are claimed on grants, contracts and other agreements as part of the normal costs for salaries and wages. Separate claims for the costs of these paid absences are not made. Leave costs are allocated to direct and/or indirect objectives on a prorated basis consistent with the allocation of the employee's salary and wages. Sabbatical leave costs are not charged to sponsored agreements.

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DEFINITION OF EQUIPMENT

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 \$5,000.

DEFINITION OF ON-CAMPUS AND OFF-CAMPUS RATES

DEFINITION OF OFF-CAMPUS RATE

The off-campus rate is applicable to those projects conducted at facilities not owned or leased by the University. However, if the project is conducted in leased space and lease costs are directly charged to the project, then the off-campus rate must be used.

PROJECTS CONDUCTED ENTIRELY ON-CAMPUS OR ENTIRELY OFF-CAMPUS:

Projects conducted entirely on-campus or entirely off-campus will be applied the on-campus or off-campus rate respectively.

PROJECTS CONDUCTED PARTIALLY OFF-CAMPUS AND PARTIALLY ON-CAMPUS:

If the project involves work at both on-campus and off-campus sites, either the on-campus or off-campus rate generally should be applied, consistent with where the majority of the work is to be performed. Salary cost is generally accepted as a measure of work performed in terms of the total project.

USE OF BOTH ON-CAMPUS AND OFF-CAMPUS RATES

The use of both on-campus and off-campus rates for a given project may be justified if both of the respective rates can clearly be identified with a significant portion of salaries and wages of the project. For purposes of this provision, significant is defined as approximately 25% or more of the total costs and a project's total salary and wage costs exceed \$250,000.

NEXT PROPOSAL DUE DATE

Your next indirect cost proposal based on fiscal year ending 06/30/24 is due in our office by 12/31/24, and your next fringe benefits rate proposal based on actual costs for fiscal year ending 06/30/22 will be due in our office by 12/31/22.

SPECIAL REMARKS: The NIH policy on indirect costs pertaining to Genomic Arrays (NOT-OD-10-097) is effective as of 05/13/10.

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**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 California (UCM) Merced Campus

DocuSigned by:  
(INSTITUTION)  
*Barbara Cevallos*  
485885A2051743E...

(SIGNATURE)  
Barbara Cevallos

(NAME)  
Associate Vice President/Systemwide Controller

(TITLE)  
12/14/2022

(DATE)

ON BEHALF OF THE FEDERAL GOVERNMENT:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

(AGENCY)  
*Arif M. Karim -S* Digitally signed by Arif M. Karim  
-S  
Date: 2022.12.08 09:16:17 -06'00'

(SIGNATURE)

Arif Karim

(NAME)

Director, Cost Allocation Services

(TITLE)

12/5/2022

(DATE) 7009

HHS REPRESENTATIVE: Jeanette Lu

Telephone: (415) 437-7820