DEPARTMENT OF HEALTH & HUMAN SERVICES

Program Support Center
Financial Management Service
Division of Cost Allocation
Central State Field Office
1301 Young Street
Room 732
Dallas, Texas 75202
(214)-767-3261
(214)-767-3264 FAX

May 21, 2009

Dr. Jerry Baudin
Vice Chancellor for Finance & Administrative Services
Louisiana State University and A&M College
30 Thomas Boyd Hall
Baton Rouge, LA 70803

Dear Mr. Baudin:

A copy of a facilities and administrative cost and fringe benefit Rate Agreement are enclosed. This Agreement reflects an understanding reached between your organization and a member of my staff concerning the fringe benefit rate(s) that may be used to support your claim for facilities and administrative costs on grants and contracts with the Federal Government.

Please have the agreement signed by an authorized representative of your organization and fax it to me, retaining the copy for your files. Our fax number is (214) 767-3264. We will reproduce and distribute the Agreement to the appropriate awarding organizations of the Federal Government for their use.

The Fixed Fringe Benefit cost rate(s) for the fiscal year ending June 30, 2009 are based on actual costs for the fiscal year ended June 30, 2007. They included the following under-recovered (-) or over-recovered (+) amounts:

Main Campus Employees Under-recovery amount ($10,000,000)
The total under-recovery amount was ($19,378,308). The university agreed to waive $9,378,308 of the under-recovery amount from FY 07 fixed rate.

Federal Employees Under-recovery amount ($25,000)
The total under recovery amount was ($808,685). The university agreed to waive $783,685) of the under recovery amount from FY 07 fixed rate.

Non- Federal Employees -0- Recovery
The total under recovery amount was ($8,248,676). The university agreed to waive all of the under recovery amount from FY 07 fixed rate.

The fixed rate(s) for fiscal year ended June 30, 2007 is considered final

The Fixed Fringe Benefit cost rate(s) for the fiscal year ending June 30, 2010 are based on actual costs for the fiscal year ended June 30, 2008. They included the following under-recovered (-) or over-recovered (+) amounts:

Main Campus Employees Under recovery amount of ($3,352,523)
The total under recovery was ($6,352,523). The university agreed to waive $3,000,000 of the under-recovery amount from FY 08 fixed rate.

Federal Employees Under recovery amount of ($3,913)

Non- Federal Employees -0- Under recovery
The total under recovery amount was ($4,258,103). The university agreed to waive all of the under recovery amount from FY 08 fixed rate.

The fixed rate(s) for fiscal year ended June 30, 2008 is considered final.

A Fringe Benefit cost proposal, together with supporting information and the certified audit financial statement, is required each year. Thus, your next Fringe Benefit cost proposal based on actual costs for the fiscal year ending June 30, 2009 is due in our office by December 31, 2009. Your next Facilities and Administrative cost rate proposal based on actual costs for the fiscal year ending June 30, 2010 is due in our office by December 31, 2010.

Since this is an integral part of the negotiation agreement, please note your acceptance by signing in the space provided below of this letter.

Thank you for your cooperation.

Sincerely,

Henry Williams
Director
Division of Cost Allocation
Central States Field Office

Enclosures
ACCEPTANCE

Name

VICE CHANCELLOR FOR FINANCE AND ADMINISTRATIVE SERVICES
Title

5/22/09
Date

COLLEGES AND UNIVERSITIES RATE AGREEMENT

EIN #: 17260000848A1

DATE: May 21, 2009

INSTITUTION:
Louisiana State University and A & M College
330 Thomas Boyd Hall
Baton Rouge LA 70803-2701

FILING REF.: The preceding Agreement was dated November 18, 2008

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 FROM	TO	RATE(%)	LOCATIONS	APPLICABLE TO
PRED.	07/01/08	06/30/11	48.0	On Campus	Organ.Research (1)
PRED.	07/01/08	06/30/11	26.0	Off Campus	Organ.Research (1)
PRED.	07/01/08	06/30/11	42.0	On Campus	Agri Ctr All Progrms
PRED.	07/01/08	06/30/11	26.0	Off Campus	Agri Ctr All Progrms
PRED.	07/01/08	06/30/11	49.0	On Campus	Instruction
PRED.	07/01/08	06/30/11	36.0	On Campus	Other Spon Act
PROV.	07/01/11	UNTIL AMENDED	Use same rates and conditions as those cited for fiscal year ending June 30, 2011.		

(1) Includes all Pennington Biomedical Research Center Projects.

*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.

INSTITUTION:
Louisiana State University and A & M College

AGREEMENT DATE: May 21, 2009

SECTION I: FRINGE BENEFITS RATES**

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

TYPE	EFFECTIVE PERIOD FROM	TO	RATE(%)	LOCATIONS	APPLICABLE TO
FIXED	07/01/08	06/30/09	34.0	Main Campus	Main Campus Employee
FIXED	07/01/08	06/30/09	29.0	AG Center	Federal Employees
FIXED	07/01/08	06/30/09	34.0	AG Center	Non-Fed Employees
FIXED	07/01/09	06/30/10	34.0	Main Campus	Main Campus Employee
FIXED	07/01/09	06/30/10	28.0	AG Center	Federal Employees
FIXED	07/01/08	06/30/10	34.0	AG Center	Non-Fed Employees
PROV.	07/01/10	UNTIL AMENDED	Use same rates and conditions as those cited for fiscal year ending June 30, 2010.		

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

INSTITUTION:
Louisiana State University and A & M College

AGREEMENT DATE: May 21, 2009

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. Grants or contracts will not be subject to more than one F&A cost rate. If more than 50% of a project is performed off-campus, the off-campus rate will apply to the entire project.

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:

Main Campus-
Group Medical & Life Insurance
Medicare Contribution
La. State Retirement System
TIAA-CREF Matching Retirement
Teachers' Retirement System
Unemployment Compensation
Workers' Compensation
Termination Pay
Sabbatical Leave
Optional Retirement Plan
Employee Tuition Exemption Program
Social Security
La.Deferred Comp.457 Plan
LA School Employees Retirement System

Agricultural Centers-
Medical & Life Insurance Group
Medicare Contribution
Unemployment Compensation
Workers' Compensation
Social Security
Termination Pay
Sabbatical Leave
Non-Federal Employees:
La. State Retirement Syst.
TIAA-CREF Matching Ret.
Teachers' Retirement
Optional Retirement Plan
Federal Employees:
Fed. Civil Service Ret.

INSTITUTION:
Louisiana State University and A & M College

AGREEMENT DATE: May 21, 2009

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.

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:
Louisiana State University and A & M College

(INSTITUTION)

Jerry J. Baudin

(SIGNATURE)

Jerry J. Baudin

(NAME) VICE CHANCELLOR FOR FINANCE AND ADMINISTRATIVE SERVICES

(TITLE)

5/27/09

(DATE)

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

May 21, 2009

(DATE) 0022

HHS REPRESENTATIVE: Denise Shirlee

Telephone: (214) 767-3313