**Checklist for Determining
Subrecipient or Contractor Classification**

**INSTRUCTIONS:** Complete sections one and two of the checklist by marking all characteristics that apply to the entity being classified as a subrecipient or as a contractor.

**Name of Entity:**

**SECTION ONE – SUBRECIPIENT**

*A subaward is for the purpose of carrying out a portion of a Federal award and creates a Federal assistance relationship with the subrecipient. Check all boxes that apply to the entity above.*

[ ]  1. Determines who is eligible to receive Federal assistance.

[ ]  2. Commercial and Government Entity (CAGE) Code in the federal [System for Award Management (SAM)](https://www.sam.gov/portal/SAM/#1) is listed as U.S. Local Government (City, County, State, or Federal Recognized Tribal Government).

[ ]  3. Has its performance measured in relation to whether objectives of a Federal program are met.

[ ]  4. Provides public service for local U.S. government (See SAM) to people living within its jurisdiction, either

 directly (through the public sector) or by financing provision of services.

[ ]  5. Has responsibility for programmatic decision making.

[ ]  6. Is responsible for adherence to applicable Federal program requirements specified in the Federal award; and in

 accordance with its agreement, uses the Federal funds to carry out a program for a public purpose specified in

 the Memorandum of Agreement, as opposed to providing goods or services for the benefit of the Transportation Cabinet.

 **SECTION TWO – CONTRACTOR***A contract is for the purpose of obtaining goods and services for the non-Federal entity 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. A non-profit organization or a profit organization that proposes a fee/profit or overhead cost;

[ ]  3. Provides similar goods or services to many different purchasers;

[ ]  4. Normally operates in a competitive environment;

[ ]  5. Provides goods or services that are ancillary to the operation of the Federal program; and

[ ]  6. Is not subject to compliance requirements of the Federal program as a result of the MOA, though similar

 requirements may apply for other reasons.

**Prepared By:** **Date:**