

### Subrecipient vs. Contractor Determination Checklist

The following checklist must be analyzed and filled out per OCGA process and the Uniform Guidance 200.330 in order to determine whether the agreement between UCLA and the third party receiving funds constitutes a Subrecipient or a Contractor (Vendor). Submit completed form to the UCLA Office of Contract and Grant Administration (OCGA/Department Research Administrator (DRA) at the proposal stage (before submission of proposal). **NOTE: This form is not required for Multi-Campus Awards**

UCLA PI: \_\_\_\_\_ PATS Number (if available): \_\_\_\_\_  
 Third Party Name: \_\_\_\_\_  
 Third Party PI: \_\_\_\_\_  
 Project Title: \_\_\_\_\_  
 Prime Sponsored by (e.g. federal agency, non-profit organizations etc.): \_\_\_\_\_

**SUBRECIPIENT:** A subaward is for the purpose of a third party to carry out a portion of an award and creates an assistance relationship between UCLA and the third party. Characteristics which support the classification of the third party entity as a subrecipient include when the third party (check all that apply):

- Performance represents an intellectually significant portion of the overall programmatic effort and is measured against the objectives of the 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 program/project work;
- Will need animal and/or human subject approval for its work;
- Provides cost sharing or matching funds;
- Will use the funds to carry out a program for a public purpose, as opposed providing goods or services for the benefit of the pass-through entity (i.e. UCLA).

***Entities that include these characteristics are responsible for adherence to applicable program requirements specified in the Award***

**CONTRACTOR (VENDOR):** A contract is for the purpose of obtaining goods and services for UCLA’s own use and creates a procurement relationship between UCLA and the third party contractor. Characteristics indicative of a procurement relationship between UCLA and a contractor are when the third party receiving the funds (check all that apply):

- Provides the goods and services within 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 program; and

***Entities that include these characteristics are NOT subject to compliance requirements of the program as a result of the agreement, though similar requirements may apply for other reasons.***

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

**Based on your analysis of the above checklist results, the organization is determined to be a**

**SUBRECIPIENT \***

**CONTRACTOR (VENDOR)**

\_\_\_\_\_  
**UCLA Principal Investigator Signature**

\_\_\_\_\_  
**Date**

**\*Submit this form along with Subrecipient Commitment Form as part of the proposal package for the minimum requirements**

**ORA/DRA REVIEW:**  
 AGREE      DISAGREE, RETURN TO DEPT      COMMENTS \_\_\_\_\_  
 Name of Authorized Institution Official (e.g. DRA, OCGA) \_\_\_\_\_  
 Signature of Above Authorized Institution Official \_\_\_\_\_ Date \_\_\_\_\_