

Subrecipient vs. Contractor Determination Sheet

The following checklist should be filled out and analyzed in order to determine whether the agreement between UCSB and the party receiving Federal program funds constitutes a Subrecipient or a contractor. Please complete this form and if determination is that of a Subrecipient please submit this form to the UCSB Sponsored Projects Office at proposal stage (before submission of proposal). If the determination is that of a Contractor, please send this sheet **and the corresponding Scope of Work** to contracts@bfs.ucsb.edu at the same time as you are submitting your proposal to UCSB Sponsored Projects Office.

Subrecipient/Contractor Name: _____

Research effort title: _____

Research sponsored by (i.e. federal agency): _____

UCSB PI: _____

ORBiT Record No.: _____

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 UCSB

Contractor:

- Will not have any right to the intellectual property related to the research award
- Provides the goods or services purchased with the Federal funds within its normal business operations
- The contractor does not have a stake in, or any decision-making responsibilities with the research
- 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

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.

Please note Subawards cannot be made to individuals. If the scope of work *is research*, see if the individual can provide the research through their home institution. If not, the scope of work will need to be modified to fit a procurement transaction.

Based on your analysis of the above checklist results, the organization is determined to be a: __Subrecipient or __Contractor

Principal Investigator Signature

Date

If you have questions, contact your Sponsored Projects Team or Procurement Services.