

**COLLEGES AND UNIVERSITIES RATE AGREEMENT**

EIN: 1741613878A1

DATE:05/25/2022

ORGANIZATION:

FILING REF.: The preceding agreement was dated 12/13/2018

Baylor College of Medicine  
One Baylor Plaza  
Room T119, MSBCM200  
Houston, TX 77030-3498

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: Facilities And Administrative Cost Rates**

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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.	07/01/2019	06/30/2022	60.00	On Campus	Organized Research
PRED.	07/01/2018	06/30/2022	35.00	On Campus	Instruction
PRED.	07/01/2018	06/30/2022	33.00	On Campus	Other Sponsored Activities
PRED.	07/01/2018	06/30/2022	43.80	On Campus	(1) Children's Nutrition Research Center
PRED.	07/01/2018	06/30/2022	26.00	Off Campus	All Programs
PRED.	07/01/2022	06/30/2026	60.00	On Campus	Organized Research
PRED.	07/01/2022	06/30/2026	35.00	On Campus	Instruction
PRED.	07/01/2022	06/30/2026	33.00	On Campus	Other Sponsored Activities
PRED.	07/01/2022	06/30/2026	43.80	On Campus	(1) Children's Nutrition Research Center
PRED.	07/01/2022	06/30/2026	26.00	Off Campus	All Programs

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<u>TYPE</u>	<u>FROM</u>	<u>TO</u>	<u>RATE(%)</u>	<u>LOCATION</u>	<u>APPLICABLE TO</u>
PROV.	07/01/2026	Until Amended			Use same rates and conditions as those cited for fiscal year ending June 30, 2026.

(1) This rate is applicable to the Children's Nutrition Research Center (CNRC) and is applied to the MTDC of the Grants performed at the CNRC other than the Center Grant funded by the Department of Agriculture.

\*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.

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**SECTION II: SPECIAL REMARKS**

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TREATMENT OF FRINGE BENEFITS:

The fringe benefits are specifically identified to each employee and are charged individually as direct costs. The directly claimed fringe benefits 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 are not made for the cost of these paid absences.

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. Actual costs will be apportioned between on-campus and off-campus components. Each portion will bear the appropriate rate.

FRINGE BENEFITS:

FICA	Disability Insurance
Retirement	Termination Vacation Pay
Health Insurance	Unemployment Insurance
Dental Insurance	Partial Parking or Transportation Subsidy
Life Insurance	

The Baylor College of Medicine receives awards which are performed by university employees in the following Hospitals: St. Luke's, Methodist, Harris County, Texas Children's and The Institute for Rehabilitation and Research. The university may combine its off-campus rate with the hospital's affiliate rate for the purpose of seeking reimbursement from these awards. The affiliate rates are listed in the respective hospital negotiation rate agreements.

Per 2 CFR 200.414(g) - A rate extension has been granted.

The next indirect cost proposal based on actual costs for the fiscal year ending 06/30/2025, is due by 12/31/2025.

EQUIPMENT DEFINITION:

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.

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**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:

Baylor College of Medicine

(INSTITUTION)

(SIGNATURE)

(NAME)

(TITLE)

(DATE)

ON BEHALF OF THE FEDERAL GOVERNMENT:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

(AGENCY)

Arif M. Karim - S<sup>s</sup> Digitally signed by Arif M. Karim -  
Date: 2022.05.27 11:46:11 -05'00'

(SIGNATURE)

Arif Karim

(NAME)

Director, Cost Allocation Services

(TITLE)

5/25/2022

(DATE) 1523

HHS REPRESENTATIVE: Denise Shirlee

Telephone: (214) 767-3261