

GUIDANCE

SUBCONTRACTOR VERSUS VENDOR/CONSULTANT

An entity is considered a subcontractor if the entity:

- Must successfully meet program requirements to meet performance measures.
 - Is responsible for programmatic decision-making.
 - Must adhere to applicable program (sponsor and regulatory) compliance requirements.
 - Uses the funds to carry out a program of the University/sponsor instead of providing goods or services.
1. Documents required by the UA RSSP for their files. These documents are required to be submitted to RSSP prior to the submission of the proposal.
Please be aware that the subcontractor/subawardee may have their own deadlines for processing the following documents:
- a. Statement of Intent to enter into a Subaward Agreement
 - b. Statement of Work (this should succinctly describe what the entity will be performing and any deliverable that are required to complete the project)
 - c. Budget and Budget Justification
 - d. Facilities & Administrative Costs Rate Agreement (not all entities have an approved F&A rate agreement. Let RSSP know if it does not.)
 - e. Letter of cost share commitment. (Need only if the entity is providing cost share. This may also be a requirement by the Prime Sponsor who the UA is submitting a proposal.)
 - f. Completed Vendor Information form (VII) and Immigration Form (this can be sent directly to Business Affairs)

An entity is considered a vendor/consultant if the entity:

- Provides goods and services within normal business operations.
 - Provides similar goods and services to many different purchasers.
 - Provides goods or services that are ancillary to the operation of the program.
 - Operates in a competitive environment.
 - Is not subject to programmatic compliance requirements.
1. Documents required by the UA RSSP for their files. These documents are required to be submitted to RSSP prior to the submission of the proposal.
Please be aware that the vendor/consultant may have their own deadlines for processing the following documents:
- a. Letter that states what the:
 - i. Consultant is performing, how many days/hours for the period of work they will be on the project, how much per hour their cost and total cost.
 - ii. Company/vendor, they need to submit a detailed budget for their costs.
 - b. Completed Vendor Information form (VII) and Immigration Form (this can be sent directly to Business Affairs)

Decision making assistance:

- Is there an identified investigator at the lower-tier organization? If yes, is he/she a co- investigator on the primary award?
- Is the lower-tier organization free to decide how to carry out the activities requested of it?
- Is there the potential to develop patentable or copyrightable technology through the activities of the lower-tier entity? If yes, will the entity have rights to its technology?
- Are publications anticipated from the entity?
- Will employees/students of the entity be co-authors of professional publications?
- Will the UA Principal Investigator provide only general direction for achieving the goals delegated to the organization?

The business relationship must be determined taking into consideration the responses to all of these questions. From time to time, there may be specific circumstances not addressed in this guidance that should be considered in order to make a fully-informed decision. For advice/assistance, contact the RSSP Subrecipient¹ Administrator.

¹ Subrecipient and Subcontractor are used interchangeably in research administration.