



National Institutes of Health
Bethesda, Maryland 20892
Division of Financial Advisory Services
6701 Rockledge Drive, Room 411-B
Bethesda, Maryland 20892-7786
301-496-2444

August 28, 2023

Mary K. Buller
Owner & President
KLEIN BUENDEL INC
1667 COLE BLVD. SUITE NO. 220
LAKEWOOD, CO 80401

Dear Ms. Buller:

Enclosed is your latest indirect cost Negotiation Agreement. This Agreement reflects an understanding reached between your organization and a member of my staff concerning the rate(s) that may be used to support your claims for indirect costs on contracts and grants.

After an authorized official of your organization signs the agreement, **please return the agreement electronically within ten days.**

To finalize the provisional rates in accordance with FAR 42.705-1, a final indirect cost proposal based on actual costs (together with supporting information and a Certificate of Indirect Costs per FAR 42.703-2) must be submitted within the six-month period following the end of your fiscal year(s).

An indirect cost submission supporting new provisional rates is due prior to the expiration of the last provisional rates contained in this agreement. **Contracting Offices will be advised to discontinue reimbursing indirect costs when negotiated rates have expired.**

For the latest information on how to securely submit your electronic indirect cost proposal, please visit our website: <https://oamp.od.nih.gov/dfas/indirect-cost-branch>.

NOTE: It is incumbent upon your organization to officially notify this office if/when the current provisional rates are no longer representative of current conditions and need to be renegotiated. This notification should include a revised indirect cost proposal and complete financial documentation to support a significant change in circumstances that warrants renegotiation of the rates.

Also note, if final rates are lower than provisional rates, it is your organization's responsibility to adjust the reimbursements under all of your awards to reflect the lower final rates. You should contact the appropriate awarding official for instructions on adjusting procedures.

If you have any questions, please contact the negotiator listed on the last page of the Agreement.

For Diane J. Frasier
Head of the Contracting Activity,
Director of Office of Acquisition and Logistics Management, OM, NIH
frasierd@mail.nih.gov

Enclosure



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Bethesda, Maryland 20892
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301-496-2444

Date: August 28, 2023

Grantee: KLEIN BUENDEL INC
1667 COLE BLVD. SUITE NO. 220
LAKEWOOD, CO 80401

This supersedes the
negotiation agreement
dated April 26, 2022

Subject: Negotiation Agreement

Table with columns: TYPE, PERIOD, RATES (FINAL, PROVISIONAL, CEILING (*)), BASE. Rows include FRINGE BENEFIT, OVERHEAD, and G&A with various periods and rates.

Rate Application Bases:

- (a) Total salaries and wages, excluding paid absences (vacation, holiday and sick pay).
(b) Direct salaries and wages plus applicable fringe benefits.
(c) Total costs, excluding g&a expenses, subcontract costs in excess of \$25,000 per subcontract per company fiscal year and excluding all equipment costs.
(*) Final rates cannot exceed ceiling rates.

Notes:

- 1. Fringe benefits consist of:
a. Paid absences
b. Payroll taxes
c. Retirement plan contribution
d. Employee insurance

- 2. Direct charges to projects include:
 - a. Direct salaries and wages, excluding paid absences
 - b. Subcontract costs
 - c. Equipment, as authorized
 - d. Other direct costs, as authorized

General:

A. LIMITATIONS: Use of the rates contained in this agreement is subject to any applicable contractual or grant limitations. Acceptance of the rates agreed to herein is predicated upon the conditions: (1) that no costs other than those incurred by the contractor or grantee were included in its indirect cost proposal and that such costs are legal obligations of the contractor or grantee, (2) that the same costs that have been treated as indirect costs have not been claimed as direct costs, and (3) that similar types of costs have been accorded consistent treatment.

B. ACCOUNTING CHANGES: The rates contained in this agreement are based on the accounting system in effect at the time the proposal was prepared and the agreement negotiated. Changes to the method of accounting that affect the amount of reimbursement resulting from the use of these rates require the prior approval of this office. Failure to obtain such approval may result in subsequent cost disallowances.

C. NOTIFICATION TO FEDERAL AGENCIES: Copies of this document may be provided to other Federal offices as a means of notifying them of the agreement contained herein.

for _____
Diane J. Frasier
Head of the Contracting Activity,
Director of Office of Acquisition and Logistics Management, OM, NIH
frasierd@mail.nih.gov

Negotiator: KETTY HOGARTH
Telephone: (301) 496-4494

KLEIN BUENDEL INC

By:

Signature

Typed or Printed Name

Title

Date