

 Knowledge Enterprise Development <small>ARIZONA STATE UNIVERSITY</small>	Page 1 of 4	
	PREPARED BY: Anthony Michel	APPROVED BY: Kristy Macdonald
DOCUMENT TITLE: Types of Subaward Agreements and Amendments	DEPARTMENT: PNT	EFFECTIVE DATE: August 15, 2022

Types of Subaward Agreements and Amendments

This document assists when determining if a subaward is required, what type of subaward agreement may be issued, and what types of subaward templates may be used.

Is a Subaward required?

Use the chart found at the below link to find out. [Subrecipient vs. Vendor/Contractor vs. Consultant](#)

Types of subaward notifications

1. New Award (SUB)- ASU has received an award, which authorizes funds to a subrecipient
2. Modification (SMB or SMU) – A request for a change to an existing subaward has been issued
3. At Risk (SAR)– ASU has not yet received funding in the form of an award, but the award is anticipated in the near future
4. Subaward Other (SOT) – ASU is sending outgoing funds, but the funds will be managed outside of ORSPA (i.e., by the Department or Purchasing).
5. Closeout – The subaward project has been completed.

Should a Cost Reimbursable or Fixed Price Agreement be Issued?

1. What are firm-fixed priced and cost reimbursable agreements?
 - a. Cost Reimbursable:
 - a. A cost reimbursable agreement is when the subrecipient submits an invoice for actual costs incurred during the period of performance, not to exceed an agreed upon amount.
 - b. Fixed Price:
 - a. A fixed price agreement is when payment is based on specific deliverables, each of which is assigned a lump sum amount with an associated due date. Once a deliverable has been met and accepted, the subrecipient is entitled to the agreed upon payment.
2. What are the requirements for issuing a fixed price agreement?
 - a. Fixed-Price Subawards that are issued when the Funding source is Federal cannot exceed \$250,000.
 - i. If the agreement exceeds \$250K, the following steps must occur:

 Knowledge Enterprise Development <small>ARIZONA STATE UNIVERSITY</small>	Page 2 of 4	
	PREPARED BY: Anthony Michel	APPROVED BY: Kristy Macdonald
DOCUMENT TITLE: Types of Subaward Agreements and Amendments	DEPARTMENT: PNT	EFFECTIVE DATE: August 15, 2022

1. Separate and distinct SOWs for each \$250K of the agreement and a new agreement will be required for each \$250K amount.
2. Team Lead and Director review and approval
3. Document the business decision in ERA.
- b. Federal Agency approval is required for issuance of any fixed-price subaward regardless of dollar value when the Funding source is Federal.
 - i. If a fixed-price subaward is determined during proposal development, the following (or a variation of) will be included in the proposal budget justification:
 1. *“ASU anticipates the issuance of a fixed price subaward to [Subrecipient] documented in this proposal and is requesting prior agency approval. This Subrecipient meets the criteria described in Subpart C- 200.201(b) and if this proposal is awarded, ASU will consider this subaward approved.”*
 2. ***When the above statement is included in the proposal budget justification, additional approval from Federal Agency is not needed as this is considered prior approval.***
 - ii. If prior approval has not been received, contact the AMT GCO to request approval from the Federal Agency.
3. What if ASU is amending a fixed priced agreement issued prior to 12/26/2014 yet subject to Uniform Guidance?
 - a. If the Subrecipient is Foreign or Small Business, then the agreement may remain fixed-price until it reaches the \$250K threshold. At that time, an amendment will be issued changing the agreement to cost reimbursable or a new fixed price subaward will be issued after obtaining Federal Agency approval.
 - b. If the Subrecipient is a well established entity, then the agreement cost type will be changed from fixed price to cost reimbursable.

For More Information Visit [Subaward Sitelet](#)

For More Information Review CFR 200.201

What Template May be Used?

4 Main Types of Subaward Agreements Templates:

1. Federal Demonstration Partnership (FDP) Subagreement – FDP Template
 - a. Used in all instances when the award or prime award is from a Federal Sponsor.

 ARIZONA STATE UNIVERSITY	Page 3 of 4	
	PREPARED BY: Anthony Michel	APPROVED BY: Kristy Macdonald
DOCUMENT TITLE: Types of Subaward Agreements and Amendments	DEPARTMENT: PNT	EFFECTIVE DATE: August 15, 2022

- b. A FDP template subagreement may be utilized and the prime sponsor special terms and conditions inserted in Attachment 2A.
- 2. Non-Federal Subagreement
 - a. Used in all instances when the award is Industry or other Non-Federal Entity.
- 3. Letter of Understanding (LOU) – Used in instances when ASU is collaborating with another public University in the State of Arizona (e.g. University of Arizona or Northern Arizona University).
- 4. Authorization to Proceed (ATP) – Used in instances when ASU has not yet received the award. This may only be used in an at-risk instance. A subaward agreement will be issued at a later date when the award is received.

4 Types of Subaward Amendment Templates:

- 1. Federal Demonstration Partnership (FDP) Subaward Agreement Amendment -
 Used in all instances when the award or prime award is a Federal Sponsor. There are 2 FDP Subaward Agreement Amendments we use:
 - a. FDP Bilateral Amendment – Issued when original agreement and existing amendments did not include unilateral amendment language or when the original agreement or existing amendments do include unilateral amendment language, but the modification is for a change subject to bilateral amendments.
 - b. FDP Unilateral Amendment -Issued when original agreement or an existing amendment allowed for the usage of specific types of unilateral amendments and the modification change type allows for unilateral amendment.
- 2. Non-Federal Subagreement Amendments – Used in all instances when the award or prime award is not a Federal Sponsor or when ASU is not collaborating with NAU or UofA. There are 2 types of Non-Federal Subagreement Amendments:
 - a. Subagreement Bilateral Amendment – Issued when original agreement and existing amendments do not include unilateral amendment language or when the original agreement or existing amendments do include unilateral amendment language, but the modification is for a change subject to bilateral amendments.
 - b. Subagreement Unilateral Amendment – Issued when original agreement or an existing amendment allows for the usage of specific types of unilateral amendments and the modification change type allows for unilateral amendment.
- 3. Subagreement Amendments-Federal - Used in all instances when ASU issued a Non-Federal Subagreement when the sponsor was Federal (prior to Uniform Guidance implementation).
 There are 2 types of Subagreement Amendments – Federal:

 Knowledge Enterprise Development <small>ARIZONA STATE UNIVERSITY</small>	Page 4 of 4	
	PREPARED BY: Anthony Michel	APPROVED BY: Kristy Macdonald
DOCUMENT TITLE: Types of Subaward Agreements and Amendments	DEPARTMENT: PNT	EFFECTIVE DATE: August 15, 2022

- a. Subagreement Bilateral Amendment – Federal – Issued when original agreement and existing amendments did not include unilateral amendment language or when the original agreement or existing amendments do include unilateral amendment language, but the modification is for a change subject to bilateral amendments.
 - b. Subagreement Unilateral Amendment – Federal - Issued when original agreement or an existing amendment allowed for the usage of specific types of unilateral amendments and the modification change type allows for unilateral amendment.
 4. Letter of Understanding (LOU) Amendments – Used in instances when an LOU was issued. There are 4 types of LOU Amendments:
 - a. LOU-NAU Bilateral Amendment - Issued when original LOU and existing amendments did not include unilateral amendment language or when the original agreement or existing amendments do include unilateral amendment language, but the modification is for a change subject to bilateral amendments.
 - b. LOU-NAU Unilateral Amendment - Issued when original LOU or an existing amendment allowed for the usage of specific types of unilateral amendments and the modification change type allows for unilateral amendment.
 - c. LOU-UA Bilateral Amendment - Issued when original LOU and existing amendments did not include unilateral amendment language or when the original agreement or existing amendments do include unilateral amendment language, but the modification is for a change subject to bilateral amendments.
 - d. LOU-UA Unilateral Amendment - Issued when original LOU or an existing amendment allowed for the usage of specific types of unilateral amendments and the modification change type allows for unilateral amendment.