

The University of Alabama – Office for Sponsored Programs Check List for Professional Service vs. SubAgreement Determination

Name of Organization: _____

Type of Organization: _____

(i.e. nonprofit, for-profit, individual)

The following should be analyzed in order to determine whether a Sub-recipient or Professional Service (vendor) relationship exists. It is important to *consider the substance of the relationship* when determining whether a sub-recipient or vendor relationship exists.

OMB Circular A-133, Subpart B § .210, defines sub-recipient and vendor relationships as follows:

-Sub-recipient is defined as a non-federal entity that expends Federal/State awards received from a pass-through entity to carry out a Federal/State program, but does not include an individual that is a beneficiary of such a program. It may also be a recipient of other Federal/State awards directly from a Federal/State awarding agency.

-Professional Service/Vendor is defined as a dealer, distributor, merchant, or other seller providing goods or services that are required for the conduct of a Federal/State program. These goods or services may be for an organization's own use or for the use of beneficiaries of the Federal/State program.

Check all that apply.

Sub-recipient:

- Has its performance measured against whether the objectives of the Federal program are met.
- Has responsibility for making programmatic decision.
- Has responsibility for adherence to applicable Federal program compliance requirements.
- Uses Federal funds to carry out a program of the organization as compared to providing goods or services for a program of the pass-through entity.
- Determines who is eligible to receive Federal financial assistance.

Professional Service/Vendor:

- Provides the goods or service within its normal business operations.
- Provides similar goods or services to many different purchasers.
- Operates in a competitive environment.
- Provides goods or services that are ancillary to the operation of the Federal program.
- Is not subject to compliance requirements of the Federal program.

As there are exceptions to the above list of characteristics, judgment must be used in determining whether an entity is a sub-recipient or a provider of professional services/vendor. In making this determination, the substance of the relationship is more important than the form of the agreement.

Based on your analysis of the above checklist results and definitions, the organization is determined to be a (check one): **Sub-recipient:** _____ **Professional Service/Vendor:** _____

Principal Investigator

Date

Office for Sponsored Programs

Date

If you have any questions, feel free to call the Office for Sponsored Programs at 348-5152.