

### **Subrecipient versus Vendor/Independent Contractor**

**An entity is considered a subrecipient (subcontractor) if the entity:**

- Is responsible for substantive programmatic decision-making.
- Must successfully meet program requirements to meet performance measures.
- Must adhere to applicable program (sponsor and regulatory) compliance requirements and prime award terms and conditions.
- Uses the funds to carry out a program of the University/sponsor instead of providing goods or services.

***Subrecipient (Subcontract) Characteristics:***

- A Principal Investigator is identified.
- Publication of results are expected.
- Statement of work is to be provided, as well as a budget, budget justification, and official organization commitment letter.
- Salary commitment is usually in the form of effort (i.e., calendar months, FTE, etc.).
- Subrecipient is entitled to Facilities and Administrative costs as allowed by prime award.
- Potential for patentable or copyrightable technology.

If a subrecipient is performing work on an OUHSC award, a Subrecipient Commitment Form will need to be prepared and forwarded to the Office of Research Administration for contract preparation.

**An entity is considered a Vendor/Independent Contractor if the entity:**

- Provides goods and services within normal business operations.
- Provides similar goods and services to many different purchasers.
- Commits to deliverable goods or services which if not satisfactorily completed may result in non-payment.

***Vendor/Independent Contractor Characteristics:***

- Operates in a competitive environment.
- Is not subject to programmatic compliance requirements.
- Little or no independent decision-making is involved in the design/conduct of the research.
- Person(s) conducting work is not necessarily identified.
- No potential for patentable/copyrightable technology to be created through their work.
- No publication or involvement in publication anticipated.
- No employment relations with OUHSC.

If a vendor is performing work on an OUHSC award, an Independent Contractor Agreement is usually prepared and forwarded to the Office of Research Administration for contract preparation.