

Checklist to Determine Subrecipient or Contractor Classification

OBJECTIVE: Generally, the determination of the relationship with an entity is verified through the institutional review of the proposal narrative, budget justification, and other related proposal documents, as well as through discussions with key personnel prior to proposal submission. When the relationship remains unclear, this form may provide assistance in making an accurate determination.

DEFINITIONS FROM UNIFORM GUIDANCE (2 CFR, PART 200):

Subrecipient: §200.93 Subrecipient means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

Contractor: §200.23 Contractor means an entity that receives a contract as defined in §200.22 Contract.

INSTRUCTIONS: Complete sections one and two of the checklist by marking all characteristics that apply to the outside entity. The section with the greatest number of marked characteristics indicates the likely type of relationship the entity will have with the University. On occasion there may be exceptions to the type of relationship indicated by the completed checklist. In these situations, the substance of the relationship should be given greater consideration than the form of agreement between the University and the outside entity. Section 3 should be used to provide documentation on the use of judgement in determining the proper relationship classification.

Name of RUMC PI:

Name of Subrecipient Entity:

SECTION 1 - SUBRECIPIENT

Description: A subaward is for the purpose of carrying out a portion of a Federal award and creates a Federal assistance relationship with the subrecipient. Characteristics which support the classification of the non-Federal entity as a subrecipient include when the contractor:

- 1 Determines who is eligible to receive what Federal assistance;
- 2 Has its performance measured in relation to whether objectives of a Federal program were met;
- 3 Has responsibility for programmatic decision making;
- 4 In accordance with its agreement, uses the Federal funds to carry out a program for a public purpose specified in authorizing statute, as opposed to providing goods or services for the benefit of the pass-through entity.

Entities that include these characteristics are responsible for adherence to applicable Federal program requirements specified in the Federal award.

SECTION 2 - CONTRACTOR/Vendor

Description: A contract is for the purpose of obtaining goods and services for the non-Federal entity's own use and creates a procurement relationship with the contractor. Characteristics indicative of a procurement relationship between the non-Federal entity and a contractor are when the non-Federal entity receiving the Federal funds:

- 1 Provides the goods and services within normal business operations;
- 2 Provides similar goods or services to many different purchasers;
- 3 Normally operates in a competitive environment;
- 4 Provides goods or services that are ancillary to the operation of the Federal program.

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

FINAL DETERMINATION: **SUBRECIPIENT** **CONTRACTOR** (If Contractor/Vendor, please contact the RUMC PI about procuring your organization's products and service as a Contractor)

OPTIONAL - SECTION 3 - USE OF JUDGMENT (use only when the determination cannot clearly be made using the above criteria)

Description: In determining whether an agreement between a pass-through entity and another non-Federal entity casts the latter as a subrecipient or a contractor, the substance of the relationship is more important than the form of the agreement. All of the characteristics listed above may not be present in all cases, and the pass-through entity must use judgment in classifying each agreement as a subaward or a procurement contract.

Explanation of Use of Judgment Determination:

Subrecipient Commitment Form

Any organization planning to enter into a collaborative subrecipient relationship with Rush University Medical Center (RUMC) must complete this form at the proposal stage. This form will be considered valid for one year from the date of signature by your organization's Authorized Official.

Section A: RUMC Information

RUMC PD/PI: _____ ORA #: _____

Prime Sponsor: _____

Proposal Title: _____

Section B: Subrecipient Entity Information

Legal Name: _____

Entity Type: _____ UEI Number: _____ EIN Number: _____

Address: _____ City: _____ State: _____

Country: _____ Zip+4: _____ Congressional District: _____

Section C: Subrecipient Project Information

Name of Subrecipient's Principal Investigator/Project Director (required): _____

Proposal Title (if different than above): _____

PROJECT COSTS	Initial Year Budget	Total Project Budget	Proposed Project Start Date:	Proposed Project End Date
Total Direct Costs:			The following are included in our Statement of Work	
Total Indirect Costs:			Human Subjects: Yes No	Recombinant DNA: Yes No
Total Costs:			Animal Subjects: Yes No	Embryonic Stem Cells: Yes No
Cost Sharing? Yes No				

F&A Rate: _____ F&A Rate Agreement Date: _____ N/A _____ Other Rate: _____

Section D. Subrecipient Eligibility

Is the subrecipient organization registered in the System for Award Management, SAM.gov?	YES	NO
	If yes, expiration date: _____	
Is the subrecipient organization, its Principal Investigator or any other personnel participating on this project presently debarred or suspended from participation in any Federal department or agency?	YES	NO
Does the subrecipient show in SAM.gov with "delinquent Federal debt"?	YES	NO
Does the subrecipient have the capability to identify, in its accounts, all Federal awards received and expended and the Federal programs under which they were received?	YES	NO
Can the subrecipient prepare appropriate financial statements, including the schedule of expenditures of Federal awards?	YES	NO

Does the subrecipient receive an annual audit in accordance with OMB Uniform Guidance?

YES

No, subrecipient is a for-profit entity

No, subrecipient is a Government entity

NO, subrecipient is a non-profit entity (under federal fund threshold

No, subrecipient is a Foreign entity

If YES, most recent fiscal year completed:

If YES, were any audit findings reported? YES

NO

If YES to audit findings reported, please explain below or provide URL to the report:

Section E: Financial Conflict of Interest

Does the Prime Sponsor follow the federal guidelines for FCOI?

YES (if yes, complete questions below)

NO

Conflict of Interest Policy (applicable to PHS funded sponsors or those that have adopted the federal financial disclosure requirements as defined in 42 CFR part 50 Subpart F and 42 CFR part 94.) It is the subrecipient’s responsibility to report to RUMC all conflicts determined to be Financial Conflicts of Interest (FCOI) by the subrecipient site within 30 days to enable timely FCOI reporting by RUMC, as required by NIH regulations.

Please indicate below the category that is applicable to your institution/entity:

Not applicable because this project is not funded by federal agencies (NIH, CDC, AHRQ, etc.), or private funding that require compliance with the PHS FCOI requirement for grants and contracts financial disclosure requirements.

Subrecipient is registered in the FDP Clearinghouse indicating compliance with the provision of 42 CFR part 50, Subpart F “Responsibility of Applicants for Promoting Objectivity in Research and 42 CFR part 94.”

Subrecipient is not registered in the FDP Clearinghouse, but certifies that it has an active and enforced Conflict of Interest policy that is consistent with the provision of 42 CFR Part 50, Subpart F “Responsibility of Applicants for Promoting Objectivity in Research” and 45 CFR Part 94 “Responsible Prospective Contractors.”

Subrecipient **DOES NOT** have an active and/or enforced Conflict of Interest policy and agrees to adopt RUMC’s policy. Instructions for following RUMC’s policy will be provided at time of award. Subrecipient certifies that the required training will be completed by each investigator listed below prior to engaging in any research related to any PHS funded contract/grant and will complete the required RUMC COI survey disclosure process. [Please provide the names of the investigators below].

Name

Title

Email

Section F: Subrecipient Proposal Documents

The following documents are included with this completed and signed commitment form:

Statement of Work (required)

Biosketch for all Key Personnel, in agency required format

Budget and Budget Justification (required)

Other Support, in agency required format

Other, please specify

Section G: Certifications

1. Other Support Disclosure Training Requirements (only for project supported by NIH)

Yes	No	My organization maintains a written and enforced policy regarding the disclosure of Other Support in accordance with NOT-OD-25-133
Yes	No	My organization has implemented training on requirements for the disclosure of Other Support to ensure Senior/Key Personnel fully understand their responsibilities. Such training is available at: https://www.secure-center.org/ctm

NIH is not the prime sponsor

2. CHIPS and Science Act of 2022 Public Law 117-167 (only for U.S. Federal Projects):

Yes	No	My organization certifies that, per Section 10634, all individuals named as senior/key personnel on this Subaward proposal has completed research security training as required under NSPM-33. This applies to DOE/NASA, NSF effective October 10, 2025, and other Federal Agencies as implementation occurs.
Yes	No	My organization certifies that, per Section 10632, all individuals named as senior/key personnel on this Subaward proposal has certified that they are not a party to a Malign Foreign Talent Recruitment Program, as outlined in NIH Notice NOT-OD-25-124

This project is not federally funded

3. NIH Foreign Subrecipient Requirement (Foreign Sites Only)

Yes	No	As a foreign subrecipient, we are aware of the requirements outlined in the National Institutes of Health (NIH) notice NOT-OD-23-182 that foreign subrecipients provide access to copies of all lab notebooks, all data, and all documentation that supports the research outcomes as described in the progress report to Rush University Medical Center (RUMC) with a frequency of no less than once per year, in alignment with the timing requirements for Research Performance Progress Report. Such access may be entirely electronic (NIH GPS 15.2.1), ie., SharePoint of TEAMS. The materials must be provided in English. If the organization's project work includes human subjects, ensure your ethics board approval allows sharing of all data with RUMC.
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NIH is not the prime sponsor

Section H: Authorized Official Signing for Subrecipient

The information, certifications and representations above have been read, signed and made by an authorized official of the Subrecipient named herein. The appropriate programmatic and administrative personnel involved in this application are aware of agency policy in regard to subawards and are prepared to establish the necessary inter-institutional agreements consistent with those policies. **Any work begun and/or expenses incurred prior to execution of a subaward agreement are at the Subrecipient's own risk. No work involving human subjects and/or animals may begin until the subrecipient has obtained registered Institutional Review Board and/or Animal Care and Use Committee review and approval. [This form is in lieu of an institutionally endorsed letter of intent].**

Signature:	
Name and Title of Authorized Official:	
Date:	
Email:	