



Agreement Date: July 3, 2019

NEGOTIATION AGREEMENT

INSTITUTION: **COLORADO SCHOOL OF MINES
GOLDEN, COLORADO 80401**

The Fringe Benefits rates contained herein are for use on grants, contracts and/or other agreements issued or awarded to the Colorado School of Mines by all Federal Agencies of the United States of America, in accordance with the provisions and cost principles mandated by 2 CFR Part 200. These rates shall be used for forward pricing and billing purposes for the Colorado School of Mines Fiscal Year 2020. This rate agreement supersedes all previous rate agreements/determinations for Fiscal Year 2020.

SECTION I: RATES - TYPE: PROVISIONAL (PROV)

<u>Type</u>	<u>From</u>	<u>To</u>	<u>Rate</u>	<u>Base</u>	<u>Applicable To</u>	<u>Location</u>
Prov	7/1/19	6/30/20	41.6%	(a)	Research Faculty- PERA	All
Prov	7/1/19	6/30/20	35.2%	(b)	Research Faculty-MDCP	All
	7/1/19	6/30/20	45.1%	(c)	Research Faculty- Converted	All
Prov	7/1/19	6/30/20	42.8%	(a)	Admin Faculty- PERA	All
Prov	7/1/19	6/30/20	33.9%	(b)	Admin Faculty - MDCP	All
Prov	7/1/19	6/30/20	43.6%	(c)	Admin Faculty - Converted	All
Prov	7/1/19	6/30/20	42.2%	(a)	Academic Faculty- PERA	All
Prov	7/1/19	6/30/20	32.9%	(b)	Academic Faculty - MDCP	All
Prov	7/1/19	6/30/20	41.5%	(c)	Academic Faculty - Converted	All
Prov	7/1/19	6/30/20	40.1%	(a)	Classified Staff	All
Prov	7/1/19	6/30/20	26.7%	(a)	Benefit Ineligible- PERA	All
Prov	7/1/19	6/30/20	14.0%	(b)	Benefit Ineligible- MDCP	All
Prov	7/1/19	6/30/20	24.0%	(c)	Benefit Ineligible- Converted	All

DISTRIBUTION BASES

- (a) Salaries and Wages of Employees with PERA retirement plan.
 - (b) Salaries and Wages of Employees with MDCP retirement plan.
 - (c) Salaries and Wages of Employees Converted from PERA to MDCP retirement plan.
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SECTION II - GENERAL TERMS AND CONDITIONS

A. LIMITATIONS: Use of the rates set forth under Section I is subject to availability of funds and to any other statutory or administrative limitations. The rates are applicable to a given grant, contract or other agreement only to the extent that funds are available and consistent with any and all limitations of cost clauses or provisions, if any, contained therein. Acceptance of any or all of the rates agreed to herein is predicated upon the following conditions: (1) that no costs other than those incurred by the institution were included in this indirect cost pool as finally accepted and that such costs are legal obligations of the institution and allowable under governing cost principles; (2) that the same costs that have been treated as indirect costs are not claimed as direct costs; (3) that similar types of costs have been accorded consistent accounting treatment; and (4) that the information provided by the institution which was used as a basis for acceptance of the rates agreed to herein, and expressly relied upon by the Government in negotiating and accepting the said rates is not subsequently found to be materially incomplete or inaccurate.

B. ACCOUNTING CHANGES: The rates contained in Section I of this agreement are based on the accounting system in effect at the time the agreement was negotiated. Changes to the method(s) of accounting for costs, which affect the amount of reimbursement resulting from the use of these rates require the prior written approval of the authorized representative of the cognizant agency for indirect costs. 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 such approval may result in subsequent cost disallowances.

C. PROVISIONAL RATES: The provisional rates contained in this agreement are subject to unilateral amendment by the Government or bilateral amendment by the contracting parties at any time.

D. USE BY OTHER FEDERAL AGENCIES: The rates set forth in Section I are negotiated in accordance with and under the authority set forth in 2 CFR Part 200. Accordingly, such rates shall be applied to the extent provided in such regulations to grants, contracts, and other agreements to which 2 CFR Part 200 applies, subject to any limitations in part A of this section. Copies of this document may be provided by either party to other federal agencies to provide such agencies with documentary notice of this agreement and its terms and conditions.

E. **SPECIAL REMARKS:** The Government's agreement with the rates set forth in Section I is not an acceptance of the Colorado School of Mines' accounting practices or methodologies. Any reliance by the Government on cost data or methodologies submitted by the Colorado School of Mines is on a non-precedence-setting basis and does not imply Government acceptance.

Accepted:

FOR THE COLORADO SCHOOL
OF MINES:



NOELLE SANCHEZ
Controller



Date

FOR THE U.S GOVERNMENT:

BETTY TINGLE
Contracting Officer

July 5, 2019

Date

For information concerning this agreement contact:
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