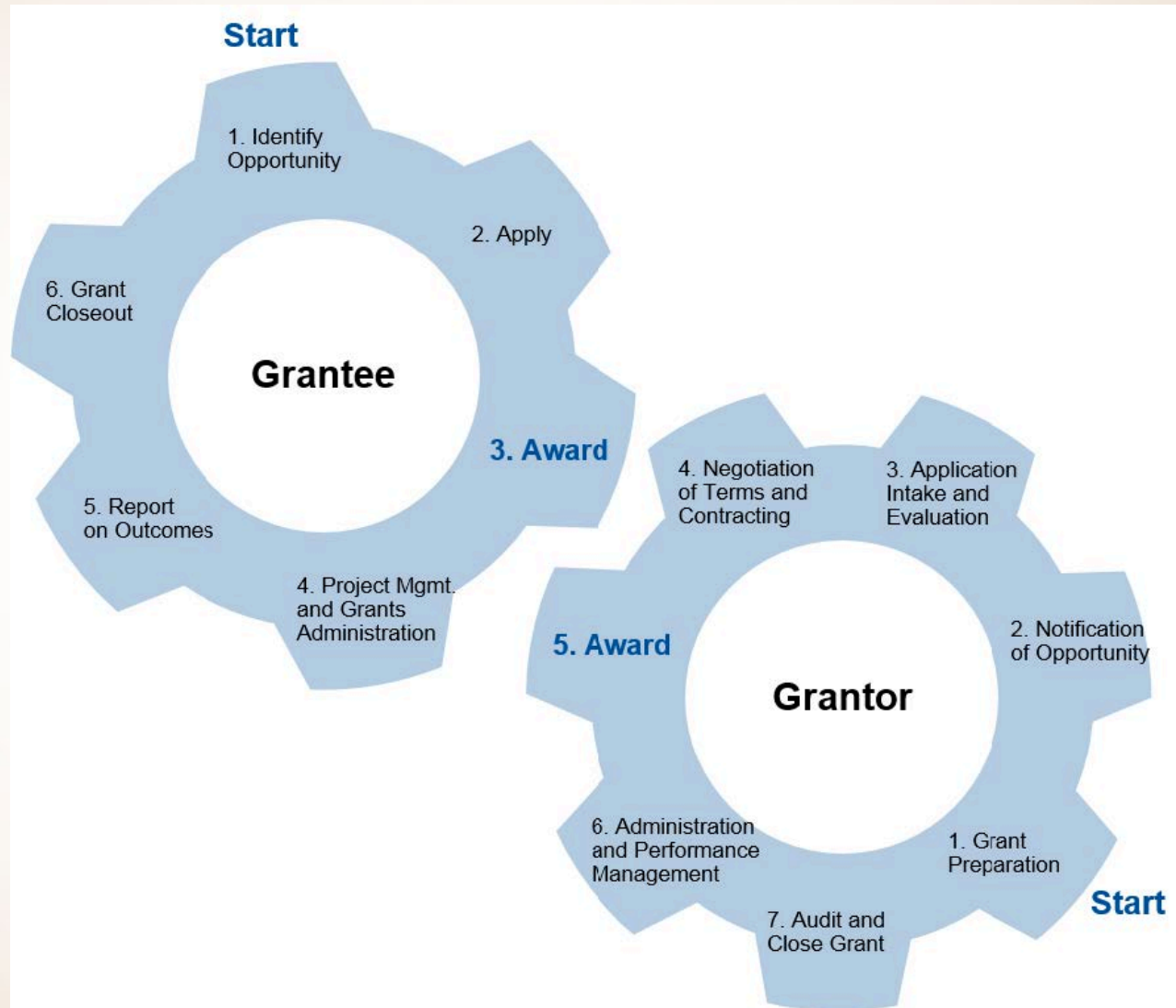


Vendor vs. Subrecipient Procurement

November 07, 2018



Grantee vs. Grantor



Vendor vs. Subrecipient

Procurement with Catholic Charities

- Procuring 5,000 travel mugs with ADOA logo to be used for TravelReduction Program
 - Federal air quality funding
 - State decides who mugs are delivered to
 - Design, standards, materials are all dictated by the state
 - Assumes financial risk if they fail to deliver

Procurement with Catholic Charities

- Procuring transportation demand management services for displaced individuals
 - Federal air quality funding
 - Recipient determines who participates
 - Recipient designs program
 - Funding contingent on performance

Solicitation and Award of Grants

- **Article 1** **General Provisions**
 - [41-2701](#) Definitions
 - [41-2702](#) Solicitation and award of grant applications
 - [41-2703](#) Waiver of solicitation and award procedures
 - [41-2704](#) Remedies
 - [41-2705](#) Violation; classification; liability; enforcement authority
 - [41-2706](#) Applicability of chapter

Uniform Guidance – Vendor vs. Subrecipient

- **§200.330 Subrecipient and contractor determinations.**
 - The non-Federal entity may concurrently receive Federal awards as a recipient, a subrecipient, and a contractor, depending on the substance of its agreements with Federal awarding agencies and pass-through entities. Therefore, a pass-through entity must make case-by-case determinations whether each agreement it makes for the disbursement of Federal program funds casts the party receiving the funds in the role of a subrecipient or a contractor. The Federal awarding agency may supply and require recipients to comply with additional guidance to support these determinations provided such guidance does not conflict with this section.

Uniform Guidance – Subrecipient Data Elements

- **§200.331 Requirements for pass-through entities.**
 - All pass-through entities must:
 - (a) Ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the following information at the time of the subaward and if any of these data elements change, include the changes in subsequent subaward modification. When some of this information is not available, the pass-through entity must provide the best information available to describe the Federal award and subaward.

Uniform Guidance – Risk Based Approach

- **§200.331 Requirements for pass-through entities.**
 - All pass-through entities must:
 - (b) Evaluate each subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring described in paragraphs (d) and (e) of this section...

State of Arizona Accounting Manual (SAAM)

- Topic 70 Grants
 - Section 10 Subrecipient and Contractor Determinations
 - 2. An expending agency shall perform a case-by-case determination, depending upon the substance of its agreements with the awarding entity and the entities to which it disburses funds, as to whether a recipient is a contractor or a subrecipient.

The Association of Government Accountants (AGA) – “Recipient Checklist for Determining if the Entity Receiving Funds Has a Contractor or Subrecipient Relationship”

<https://www.agacgfm.org/intergov/More-Tools/Subrecipient-vs-Contractor-Checklist.aspx>

State of Arizona Grants Management Manual (GMM)

- Section 3.5: Vendor/Contractor
 - It is the responsibility of the grants program manager and his/her agency support services to review the financial relationship between itself and any outside entity.
 - Only eCivis or an agency's legacy grants management solution may be utilized for soliciting grant applications or posting notices of funding availability (NOFA). Agencies are not authorized to use procurement systems such as the Arizona Procurement Portal (APP) for grant solicitations such as Request for Grant Application (RFGA) Bids.

Two Distinct Swim Lanes

