

Distinguishing between a Subaward, Consultant, and Vendor

Subawardee

A subrecipient of a subaward is an entity receiving a portion of grant funds if it:

- Has programmatic involvement in the project identified as a separate scope of work, with separate budget and organization approval; program director is collaborator of PI or is Co-PI;
- Has its performance measured against whether the objectives of the project are met;
- Has responsibility for programmatic decision-making;
- Has responsibility for adherence to applicable program compliance requirements;
- Uses the sponsored funds to carry out a program at their organization as compared to providing goods or services for a program at NSHE;
- Has the right to publish project results or serve as a co-author
- Has the option to develop patentable technology and IP resulting from the award may be shared.
- There is usually a PI of a subaward who may be a co-investigator of the prime award

Note: The rights and the obligations stated in the prime grant terms and conditions generally flow down to a subrecipient.

Consultant

A consultant is an entity (individual or company) receiving a portion of the funds from the grant if it:

- Is an expert advisor
- Is paid for time spent on fixed hourly/daily basis, which includes travel, expenses, and overhead;
- Uses its own equipment and materials—does not use facilities at his or her institution for the work for the award
- Is considered “work for hire,” whose work and intellectual property belongs to NSHE;
- Pays own taxes on earnings (not done by NSHE);
- Is an individual, not employed by NSHE.
- Is not involved in the programmatic work of the project, including project deliverables or technical report.

Vendor

A vendor is an entity receiving a portion of the funds from the grant if it:

- Provides goods and/or services ancillary to the project;
- Is paid by a flat fee;
- Provides similar goods or services to many different purchasers (this includes fabrication of new goods, consultants, editors, etc.);
- Is not involved in the programmatic work of the project, including project deliverable or technical report.