

Potential Subawardee:
 Subawardee PI email:
 Date:
 OU PI:

Subawardee PI name:
 Subawardee Admin email:
 Cayuse number of OU project:

Subrecipient Risk Analysis Form

Before Oakland University (OU) enters into a relationship with an external entity as part of a sponsored project award as part of which the external entity will provide goods or services to the University, or perform substantive, programmatic work on behalf of the University as the prime recipient of funding, a determination must be made about the nature of the specific legal relationship between the University and the external entity. This decision will then determine the precise type of legal agreement required to establish and document the relationship so created.

This decision is significant because it determines the appropriate allocation of responsibilities between the University and the external entity, and also the appropriate application of indirect cost rates. In the case of a subaward or subagreement, the prime recipient (OU) must ensure that subrecipients conduct the portion of the overall scope of work that is assigned to them, in compliance with all applicable terms and conditions of the prime award and the subaward agreement, and that project costs incurred by subrecipients are reasonable and allocable. Agreements with contractors (vendors) for the purchase of goods or services, on the other hand, typically do not bind vendors to the full set of sponsor terms and conditions. Such vendor (contractor) agreements may also be subject to competitive bidding procurement procedures, to ensure that funds paid to vendors and contractors do not exceed a fair market value. The following table presents characteristics of subrecipients and vendors. By a preponderance of these factors, first a determination must be made whether the appropriate legal relationship is that of a subrecipient or a vendor.

Subrecipient	Vendor
Purpose: A subaward is intended to <i>carry out a portion of the approved scope of work on a prime award received by Oakland University</i> . It creates an assistance relationship between OU and the external entity. The following are characteristics that support classification of the external entity as a subrecipient :	Vendor (Contractor): A contract or vendor agreement is intended <i>for the purchase of certain goods and/or services for OU's own use</i> . It creates a procurement relationship between OU and the external entity. The following are characteristics that support classification of the external entity as a vendor/contractor :
The external entity determines who is eligible to receive what federal or non-federal assistance.	The external entity provides the goods and/or services in question within its normal business operations .
The external entity has its performance measured against the approved scope of work for the prime project or program, and whether or not the objectives assigned to it were met.	The external entity provides the same or similar goods and services to many different purchasers .
The external entity has responsibility for programmatic decision-making .	The external entity normally operates in a competitive environment .
The external entity is responsible for adherence to applicable terms, conditions, and requirements specified in the prime award.	The external entity provides goods and/or services that are ancillary to the performance of the prime award.
The external entity commits to making a good faith effort to complete the work assigned to it.	The external entity commits to deliverable goods and/or services and, if these are not satisfactorily completed, the entity will either not receive payment for the work or will be required to redo the deliverables.
A principal investigator has been identified at the external entity and functions on the prime project as a co-investigator.	The agreement with the external entity only specifies the type of goods or services being provided, and the associated costs.
If intellectual property that can be patented or copyrighted results from work on the project, the external entity has an expectation that it will retain ownership rights thereto.	If intellectual property that can be patented or copyrighted results from work on the project, the external entity has no expectation that it will retain ownership rights thereto.
Publications may be created or co-authored by personnel of the external entity.	There is no expectation that publications will be created or co-authored by personnel of the external entity.
The external entity provides cost-sharing or matching funds for which it is not reimbursed by OU.	In the case of an individual vendor of consulting services, the person has no employment relationship with OU , whether academic or administrative
The external entity regards itself, and is regarded by OU, as being engaged in research involving human subjects under the Common Rule, and therefore requires approval for its interactions with such subjects.	

Eligibility Determination

Description	Response Options		Outcome if Response is "No"
1. Based on the preponderance of factors in the table above, the external entity meets the criterion for classification as a subrecipient?	Yes	No	Follow procurement guidelines for vendor determination or identify another potential subrecipient organization.
2. Does the external entity meet sponsor eligibility criteria to receive a subaward?	Yes	No	Follow procurement guidelines for vendor determination or identify another potential subrecipient organization.
3. Has the external entity completed all required representations and certifications, and provided a scope of work statement, a detailed budget and budget justification, a subrecipient commitment form, and any applicable approvals for work with animals or human subjects?	Yes	No	Do not proceed if all required documentation/information has not been provided
4. Has the external entity, or any of its personnel identified to work on the project, been debarred or suspended?	Yes	No	If debarred, do not proceed. If personnel have been suspended, contact PI and determine whether the suspended individual is essential to the project or if another qualified individual can be substituted.
5. Has OU previously issued a subaward to this external entity?	Yes	No	
6. If the external entity has previously received subawards from OU, were there any performance issues identified with its performance on one or more of these previous subawards?	Yes	No	If yes, the external entity must be considered a higher risk than normal, and increased monitoring should be performed around any areas or functions where previous issues have been noted.
7. Is the external entity another institution of higher education, or a nationally recognized non-profit (such as the Kresge Foundation, the American Heart Association, or the United Way)?	Yes	No	If no, the external entity must be considered a higher risk than normal.
8. If the external entity is not another institution of higher education or a nationally recognized non-profit, have its business organization and status been confirmed via web search, business credit reports, or other reputable information sources?	Yes	No	If no, the external entity must be considered a higher risk than normal and should be subjected to increased monitoring and/or more restrictive subaward terms and conditions, as appropriate.
9. Is the external entity a mature organization (i.e., has it been in operation for longer than the proposed period of performance on this project)?	Yes	No	If no, the external entity must be considered a higher risk than normal.
10. Is the external entity a domestic organization?	Yes	No	If no, the external entity must be considered a higher risk than normal.
11. Has the external entity received an external audit (A-133 or similar) within the past calendar or fiscal year?	Yes	No	If no, the external entity may be a higher risk than normal.
12. If the external entity did receive a recent external audit, were there any statements of concern or audit findings?	Yes	No	If yes, the external entity must be considered a higher risk than normal
13. Is there any existing relationship between the OU PI and the external entity, such that an actual or perceived conflict of interest might exist?	Yes	No	If yes, the external entity must be considered a higher risk than normal, and depending on sponsor policies, a conflict management plan may be required.

Risk Assessment Matrix

Criterion	Low Risk	Medium Risk	High Risk	Weight	Score	Weighted Score
Sponsor type	Foundation or non-profit	Government	For-profit	2		
Type of prime award	Grant	Contract		2		
Type of external entity	University	Non-profit	Industry or for-profit	2		
Location of external entity	Domestic		Foreign	3		
Special status (small business, HUB Zone, PUI, MSI, HBCU)	No	Yes		1		
Maturity of external entity	Established	Newer	Start-up	3		
Prior experience working with this entity?	Yes, positive	Yes, limited negative experience(s)	Yes, significant negative experience(s)	1		
Established accounting systems?	Yes, approved	No		1		
Recent audit?	Yes, A-133 or similar, no findings	Yes, A-133 or similar, areas of concern	No audit, or major audit findings	2		
Does this entity have a negotiated IDC agreement?	Yes	Currently in negotiation	No	1		
Amount of subaward	Total cost ≤ \$50,000	\$50,000-\$500,000	≥ \$500,000	2		
Percentage of OU award	≤20%	20%-50%	≥50%	2		
Is the entity providing cost-share or matching funds	No	Yes		1		
Type of proposed subaward	Fixed price	Cost-reimbursible		1		
Location of work	External entity's site	Remote site		1		
SOW and deliverables	Report only	Tangible products		2		
Compliance concerns (humans, animals, recombinant DNA, stem cells, biohazards, select agents, export control, IP)?	No	Yes		2		
Is there an existing relationship between the entity and a member of the OU project team, or the potential for COI/FCOI?	No relationship	Relationship with team member, not PI/co-PI	Relationship with PI/co-PI	1		
Other (e.g., high-profile research: score from 1-10)?	No	Yes		1		
Total Risk Score						

To complete this form, assign a score (Low = 1; Medium = 2; High = 3) in the highlighted column for each of the criteria listed above. The weighted score will be calculated automatically.

Risk Category Scores and Actions

Total Risk Score	Risk Category	Actions
31 – 55	A	Issue subaward with standard terms and conditions
56 – 64	B	Heightened concern; subaward may require closer monitoring or minor additional terms and conditions to manage risk
65 or higher	C	High risk; subaward will require additional terms and conditions and substantial additional monitoring. Contact Chief Research Officer (or designee) to discuss additional terms, conditions before proceeding.

Category A does not require any further action. If supporting documentation is questionable, consult with PI to request clarification from external entity. Otherwise, proceed as normal.

Category B may require further action by OU to ensure adequate performance, timely completion, and/or financial accountability. Consult with the Chief Research Officer to determine final risk level and whether or not additional terms/conditions and/or heightened monitoring requirements are needed.

Category C will require further action by OU to ensure adequate performance, timely completion, and/or financial accountability. Consult with the Chief Research Officer to determine final risk level and which additional terms/conditions and heightened monitoring requirements need to be implemented.