

**COLLEGES AND UNIVERSITIES RATE AGREEMENT**

EIN #: 1741761209A3

DATE: August 17, 2007

INSTITUTION:  
 University of Texas H.S.C. at Houston  
 The University of Texas System  
 7000 Fannin Street  
 Houston TX 77030-

FILING REP.: The preceding  
 Agreement was dated  
 March 23, 2007

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. | 09/01/05         | 08/31/08      | 48.5   | On Campus  | Organized Research |
| PRED. | 09/01/04         | 08/31/08      | 40.0   | On Campus  | Instruction        |
| PRED. | 09/01/04         | 08/31/08      | 25.5   | Off Campus | Organized Research |
| PRED. | 09/01/08         | 08/31/11      | 50.0   | On Campus  | Organized Research |
| PRED. | 09/01/08         | 08/31/11      | 40.0   | On Campus  | Instruction        |
| PRED. | 09/01/08         | 08/31/11      | 26.0   | Off Campus | Organized Research |
| PROV. | 09/01/11         | UNTIL AMENDED | Use same rates and conditions as those cited for fiscal year ending August 31, 2011. |            |                    |

**\*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 I: FRINGE BENEFITS RATES\*\*

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

| <u>TYPE</u> | <u>EFFECTIVE PERIOD</u> |           | <u>RATE (%)</u>  | <u>LOCATIONS</u> | <u>APPLICABLE TO</u> |
|-------------|-------------------------|-----------|--|------------------|----------------------|
|             | <u>FROM</u>             | <u>TO</u> |  |                  |                      |
| FIXED       | 09/01/06                | 08/31/07  | 21.0   | All              | All Employees        |
| FIXED       | 09/01/07                | 08/31/08  | 21.8   | All              | All Employees        |
| PROV.       | 09/01/08 UNTIL AMENDED  |           | Use same rates and conditions as those cited<br>for fiscal year ending August 31, 2008 |                  |                      |

\*\*DESCRIPTION OF FRINGE BENEFITS RATE BASE:  
Salaries and wages.

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SECTION II: SPECIAL REMARKS

TREATMENT OF FRINGE BENEFITS:

The fringe benefits are charged using the rate(s) listed in the Fringe Benefits Section of this Agreement. The fringe benefits included in the rate(s) are listed below.

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.

OFF-CAMPUS DEFINITION: For all activities performed in facilities not owned by the institution and to which rent is directly allocated to the project(s), the off-campus rate will apply. Actual costs will be apportioned between on-campus and off-campus components. Each portion will bear the appropriate rate.

Equipment Definition -

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

FRINGE BENEFITS:

FICA

Retirement

Worker's Compensation

Life Insurance

Unemployment Insurance

Health Insurance

Dental Insurance

Termination Pay

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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 accurate (found to be materially incomplete or inaccurate by the Federal Government. In such situations the rate(s) will be subject to renegotiation at the discretion of the Federal Government.

B. ACCOUNTING CHANGE:

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 cognate 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 RATE:

If a fixed rate is in this Agreement, it is based on an estimate of the costs for the period covered by the rate. Upon 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-11 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.

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 allowable to these programs.

BY THE INSTITUTION:

University of Texas H.S.C. at Houston

The University of Texas System

(INSTITUTION)

(SIGNATURE)

Kevin Dillon

(NAME)

Executive Vice President,  
(TITLE) Administration & Business Affairs

(DATE)

8/21/07

ON BEHALF OF THE FEDERAL GOVERNMENT:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

(AGENCY)

(SIGNATURE)

Henry Williams

(NAME)

DIRECTOR, DIVISION OF COST ALLOCATION

(TITLE) CENTRAL STATES FIELD OFFICE

AUGUST 17, 2007

(DATE) 0153

THE REPRESENTATIVE: Denise Shirley

Telephone: (214) 767-3311

**COMPONENTS OF PUBLISHED F&A COST RATE**

**INSTITUTION:** University of Texas HSC at Houston  
**FY COVERED BY RATE:** September 1, 2008 through August 31, 2011  
**APPLICABLE TO:** ORGANIZED RESEARCH

| <b>RATE COMPONENT:</b>  | <b><u>ON CAMPUS</u></b> | <b><u>OFF CAMPUS</u></b> |
|-------------------------|-------------------------|--------------------------|
| Building Depreciation   | 10.3                    |                          |
| Equipment Depreciation  | 1.7                     |                          |
| Interest                | 0.4                     |                          |
| Operation & Maintenance | 10.4                    |                          |
| Library                 | 1.2                     |                          |
| Administration          | <u>26.0</u>             | <u>26.0</u>              |
| <b>TOTAL</b>            | <b><u>50.0</u></b>      | <b><u>26.0</u></b>       |

**CONCURRENCE:**

University of Texas HSC at Houston  
(Institution)

  
(Signature)

Kevin Dillon  
(Name)

Executive Vice President,  
(Title) Administration & Business Affairs

8/21/09  
(Date)