

## Exhibit 01 - Determination Guide for Agreements with External Entities/Individuals

Subrecipient (aka subaward/ subcontract)	Contractor/Vendor	External Consultant
<p>Below are a range of characteristics that may aid in distinguishing among the types of external entities/individuals that perform work for the University. The Defining Characteristic should be given the most weight in the decision-making process. The Other Characteristics can lend further support to the decision. Not all of the other characteristics will be present or identifiable in any given situation.</p>		
<b>DEFINING CHARACTERISTIC:</b>		
<p><b>An entity that has agreed to work in collaboration with the UT PI to perform a substantive portion of the programmatic effort on a sponsored project.</b></p>	<p><b>An individual or entity that supplies products or services to the University.</b></p>	<p><b>An individual or entity whose expertise is required to perform University project. Services are temporary and special or highly technical.</b></p>
<b>OTHER CHARACTERISTICS:</b>		
<p>Has authority to make administrative and programmatic decisions and control the method and results of work</p> <p>Uses funds to carry out a program rather than provide a good or a service</p> <p>Has responsibility for a portion of the end results of the overall research/sponsored project effort</p>	<p>Does not make program decisions or take actions that impact a program's overall success or failure</p> <p>Is not responsible for results of the overall project</p>	<p>Does not develop the objectives of the project</p> <p>May provide recommendations, but is not responsible for designing, developing, or reporting results or progress of the overall project</p>
<p>Has performance measured against meeting the program objectives</p>	<p>Goods and services provided by the contractor/vendor are ancillary to the program</p>	<p>Is not responsible for the overall outcome of the project</p> <p>Is not essential to the shape, direction, and completion of the project</p>
<p>Has responsibility to meet all applicable sponsor requirements</p>	<p>Sponsor compliance regulations are not incorporated into agreement</p>	<p>Sponsor compliance regulations are not incorporated into agreement</p>
<p>The entity's PI works collaboratively with the UT PI at the entity's location</p>	<p>UT specifies the goods or services it requires in support of the project</p>	<p>UT defines scope of work; Consultant determines how to accomplish the service being provided</p>

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<p>Services are complex and require a scope of work budget, billing requirements, and a deliverable schedule (reports, etc.) in the proposal application.</p> <p>The entity's statement of work may represent an intellectually significant portion of the programmatic decision making</p> <p>May need animal and/or human subjects approvals for its <u>independent</u> portion of the work</p>	<p>Description of the services is limited to the work provided by this company or individual</p> <p>May provide similar goods or services to different organizations as part of their normal business operations.</p> <p>May compete with comparable entities to provide the same goods and/or services</p>	<p>May provide similar services to other organizations</p> <p>Generally does not use university resources. Provides his/her own expertise, work area, tools, materials, and supplies</p>
<p>The entity's work results may involve intellectual property and/or may lead to publications</p>	<p>Typically no potential for patentable or copyrightable technology to be created through project from activities of the entity or individual</p>	<p>Usually "work for hire"; intellectual property, if any, belongs to University</p>
<p>The entity's personnel are designated senior/key personnel in the proposal-may be a Co-PI, MPI, or Co-Investigator</p>	<p>Specific individuals providing goods and services may not be identified in the proposal or contract</p>	<p>Generally does not serve as senior personnel – e.g., Co-Investigator, Principal Investigator, etc</p>
<p>Typically is reimbursed for costs similar to those in UT's proposal budget, e.g. time committed by Subaward P.I., other research/program personnel, or students; fringe benefits; research/project-specific supplies and equipment; travel; F&amp;A</p>	<p>Goods and services are billed according to the vendor's established rates</p>	<p>Receives a fee for their services, not a salary.</p> <p>Payment is based upon completion of specific work, rather than time worked (although hourly payment may be specified)</p>