



DEPARTMENT OF THE NAVY
 OFFICE OF NAVAL RESEARCH
 875 NORTH RANDOLPH STREET
 SUITE 1425
 ARLINGTON, VA 22203-1995

Agreement Date: August 21, 2019
 [Supersedes Rate Agreement Dated: September 13, 2018]

NEGOTIATION AGREEMENT

INSTITUTION: **STANFORD UNIVERSITY**
STANFORD, CALIFORNIA 94305

The Staff Benefits and Vacation Accrual/Disability Sick Leave rates contained herein are for use on grants, contracts and/or other agreements issued or awarded to Stanford University by all Federal Agencies of the United States of America, in accordance with the cost principles mandated by 2 CFR Part 200. These rates shall be used for forward pricing and billing purposes for the Stanford University Fiscal Year 2019. This rate agreement supersedes all previous rate agreements/determinations for Staff Benefits and Vacation Accrual/Disability Sick Leave rates for Fiscal Year 2019.

Section I: RATES - TYPE: FIXED (FIXED)

Staff Benefits:

<u>TYPE</u>	<u>FROM</u>	<u>TO</u>	<u>Rate</u>	<u>Base</u>	<u>Applicable To</u>	<u>Location</u>
Fixed	9/1/18	8/31/19	29.2%	(a)	Regular Benefits-Eligible Employees	All ¹
Fixed	9/1/18	8/31/19	25.4%	(a)	Post-Doctoral Research Affiliates	All
Fixed	9/1/18	8/31/19	8.4%	(a)	Contingent Employees	All
Fixed	9/1/18	8/31/19	5.1%	(a)	RA/TA Graduate Student Health Benefits ²	All

Vacation Accrual/Disability Sick Leave:

<u>TYPE</u>	<u>FROM</u>	<u>TO</u>	<u>Rate</u>	<u>Base</u>	<u>Applicable To</u>	<u>Location</u>
Fixed	9/1/18	8/31/19	8.8%	(b)	Regular Benefits-Eligible Exempt and Non-Exempt Staff	All (excl SLAC)

¹Includes employees working at Stanford Linear Accelerator Center (SLAC)

²Research and Teaching Assistants

DISTRIBUTION BASES

- (a) Direct Salaries and Wages including vacation, holidays, and sick leave, where applicable.
- (b) Direct Salaries and Wages including holidays and sick leave (excluding disability sick leave), where applicable.

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. FIXED RATES WITH CARRY-FORWARD PROVISIONS: The fixed rates contained in this agreement are based on estimates of the costs for FY 2019. When actual costs for this fiscal year are determined, adjustments will be applied to a subsequent rate negotiation to recognize the difference between the FY 2019 estimated costs used to establish the fixed rates and the negotiated actual FY 2019 costs.

D. CARRY-FORWARD AMOUNTS: The following partial final (FY2012 and FY2013) and estimated FY17 carry-forward amounts were considered in the establishment of the FY 2019 fixed rates: () denotes over-recovery.

	Partial Final FY 2012	Partial Final FY 2013	Estimated FY 2017	Total
<u>Staff Benefits:</u>				
Regular Employees	(3,403,000)	(1,574,000)	(4,839,000)	(9,816,000)
Post Doc RA			(339,000)	(339,000)
Contingent Employees			(190,000)	(190,000)
RA/TA Health			(72,000)	(72,000)

	Estimated	
	FY 2017	Total
<u>Vac Accrual/Disability Sick Leave:</u>		
Vac Accrual: Exempt/Non-Exempt	2,045,124	2,045,124
Disability Sick Leave	310,261	310,261

E. 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.

F. SPECIAL REMARKS: The Staff Benefits rates in Section I are applicable to all Stanford University employees, including employees located at SLAC. Stanford University's recovery of staff benefits costs allocable to SLAC by another method of reimbursement, other than the staff benefits rates in Section I, shall be fully disclosed to the Office of Naval Research prior to reimbursement.

Accepted:
FOR STANFORD UNIVERSITY:



RANDALL S. LIVINGSTON
Vice President for Business Affairs
and Chief Financial Officer

Aug 22, 2019

Date

FOR THE U.S. GOVERNMENT:

TINGLE.BETTY.JOHN
SON.1204289359

Digitally signed by TINGLE.BETTY.JOHN
DN: cn=TINGLE.BETTY.JOHN, o=U.S. GOVERNMENT, ou=OFFICE OF NAVAL RESEARCH, email=TINGLE.BETTY.JOHN@ONR.NAVY.MIL, c=US

BETTY J. TINGLE
Contracting Officer

August 22, 2019

Date

For information concerning this agreement contact:

Betty Tingle, Contracting Officer
Office of Naval Research

Phone: (703) 696-7742
E-mail: betty.tingle@navy.mil