



DEPARTMENT OF HEALTH & HUMAN SERVICES

Program Support Center  
Financial Management Service  
Division of Cost Allocation  
Central States Field Office

1301 Young Street, Room 732  
Dallas, Texas 75202  
(214)-767-3261  
FAX: (214)-767-3264

May 29, 2009

Mr. Charles E. Tarantino  
Assistant Controller  
Rice University  
Controller's Office, MS 74  
P.O. Box 1892  
Houston, TX 77252

Dear Mr. Tarantino:

A copy of a facilities and administrative cost and fringe benefit Rate Agreement is being faxed to you for signature. This Agreement reflects an understanding reached between your organization and a member of my staff concerning the rate(s) that may be used to support your claim for facilities and administrative costs on grants and contracts with the Federal Government.

Please have the original signed by an authorized representative of your organization and fax it to me, retaining the copy for your files. Our fax number is (214) 767-3264. We will reproduce and distribute the Agreement to the appropriate awarding organizations of the Federal Government for their use.

The Fixed fringe benefit rates for the fiscal year ending June 30, 2009 are based on actual costs for the fiscal year ended June 30, 2007. They include the following (under-recovered) or over-recovered costs:

- Faculty - Over-recovery of \$1,081,293
- Staff - Over-recovery of \$495,397
- Students - Over-recovery of \$36,405

The fixed rate(s) for fiscal year ended June 30, 2007 is considered final.

The Fixed fringe benefit rates for the fiscal year ending June 30, 2010 are based on actual costs for the fiscal year ended June 30, 2008. They include the following (under-recovered) or over-recovered costs:

- Faculty - Over-recovery of \$308,850
- Staff - Over-recovery of \$80,212
- Students - Over-recovery of \$51,619

The Fixed fringe benefit rates for fiscal year ended June 30, 2008 is considered final.

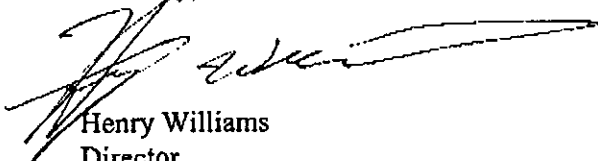
A Fringe Benefit cost proposal, together with supporting information and the certified audit financial statement, is required each year. Thus, your next Fringe Benefit cost proposal based on

actual costs for the fiscal year ending June 30, 2009 is due in our office by December 31,2009.  
Your next F&A proposal based on actual costs for the fiscal year ending June 30, 2010 is due in  
our office by December 31, 2010.

Since this is an integral part of the negotiation agreement, please note your acceptance by  
signing in the space provided on the following page of this letter.

Thank you for your cooperation.

Sincerely,



Henry Williams  
Director  
Division of Cost Allocation  
Central States Field Office

Enclosures

ACCEPTANCE

Katherine E Collins

Name

Vice President for Finance

Title

6-8-09

Date

**COLLEGES AND UNIVERSITIES RATE AGREEMENT**

EIN #: 1741109620A1

DATE: May 29, 2009

INSTITUTION:  
Rice University  
P.O. 2666  
Houston

FILING REF.: The preceding  
Agreement was dated  
April 24, 2008

TX 77252

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: FACILITIES AND ADMINISTRATIVE COST RATES\***

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

TYPE	EFFECTIVE PERIOD		RATE (%)	LOCATIONS	APPLICABLE TO
	FROM	TO			
PRED.	07/01/02	06/30/07	51.0	On Campus	Organized Research
PRED.	07/01/02	06/30/07	51.0	On Campus	Instruction
PRED.	07/01/02	06/30/07	26.0	Off Campus	Organized Research
PRED.	07/01/07	06/30/11	52.5	On Campus	Organized Research
PRED.	07/01/07	06/30/11	52.5	On Campus	Instruction
PRED.	07/01/07	06/30/11	26.0	Off Campus	Organized Research
PROV.	07/01/11 UNTIL AMENDED		Use same rates and conditions as those cited for fiscal year ending June 30, 2011.		

**\*BASE:**

Modified total direct costs, consisting of all salaries and wages, fringe benefits, materials, supplies, services, travel and subgrants and subcontracts up to the first \$25,000 of each subgrant or subcontract (regardless of the period covered by the subgrant or subcontract). Modified total direct costs shall exclude equipment, capital expenditures, charges for patient care, tuition remission, rental costs of off-site facilities, scholarships, and fellowships as well as the portion of each subgrant and subcontract in excess of \$25,000.

INSTITUTION:  
Rice University

AGREEMENT DATE: May 29, 2009

SECTION I: FRINGE BENEFITS RATES\*\*

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

TYPE	EFFECTIVE PERIOD		RATE(%)	LOCATIONS	APPLICABLE TO
	FROM	TO			
FIXED	07/01/08	06/30/09	1.0	All	Students
FIXED	07/01/08	06/30/09	26.3	All	Staff
FIXED	07/01/08	06/30/09	23.5	All	Faculty
FIXED	07/01/09	06/30/10	1.0	All	Students
FIXED	07/01/09	06/30/10	27.0	All	Staff
FIXED	07/01/09	06/30/10	25.0	All	Faculty
PROV.	07/01/10	UNTIL AMENDED	Use same rates and conditions as those cited for fiscal year ending June 30, 2010.		

\*\*DESCRIPTION OF FRINGE BENEFITS RATE BASE:  
Salaries and wages.

INSTITUTION:  
Rice University

AGREEMENT DATE: May 29, 2009

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**SECTION II: SPECIAL REMARKS**

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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 for the costs of these paid absences are not made.

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

Equipment Definition -

Equipment means an article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit.

FRINGE BENEFITS:

FICA	Retirement
Disability	Life Insurance
Tuition Remission	Worker's Compensation
Unemployment Insurance	Health Insurance
Sabbaticals	Parking
Employee Assistance	Child Care

INSTITUTION:  
Rice University

AGREEMENT DATE: May 29, 2009

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 created 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 Office of Management and Budget Circular A-21 Circular, and should be applied to grants, contracts and other agreements covered by this Circular, subject to any limitations in 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 those programs.

BY THE INSTITUTION:

Rice University

(INSTITUTION)

Katherine E Collins  
(SIGNATURE)

Katherine E. Collins  
(NAME)

Vice President for Finance  
(TITLE)

June 8, 2009  
(DATE)

ON BEHALF OF THE FEDERAL GOVERNMENT:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

(AGENCY)

[Signature]  
(SIGNATURE)

Henry Williams  
(NAME)

DIRECTOR, DIVISION OF COST ALLOCATION-

(TITLE) CENTRAL STATES FIELD OFFICE

May 29, 2009  
(DATE) 0119

HHS REPRESENTATIVE: Denise Shirlee  
Telephone: (214) 767-3313