



# Subrecipient vs. Contractor

## Quick Reference

<b>SUBRECIPIENT</b>	<b>CONTRACTOR/VENDOR</b>	<b>INDEPENDENT CONSULTANT</b>
<p>An entity that has agreed to work in collaboration with the UToledo PI to perform a substantive portion of the programmatic effort on an award.</p>	<p>An individual, business, or other entity which supplies products or services to the University.</p>	<p>An individual or business whose expertise is required to perform the project. Services are temporary and special or highly technical.</p>
<ul style="list-style-type: none"> <li>• Has responsibility for substantive, programmatic decision making</li> <li>• Contributes to the scholarly/scientific conduct of the project as described in the statement of work for the prime award</li> <li>• Uses the funding to carry out its own program, as compared to providing goods or services for the benefit of the prime recipient</li> <li>• Provides matching funds or cost sharing</li> <li>• The research program or project is within the research objectives of the entity</li> <li>• The entity commits to a good faith effort to complete the design or conduct of the research</li> <li>• A principal investigator has been identified as the entity and functions as a “Co-Investigator”</li> <li>• There is the expectation that the entity will retain ownership rights in potentially patentable or copyrightable technology or products that it produces in the course of fulfilling its scope of work</li> <li>• Publications may be created or co-authored at the entity</li> <li>• Performs work that involves human subjects or animal studies.</li> </ul>	<ul style="list-style-type: none"> <li>• Provides a routine service or goods as part of its normal business operations</li> <li>• Is paid a flat fee and provides similar goods/services to many different purchasers in a competitive environment</li> <li>• Is not considered to be engaged in research by a compliance committee nor is subject to compliance requirements of the Federal program (e.g. IRB, IACUC, etc.)</li> <li>• Is not responsible for the project design, conduct or reporting of research or educational activities and is not involved in programmatic work on the project including deliverables such as reports</li> <li>• Does not have the right to publish project results or serve as co-author and has not intellectual property rights arising from work done for the project</li> <li>• Provides the service in support of the prime award recipient’s project (rather than the organization’s own project)</li> <li>• Assumes the risk if performance is more costly or time consuming than expected</li> </ul>	<ul style="list-style-type: none"> <li>• Provides professional advice or services</li> <li>• Is paid a set fee or based on a fee schedule for their work, which includes all expenses (travel, supplies, etc.)</li> <li>• Uses their own equipment and materials (not those from their own institution or de minimis use)</li> <li>• Acknowledges that any resulting intellectual property is owned by the hiring institution</li> <li>• Pays their own taxes on earnings from the project and is not an employee of the University</li> </ul>