INDIRECT COST RATE AGREEMENT
STATE AGENCY

Organization:
California Department of Developmental Services
1600 Ninth Street, Room 206, MS 2-9
Sacremento, CA 95814

Date: June 29, 2018

Agreement No: 2018-085

Filing Reference: This replaces previous Agreement No. 2016-092
Dated: 12/30/2016

The approved indirect cost rates herein are for use on grants, contracts, and other agreements with the Federal Government. The rates are subject to the conditions included in Section II of this Agreement and regulations issued by the Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards under 2 CFR 200.

Section I - Rates and Bases

Type	From	To	Rate	Base	Applicable To
Final	7/1/2016	6/30/2017	35.0%	MTDC	Restricted
Provisional	7/1/2017	6/30/2018	35.0%	MTDC	Restricted
Provisional	7/1/2018	6/30/2019	35.0%	MTDC	Restricted

Distribution Base:

MTDC Modified Total Direct Cost - Total direct costs excluding equipment, capital expenditures, participant support costs, pass-through funds and the portion of each subaward (subcontract or subgrant) above $25,000 (each award; each year).

Note: these rates are applicable only to the Early Start program. No other Federal grants/contract can use the rate for indirect cost recovery.

Applicable To:

Restricted Restricted rates apply to programs that require a restricted rate per 34 CFR 75.563 and 34 CFR 76.563.

Treatment of Fringe Benefits:
Fringe benefits applicable to salaries and wages are treated appropriately as direct or indirect costs. Vacation, holiday, sick leave and other paid absences are included in salaries claimed on awards. Separate claims for paid absences are not made.

Capitalization Policy: Items of equipment are capitalized and depreciated if the initial acquisition cost is equal to or greater than $5,000.

Section II – Particulars

Limitations: Application of the rates contained in this Agreement is subject to all statutory or administrative limitations on the use of funds, and payments of costs hereunder are subject to the availability of appropriations applicable to a given grant or contract. Acceptance of the rates agreed to herein is predicated on the following conditions: (A) that no costs other than those incurred by the Organization were included in the indirect cost pools as finally accepted, and that such costs are legal obligations of the Organization and allowable under the governing cost principles; (B) the same costs that have been treated as indirect costs are not claimed as direct costs; (C) that similar types of information which are provided by the Organization, and which were used as a basis for acceptance of rates agreed to herein, are not subsequently found to be materially incomplete or inaccurate; and (D) that similar types of costs have been accorded consistent accounting treatment.

Accounting Changes: The rates contained in this agreement are based on the organizational structure and the accounting systems in effect at the time the proposal was submitted. Changes in organizational structure or changes in the method of accounting for costs which affect the amount of reimbursement resulting from use of the rates in this agreement, require the prior approval of the responsible negotiation agency. Failure to obtain such approval may result in subsequent audit disallowance.

Provisional/Final/Predetermined Rates: A proposal to establish a final rate must be submitted. The awarding office should be notified if the final rate is different from the provisional rate so that appropriate adjustments to billings and charges may be made. Predetermined rates are not subject to adjustment.

Fixed Rate: The negotiated fixed rate is based on an estimate of the costs that will be incurred during the period to which the rate applies. When the actual costs for such period have been determined, an adjustment will be made to a subsequent rate calculation to compensate for the difference between the costs used to establish the fixed rate and the actual costs.

Notification to Other Federal Agencies: Copies of this document may be provided to other Federal agencies as a means of notifying them of the agreement contained herein.

Audit: All costs (direct and indirect, federal and non-federal) are subject to audit. Adjustments to amounts resulting from audit of the cost allocation plan or indirect cost rate proposal upon which the negotiation of this agreement was based may be compensated for in a subsequent negotiation.

Reimbursement Ceilings/Limitations on Rates: Awards that include ceiling provisions and statutory/ regulatory requirements on indirect cost rates or reimbursement amounts are subject to the stipulations in the grant or contract agreements. If a ceiling is higher than the negotiated rate in Section I of this agreement, the negotiated rate will be used to determine the maximum allowable indirect cost.

Section III - Special Remarks

Alternative Reimbursement Methods: If any federal programs are reimbursing indirect costs by a methodology other than the approved rates in this agreement, such costs should be credited to the programs and the approved rates should be used to identify the maximum amount of indirect costs allocable.

Submission of Proposals: New indirect cost proposals are necessary to obtain approved indirect cost rates for future fiscal years. **The next indirect cost rate proposal is due six months prior to the expiration dates of the rates in this agreement.**

Section IV – Approvals

For the Organization:

California Department of Developmental Services
1600 Ninth Street, Room 206, MS 2-9
Sacremento, CA 95814

Signature

Name

Title

Date

For the Federal Government:

U.S. Department of Education
OCFO / FIO / ICG
550 12th Street, SW
Washington, DC 20202-4450

Frances Outland Digitally signed by Frances Outland Date: 2018.06.29 17:34:01 -04'00'

Signature

Frances Outland
Name

Director, Indirect Cost Group
Title

June 29, 2018
Date

Negotiator: Emily Wen
Telephone Number: (202) 245-8109