



DEPARTMENT OF THE NAVY

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

IN REPLY REFER TO:

Agreement Date: August 11, 2008

NEGOTIATION AGREEMENT

INSTITUTION: OKLAHOMA STATE UNIVERSITY
STILLWATER, OKLAHOMA 74078-1028

The Fringe Benefits rates contained herein are for use on grants, contracts and/or other agreements issued or awarded to the Oklahoma State University by all Federal Agencies of the United States of America, in accordance with the provisions and 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 the Oklahoma State University for Fiscal Year 2009. This rate agreement supersedes all previous rate agreements/determinations for Fiscal Year 2009.

SECTION I: RATES - TYPE: Fixed with Carry-forward (Fixed)

FRINGE BENEFITS

<u>Type</u>	<u>From</u>	<u>To</u>	<u>Rate</u>	<u>Base</u>	<u>Applicable Employee</u>
<u>OSU – General University</u>					
Fixed	7-1-08	6-30-09	31.38%	(a)	Faculty
Fixed	7-1-08	6-30-09	16.02%	(a)	Non-Retirement Faculty
Fixed	7-1-08	6-30-09	38.50%	(a)	Staff
Fixed	7-1-08	6-30-09	10.51%	(a)	Temporary
Fixed	7-1-08	6-30-09	7.92%	(a)	Graduate Student
Fixed	7-1-08	6-30-09	1.67%	(a)	Student
<u>OSU – Agricultural Sciences</u>					
Fixed	7-1-08	6-30-09	35.03%	(a)	Faculty
Fixed	7-1-08	6-30-09	21.28%	(a)	Non-Retirement Faculty
Fixed	7-1-08	6-30-09	41.39%	(a)	Staff
Fixed	7-1-08	6-30-09	11.23%	(a)	Temporary
Fixed	7-1-08	6-30-09	6.67%	(a)	Graduate Student
Fixed	7-1-08	6-30-09	2.52%	(a)	Student
<u>OSU – Veterinary Medicine</u>					
Fixed	7-1-08	6-30-09	31.11%	(a)	Faculty
Fixed	7-1-08	6-30-09	20.35%	(a)	Non-Retirement Faculty
Fixed	7-1-08	6-30-09	39.55%	(a)	Staff
Fixed	7-1-08	6-30-09	10.30%	(a)	Temporary
Fixed	7-1-08	6-30-09	4.69%	(a)	Graduate Student
Fixed	7-1-08	6-30-09	2.43%	(a)	Student

<u>Type</u>	<u>From</u>	<u>To</u>	<u>Rate</u>	<u>Base</u>	<u>Applicable Employee</u>
<u>OKMULGEE CAMPUS</u>					
Fixed	7-1-08	6-30-09	37.20%	(a)	Faculty
Fixed	7-1-08	6-30-09	39.73%	(a)	Staff
Fixed	7-1-08	6-30-09	10.34%	(a)	Temporary
Fixed	7-1-08	6-30-09	.52%	(a)	Student
<u>OKLAHOMA CITY CAMPUS</u>					
Fixed	7-1-08	6-30-09	35.99%	(a)	Faculty
Fixed	7-1-08	6-30-09	38.89%	(a)	Staff
Fixed	7-1-08	6-30-09	10.55%	(a)	Temporary
Fixed	7-1-08	6-30-09	1.03%	(a)	Student
<u>CENTER FOR HEALTH SCIENCES</u>					
Fixed	7-1-08	6-30-09	19.95%	(a)	Faculty
Fixed	7-1-08	6-30-09	33.55%	(a)	Staff
Fixed	7-1-08	6-30-09	10.49%	(a)	Temporary
Fixed	7-1-08	6-30-09	1.05%	(a)	Graduate Student
Fixed	7-1-08	6-30-09	.25%	(a)	Student
<u>TULSA CAMPUS</u>					
Fixed	7-1-08	6-30-09	33.73%	(a)	Staff
Fixed	7-1-08	6-30-09	12.44%	(a)	Temporary
Fixed	7-1-08	6-30-09	3.55%	(a)	Student

DISTRIBUTION BASE

(a) Salaries and Wages of respective Employee Category.

SECTION II - GENERAL TERMS AND CONDITIONS

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. FIXED RATES WITH CARRY-FORWARD PROVISIONS: The Fringe Benefits rates contained in this agreement are based on estimates of the costs for FY 2009. When the actual costs for FY 2009 are determined, adjustments will be made to the rates of a future year to recognize the difference between the FY 2009 estimated costs used to establish the fixed rates and the negotiated actual FY 2009 costs.

D. CARRY-FORWARD AMOUNTS: The fixed rates set forth in SECTION I include the carry-forward amounts from Fiscal Year 2007. The FY 2007 Final Fringe Benefit carry-forward (CFW) amounts are contained in Agreement executed on August 18, 2008. The following schedule shows the full and complete liquidation except for the Center for Health Sciences Graduate Student rate (which represents only a partial liquidation) of all FY 2007 final carry-forward amounts in the FY 2009 Fixed Fringe Benefit Rates.

Rate Category		Liquidated in FY 2009 Fixed Rates
FRINGE BENEFITS:		Under / (Over) Recovery
GENERAL		
Faculty	FY07 CFW	\$(941,191)
Non-Retirement	FY07 CFW	(17,344)
Staff	FY07 CFW	184,362
Temporary	FY07 CFW	(9,434)
Graduate Student	FY07 CFW	23,777
Student	FY07 CFW	8,274
VETERINARY MEDICINE		
Faculty	FY07 CFW	\$(109,444)
Non-Retirement	FY07 CFW	(256)
Staff	FY07 CFW	(6,905)
Temporary	FY07 CFW	317
Graduate Student	FY07 CFW	482
Student	FY07 CFW	(1,858)
OKLAHOMA CITY		
Faculty	FY07 CFW	\$ 31,744
Staff	FY07 CFW	14,340
Temporary	FY07 CFW	10,403
Student	FY07 CFW	(2,249)
TULSA		
Staff	FY07 CFW	\$ (47,723)
Temporary	FY07 CFW	1,339
Student	FY07 CFW	40

Rate Category		Liquidated in FY 2009 Fixed Rates
FRINGE BENEFITS:		Under / (Over) Recovery
AGRICULTURAL SCIENCES		
Faculty	FY07 CFW	\$ (145,943)
Non-Retirement	FY07 CFW	6,253
Staff	FY07 CFW	23,840
Temporary	FY07 CFW	(3,364)
Graduate Student	FY07 CFW	20,740
Student	FY07 CFW	(141)
OKMULGEE		
Faculty	FY07 CFW	\$ 54,361
Staff	FY07 CFW	(6,944)
Temporary	FY07 CFW	(7,034)
Student	FY07 CFW	(2,909)
CENTER FOR HEALTH SCIENCES		
Faculty	FY07 CFW	\$(461,210)
Staff	FY07 CFW	(75,787)
Temporary	FY07 CFW	2,683
*Graduate Student	FY07 CFW	(811)
Student	FY07 CFW	(4,875)

*Amount shown is a portion of the FY07 carry-forward

<u>Type</u>	<u>From</u>	<u>To</u>	<u>Rate</u>	<u>Base</u>	<u>Applicable Employee</u>
<u>CENTER FOR HEALTH SCIENCES</u>					
Actual	7-1-06	6-30-07	21.18%	(a)	Faculty
Actual	7-1-06	6-30-07	32.65%	(a)	Staff
Actual	7-1-06	6-30-07	9.57%	(a)	Temporary
Actual	7-1-06	6-30-07	1.33%	(a)	Graduate Student
Actual	7-1-06	6-30-07	2.23%	(a)	Student
<u>TULSA CAMPUS</u>					
Actual	7-1-06	6-30-07	33.05%	(a)	Staff
Actual	7-1-06	6-30-07	10.64%	(a)	Temporary
Actual	7-1-06	6-30-07	2.95%	(a)	Student

DISTRIBUTION BASE

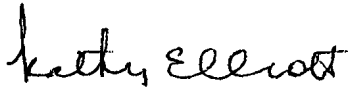
(a) Salaries and Wages of respective Employee Category.

Endorsement of this negotiation agreement confirms agreement of these rates and carry-forward amounts. The terms of this negotiation agreement are subject to all regulations and statutes applicable to any contract, grant or other agreement that includes the provisions of 2 CFR Part 220 – formerly Office of Management and Budget (OMB) Circular A-21. The terms of this negotiation agreement will not change any monetary ceilings or statutory limitations applicable to individual Federal contract, grant or other agreement with Oklahoma State University.

Accepted:

FOR OKLAHOMA STATE UNIVERSITY:

FOR THE GOVERNMENT:



KATHY KAMM ELLIOTT
Associate Vice President and Controller

Date: 8/15/08


DEBORAH K. RAFI
Contracting Officer

Date: 8/18/08

For information concerning this agreement contact:

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