SUBRECIPIENT OR CONTRACTOR DETERMINATION CHECKLIST

(FOR FEDERAL AWARDS ONLY)

Name of Entity: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**CHECKLIST QUESTIONS**

(Complete both lists to ensure accuracy)

**SUBRECIPIENT –** Check the boxes below if the answer to the question is “yes”. *("Yes" indicates the entity has the characteristics of a Subrecipient).* Per 2 CFR 200.93, “Subrecipient” means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program, but does not include an individual that is a beneficiary of such a program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

|  |  |
| --- | --- |
| **Check if “Yes”** | **Will the Entity**: |
|  | 1. Determine who is eligible to receive what Federal financial assistance?
 |
|  | 1. Have its performance measured in relation to whether the objectives of the Federal program was met?
 |
|  | 1. Have responsibility for programmatic decision-making?
 |
|  | 1. Have responsibility for adherence to applicable Federal program requirements specified in the Federal award?
 |
|  | 1. In accordance with its subaward, use the Federal funds to carry out a program for a public purpose specified in a authorizing statute, as opposed to providing goods or services for the benefit of GW?
 |

**CONTRACTOR** -- Check the boxes below if the answer to the question is “yes”. *(Under this list "Yes" indicates the entity has the characteristics of a Contractor).*  Per 2 CFR 200.23, “Contractor” means an entity that receives a contract as defined in 2 CFR 200.22 Contract. Per 2 CFR 200.92, “Contract” is defined as a legal instrument by which a non-Federal entity obtains goods and services needed to carry out the project or program under a Federal award. The term as used in this part does not include a legal instrument, even if the non-Federal entity considers it a contract, when the substance of the transaction meets the definition of a Federal award or subaward (see §200.92 Subaward).

|  |  |
| --- | --- |
| **Check if “Yes”** | **Does the Contractor:** |
|  | 1. Provide the goods and services within normal business operations?
 |
|  | 1. Provide similar goods and services to many different purchasers?
 |
|  | 1. Normally operate in a competitive environment?
 |
|  | 1. Provide goods or services that are ancillary (secondary) to the operation of a Federal program?
 |
|  | 1. Fall under the compliance requirements of the Federal program as a result of the agreement (though similar requirements may apply for other reasons)?
 |

Based on checklist results, the entity characteristics under the two checklists above indicate the Contractor is a *(Circle one)*:

**SUBRECIPIENT or CONTRACTOR**

Explanation for Decision (As Needed):

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

***In making the determination of whether a subrecipient or contractor relationship exists, the substance of the relationship is more important than the form of the agreement. It is not expected that all characteristics will be present and judgment should be used in determining whether the entity is a subrecipient or contractor*.*If you have questions as to how the Contractor should be classified, check with your Sponsored Project Administrator.***

Principal Investigator Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_