

SUBCONTRACTS & CONSULTING/SPEAKER AGREEMENTS

	Speaker/Lecturer Agreements	Consulting Agreements	Subcontract Agreements
Similarities	Agreement with an external party	Agreement with an external party	Agreement with an external party
Differences	Required if reimbursement to third party is greater than \$500 per year Work for Hire agreement – all rights are vested with the University.	Required if reimbursement to third party is greater than \$500 per year Work for Hire agreement – all rights are vested with the University	The work performed has a significant impact on the total project. All terms and conditions flow down to subcontractor from Prime Award. Rights are determined by the flow down from sponsor, frequently some type of joint ownership or free use is standard.
Examples	Fees for speakers and reimbursement of expenses	Service purchased from expert can include reimbursement of expenses, laboratory services, analysis, surveys or collection of data and other appropriate expenses.	A document consistent with terms of a prime award made to transfer a portion of the work necessary to complete the project to another entity.
Documents Required	Completed signed speaker/lecturer agreement.	Completed signed consulting agreement	Completed Subcontractor information form, Scope of Work & Budget for Subcontract
Processed by	Gerry Nichols– OSPA	Gerry Nichols– OSPA	Dona McKinney - via appropriate OSPA Satellite

Definitions:

Subcontract

A written agreement with a third party for the acquisition of services of goods (vendor or the conduct of prescribed activities or functions under an award. Said agreements are governed by the terms and conditions proscribed in the prime award.

Consulting Agreement

An agreement issued for services too urgent, special, temporary or highly technical to be provided by existing university staff. Consulting agreements are not issued to procure “significant programmatic work”. Consultants operate as independent contractors on a “work-for-hire” basis.