



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

IN REPLY REFER TO.

Agreement Date: January 4, 2008

**PROVISIONAL RATE AGREEMENT**

Institution: COLORADO SCHOOL OF MINES  
 GOLDEN, COLORADO 80401

The Fringe Benefits rates contained herein are for use on grants, contracts and/or other agreements issued or awarded to Colorado School of Mines by all Federal Agencies of the United States of America, in accordance with the cost principles mandated by 2 CFR Part 220 – formerly Office of Management and Budget (OMB) Circular A-21. These rates shall be used for forward pricing and billing purposes at Colorado School of Mines for Fiscal Year 2008. This rate agreement supersedes all previous rate agreements/determinations for Fiscal Year 2008.

**SECTION I: RATES - TYPE: Provisional (Prov)**

**Facility and Administration (F&A) Rates:**

Type	Effective Period		Rate	Base	Applicable To	Location
	From	To				
Prov	7/1/07	Until Amended	49.00%	(a)	Organized Research	On-Campus
Prov	7/1/07	Until Amended	26.6%	(a)	Organized Research	Off-Campus

**Fringe Benefits Rates:**

Type	Effective Period		Rate	Base	Applicable To	Location
	From	To				
Prov	7/1/07	Until Amended	27.0%	(b)	Administrative and Academic Faculty	All
Prov	7/1/07	Until Amended	28.2%	(b)	Research Faculty	All
Prov	7/1/07	Until Amended	13.0%	(b)	Temporary Faculty & Full Time Temporary Classified (PERA)	All
Prov	7/1/07	Until Amended	20.4%	(c)	Full/Part Time Permanent Classified and Part Time Temporary Classified	All

DISTRIBUTION BASES:

- (a) Modified Total Direct Costs (MTDC), as defined in OMB Circular A-21, consists of salaries and wages, fringe benefits, materials and 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). Equipment, capital expenditures, charges for patient care and tuition remission, rental costs, scholarships, and fellowships, as well as the portion of each subgrant and subcontract in excess of \$25,000 shall be excluded from the Modified Total Direct Costs
- (b) Faculty salaries and Wages
- (c) Classified (administrative) salaries and wages

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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 of the following conditions: (1) that no costs other than those incurred by the grantee/contractor were included in this indirect cost pool as finally accepted and that 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 grantee/contractor, which was used as the 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 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 costs from indirect to direct. Failure to obtain such approval may result in subsequent cost disallowances.

**C. PROVISIONAL RATES:** The provisional rates contained in this agreement are subject to unilateral amendment by the Government or bilateral amendment by the contracting parties at any time.

**D. 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 Part 220 – formerly OMB Circular A-21. Accordingly, such rates shall be applied to the extent provided in such regulation to grants and contracts to which 2 CFR Part 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.

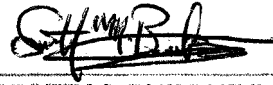
FOR THE COLORADO SCHOOL  
SCHOOL OF MINES:



KIRSTEN VOLPI  
Vice President for Finance and Administration

January 16, 2008  
Date

FOR THE U.S GOVERNMENT:



SCOTT M. BUKOVEC  
Contracting Officer

1/18/08  
Date

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*For information concerning this agreement contact:*

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