

# UG IMPACT ON SUBAWARDS

# SUBRECIPIENT VERSUS CONTRACTOR DETERMINATIONS

What?

- Requirement to conduct case by case determinations on whether the entity receiving funds is a subrecipient or a contractor

Why?

- 2 CFR Part §200.330

When?

- At time of proposal

How?

- Introducing...

## Subrecipient vs. Contractor Determination Form

In accordance with §200.330 of the Uniform Guidance, UCI must determine, on a case by case basis, whether the entity receiving federal funds is a **subrecipient** or a contractor. Please complete and submit this form to Sponsored Projects via Quali Coeus for proposals which include direct costs for a potential **subaward** or subcontract to a third party (not required for **subawards/subcontractors** to another UC campus). Please direct any questions to your assigned contract and grant officer.

**Subrecipient / Contractor Name:** [Click here to enter text.](#)

**Project Title:** [Click here to enter text.](#)

**Prime Sponsor:** [Click here to enter text.](#)

**UCI PI:** [Click here to enter text.](#)

### Check all that apply

#### Subrecipient:

- Performance represents an intellectually significant portion of the overall programmatic effort and is measured against the objectives of the federal program.
- There is an identified principal investigator for the subrecipient who has responsibility for making programmatic decisions.
- Work could result in the development of intellectual property.
- Is expected to author or co-author publications on the results of its work.
- Will need animal and/or human subject approval for its work.
- Provides cost sharing or matching funds.
- Is responsible for adhering to applicable federal program requirements specified in the federal award.
- Will use the federal funds to carry out a program for a public purpose, as opposed to providing goods or services for the benefit of UCI.

#### Contractor:

- Provides the goods or services purchased with the federal funds within its normal business operations.
- Provides similar goods or services to many different purchasers.
- Performs a series of repetitive tests or activities requiring little or no discretionary judgment.
- Normally operates in a competitive environment.
- Provides goods or services that are ancillary to the operation of the federal program.
- Is not subject to the compliance requirements of the federal program as a result of the agreement with UCI (although similar requirements may apply for other reasons).

All of the characteristics listed above might not be present in all cases. Therefore, judgment must be used in classifying the agreement as either a subaward or a contract. In determining whether the agreement is a subaward or a contract, the substance of the relationship is more important than the form or name of the agreement.

Based on my analysis of the above, the organization is a:

**Subrecipient:**       **Contractor:**

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UCI Principal Investigator Signature

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Date

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UCI Principal Investigator Name (please print)

## Subrecipient vs. Contractor Determination Form

In accordance with §200.330 of the Uniform Guidance, UCI must determine, on a case by case basis, whether the entity receiving federal funds is a subrecipient or a contractor. Please complete and submit this form to Sponsored Projects via Kuali Coeus for proposals which include direct costs for a potential subaward or subcontract to a third party (not required for subawards/subcontractors to another UC campus). Please direct any questions to your assigned contract and grant officer.

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UCI PI: [Click here to enter text.](#)

- The pass-through entity (UCI) holds responsibility for deciding whether party receiving funds is a subrecipient or contractor
- Form will be submitted with PI's signature as part of the proposal package via KC

**Check all that apply**

**Subrecipient:**

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- Work could result in the development of intellectual property.
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**Contractor:**

- Provides the goods or services purchased with the federal funds within its normal business operations.
- Provides similar goods or services to many different purchasers.
- Performs a series of repetitive tests or activities requiring little or no discretionary judgment.
- Normally operates in a competitive environment.
- Provides goods or services that are ancillary to the operation of the federal program.
- Is not subject to the compliance requirements of the federal program as a result of the agreement with UCI (although similar requirements may apply for other reasons).

- Use your best judgment – there is no one determinative factor
- This is not a formula – substance of the relationship matters most

All of the characteristics listed above might not be present in all cases. Therefore, judgment must be used in classifying the agreement as either a subaward or a contract. In determining whether the agreement is a subaward or a contract, the substance of the relationship is more important than the form or name of the agreement.

Based on my analysis of the above, the organization is a:

**Subrecipient:**

**Contractor:**

**CHECK A BOX**

**SIGN & DATE HERE**

\_\_\_\_\_  
UCI Principal Investigator Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
UCI Principal Investigator Name (Please Print)

# QUESTIONS?

Please email any  
questions/comments to  
[subawards@research.uci.edu](mailto:subawards@research.uci.edu)