

**COLLEGES AND UNIVERSITIES RATE AGREEMENT**

EIN: 66-0433761

DATE:12/21/2018

**ORGANIZATION:**

University of Puerto Rico - Mayaguez  
 Central Administration, Finance Office  
 1187 Calle Flamboyán  
 Jardín Botánico Sur  
 San Juan, PR 00926-1117

FILING REF.: The preceding  
 agreement was dated  
 03/27/2017

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>
FINAL	07/01/2015	06/30/2018	50.00	On-Campus	Research
FINAL	07/01/2015	06/30/2018	35.00	On-Campus	Other Sponsored Programs
FINAL	07/01/2015	06/30/2018	26.00	Off-Campus	All Programs
PROV.	07/01/2018	Until Amended			Use same rates and conditions as those cited for fiscal year ending June 30, 2018.

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\*BASE

Modified total direct costs, consisting of all salaries and wages, fringe benefits, materials, supplies, services, travel and subgrants and subcontracts up to the first \$25,000 of each subgrant or subcontract (regardless of the period covered by the subgrant or subcontract). Modified total direct costs shall exclude equipment, capital expenditures, charges for patient care, tuition remission, rental costs of off-site facilities, scholarships, and fellowships as well as the portion of each subgrant and subcontract in excess of \$25,000.

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**SECTION II: SPECIAL REMARKS**

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TREATMENT OF FRINGE BENEFITS:

Fringe benefits applicable to direct salaries and wages 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 are not made for the cost of these paid absences.

1. The rates in this Agreement have been negotiated to reflect the administrative cap provisions fo the revisions to OMB Circular A-21 published by the Office of Management and Budget on May 8, 1996. No rate affecting the institution's fiscal periods beginning on or after October 1, 1991 contains total administrative cost components in excess of the 26 percent cap.
2. The indirect cost rates include administrative expenses such as secretarial, clerical and other general administrative staff personnel necessary for the general administration of Federal Awards. The rates also include departmental administration in addition to general institutional expenses such as office supplies, postage, copying and other general institutional costs.
3. The off-campus rate applies to Research and Regional Medical Programs conducted in facilities not owned by the University and all activities conducted at the University District Hospital.
4. Awards accounted for at the Office of Central Administration should use the indirect cost rate for the campus where the activity is actually being performed.
5. 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 the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$5,000.
6. The accompanying financial statements have been prepared assuming that the University will continue as a going concern. The financial difficulties experienced by the Commonwealth, including the uncertainty as to its ability to fully satisfy its obligations, raises substantial doubt about the University's ability to continue as a going concern.
7. Your next proposal based on actual costs for the fiscal year ending 06/30/2019 is due by 12/31/2019.

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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:

University of Puerto Rico - Mayaguez Central Administration,  
Finance Office

(INSTITUTION)

(SIGNATURE)

Antonio Tejera Rocafort

(NAME)

Finance Director

(TITLE)

February 25, 2019

(DATE)

ON BEHALF OF THE FEDERAL GOVERNMENT:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

(AGENCY)

Darryl W. Mayes -5  
Digitally signed by Darryl W. Mayes -5  
DN: cn=Darryl W. Mayes -5, o=U.S. Government, ou=HHS, ou=PHS, ou=People, ou=23421970030010011-2000131669,  
c=Darryl W. Mayes -5  
Date: 2019.01.02 08:34:10 -0500

(SIGNATURE)

Darryl W. Mayes

(NAME)

Deputy Director, Cost Allocation Services

(TITLE)

12/21/2018

(DATE) 7132

HHS REPRESENTATIVE: Edwin Miranda

Telephone: (212) 264-2069



DEPARTMENT OF HEALTH & HUMAN SERVICES

Program Support Center  
Financial Management Portfolio  
Cost Allocation Services

26 Federal Plaza, Room 3412  
New York, NY 10278  
PHONE: (212) 264-2069  
FAX: (212) 264-5478  
EMAIL: [CAS-NY@psc.hhs.gov](mailto:CAS-NY@psc.hhs.gov)

December 21, 2018

Ms. Celeste Freytes  
Interim President  
University of Puerto Rico – Mayaguez  
Central Administration, Finance Office  
1187 Calle Flamboyán Jardín Botánico Sur  
San Juan, PR 00926-1117

Dear Ms. Freytes:

A copy of an indirect cost rate agreement is being sent to you for signature. 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 an authorized representative of your organization and returned to me by email, retaining the copy for your files. Our email address is [cas-ny@psc.hhs.gov](mailto:cas-ny@psc.hhs.gov). 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 the supporting information, is required to substantiate your claim for indirect costs under grants and contracts awarded by the Federal Government. Thus, your next proposal based on actual costs for the fiscal year ending 06/30/2019 is due in our office by 12/31/2019. Please submit your next proposal electronically via email to [CAS-NY@psc.hhs.gov](mailto:CAS-NY@psc.hhs.gov).

Sincerely,  
Darryl W.  
Mayes -S

Digitally signed by Darryl W. Mayes -S  
DN: cn=US, o=U S. Government, ou=HHS,  
ou=PMSC, ou=People,  
ou=2342, email=102003081100.1.1a.20001@hhs.gov,  
cn=Darryl W. Mayes -S  
Date: 2019.01.02 09:35:19 -0500

Darryl W. Mayes  
Deputy Director  
Cost Allocation Services