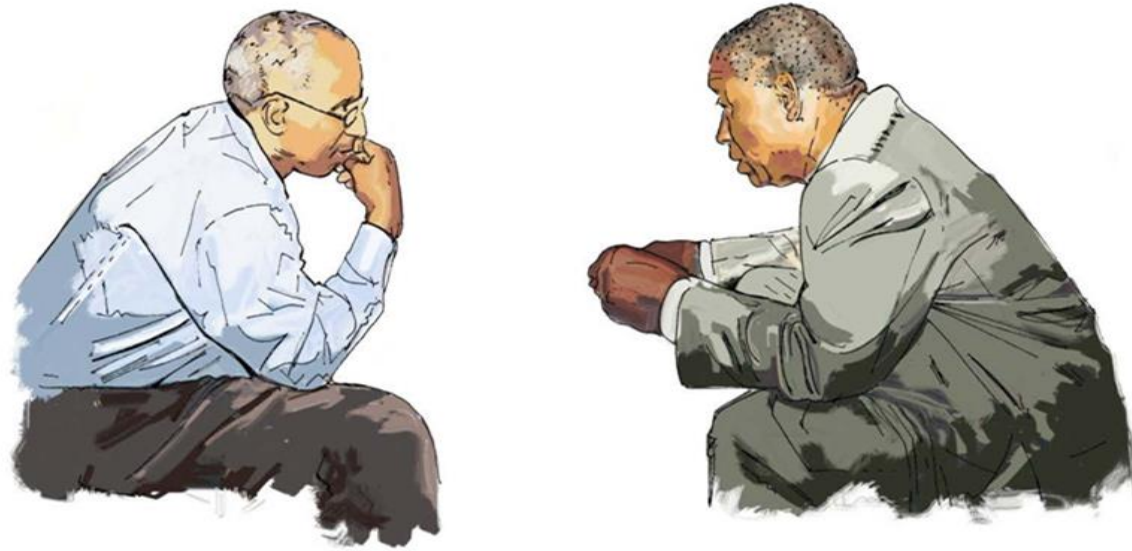




About Project/HR contract negotiation



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Learning objective

- What you need to know to undertake a useful contract negotiation with the funding agency once your proposal has technically been approved





Presentation-Layout

By the time you have completed this unit you will....

- Know why it is important to carry out contract negotiations
- Understand the main issues in contract negotiation and;
- Know the factors that influence a successful contract negotiation
- Contract Negotiation for Staff





Defining the process-contract

- Contract negotiation is an important aspect of a grant process
- During contract negotiation, you agree with the research funding agency the activities that you will undertake within the research contract.





What you should bear in mind when negotiating a contract....

High lights

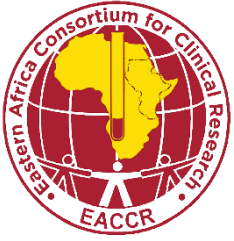
1. Read and understand the **terms and conditions** contained in the contract document you will sign up to

2. Identify issues that are difficult to understand or hard for your organization to sign up (negotiation)



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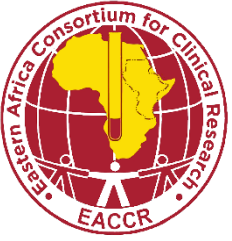


Clear Objectives-1

- The objectives to achieve project/contract should be understood by all parties
- Unambiguously explain all terms and conditions of the contract;
- Agree terms and conditions of the contract that allow the research contractor to perform the research with a minimum of hindrance
- **What the outputs (research outputs) will be**
- Agree the effective contract dates i.e start and end/completion
- A termination date and how it is invoked
- Budget and reporting schedules



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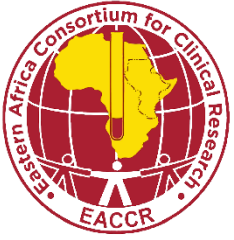


Objectives-2

- Identify any potential risks and liabilities and how to address them
- Negotiate a contract consistent with binding institutional policies & procedures
- Develop a positive working relationship between contractor & funding agency



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Do not think that everything will be fine...



- Always refer to the contract
- **Legal personality** e.g most calls have a clause under eligibility rules
- Whether organizations that are not legal entities/persons can apply for funding under the call



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Assumptions/exceptions to TORs

- Most calls will have a guide for applicants or TORs
- These will assist in the call evaluations to correctly understand the call submitted and;
- Will be subject to negotiation during developing and signing the contract e.g on budget



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The contract

- Study the options available and the terms and conditions
- **First-** You may want to impose your own standard contract on the funding agency. **The funding agency will certainly reject this.**
- **Second-** using terms and conditions that you jointly (organization & agency) negotiate. **Again this might be a preferred choice of funding for the agency**
- **Third-**using the funding agency's own standard research contract template- **most likely outcome;** less flexibility
- Most agencies DFID, EC & EU adopt this approach
- Because clear rules exist on disbursement and expenditure of national/internal funds



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What could be the areas for negotiation ?-1

- **Confidentiality** clauses esp for universities

Universities will not hold research results to be confidential other than for reasons preserving anonymity of participants

- **Budget**-allowable under each budget line;
- Overheads another tricky area- **standard for EU (25%)**/no -WellcomeTrust
- Reporting schedule- for financial and technical reports (familiarize with formats/templates
- Audit reports- some organizations have thresholds for audits
- Contingencies!!!- not usually accepted





Potential areas for negotiation -2

- Exchange rate risks- the risk of adverse changes to the exchange rate leading to losses are borne by the research contractor
- As a coordinator you may need to find the short fall





Contract negotiation -HR

- What do you as staff bring in the project?
- What is your worth?
- Know :-
 1. Appointment date
 2. Salary Package Net vs Gross pay-(NSSF/PAYE-Taxes)/Insurance



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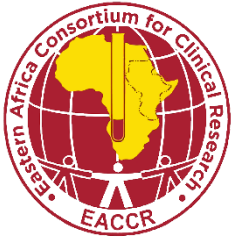


HR Contract negotiation

3. Allowable (s)
4. The schedule of duties
5. Reporting Lines- Respect reporting lines
6. Know the benefits and have them clearly stipulated in the contract document
7. Leave Days-when?
8. Acceptance- *If you accept this appointment, please inform this office in writing*



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Group Work

- Review grant calls and list areas for negotiation
- Identify four areas of negotiation that are likely to be relevant to your particular proposed research and consortium
- State and explain why you have identified these four areas and why you think they would be relevant
- Describe how you would approach the negotiation with the funding agency in these areas



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