Subcontractor vs Vendor Determination Form

**Instructions:** Per the new Uniform Guidance regulations, which became effective December 26, 2014, NAU must make case-by-case determinations whether each agreement it makes for disbursement of federal program funds casts the party receiving the funds in the role of a subrecipient or a contractor (“vendor”). Use the characteristics presented below to make this determination.

|  |  |
| --- | --- |
| Name of Entity |  |
| Proposal Number |  |

**Characteristics of Arrangement**: Of each pair of characteristics below, choose the one that BEST describes the anticipated arrangement. The chosen characteristics must be consistent with the statement of work. All of the characteristics listed for a type of arrangement may not be present. The final determination is based on the totality of the circumstances not one individual characteristic.

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| --- | --- |
| C**haracteristics usually associated with a Subrecipient:** | **Characteristics usually associated with a Contractor (“Vendor”) Agreement:** |
| contributes to intellectual leadership of project (e.g., participates in the designing and/or directing of the work) | acts at NAU’s direction and/or provides specified services in support of the research project |
| is responsible for and is authorized to make programmatic decisions, e.g. has discretion as to how their portion of the work is carried out | has little or no decision-making in the design or conduct or the work being done, i.e. performing tasks at the direction of NAU or following instructions provided by NAU |
| personnel are identified in NAU’s proposal as having key roles | personnel are not individually identified or are not listed as key |
| has its performance measured by whether or not its planned contribution to the prime project has been achieved | has its performance measured by whether or not the assigned task is completed or goods/services are delivered |
| goods or services to be provided not available to the general public on a commercial basis | provides the goods/services in its normal business operations and markets its services to a variety of customers |
| may independently publish the results of their portion of the work or serve as a co-author on the program’s results | involvement in the project consists only of provision of a service or product which may be included in business operation reports rather than scientific articles |
| may provide cost-sharing for the project for which NAU will not provide reimbursement | no cost sharing |

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| **Agreement Type Decision** (taking into consideration the characteristics selected above): | |
| Subrecipient/Subaward | Contractor (“Vendor”) |

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| **NAU Certification Subcontractor vs Vendor Determination** | |
| Signature |  |
| Printed Name |  |
| Date |  |