



DEPARTMENT OF HEALTH & HUMAN SERVICES

Program Support Center
Financial Management Service
Division of Cost Allocation

DCA Western Field Office
80 7th Street, Suite 4-800
San Francisco, CA 94103

① Fef to Chan
PP 1-3

② copy to
Comptroller
GAS
SVP
SBPA ED
AUG 26 2008

See rate schedule + Special Remarks on
Section II

David O'Brien
VP for Admin. & Finance
University of Guam
Business Office
UOG Station
Mangilao, GU 96923

Dear Mr. O'Brien:

A copy of an indirect cost Negotiation Agreement is attached. 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 indirect costs on grants and contracts with the Federal Government. Please have the Agreement signed by a duly authorized representative of your organization and return it to me BY FAX, retaining the copy for your files. We will reproduce and distribute the Agreement to the appropriate awarding organizations of the Federal Government for their use.

An indirect cost proposal together with supporting information are required to substantiate your claim for indirect costs under grants and contracts awarded by the Federal Government. Thus, your next proposal based on your fiscal year ending 09/30/09, is due in our office by 03/31/10.

Sincerely,

Wallace Chan
Director

Attachment

PLEASE SIGN AND RETURN THE NEGOTIATION AGREEMENT BY FAX

Phone: (415) 437-7820 - Fax: (415) 437-7823 - E-mail: dcasf@psc.gov

COLLEGES AND UNIVERSITIES RATE AGREEMENT

EIN #:

DATE: August 26, 2008

INSTITUTION:
University of Guam
Business Office
UOG Station

FILING REF.: The preceding
Agreement was dated
January 17, 2006

Mangilao

GU 96923

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: FACILITIES AND ADMINISTRATIVE COST RATES*

RATE TYPES: FIXED FINAL PROV. (PROVISIONAL) PRED. (PREDETERMINED)

TYPE	EFFECTIVE PERIOD		RATE (%)	LOCATIONS	APPLICABLE TO
	FROM	TO			
PRED.	10/01/05	09/30/10	57.0	On-Campus	All Programs
PROV.	10/01/10	09/30/11	57.0	On-Campus	All Programs
✓ PRED.	10/01/08	09/30/10	29.3	Off-Campus	(1)
✓ PROV.	10/01/10	09/30/11	29.3	Off-Campus	(1)

✓ (1) Defense Logistics Agency - Procurement Technical Assistance Program

*BASE:
Direct salaries and wages excluding all fringe benefits.

INSTITUTION:
University of Guam
Business Office

AGREEMENT DATE: August 26, 2008

SECTION II: SPECIAL REMARKS

✓ TREATMENT OF FRINGE BENEFITS:

This organization charges the actual cost of each fringe benefit direct to Federal projects. However, it uses a fringe benefit rate which is applied to salaries and wages in budgeting fringe benefit costs under project proposals. The fringe benefits listed below are treated as direct costs.

✓ 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.

DEFINITION OF EQUIPMENT

Equipment is defined as tangible nonexpendable personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit.

✓ DEFINITION OF OFF-CAMPUS

A project is considered off-campus if the activity is conducted at locations other than in University owned or operated facilities and indirect costs associated with physical plant are not considered applicable to the project.

✓ The following fringe benefits are treated as direct costs:

SOCIAL SECURITY, MEDICAL/DENTAL/LIFE INSURANCE, AND RETIREMENT

INSTITUTION:
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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 Office of Management and Budget Circular A-21 Circular, and should be applied to grants, contracts and other agreements covered by this Circular, 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.

BY THE INSTITUTION:

University of Guam
Business Office

(INSTITUTION)

(SIGNATURE)

DAVID O'BRIEN

(NAME)

VICE PRESIDENT

(TITLE)

8/26/08

(DATE)

ON BEHALF OF THE FEDERAL GOVERNMENT:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

(AGENCY)

(SIGNATURE)

Wallace Chan

(NAME)

DIRECTOR, DIVISION OF COST ALLOCATION

(TITLE)

AUGUST 26, 2008

(DATE) 3148

HHS REPRESENTATIVE: May J. Wong

Telephone: (415) 437-7820