

**COLLEGES AND UNIVERSITIES RATE AGREEMENT**

EIN: 65-0177616

DATE:03/31/2021

ORGANIZATION:

FILING REF.: The preceding agreement was dated 04/14/2020

Florida International University  
11200 SW 8th Street  
Miami, FL 33199

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.	07/01/2021	06/30/2022	47.50	On Campus	Organized Research
PRED.	07/01/2021	06/30/2022	48.00	On Campus	Instruction
PRED.	07/01/2021	06/30/2022	35.00	On Campus	Other Sponsored Activities
PRED.	07/01/2021	06/30/2022	26.00	Off-Campus	All Programs
PROV.	07/01/2022	Until Amended			Use same rates and conditions as those cited for fiscal year ending June 30, 2022.

\*BASE

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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. Other items may only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency for indirect costs.

**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	24.42	All	College of Medicine Faculty
FIXED	7/1/2020	6/30/2021	34.29	All	Professional and Faculty
FIXED	7/1/2020	6/30/2021	49.29	All	Staff
FIXED	7/1/2020	6/30/2021	18.65	All	Overtime
FIXED	7/1/2020	6/30/2021	7.65	All	Misc. Payroll
FIXED	7/1/2020	6/30/2021	4.48	All	OPS/ Temp Instructors
FIXED	7/1/2020	6/30/2021	3.07	All	Graduate Students
FIXED	7/1/2021	6/30/2022	28.26	All	College of Medicine Faculty
FIXED	7/1/2021	6/30/2022	36.13	All	Professional and Faculty
FIXED	7/1/2021	6/30/2022	55.80	All	Staff
FIXED	7/1/2021	6/30/2022	19.87	All	Overtime
FIXED	7/1/2021	6/30/2022	7.65	All	Misc. Payroll
FIXED	7/1/2021	6/30/2022	4.09	All	OPS/Temp Instructors
FIXED	7/1/2021	6/30/2022	8.20	All	Graduate Students
PROV.	7/1/2022	Until amended			Use same rates and conditions as those cited for fiscal year ending June 30, 2022.

\*\* DESCRIPTION OF FRINGE BENEFITS RATE BASE:

Salaries and wages.

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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

The costs of vacation, holiday, sick leave pay and other paid absences are included in the organization's fringe benefit rate and are not included in the direct cost of salaries and wages. Claims for direct salaries and wages must exclude those amounts paid or accrued to employees for periods when they are on vacation, holiday, sick leave or are otherwise absent from work.

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. In addition, the off-campus rate will also be applicable to all other activities performed in remote locations that are outside of Miami, FL.

Fringe Benefit Details:

College of Medicine Faculty Fringe Benefits include Social Security Matching , Medicare Tax Expense-Employer, State Retirement, DROP Retirement DP Plan, FICA Savings, Vacation Pay-12 Mo Faculty-COM , State Health - Employer, State Life - Employer, Parental Leave, and Waivers for Fundable FTEs Exempt.

Professional and Faculty Fringe Benefits include Social Security Matching, Social Security Matching, Overtime, Medicare Tax Expense - Employer, State Retirement, DROP Retirement DP Plan, Sick Payout-Exec & A & P, Sick Payout-9 Mo Faculty, Sick Payout-12 Mo Faculty, Vacation Payout-Exec & A & P, Vacation Payout-9 Mo Faculty, Vacation Payout-12 Mo Faculty, FICA Savings, State Health -Employer, State Life - Employer, State Disability - Employer, Worker's Compensation - Claims Paid, Unemployment Compensation - Claims Paid, Waivers for Fundable FTEs Exempt, Parental Leave, Sabbatical Leave, and Medical Leave.

Staff Fringe Benefits include Social Security Matching, Medicare Tax Expense - Employer, State Retirement, DROP Retirement DP Plan, Sick Payout-USPS, Vacation Payout-USPS, FICA Savings, State Health -Employer, and State Life - Employer, Worker's Compensation - Claims Paid, Unemployment Compensation - Claims Paid and Waivers for Fundable FTEs Exem, Parental Leave and Medical Leave.

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Overtime Fringe Benefits include Social Security Matching Overtime, Medicare Tax Expense - Overtime, and State Retirement.

Misc. Payroll Fringe Benefits include Social Security Matching Overtime, Medicare Tax Expense - Employer, and Misc. Payroll Allowance.

OPS/Temp Instructors Fringe Benefits include Medicare Tax Expense - Employer, FICA savings, State Health -Employer.

Graduate Students Fringe Benefits includes State Health -Employer and Grad Assist Health - Employer.

APPLICATION OF INDIRECT COST RATES TO DOD CONTRACTS/SUBCONTRACTS:

In accordance with DFARS 2231.303, no limitation (unless waived by the institution) may be placed on the reimbursement of otherwise allowable indirect cost rates incurred by an institution of higher education under a DOD contract awarded after November 30, 1993, unless the same limitation is applied uniformly to all other organizations performing similar work. It has been determined by the Department of Defense that such limitation is not being uniformly applied. Accordingly, the following rates do not reflect the application of the 26% limitation on administrative indirect costs imposed by OMB Circular A-21.

TYPE	Effective Period	Rate (%)	Locations	Applicable
To				
PRED	07/01/17-06/30/21	50.0%	On-Campus	Orgn. Research
PRED	07/01/17-06/30/21	28.0%	Off-Campus	Orgn. Research
PROV	07/01/21-Until Amended	Use same rates and conditions as those cited for fiscal year ended June 30, 2021.		

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.

\*Next indirect cost rate and fringe benefit rate proposals for the fiscal year ending 06/30/2021 are due in our office by 12/31/2021.\*

**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:

Florida International University

\_\_\_\_\_  
(INSTITUTION)

\_\_\_\_\_  
(SIGNATURE)

\_\_\_\_\_  
(NAME)

\_\_\_\_\_  
(TITLE)

\_\_\_\_\_  
(DATE)

ON BEHALF OF THE FEDERAL GOVERNMENT:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

\_\_\_\_\_  
(AGENCY)

\_\_\_\_\_  
(SIGNATURE)

Darryl W. Mayes

\_\_\_\_\_  
(NAME)

Deputy Director, Cost Allocation Services

\_\_\_\_\_  
(TITLE)

3/31/2021

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(DATE) 3035

HHS REPRESENTATIVE: Lucy Siow

Telephone: (301) 492-4855