

# CU Medicine/University Contract Routing

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Services

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# CU Medicine Contracts

## 4 Types of contracts go through CU Medicine:

- **Consulting Contracts:** These are agreements for consultation services performed for a for profit entity (typically), whereby the faculty member is requested to give intellectual advice or an opinion on subject matter that may or may not be directly related to patient care. The payment is typically for a faculty member's time only and based on a fixed rate (as opposed to cost reimbursable, or salary percentage)
- **Clinical Contracts:** Agreements other than managed care contracts specifically where the faculty member is providing patient care
- **Administrative Contracts:** Agreements where the faculty member is providing administrative (i.e., director of a new clinic, director of a lab) support
- **Med Legal Contracts:** Contracts where the faculty member is providing support for a legal proceeding

# CU Medicine

## Consulting Contracts

### An agreement can run through CU Medicine as a consulting if:

- The faculty member is executing a scope of work that was created by an outside entity, and is expected to do so without variation
- The faculty member is being asked to analyze company data is not related to any research done at the University
- There is no new IP expected to be developed in performing the work
- There is no scientific uncertainty regarding the faculty member's ability to perform the work and provide the stated deliverables
- There is no expectation for faculty member to be named on any publication
- The budget is based on a fixed rate (for example, \$100 per hour, or \$1000 per event)
- The faculty member is providing advisory opinions only, and no University resources other than PI time are being used
- There are little or no attributes that indicate the project is a "sponsored project" (see list below)
- It involves training for a sponsor that does not take place in University owned space, and does not provide CME or GME credits.

# CU Medicine

## Consulting Contracts

### Examples of Consulting Agreements:

- A Faculty Member is asked to consult with a pharma company to provide advice on how to run a clinical trial at an hourly rate
- A Faculty Member is asked to service on advisory council 4 days a year, at a per day rate of \$1000 per day
- A Faculty Member is asked to provide expert opinions on research study design for an hourly rate, and no actual research is being done by Faculty Member
- A Faculty Member is asked to design an online survey for a fixed price of \$5000
- A Faculty Member is asked to provide input on product design at the design stage, but is performing no research related to the product and no expectation of intellectual property ownership by Faculty Member
- A Faculty Member is asked to take a survey to provide feedback in an area of their expertise
- A Faculty Member is asked to take part in a study section or peer review panel more than one time (one time study sections can be done personally by Faculty Members as exempt Honoraria)

# University Contracts

## University contracts include contracts for:

- **Sponsored Project Contracts:** Agreements for basic and applied research, and other sponsored activities
- **Revenue/Fee for Service Contracts:** Agreements for service projects for which an external client requests deliverables generated by standard procedures and established theories, methods and standard experiments, and involving University resources other than just PI time

# University Contracts

## An engagement needs a University contract if:

- Direct Federal Funding (with CFDA number), including Federal Flow Through where Federal Terms are flow down via Subcontract (As opposed to where the faculty member is a contractor/vendor only)
- State Funding (Except where the work is clinical; CU Medicine does receive state Funding for clinical work)
- Resources other than just Principle Investigator (“PI”) time, such as lab equipment or space on campus
- Multiple PIs
- Compliance/regulatory components (human/animal subjects, export control, etc)
- Expectation by the PI to be named on a publication or to develop intellectual property owned by the University
- A formal proposal or award document (unless SOW is clinical)
- An itemized budget which may place restrictions on how funds can be spent and/or re-budgeted
- Cost-sharing required in order to receive the funding

# University Contracts

## An engagement needs a University contract if:

- A specific commitment regarding the level of personnel effort (unless work is clinical)
- A fiscal report, activity report, and/or external audit during the course of the work or at the end of the project period
- A proposed agreement with the sponsor provides for the disposition of tangible or intangible property
- Unexpended funds that must be returned to the sponsor at the end of the activity
- The need to subcontract a portion of work to another entity
- Pre-Research work that will eventually lead to research work performed by the Faculty Member (For example, clinical trial start up work)
- Training for CME or GME credits, or training that takes place in University owned space

# University Contracts Examples

- **Examples of Sponsored Projects:**

- A Faculty Member wants to submit an application with a Foundation
- A sponsor is providing a subcontract with flow through of Federal terms
- A Faculty Member is asked to conduct research for an industry sponsor
- A Faculty Member is asked to analyze data for an industry sponsor and such analysis has the potential to develop IP for the Faculty Member
- A Faculty Member is being paid by a sponsor to develop the protocol for a clinical trial that will be run at the University

- **Examples of Revenue/Fee for Service Projects:**

- Multiple Faculty Members and staff in a department are asked to run a conference for a sponsor at the University
- A sponsor wants to pay for lab work done by a University Core
- An industry sponsor requests to use the University Vivarium to train its employees on surgical equipment
- An industry sponsor wants to contribute money/equipment for a conference run by the University



# Processes

## University Process

- Sponsored Projects route through Infoed
- Revenue/Fee For Service Contracts can be sent directly to [OGC.Revenue@ucdenver.edu](mailto:OGC.Revenue@ucdenver.edu)
- GME contracts to [Ashley.Walter@ucdenver.edu](mailto:Ashley.Walter@ucdenver.edu)
- CME requests to [Pam.Welker@ucdenver.edu](mailto:Pam.Welker@ucdenver.edu)
- University to coordinate with CU Medicine if unsure where to route

## CU Medicine Process

- Draft contract (Word version) & CIF form submitted into Egnyte
- Task assigned to Jo Dregney for intake
- During Legal Prep, contract will be reassigned to OGC if appropriate & marked as “Declined” in Egnyte
- University will determine treatment

# Questions

## Points of Contact for questions:

- Michelle Woulfe (CU Medicine-Finance/Contract Operations);  
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- TK Keith (University-Financial Services);  
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