

## COLLEGES AND UNIVERSITIES RATE AGREEMENT

EIN: 1146013200F4  
ORGANIZATION:  
RFSUNY and SUNY System Administration  
35 State Street  
Albany, NY 12207

Date: 04/15/2024  
FILING REF.: The preceding  
agreement was dated  
08/10/2023

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.

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### SECTION I: INDIRECT COST RATES

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| RATE TYPES: | FIXED                   | FINAL         | PROV. (PROVISIONAL) | PRED. (PREDETERMINED) |                      |
|-------------|-------------------------|---------------|---------------------|-----------------------|----------------------|
|             | <u>EFFECTIVE PERIOD</u> |               |                     |                       |                      |
| <u>TYPE</u> | <u>FROM</u>             | <u>TO</u>     | <u>RATE(%)</u>      | <u>LOCATION</u>       | <u>APPLICABLE TO</u> |
| PRED.       | 07/01/2023              | 06/30/2028    | 26.50               | On-Site               | All Programs         |
| PROV.       | 07/01/2028              | Until Amended | 26.50               | On-Site               | All Programs         |

#### \*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. 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       | 7/1/2023    | 6/30/2024 | 40.00          | All             | Regular Employees     |
| FIXED       | 7/1/2023    | 6/30/2024 | 28.00          | All             | Post Doctorals        |
| FIXED       | 7/1/2023    | 6/30/2024 | 14.00          | All             | Summer Employees      |
| FIXED       | 7/1/2023    | 6/30/2024 | 13.00          | All             | Graduate Students     |
| FIXED       | 7/1/2023    | 6/30/2024 | 6.00           | All             | Undergraduate Student |
| FIXED       | 7/1/2024    | 6/30/2025 | 39.50          | All             | Regular Employees     |
| FIXED       | 7/1/2024    | 6/30/2025 | 31.00          | All             | Post Doctorals        |
| FIXED       | 7/1/2024    | 6/30/2025 | 14.00          | All             | Summer Employees      |
| FIXED       | 7/1/2024    | 6/30/2025 | 13.00          | All             | Graduate Students     |
| FIXED       | 7/1/2024    | 6/30/2025 | 5.50           | All             | Undergraduate Student |
| PROV.       | 7/1/2025    | 6/30/2028 | 39.50          | All             | Regular Employees     |
| PROV.       | 7/1/2025    | 6/30/2028 | 33.00          | All             | Post Doctorals        |
| PROV.       | 7/1/2025    | 6/30/2028 | 14.50          | All             | Summer Employees      |
| PROV.       | 7/1/2025    | 6/30/2028 | 13.50          | All             | Graduate Students     |
| PROV.       | 7/1/2025    | 6/30/2028 | 5.50           | All             | Undergraduate Student |

**\*\* DESCRIPTION OF FRINGE BENEFITS RATE BASE:**

Salaries and wages.

## **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.

1. These Facilities and Administrative cost rates apply when grants and contracts are awarded jointly to Research Foundation for SUNY and SUNY System Administration.

2. The fringe benefit costs listed below are reimbursed to the grantee through the direct fringe benefit rates applicable to Research Foundation employees: Retiree Health Insurance, Retirement Expense, Social Security, NYS Unemployment Insurance, NYS Disability Insurance, Group Health Insurance, Group Life Insurance, Long Term Disability Insurance, Workers' Compensation, Dental Insurance, Vacation & Sick Leave\*, and Vision Benefits.

\*This component consists of payments for accrued unused vacation leave made in accordance with the Research Foundation Leave Policy to employees who have terminated, changed accruing status, or transferred. It also includes payments for absences over 30 calendar-days that are charged to sick leave.

The fringe benefit costs for State University of New York employees are charged utilizing the New York State fringe benefit rate for federal funds. This approved rate is contained in the New York State-Wide Cost Allocation Plan. This rate includes the following costs: Social Security, Retirement, Health Insurance, Unemployment Benefits, Workers' Compensation, Survivors' Benefits, Dental Insurance, Employee Benefit Funds, and Vision Benefits.

3. 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.

4. 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.

5. A four-year rate extension of the F&A cost rate(s) was granted in accordance with 2 CFR 200.414(g).

6. A fringe benefit rate proposal based on actual costs for the fiscal year ended 6/30/2024 is due in our office by 12/31/2024.

7. An indirect cost proposal based on actual costs for the fiscal year ending 6/30/2027 is due in our office by 12/31/2027.

8. This rate agreement updates fringe benefit rates only.

### 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 indirect cost pool 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 indirect 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 indirect 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 indirect 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 indirect costs allocable to these programs.

BY THE INSTITUTION:

RFSUNY and SUNY System Administration

(INSTITUTION)

DocuSigned by:

*David Martin*

(SIGNATURE)

C8FC256F18C2403...

David Martin

(NAME)

Associate Director of Cost Accounting

(TITLE)

6/11/2024

(DATE)

ON BEHALF OF THE GOVERNMENT:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

(AGENCY)

Darryl W. Mayes -S

Digitally signed by Darryl W.

Mayes -S

Date: 2024.06.07 15:06:24 -04'00'

(SIGNATURE)

Darryl W. Mayes

(NAME)

Deputy Director, Cost Allocation Services

(TITLE)

04/15/2024

(DATE)

HHS REPRESENTATIVE: Ryan McCarthy

TELEPHONE:

(212) 264-2069

**Components of Published Facilities & Administrative**

**Institution : RFSUNY and SUNY System Administrati**

**FY Covered by Rate:** 7/1/23-  
**Rate type: Predetermined** **06/30/28**

| <b><u>Rate Component</u></b>                  |                            |
|---|----------------------------|
| 1. Depreciation - Bldgs & Improvements        | 1.4%                       |
| 2. Depreciation - Equipment                   | 0.2%                       |
| 3. Operation & Maintenance                    | 3.0%                       |
| 4. Interest                                   | 1.5%                       |
| 5. Library                                    | 0.0%                       |
| 6. General Administration                     | 3.5%                       |
| 7. Departmental Administration                | 0.0%                       |
| 8. Sponsored Funds Administration             | 16.9%                      |
| 9. Utility Cost Adjustment                    | <u>0.0%</u>                |
| <b>Published On-Campus Rate- All Programs</b> | <b><u><u>26.5%</u></u></b> |

\* Reflects provisions of Appendix III to Part 200 of Un  
Costs Identification and Assignment, and Rate Deteri  
Education (IHEs), C.8. dated December 26, 2013.

DocuSigned by:  
**Name** David Martin  
C8FC256F18C2403...

**Title** Associate Director of Cost Accounting

**Date** 2/6/2024