



DEPARTMENT OF HEALTH & HUMAN SERVICES

Program Support Center  
Financial Management Portfolio  
Cost Allocation Services

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June 24, 2020

Kelly L. Fox,  
Senior Vice Chancellor and Chief Financial Officer  
University of Colorado - Boulder  
914 Broadway, 90 UCB  
Boulder, CO 80309

Dear Ms. Fox:

A copy of the indirect rate cost rate agreement is being sent 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 F&A and fringe benefit costs on grants and contracts with the Federal Government.

In addition, both parties agree to the following over/under recoveries:

- Over-recovery of \$1,431,884 applicable to Regular Faculty
- Over-recovery of \$2,455,670 applicable to Professional F/T & Classified Staff Permanent
- Under-recovery of \$25,768 Hourly
- Under-recovery of \$544,528 applicable to Professional P/T Classified Staff Temporary
- Over-recovery of \$1,093,542 applicable to Student Faculty
- Under-recovery of \$492,607 applicable to Laboratory for Atmospheric and Space Physics Leave Rate

These amounts are included in your fixed fringe benefit rates for the fiscal year ending 06/30/21 which are listed in the attached rate agreement.

During our review of your proposal, it was disclosed that the Institution's actuarially determined pension contributions exceeded the Governmental Accounting Standards Board (GASB) Statement No. 68 calculated pension expense. However, 2 CFR 200.431(g)(3) only allows pension plan costs determined in accordance with GAAP (i.e., GASB 68). The Office of Management and Budget (OMB) is aware of this issue and is currently considering revising the regulations. Therefore, we reserve the right to revise this Agreement to disallow the pension contributions in excess of the GASB 68 calculated pension expense, if OMB does not revise the regulation or issue an exception.

Please have the agreement signed by an authorized representative of your organization and return within ten business days of receipt. The signed agreement should be sent to me by email, while retaining the copy for your files. Only when the signed agreement is returned, will we then reproduce and distribute the agreement to the appropriate awarding organizations of the Federal Government for their use.

Kelly L. Fox, Senior Vice Chancellor & CFO

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A fringe benefit proposal, together with the required supporting information, must be submitted to this office for each fiscal year in which your organization claims fringe benefit costs under grants and contracts awarded by the Federal Government. Therefore, your next fringe benefit rate proposal based on actual costs for the fiscal year ending 06/30/20, is due in our office by 12/31/20. Please submit your next proposal electronically via email to [CAS-SF@psc.hhs.gov](mailto:CAS-SF@psc.hhs.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Arif Karim', with a long horizontal line extending to the right.

Arif Karim, Director  
Cost Allocation Services

Enclosure

PLEASE SIGN AND RETURN THE NEGOTIATION AGREEMENT BY EMAIL

**COLLEGES AND UNIVERSITIES RATE AGREEMENT**

EIN:

DATE:06/24/2020

ORGANIZATION:

FILING REF.: The preceding  
agreement was dated  
07/08/2019University of Colorado-Boulder  
Office of the Sr Vice Chancellor & CFO  
914 Broadway, 90 UCB  
Boulder, CO 80309The 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.	07/01/2013	06/30/2014	52.50	On-Campus	Organized Res.
PRED.	07/01/2014	06/30/2015	53.00	On-Campus	Organized Res.
PRED.	07/01/2015	06/30/2016	53.50	On-Campus	Organized Res.
PRED.	07/01/2016	06/30/2018	54.00	On-Campus	Organized Res.
PRED.	07/01/2013	06/30/2018	26.00	Off-Campus	Organized Res.
PRED.	07/01/2013	06/30/2014	50.50	On-Campus	Instruction
PRED.	07/01/2014	06/30/2018	49.00	On-Campus	Instruction
PRED.	07/01/2013	06/30/2018	26.00	Off-Campus	Instruction
PRED.	07/01/2013	06/30/2014	41.50	All	(1)
PRED.	07/01/2014	06/30/2018	40.00	All	(1)
PROV.	07/01/2018	Until Amended		(2)	

\*BASE

ORGANIZATION: University of Colorado-Boulder Office of the Sr  
Vice Chancellor & CFO

AGREEMENT DATE: 6/24/2020

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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, student tuition remission, rental costs of off-site facilities, scholarships, and fellowships as well as a portion of each subgrant and subcontract in excess of \$25,000.

- (1) Lab for Atmospheric and Space Physics (LASP)
- (2) Use same rates and conditions as those cited for fiscal year ending 06/30/18.

ORGANIZATION: University of Colorado-Boulder Office of the Sr  
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**SECTION I: FRINGE BENEFIT RATES\*\***

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<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	37.00	All, except LASP (A)	(2)
FIXED	7/1/2020	6/30/2021	29.00	All (A)	Regular Fac.
FIXED	7/1/2020	6/30/2021	17.70	All (A)	(3)
FIXED	7/1/2020	6/30/2021	12.30	All (A)	Student Fac.
FIXED	7/1/2020	6/30/2021	1.30	All (A)	Hourly
FIXED	7/1/2020	6/30/2021	25.10	LASP(1)(B)	Prof. Research
FIXED	7/1/2020	6/30/2021	36.10	LASP (A)	(2)
PROV.	7/1/2021	6/30/2023		(C)	

\*\* DESCRIPTION OF FRINGE BENEFITS RATE BASE:

(A) Salaries and wages including vacation, holiday, sick leave pay and other paid absences.

(B) Salaries and wages excluding vacation, holiday, sick leave pay and other paid absences.

(C) Use same rates and conditions as those cited for fiscal year ending June 30, 2021.

- (1) Lab for Atmospheric and Space Physics (LASP) leave benefit rate  
 (2) Professional F/T & Classified Staff Permanent  
 (3) Professional P/T & Classified Staff Temporary

ORGANIZATION: University of Colorado-Boulder Office of the Sr  
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AGREEMENT DATE: 6/24/2020

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**SECTION II: SPECIAL REMARKS**

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TREATMENT OF FRINGE BENEFITS:

This organization uses a fringe benefit rate which is applied to salaries and wages for both budgeting and charging purposes for Federal projects. The following fringe benefits are included in the fringe benefit rate(s): FICA, WORKERS COMPENSATION, HEALTH/LIFE/DENTAL, DISABILITY INS., ANNUITANT'S INS., UNEMPLOYMENT INS., RETIREMENT PLANS, ECOPASS BUS PASS, AND TERMINATION PAY.

TREATMENT OF PAID ABSENCES

Except for LASP employees (Professional Researcher Employee Classification only), vacation, holiday, sick leave pay and other paid absences are included in salaries and wages and are charged to Federal projects as part of the normal charge for salaries and wages. Separate charges for the cost of these absences are not made.

For LASP (Professional Researcher Employee Classification only), the cost of vacation, holiday, sick leave pay, and other paid absences are included in a leave benefit rate which is applied to salaries and wages for budgeting and charging purposes for Federal projects, and are not included in direct charges for salaries and wages. Charges for salaries and wages must exclude those paid to LASP (Professional Researcher Employee Classification only) for periods when they are on vacation, holiday, or sick leave, or are otherwise absent from work.

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 OFF-CAMPUS

Off-campus activity shall be defined as those activities which, because of location where work is performed, do not incur physical plant operations and maintenance costs. Projects partially performed off-site are apportioned between their on-site components. If 50% or more of the indirect cost rate base costs of the project are determined to be on-site, the entire project is considered on-site. If less than 50% of the indirect cost rate base costs are determined to be on-site, the entire project is considered off-site. This rate agreement updates the facilities and administrative cost rates only.

This agreement updates fringe benefits rates only.

NEXT PROPOSAL DUE DATE

A fringe benefits rates proposal based on actual costs for fiscal year ending 6/30/20, will be due no later than 12/31/20.

ORGANIZATION: University of Colorado-Boulder Office of the Sr Vice Chancellor & CFO

AGREEMENT DATE: 6/24/2020

**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 Colorado Boulder,  
Office of the Vice Chancellor & Chief Financial Officer

(INSTITUTION)

DocuSigned by:

*Carla L. Ho-a*

(SIGNATURE)

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Carla L. Ho-a

(NAME)

Vice Chancellor & Chief Financial Officer

(TITLE)

6/25/2020

(DATE)

ON BEHALF OF THE FEDERAL GOVERNMENT:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

(AGENCY)

*Arif Karim*

(SIGNATURE)

Arif Karim

(NAME)

Director, Cost Allocation Services

(TITLE)

6/24/2020

(DATE) 7026

HHS REPRESENTATIVE:

Jeffrey Warren

Telephone:

(415) 437-7820