

COLLEGES AND UNIVERSITIES RATE AGREEMENT

EIN #: 1456002439A1

DATE: August 29, 2007

INSTITUTION:
 North Dakota State University
 Accounting Office
 Division of Business & Finance
 P.O. Box 5227
 Fargo

FILING REF.: The preceding Agreement was dated July 27, 2004

ND 58105-5227

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.	07/01/07	06/30/09	43.0	On-Campus	(A) Org. Research
PRED.	07/01/09	06/30/10	43.5	On-Campus	(A) Org. Research
PRED.	07/01/07	06/30/10	26.0	Off-Campus	(A) Org. Research
PRED.	07/01/07	06/30/09	44.0	On-Campus	(B) Org. Research
PRED.	07/01/09	06/30/10	44.5	On-Campus	(B) Org. Research
PRED.	07/01/07	06/30/10	27.0	Off-Campus	(B) Org. Research
PRED.	07/01/07	06/30/10	51.1	On-Campus	(A) Instruction
PRED.	07/01/07	06/30/10	26.0	Off-Campus	(A) Instruction
PRED.	07/01/07	06/30/10	29.3	On-Campus	(C) Other Spon. Act.
PRED.	07/01/07	06/30/10	17.0	Off-Campus	(C) Other Spon. Act.
PROV.	07/01/10	UNTIL AMENDED	Use same rates and conditions as those cited for fiscal year ending June 30, 2010.		

- (A) Facilities and Administrative Cost Rates
- (B) Facilities and Administrative Cost Rates - DOD Contracts Only
- (C) (A) & (B) apply

*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

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 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 and library are not considered applicable to the project.

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.

The following fringe benefits are treated as direct costs:

FICA, SUI, WORKERS COMPENSATION, RETIREMENT PLAN AND HEALTH/LIFE/DISABILITY INSURANCE.

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AGREEMENT DATE: August 29, 2007

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:

North Dakota State University
Accounting Office

(INSTITUTION)

John C. Adams

(SIGNATURE)

JOHN C. ADAMS

(NAME)

VP, FINANCE & ADMINISTRATION

(TITLE)

9/7/07

(DATE)

ON BEHALF OF THE FEDERAL GOVERNMENT:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

(AGENCY)

Wallace Chan

(SIGNATURE)

Wallace Chan

(NAME)

DIRECTOR, DIVISION OF COST ALLOCATION

(TITLE)

AUGUST 29, 2007

(DATE) 1074

HHS REPRESENTATIVE: Robert W. Lee

Telephone: (415) 437-7820

NORTH DAKOTA STATE UNIVERSITY
 FACILITIES AND ADMINISTRATIVE COST RATES
 FOR THE PERIOD JULY 1, 2007 THROUGH JUNE 30, 2010

EXHIBIT A

	ORGANIZED RESEARCH					
	JULY 1, 2007 THROUGH JUNE 30, 2009			JULY 1, 2009 THROUGH JUNE 30, 2010		
		ON-CAMPUS	OFF-CAMPUS		ON-CAMPUS	OFF-CAMPUS
BUILDING DEPRECIATION		1.70%			1.70%	
INTEREST		0.90%			0.90%	
EQUIPMENT DEPRECIATION		1.90%			1.90%	
OPERATIONS & MAINT		11.70%			12.20%	
LIBRARY		0.80%			0.80%	
GENERAL ADMIN	6.60%			6.60%		
DEPT ADMIN	16.00%			16.00%		
SPON PROJ ADMIN	3.40%			3.40%		
STUDENT SERV ADMIN	0.00%			0.00%		
ADMIN COMPONENTS	26.00%	<u>26.00%</u>	<u>26.00%</u>	26.00%	<u>26.00%</u>	<u>26.00%</u>
TOTAL		43.00%	26.00%		43.50%	26.00%

	INSTRUCTION			OTHER SPONSORED ACT.		
	JULY 1, 2007 THROUGH JUNE 30, 2010			JULY 1, 2007 THROUGH JUNE 30, 2010		
		ON-CAMPUS	OFF-CAMPUS		ON-CAMPUS	OFF-CAMPUS
BUILDING DEPRECIATION		2.90%			1.20%	
INTEREST		1.00%			0.70%	
EQUIPMENT DEPRECIATION		2.10%			1.30%	
OPERATIONS & MAINT		13.00%			8.50%	
LIBRARY		6.10%			0.60%	
GENERAL ADMIN	3.80%			6.60%		
DEPT ADMIN	7.90%			7.00%		
SPON PROJ ADMIN	1.90%			3.40%		
STUDENT SERV ADMIN	<u>12.60%</u>			<u>0.00%</u>		
ADMIN COMPONENTS	26.00%	<u>26.00%</u>	<u>26.00%</u>	17.00%	<u>17.00%</u>	<u>17.00%</u>
TOTAL		51.10%	26.00%		29.30%	17.00%

ADMINISTRATIVE COMPONENTS ARE CAPPED AT 26.0% IN ACCORDANCE WITH OMB A-21, DATED JULY 26, 1993.

CONCUR: John Chidester
 (SIGNATURE)

VP, FINANCE & ADMINISTRATION
 TITLE

9/2/07
 DATE

NORTH DAKOTA STATE UNIVERSITY
FACILITIES AND ADMINISTRATIVE COST RATES
FOR THE PERIOD JULY 1, 2007 THROUGH JUNE 30, 2010

DOD CONTRACTS ONLY

	ORGANIZED RESEARCH JULY 1, 2007 THROUGH JUNE 30, 2009	ORGANIZED RESEARCH JULY 1, 2009 THROUGH JUNE 30, 2010	OTHER SPONSORED ACT. JULY 1, 2007 THROUGH JUNE 30, 2010
	ON-CAMPUS OFF-CAMPUS	ON-CAMPUS OFF-CAMPUS	ON-CAMPUS OFF-CAMPUS
BUILDING DEPRECIATION	1.70%	1.70%	1.20%
INTEREST	0.90%	0.90%	0.70%
EQUIPMENT DEPRECIATION	1.90%	1.90%	1.30%
OPERATIONS & MAINT	11.70%	12.20%	8.50%
LIBRARY	0.80%	0.80%	0.60%
GENERAL ADMIN	6.90%	6.90%	6.60%
DEPT ADMIN	16.50%	16.50%	7.00%
SPON PROJ ADMIN	3.60%	3.60%	3.40%
STUDENT SERV ADMIN	0.00%	0.00%	0.00%
ADMIN COMPONENTS	27.00%	27.00%	17.00%
TOTAL	44.00%	44.50%	29.30%
	27.00%	27.00%	17.00%

CONCUR: John Chelam
(SIGNATURE)
VP, FINANCE & ADMINISTRATION
TITLE
9/7/07
DATE