



DEPARTMENT OF HEALTH & HUMAN SERVICES

Program Support Center
Financial Management Portfolio
Cost Allocation Services

26 Federal Plaza, Room 3412
New York, NY 10278
PHONE: (212) 264-2069
FAX: (212) 264-5478
EMAIL: CAS-NY@psc.hhs.gov

June 27, 2018

Ms. Mary S. Harrington
Director of Finance
Marine Biological Laboratory
7 MBL Street
Woods Hole, MA 02543-1015

Dear Ms. Harrington:

A negotiation agreement is being sent to you for signature. This agreement reflects an understanding reached between your institution and a member of my staff concerning the rates or amounts that may be used to support your claim for costs on grants and contracts with the Federal Government. The agreement must be signed by a duly authorized representative of your institution and e-mailed to CAS-NY@psc.hhs.gov. Retain a copy for your file. We will reproduce and distribute the agreement to awarding agencies of the Federal Government for their use.

Requirements for adjustments to costs claimed under Federal Grants and Contracts resulting from this negotiation are dependent upon the type of rate contained in the negotiation agreement. Information relating to these requirements is enclosed.

In consideration of this agreement, the following was agreed to:

The carry forward over-recovery of (\$353,864) resulting from the settlement of your fringe benefit rate for fiscal year ended June 30, 2017 was considered in establishing the fixed rate for fiscal year ending June 30, 2019. The over-recovery must be included in your fringe benefit rate proposal based on actual costs for fiscal year ending June 30, 2019.

A fringe benefit rate proposal based on actual expenses for fiscal year ending June 30, 2018 is due by December 31, 2018.

An indirect cost rate proposal, together with the required supporting information, must be submitted to this office for each fiscal year in which your organization claims cost under grants and contracts awarded by the Federal Government. Therefore, your next indirect cost rate proposal for the fiscal year ending June 30, 2019 will be due in our office by December 31, 2019. In addition, please acknowledge your concurrence with the comments and conditions cited above by signing this letter in the space provided below and submit your next proposal electronically via email to CAS-NY@psc.hhs.gov.

Ms. Mary S. Harrington

- 2 -


June 27, 2018

Sincerely,
Darryl W.
Mayes -S

Digitally signed by Darryl W. Mayes -S
DN: cn=US, o=U.S. Government,
ou=HHS, ou=PSC, ou=People,
0.9.2342.19200300.100.1.1=200013166
9, cn=Darryl W. Mayes -S
Date: 2018.07.31 09:44:47 -0400

Darryl W. Mayes
Deputy Director
Cost Allocation Services

Enclosures
Concurrence:


Name MARY S. HARRINGTON
DIRECTOR OF FINANCE
Title
7 AUGUST 2018
Date

NONPROFIT RATE AGREEMENT

EIN: 042104690

DATE:06/27/2018

ORGANIZATION:

FILING REF.: The preceding agreement was dated 05/15/2017

Marine Biological Laboratory
7 MBL Street
Woods Hole, MA 02543-1015

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: INDIRECT COST RATES

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

EFFECTIVE PERIOD

<u>TYPE</u>	<u>FROM</u>	<u>TO</u>	<u>RATE(%)</u>	<u>LOCATION</u>	<u>APPLICABLE TO</u>
PRED.	07/01/2017	06/30/2020	66.00	On-Site	Research
PROV.	07/01/2020	06/30/2022	66.00	On-Site	Use same rates and conditions as those cited for fiscal year ending June 30, 2020.

*BASE

Total direct costs excluding capital expenditures (building, individual items of equipment; alterations and renovations), and that portion of each subaward in excess of \$25,000.

ORGANIZATION: Marine Biological Laboratory

AGREEMENT DATE: 6/27/2018

SECTION I: FRINGE BENEFIT RATES**

<u>TYPE</u>	<u>FROM</u>	<u>TO</u>	<u>RATE (%)</u>	<u>LOCATION</u>	<u>APPLICABLE TO</u>
FIXED	7/1/2017	6/30/2018	34.50	All	Full-Time Employees
FIXED	7/1/2017	6/30/2018	8.90	All	Temporary Employees
FIXED	7/1/2018	6/30/2019	33.40	All	Full-Time Employees
FIXED	7/1/2018	6/30/2019	8.90	All	Temporary Employees
PROV.	7/1/2019	6/30/2021	37.80	All	Full-Time Employees
PROV.	7/1/2019	6/30/2021	8.90	All	Temporary Employees

** DESCRIPTION OF FRINGE BENEFITS RATE BASE:

Salaries and wages excluding sick leave pay.

ORGANIZATION: Marine Biological Laboratory

AGREEMENT DATE: 6/27/2018

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

The costs of sick leave pay are included in the organization's fringe benefit rate and not included in the direct cost of salaries and wages. Claims for direct salaries and wages must exclude those amounts paid or accrued to employees for periods when they are on sick leave.

Vacation, holiday 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.

1. The following fringe benefits are included in the fringe benefit rate: FICA, Health Insurance, Dental Insurance, Unemployment, Life Insurance, Long Term Disability, Worker's Compensation, Pension, Sick Leave Pay, Vacation Expense Accrual, and Post Retirement Health Care.

2. The on-site indirect cost rate is applicable to all activities performed 50% or more in facilities owned by the organization or activities that require permanent office space to be provided by the organization or which any rents related to the performance of the activity are not directly allocated to the project.

** A fringe benefit rate proposal based on actual expenses for fiscal year ending June 30, 2018 is due by December 31, 2018.

** An indirect cost rate proposal based on actual expenses for fiscal year ending June 30, 2019 is due by December 31, 2019.

Equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$5,000.

ORGANIZATION: Marine Biological Laboratory

AGREEMENT DATE: 6/27/2018

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 indirect cost pool 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 indirect 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 indirect 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 Title 2 of the Code of Federal Regulations, Part 200 (2 CFR 200), and should be applied to grants, contracts and other agreements covered by 2 CFR 200, 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 indirect 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 indirect costs allocable to these programs.

BY THE INSTITUTION:

Marine Biological Laboratory

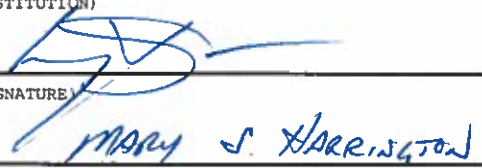
(INSTITUTION)

(SIGNATURE)

(NAME)

(TITLE)

(DATE)



MARY S. HARRINGTON

DIRECTOR OF FINANCE

7 August 2018

ON BEHALF OF THE FEDERAL GOVERNMENT:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Darryl W. Mayes

-S

(SIGNATURE)

Darryl W. Mayes

(NAME)

Deputy Director, Cost Allocation Services

(TITLE)

6/27/2018

(DATE) 4219

Digitally signed by Darryl W. Mayes -S
DN: cn=Darryl W. Mayes, ou=HHS, ou=PSC,
ou=People,
c=US, email=Darryl.W.Mayes@hhs.gov,
serial=20180731094158-04007

HHS REPRESENTATIVE: Michael Stanco

Telephone: (212) 264-2069