

Deciding if you have a Subcontract, Vendor, or Consultant

	Subcontract	Vendor	Consultant
Involvement	Completes work promised and analyzes results found. Statement of work to be performed or objectives they will assist in accomplishing is required. Usually involved in programmatic decisions.	Performs services only (no analysis or discretionary judgment) such as lab testing, reporting printing, etc. that are part of regular business operations and are available to many different purchasers or customers	May perform work, analyze results, evaluate project accomplishment, or provide advice
F&A (IDC)	F&A costs apply only to the first \$25,000 of the subaward regardless of the time it takes to reach the \$25,000 figure.	F&A costs apply to entire figure and these fees are considered "other direct costs" on the budget	F&A costs apply to the entire figure and are recorded on the consultant line of the budget; you may be asked to specify an estimate of number of days and daily pay; pay cannot exceed normal market expectations
PI/CoPI	Investigator is identified	Person (s) conducting work is not necessarily identified.	Person may or may not be identified; normally it will be one person unless it is a consulting group or entity
Technology Transfer	Potential for patentable or copyrightable technology to be created through project; entity has right to protect technology	No potential for patentable or copyrightable technology to be created through project	Slight potential for patentable or copyrightable material depending on their involvement in the project; may need to see OTD
Publications	Publication of results expected; investigator to author, or be co-author	No publication or involvement in publication anticipated.	Involvement in publication efforts very minimal to none.
Common Internal Paperwork (for routing, submission, or records retention)	Budget, budget justification, SOW, official commitment letter from their organization, copy or link to approved rate agreement	None needed unless sponsor requires; if you have a quote though you should provide it to ORS for inclusion in your proposal file	If person (or entity) is identified--internally we ask for an email or letter stating what they have agreed to do and the funds [if any] they expect to receive; it is expected that they will not be using any non-personal assets during their consultant work or that they have legal permission to use any non-personal assets. If no specific person or entity is identified (TBD) then no paperwork is needed. For payment purposes they may need to establish a legal identity such as a consulting company with a DUNS.
Cost sharing	May be providing cost sharing or matching funds (Normal for them to provide based on their proportion of costs).	Fixed price...no cost sharing or matching funds involved.	could provide cost sharing but not usually
Other Info	Decision on if a relationship is a subcontract, vendor, or consultant is normally left to the PI unless it is obvious to ORS that a certain relationship is apparent. The decision is auditable so the PI should carefully consider.	If the subcontract, vendor, or consultant is a Federal Agency please let ORS know as this may affect the budget or how numbers are reported to the sponsor.	Retired persons may have time and income limits that will affect their pension (they need to check with their HR); If a person acting on their own time it is assumed they are using no other organization's assets or that they have permission.