



Rhode Island Office of Management & Budget Sub-Recipient / Contractor Determination Tool Background and Instructions

Office of Management and Budget guidance (2 CFR 200.331) requires federal award recipients to make case-by-case determinations as to whether each agreement entered into for the disbursement of federal program funds casts the entity receiving the funds in the role of a sub-recipient or a contractor based on the following definitions:

- A **Sub-Recipient** receives federal funds from a non-federal entity to carry out part of a federal program. The legal agreement between the two parties creates a federal assistance relationship commonly known as a **sub-award**.
- A **Contractor** is an entity (dealer, distributor, merchant, or other seller) who has a legal agreement with a non-federal entity to provide goods and services needed to carry out the program under a federal award.

To complete the form:

1. Enter State Agency, Entity, and Federal Award Information
2. Answer each question with “Yes” or “No” as it applies to the agreement that the agency is entering into with the entity. Place an “X” in the appropriate box. Enter notes in the “basis for Determination” field that explain the rationale for the choice.
3. Make a Determination. Review the “Yes / No” responses to questions and related notes under “Basis for Determination.” One “Yes” or “No” answer in response to any single question does not necessarily make the entity a sub-recipient or a contractor. Make a final judgment after reviewing all responses. Explain the basis for final determination.
4. Sign and date the form. The individual making the determination and the CFO or his or her designee must sign and date the form.
5. File the form in the appropriate agreement folder. Agencies can choose to maintain electronic files if a comprehensive written policy is in place.

Data Elements Instructions	
State Agency	Enter the name of the pass-through state agency.
Receiving Entity Name	Enter the Name of the Entity who is party to the Agreement.
Name of the Entity Agreement	Enter the name of the agreement between the state agency and the entity.
Agreement Identification Number	Enter to the purchase order number or other number used to track the agreement.
Federal Program CFDA Number	Enter the CFDA number as listed on the federal award letter. If the agreement is funded with more than one federal award, use OMB Form 16-01A to list all CFDAs associated with the agreement.
Federal Award Identification Number	Enter the Federal Award Identification Number (FAIN) of the federal award that is funding this agreement. If the agreement is funded with more than one federal award, use OMB Form 16-01A to list additional FAINs funding agreement.