



Subrecipient v. Contractor Determination Checklist

OSP Number _____ Entity _____

Subrecipient/Subcontractor. Characteristics which support the classification of the Party as a Subrecipient or Subcontractor include when the Party:

- Determines who is eligible to receive financial assistance or subcontract funding (e.g., in the form of a subaward or subcontract, but excluding procurement actions)
- Has its performance measured in relation to whether objectives of a program are met (e.g., the Party is responsible for meeting performance targets that tie to program objectives, must submit oral or written progress reports related to program objectives, awarding organization may sanction the Party for not meeting program objectives, must submit a comprehensive closeout package at the end of its award)
- Has responsibility for programmatic decision making (e.g., has latitude to make policy and operational decisions regarding how it carries out a program)
- Is responsible for adhering to applicable program requirements (e.g., awarding organization holds the Party accountable for complying with applicable program statutes, regulations, rules, policies and guidance, such as 2 CFR Part 200 or the Federal Acquisition Regulation)
- Uses the funds to carry out a program as opposed to merely providing goods and services to Boise State University (e.g., performs a portion of the Statement of Work or objectives of the prime award to Boise State University; its role requires more than dealing, distributing and/or selling goods or services that support a program)

Total Checks for Subrecipient/Subcontractor: _____

Contractors/Vendors. Characteristics indicative of a procurement relationship between Boise State University and a Party include when the Party:

- Provides the goods and services in its normal business operations (e.g., the Party exists for the purpose of providing particular goods and/or services; the Party receives little, if any, instruction from the awarding organization or Boise State University as to how the goods and/or services should be produced; the Party has its performance measured against whether it meets specific contract deliverables, rather than a program's performance outcomes)
- Provides similar goods or services to many different purchasers (e.g., sells the goods and/or services to a number of entities other than the awarding organization or Boise State University; services are of a repetitive nature; goods are commonly available)
- Normally operates in a competitive environment (e.g., the Party competes with other organizations to provide similar goods and/or services)
- Provides goods or services that are ancillary to the operation of the program (e.g., the Party provides goods or services that enable Boise State University to operate, such as supplies, equipment, travel and training)
- Is not subject to compliance requirements of the program (e.g., the Party is not responsible for compliance with applicable program statutes, regulations, rules, policies and/or guidance; the funding organization and Boise State University do not monitor the Party for compliance with program requirements)

Total Checks for Contractor/Vendor: _____

For OSP Use

Determination:

Subrecipient/Subcontractor

Contractor/Vendor

Comments:

Completed By: _____

Date: _____