**Instructions**: Answer each question by checking “yes” or “no” where indicated. Based on responses to each question, a key provided at the end of each section will help in making a judgement as to whether a subrecipient or contractor relationship exists. One check in a subrecipient box does not necessarily mean the entity is a subrecipient (or vice versa for contractors), a **judgement must be made based on the totality of responses**

**Department/Division**: Click or tap here to enter text. **Contact Information**: Click or tap here to enter text.

**Name of Grant being Utilized**: Click or tap here to enter text. **Entity Receiving Funds**: Click or tap here to enter text.

|  |  |  |  |
| --- | --- | --- | --- |
| **Characteristics** | **Indicators** | | **Explanations** |
| Yes | No |
| **Decision Making Authority** | | | |
| a. Does the entity determine who is eligible to participate in the program being federally funded? |  |  | If the entity determines whether a participant meets a federal program’s eligibility requirements for assistance, it is most likely a subrecipient. |
| a. Does the entity have the ability to make decisions about how services will be delivered to participants, in accordance with federal requirements? |  |  | A contractor may provide services to clients in a program after eligibility has been determined by the recipient. |
| **OR** |  | | |
| b. Does the entity provide goods or services for the recipient’s own use? |  |  | If the entity has authority to make decisions regarding the delivery of services, operations, or types of assistance provided within the terms of the agreement, it is typically a subrecipient relationship. |
| b. Does the entity provide services designated by the recipient to serve the recipient’s participants without regard to specific federal programmatic requirements? |  |  | If the entity provides goods or services directly to the recipient or to program participants at the direction of the recipient and does not make programmatic decisions, or adhere to program requirements, it is typically a contractor. |
| **Subrecipient** | **Contractor** |  |
| “Yes” in either item **A** is an indicator of a **Subrecipient** relationship |  |  |
| “Yes” in either item **B** is an indicator of a **Contractor** relationship |

**NOTES** Click or tap here to enter text.

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| --- | --- | --- | --- |
| **Characteristics** | **Indicators** | | **Explanations** |
| Yes | No |
| **Nature of Award** | | | |
| a. Are the scope of work (or portion, if applicable) and terms and conditions of the agreement the same for the entity as they are for the recipient that received the federal funds? |  |  | If the entity is providing a service for the recipient to meet the goal of the grant, it is a contractor; if the entity is providing a service that carries out a goal within the scope of the grant, it is a subrecipient. When a grant program contains multiple goals, it is possible for the recipient to complete part of the goals and for the entity to perform another part. |
| a. Is the entity carrying out completion of the goal of the grant (or part, if applicable as stated in the federal award? |  |  |
| **OR** |  | | |
| b.. Does the recipient develop the scope of work and terms and conditions of the agreement to meet the recipient’s needs? |  |  | If the scope of the agreement is per the federal program terms/guidance, the entity is a subrecipient. A subrecipient may also provide programmatic or progress reports to ensure compliance with federal program requirements. |
| Conversely, if the scope of the agreement is per the recipients’ terms and not federal program guidance, and if the recipient’s oversight is governed only by the contract terms and conditions, it is a contractor. |
| **Subrecipient** | **Contractor** |  |
| “Yes” in either item **A** is an indicator of a **Subrecipient** relationship |  |  |
| “Yes” in item **B** is an indicator of a **Contractor** relationship |

**NOTES** Click or tap here to enter text.

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| --- | --- | --- | --- |
| **Characteristics** | **Indicators** | | **Explanations** |
| Yes | No |
| **Award Risk** | | | |
| a. Funding to the entity depends on the entity’s ability to best meet the objectives of the award. Although performance is measured against federal award objectives, the entity assumes little risk if the objectives are not met. |  |  | If the funding is given to the entity with a purpose of completing the goal of the grant, the recipient will be required to ensure the entity adheres to federal grant program guidance. The recipient will also be required to monitor the activities. The entity assumes little risk should federal grant guidance not be met. The risk falls with the recipient. |
| **OR** |  | | |
| b. The entity assumes financial risk if they fail to deliver the goods or services agreed upon. |  |  | If the recipient directs specific activities to be completed by the entity, by providing goods or services, the risk falls on the entity to deliver, per the agreement terms, in this case, the entity would not be required to adhere to the federal grant program requirements, just the terms and conditions in the agreement with the recipient. |
| **Subrecipient** | **Contractor** |  |
| “Yes” in item **A** is an indicator of a **Subrecipient** relationship |  |  |
| “Yes” in item **B** is an indicator of a **Contractor** relationship |

**NOTES** Click or tap here to enter text.

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| --- | --- | --- | --- |
| **Characteristics** | **Indicators** | | **Explanations** |
| Yes | No |
| **Criteria for Selection** | | | |
| a. Does the entity demonstrate a financial or public need for funding to carry out a project or provide a service? |  |  | If the entity was chosen because it has the best widgets or service for the price, it has a contractor relationship with the recipient. Typically, a procurement method is followed, such as a competitive bid or RFP process. In this type of agreement, the entity usually makes a profit by delivering this good or service to the recipient. Payments to contractors are typically made based on contract terms. |
| a. Will the entity be contributing match or other non-federal funding in support of the award? |  |  |
| a. Will the entity be reimbursed for only actual costs incurred? |  |  |
| **OR** |  | | |
| b. Were procurement policies applied in the selection of the entity? |  |  | Conversely, if the entity was chosen because it was already providing a service within the guidelines of the grant program and wants to partner with the recipient to expand the delivery or assist in meting the goal of the grant, it may be a subrecipient. Typically, the entity may not make a profit and may provide its own non-federal funding as match or cost-sharing. The entity may have been chosen through an application process or an announcement of funding, as opposed to the procurement process described above. Payment to a subrecipient is generally based on actual expenses unless awarded on a fixed amount subaward. It is typical of subrecipients to submit budgets, financial reports, or copies of invoices to the recipient, to document activity. |
| b. Was the entity’s proposed price a factor in the selection process? |  |  |
| b. Will the entity derive a profit from the agreement? |  |  |
| **Subrecipient** | **Contractor** |  |
| “Yes” in any item **A** is an indicator of a **Subrecipient** relationship |  |  |
| “Yes” in any item **B** is an indicator of a **Contractor** relationship |

**NOTES** Click or tap here to enter text.

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| --- | --- | --- | --- |
| **Characteristics** | **Indicators** | | **Explanations** |
| Yes | No |
| **Entity’s Business Environment** | | | |
| a. Is the entity’s normal business to provide the goods or services being purchased in the agreement? |  |  | If a federal program provides funding to modify public buildings for handicapped accessibility and the recipients provides funds to an entity to update the entity’s building, per the terms of the award, then a subrecipient relationship exists. |
| **OR** |  | | |
| b. Does the entity provide the same goods or services to other organizations? |  |  | Conversely, if the recipient hires an entity to update their own building to be handicapped accessible, then a contractor relationship exists. |
| **Subrecipient** | **Contractor** |  |
| “Yes” in item **A** is an indicator of a **Subrecipient** relationship |  |  |
| “Yes” in item **B** is an indicator of a **Contractor** relationship |

**NOTES** Click or tap here to enter text.

**Final Determination:  Subrecipient (utilize subgrant award, and subrecipient procedures, monitoring etc.)**

**Contractor (utilize the WC procurement policy and indicate federal funds are being used)**

**Completed by**: Click or tap here to enter text. Click or tap to enter a date.

**(enter name of person initially making decision**) **(date)**

**Reviewed With:** Click or tap here to enter text. Click or tap to enter a date.

**(enter name of person reviewing)** **(date)**