



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

Agreement Date: August 9, 2010

**NEGOTIATION AGREEMENT**

INSTITUTION: STANFORD UNIVERSITY  
 Stanford, California 94305

The Staff Benefit 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 provisions and cost principles mandated by 2 CFR 220. These rates shall be used for forward pricing and billing purposes for Stanford University's Fiscal Year 2011. This rate agreement supersedes all previous rate agreements/determinations for Fiscal Year 2011.

**SECTION I: RATES - TYPE: FIXED WITH CARRY-FORWARD PROVISIONS (Fixed)**

Staff Benefits Rates:

<u>Type</u>	<u>From</u>	<u>To</u>	<u>Rate</u>	<u>Base</u>	<u>Applicable To</u>	<u>Location</u>
Fixed	9/1/10	8/31/11	31.1%	(a)	Regular Benefits - Eligible Employees	All
Fixed	9/1/10	8/31/11	19.8%	(a)	Post-Doctoral Research Affiliates	All
Fixed	9/1/10	8/31/11	8.3%	(a)	Contingent Employees	All
Fixed	9/1/10	8/31/11	4.4%	(a)	RA/TA Graduate Student Health Benefits *	All

Vacation Accrual / Disability Sick Leave Rates:

Fixed	9/1/10	8/31/11	8.8%	(b)	Regular Benefits - Eligible Exempt Staff	All
Fixed	9/1/10	8/31/11	7.6%	(b)	Regular Benefits - Eligible Non-Exempt Staff	All

\* Research 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.

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**SECTION II - GENERAL TERMS AND CONDITIONS**

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A. **LIMITATIONS:** Use of the rates set forth under Section I is subject to any statutory or administrative limitations and is 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 the rates agreed to herein is predicated upon all the following conditions: (1) that no costs other than those incurred by the grantee/contractor were included in the indirect cost pool as finally accepted and that all such costs are legal obligations of the grantee/contractor 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 contractor/grantee, which was used as the basis for the acceptance of the rates agreed to herein and expressly relied upon by the Government in establishing 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 this agreement was established. Changes to the method(s) of accounting for costs which affects the amount of reimbursement resulting from the use of these rates require the written approval of the authorized representative of the cognizant negotiating agency for the Government prior to implementation of any such changes. 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 2011. When actual costs for this fiscal year are determined, adjustments will be applied to the next subsequent rate negotiation to recognize the difference between the FY 2011 estimated costs used to establish the fixed rates and the negotiated actual FY 2011 costs.

D. **Carry Forward Amounts:** The below carry-forward amounts were considered in the establishment of the FY 2011 rates. Note ( ) depicts over-recovery.

	FY 2009 Estimated (000's)
<u>Staff Benefits:</u>	
Reg Employees	\$14,655
Post Doc RA	(\$417)
Contingent Empl	(\$31)
RA/TA Health	(\$81)
<u>Vac Accrual / Disability Sick Leave:</u>	
Vac Accrual: Exempt	\$520
Vac Accrual: Non-Exempt	\$194
Disability Sick Leave	\$296

The difference between the estimated carry-forward amounts and the actual negotiated carry-forward amounts will be included as an adjustment in a subsequent year rate negotiation.

**E. USE BY OTHER FEDERAL AGENCIES:** The rates set forth in Section I hereof were negotiated in accordance with and under the authority set forth in 2 CFR 220. Accordingly, such rates shall be applied to the extent provided in such regulations to grants, contracts and other transactions to which 2 CFR 220 is applicable, subject to any limitations in part A of this section. Copies of this document may be provided by either party to other Federal agencies which have or intend to issue or award grants and contracts using these rates or to otherwise provide such agencies with documentary notice of this agreement and its terms and conditions.

FOR STANFORD UNIVERSITY:

FOR THE GOVERNMENT:



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

August 9, 2010  
Date



LINDA B. SHIPP  
Contracting Officer

8-10-10  
Date

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*For information concerning this agreement contact:*

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