



University Controller  
Financial Services, Main Campus  
1 University of New Mexico  
MSC01 1300  
Albuquerque, NM 87131

Office of the Senior Executive Officer, Finance &  
Administration  
Health Sciences Center  
1 University of New Mexico  
MSC09 5300  
Albuquerque, NM 87131

## MEMORANDUM

DATE: January 12, 2022

TO: Faculty, Staff, Chairs, Deans, Directors, and Administrators

FR: Norma Allen, University Controller *na*  
Ava J. Lovell, Senior Executive Officer for Finance & Administration-HSC *AJL*

RE: New Federally Negotiated F&A Rates

Attached is the new federally negotiated facilities and administrative (F&A) rate agreement dated December 17, 2021, agreed to by UNM and the Department of Health and Human Services. This agreement is effective 7/1/21 through 6/30/25. Details of the new agreement are as follows:

The rate for On-campus research remains at 51.5% of modified total direct costs (MTDC) until 6/30/22 increasing to 52.5% until 6/30/25.

The rates for On-campus instruction is 53% of MTDC and the rate for On-campus other sponsored activities (includes public service) is 45% of MTDC.

The Off-campus rate remains capped at 26% of MTDC for all programs. Off-campus is defined as activities performed in facilities not owned by the institution and to which rent is directly allocated to the project(s) or in facilities made available (at no cost) to the program by a non-university organization. If more than 50% of a project is performed in off-campus facilities, the off-campus rate will apply to the entire project. The rate for On-campus Department of Defense (DoD) contracts remains at 54% of MTDC. The rate for Off-campus DoD contracts remains at 29% of MTDC.

The rate for On-campus agreements with non-federal sponsors remains at 54% of MTDC. The rate for Off-campus agreements with non-federal sponsors remains at 29% of MTDC.

The approved rate for miscellaneous fringe benefits is 3.00% for Leave Payouts, Tuition Waivers and Retiree Benefits.

The new F&A rate agreement will be implemented as follows:

Effective immediately, any new proposals, newly proposed increments, supplements or new tasks that will start or extend past July 1, 2022, should use the rates in the new agreement.

For existing awards, the current F&A rate will continue to be used for the life of the sponsored agreement. "Life" as defined by Federal OMB Uniform Guidance Appendix III 2 CFR 200 means the period of years for each competitive segment of a project approved by the funding agency at the time of the award. If negotiated rate agreements do not extend through the life of the sponsored agreement at the time of the initial award, then the negotiated F&A rate for the last year of the rate agreement will be used.

If you have any questions, please contact the Office of Sponsored Projects office for Main Campus and Branches at 277-4186, or the Sponsored Projects Office for the Health Sciences Center at 272-9383.

*Norma Allen*

*Ava J. Lovell*  
Ava J. Lovell (Jan 12, 2022 16:01 MST)

**COLLEGES AND UNIVERSITIES RATE AGREEMENT**

EIN: 1856000642A1

DATE:12/17/2021

ORGANIZATION:

FILING REF.: The preceding agreement was dated 09/22/2021

University of New Mexico  
1 University of New Mexico  
Albuquerque, NM 87131-0001

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.	07/01/2021	06/30/2022	51.50	On Campus	Organized Research
PRED.	07/01/2022	06/30/2025	52.50	On Campus	Organized Research
PRED.	07/01/2021	06/30/2025	53.00	On Campus	Instruction
PRED.	07/01/2021	06/30/2025	45.00	On Campus	Other Sponsored Programs
PRED.	07/01/2021	06/30/2025	26.00	Off Campus	All Programs
PRED.	07/01/2021	06/30/2025	54.00	On Campus	Research DOD Contract
PRED.	07/01/2021	06/30/2025	29.00	Off Campus	Research DOD Contract
PROV.	07/01/2025	Until Amended			Use same rates and conditions as those cited for fiscal year ending June 30, 2025.

\*BASE

ORGANIZATION: University of New Mexico

AGREEMENT DATE: 12/17/2021

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Modified total direct costs, consisting of all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel and up to the first \$25,000 of each subaward (regardless of the period of performance of the subawards under the award). Modified total direct costs shall exclude equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward in excess of \$25,000. Other items may only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency for indirect costs.

ORGANIZATION: University of New Mexico

AGREEMENT DATE: 12/17/2021

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**SECTION I: FRINGE BENEFIT RATES\*\***

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<u>TYPE</u>	<u>FROM</u>	<u>TO</u>	<u>RATE (%)</u>	<u>LOCATION</u>	<u>APPLICABLE TO</u>
FIXED	7/1/2020	6/30/2021	3.51		All Employees
FIXED	7/1/2021	6/30/2022	3.00		All Employees
PROV.	7/1/2022	Until amended			Use same rates and conditions as those cited for fiscal year ending June 30, 2022.

\*\* DESCRIPTION OF FRINGE BENEFITS RATE BASE:

Salaries and wages.

ORGANIZATION: University of New Mexico

AGREEMENT DATE: 12/17/2021

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**SECTION II: SPECIAL REMARKS**

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TREATMENT OF FRINGE BENEFITS:

Certain fringe benefits are charged using the rate(s) listed in the Fringe Benefits Section of this Agreement. FICA, Worker's Compensation, Retirement, University Discounts, Health and Life Insurance, Unemployment Compensation, and Payroll Taxes are specifically identified to each employee and are charged individually as direct costs. The fringe benefits charged using the rate(s) listed in the Fringe Benefit Section are listed below:

Tuition Remission  
Leave Payouts  
Retiree Health Benefits  
Employee Training and Services

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 are not made for the cost of these paid absences.

OFF-CAMPUS DEFINITION: An off-campus program is one that is conducted (1) in leased facilities where space related costs (e.g. rent, utilities and maintenance) are charged directly to the program, or (2) in facilities made available (at no cost) to the program by a non-University organization. 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.

Next Proposal Due:

Your next Fringe Benefit proposal, based on actual cost for the fiscal year ending June 30, 2021, is due in our office by December 31, 2021.  
Your next Facility & Administration proposal, based on actual cost for the fiscal year ending June 30, 2024, is due in our office by December 31, 2024.

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 \$5,000.

ORGANIZATION: University of New Mexico

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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 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 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 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:

University of New Mexico

(INSTITUTION)



(SIGNATURE)

Teresa Costantindis

(NAME)

Senior Vice President Finance & Administration

(TITLE)

Dec 29, 2021

(DATE)

ON BEHALF OF THE FEDERAL GOVERNMENT:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Darryl W. Mayes  
-S

Digitally signed by Darryl W. Mayes -S  
DN: c=US, o=U.S. Government, ou=HHS, ou=PSC,  
ou=People,  
0.9.2342.19200300.100.1.1=2000131669,  
cn=Darryl W. Mayes -S  
Date: 2021.12.29 07:07:49 -05'00'

(SIGNATURE)

for Arif Karim

(NAME)

Director, Cost Allocation Services

(TITLE)

12/17/2021

(DATE) 7099

HHS REPRESENTATIVE: Denise Shirlee

Telephone: (214) 767-3261