

Terms of Reference for the Award of Contract

For the Project FOSS Bridge "EU-Vietnam" - Joint Business through Free and Open Source
Software (FOSS)

Trainings and Consultancy Services: Capacity building for Vietnamese intermediary and SME
on technical regulations (Pillar 1)

I Specification of Services

1. Preliminary Note

The two year project has the principle goal of strengthening Southeast Asian software industries and boosting co-operation with Europe through innovative collaboration on free and open source software and business development. The project will be realized through three main efforts (pillar 1, 2, 3) aimed at building a sustainable information society:

Pillar 1: Capacity building for intermediaries¹ and small and medium sized enterprises (SMEs) of information technology in Vietnam on technical regulations

Pillar 2: Providing training for selected IT-SMEs through twinning programmes between Europe and Vietnam

Pillar 3: Building networks of key players and ecosystems of free and open source software (FOSS)

The project seeks specifically to meet the following end objectives:

1. Enabling intermediaries of Vietnamese IT-sector to spread key knowledge on how to create business
2. Fostering a Vietnamese software industry capable of providing localised FOSS applications and services to government and businesses- with SMEs serving as the national driver of technological innovation
3. Developing business partnership between software players in Asia and Europe in order to develop mutual business growth and to foster regional and international networking.

The Project shall be implemented for a period of 24 months and activities shall consist mainly of training schemes and consultancy services for the target beneficiaries.

2. Subject of the Award

This call is looking for one or more experts to perform the following tasks:

Conducting training sessions and consultancy services for pillar 1: "Capacity building for Vietnamese intermediaries and SMEs on technical regulations;"

Contents of Services to be rendered

- a) Training on:
 - open source regulations and business models: Activity 1, Modules 1 and 2 (see below)
 - open source development and European best practices: Activity 2, Modules 1 to 4; (see below)
 - outreach to a larger amount of SMEs through training conducted by the intermediaries: Training on Activity 3, Modules 1 and 2; (see below)
- b) Provision of open content training material for further usage in the project;
- c) Submission of reports from the seminar.

¹ In the context of the project, the term "intermediaries" designates key players of the Vietnamese national IT-sector such as open source software resource centres, business chambers as well as key associations of FOSS companies and FOSS developers

[note : the applicant may apply either for one, two or all activities. One activity must be however followed by the same expert for all modules, except for Activity 2 where there can be 2 different experts]

1. Activity 1: Training on open source regulations and business models

1.1 Module 1: Regulatory Frameworks

Review of the most important licences in use today, such as GPL, LGPL, EPL, and BSD licenses:

- Presentation and main characteristics including patent rights and revocation, reciprocity requirements, sublicensing options, and several others.
- Key distinguishing factors
- Adaptability of each licence to a business model, customer needs and the values of a community.

In this respect, the focus will lie on the regulatory frameworks and rules of the European Union (legal, economic and social standards) and their interaction with applicable Vietnamese regulation. The training seminars shall also demonstrate how a Vietnamese business or community might analyse a set of licenses to determine which are best aligned for their purposes and markets. The goal is for each participant to understand the focus of the legal and regulatory processes which govern and protect open source software.

1.2 Module 2: Business Models

How can companies design a business model being able to leverage the open source advantage?

The training will explore the specific actions which have led to either beneficial or costly results for the individual situation of several very different companies using open source software in their business strategy. Such actions include those related to:

- Using open source when starting a business
- Incorporating open source into an existing business model
- Designing legal frameworks
- Building open source communities and defining their role in the business model
- Marketing to those communities
- Others relevant models and tools (such as Porter's five forces framework and stakeholders analysis or other suitable models)

Participants shall be able to gather information on the tactics used in Europe to incorporate open source software into business models, but more importantly with an understanding of why these tactics succeeded or failed in a specific context. A focus shall therefore lie on example-based hands-on training which analysis concrete success stories of companies / case studies (including interactive sessions involving participants in the case studies).

The expert shall develop training material for the two modules, adapted to the local needs and suitable for the general use by the trained trainer of activity 3.

2. Activity 2: Training on open source development and European best practices.

2.1 : Module 1 : Project Organization and Life Cycle

2.2 : Module 2 : Developer and User Communities

2.3 : Module 3 : Interoperability and Open Standards

2.4 : Module 4 : Collaborative Tools

This training focuses on the various aspects which have an impact on the success of open source software. This shall provide participants a better understanding of open source project organization

and lifecycle, the management of developer and user communities and expectations in order to enable them to start their own open source project or join existing communities. This training scheme shall present the practices of major open source organizations such as the Apache Software Foundation, the Eclipse Foundation, and the OW2 Consortium (formerly ObjectWeb Consortium) and shall review associated collaborative tools that support open source communities and projects development. The training programme will also discuss the question of open standards that help ensure interoperability of systems.

Open sourcing a project alone is not sufficient to acquire contributions magically and build a self-sustaining developer community around a project. How to make a project known in the community? How to attract and manage contributors? How to ensure the long term viability of projects? This scheme will try to provide some answers by presenting and analysing experience from various open source projects.

The expert(s) shall develop training material for the four modules, adapted to the local needs and suitable for the general use by the trained trainer of activity 3.

3. Activity 3: Outreach to a greater number of SMEs through training conducted by the intermediaries

3.1: Module 1: Training of trainer (communication skills, creativity techniques, delivering with confidence, tools and techniques to enhance learning, transfer management, managing one's time, application of didactical guiding principles of InWEnt [participation, diversity of training formats and methods, focus on practical application of learning content, focus on participants and their needs, skills, interests and active participation, tolerance, transparency, fostering of holistic learning and systemic thinking])

3.2: Module 2: On the job training and coaching

- Continuous (online) coaching for trainers
- Support to preparation of training courses
- (If necessary) Support adaptation of training material to specific target group

The aforementioned content of activity 1 and 2 will become part of the portfolio of the intermediaries.

This allows the intermediaries to widen their portfolio and reach out to several more SMEs.

In order to optimize the training quality the intermediaries will receive a training of trainers course, which will strengthens their soft skills. Individual training material will be developed for further use in the respective language. Furthermore, the first round of training conducted by the intermediaries will be carefully coached and monitored.

[note : the contents for all activities might be adapted according to the results of the Training Needs Analysis]

3. Target, Target Group, Contents and Course of the Implementation of the Trainings

Target

1.1: 30-60 employees of four to six intermediaries² have a better understanding of the role and impact of intellectual property issues, licensing, business models, the process of FOSS project organization and the lifecycles of the software business.

1.2: 30-60 employees of four to six intermediaries are capable of using state of the art knowledge of the technical regulations governing FOSS and regulatory frameworks of the European Union (legal, economic and social standards) in order to train others

² In the context of the project, the term "intermediaries" designates key players of the Vietnamese national IT-sector such as open source software resource centres, business chambers as well as key associations of FOSS companies and FOSS developers

1.3: Outreach is ensured to a large number of small and medium-sized enterprises (SMEs) in the field of software development

2.2: 10-20 Vietnamese companies will be able to identify the opportunities and constraints of FOSS and will thus be capable of developing an appropriately accommodating business model, thereby seizing the business opportunities arising from free and open source software development

Target Group

- ☞ Management staff of 3-6 Vietnamese intermediaries,
- ☞ Management staff of 10-20 carefully selected SMEs
- ☞ Future trainers on FOSS technical regulations

4. Methods and methodology

a) Consultancy Services

- ☞ Gap analysis in co-operation with local expert: participation in the Training Needs Analysis (TNA) and to the structuring of the Training Needs Catalogue (TNC).
- ☞ Training material development
- ☞ Training of key personnel
- ☞ Internal audit

b) Methodology

Methodology mix: elements of presentations and practical training.

Time Schedule

Training execution:

- Activity 1: 1st to 2nd week of February 2008 (Twice 2 days training with one weekend in between in Hanoi, Vietnam).
- Activity 2: 2* 4 days workshop during June 2008 in Hanoi, Vietnam.
- Activity 3: 10-day workshop between September 2008 and January 2009 in Hanoi, Vietnam.

Associated activities:

- Training Needs Analysis and development of training curriculum: from September to November 2007.

Conditions

The European expert(s) will be rewarded on the following base:

International flight (Economy Class) and per diems (current rate of EC) for the number of working days including fees for the training and preparation of training material.

- Activity 1: 9 working days (1 day travel, 4 day workshop ,4 days training material preparation)
- Activity 2: 16 working days (2*1 day travel, 2*4 days workshops + 2*3 days training material preparation)
- Activity 3: 15 working days (1day travel, 10 day workshop + 4 days training material preparation)

5. Job Specification of Contractor

- a) At least 5 years experience in FOSS, in a company or an open source community or any other relevant organization. Experience as a technical leader or legal consultant or CEO/CTO/senior manager in the open source market;
- b) Extensive knowledge on EU best practices on FOSS which can be adapted by SMEs;
- c) Able to deliver comprehensive lectures and interactive training for senior level managers and to develop training and presentation materials for the training sessions (Activity 1 and 2);
- d) Able to develop training and presentation materials, for the Training of Trainers (Activity 3);
- e) Experienced in a consulting and auditing capacity with FOSS in Asia, specifically with small and medium sized enterprises (SMEs) an advantage;
- f) Excellent speaking and written skills in English; Vietnamese language an advantage
- g) Didactical / training skills: Communication skills, ability to develop tools and techniques to enhance learning in an intercultural setting with the following didactical guiding principles of InWEnt: participation, diversity of training formats and methods, focus on practical application of learning content, focus on participants and their needs, skills, interests and active participation, tolerance, transparency, fostering of holistic learning and systemic thinking.
- h) Physically fit to perform consultancy work and travel;
- i) Willing to work in Vietnam where project participants are located.
- j) Experience in handling or working in a similar project an advantage (cooperation on open source projects, international cooperation multicultural environments,..) .

6. How to apply

The applicant must provide the project coordinators with:

- A technical proposal
- A Curriculum Vitae.
- A cover letter presenting your motivations and experience and expertise for the related activities/modules.

The documents should be written in English and send by email to contact@foss-bridge.org with the reference: **EU 2007_03**

DEADLINE TO APPLY : August 31th, 2007

Please note, that there will be several other calls for proposal during the implementation time of the project, which will be published on the website www.foss-bridge.org.

II. General Provisions

1. Subcontracting

The Contractor is required to obtain InWEnt's prior written consent before entering into a subcontract, i.e. before entrusting the performance of the contract or parts of it to third parties. When entering into subcontracts, the Contractor is obliged to name InWEnt as the principal. In cases of subcontracting, the Contractor may not impose less favourable conditions upon the subcontractor - especially in terms of payment modalities and collateral security - than those agreed between the Contractor and InWEnt.

With respect to the invitation to tender for subcontracts, the Contractor has to generally ensure an adequate involvement of small and medium enterprises.

2. Audit, Inspection of the use of the remuneration

InWEnt is entitled to request from the Contractor the presentation of the Contractor's accounts and supporting documents and to inspect them, or have them inspected by an agent, with regard to the use of the remuneration. The Contractor has to keep the relevant documents ready for such audits and give all necessary information.

3. Written Form

Amendments and supplements to this agreement are valid only if made in writing.

4. Offers not considered

If an offer has not been accepted before the period of acceptance expires, the offer has not been considered.

5. Severability Clause

Should any provision of this agreement prove to be invalid or incapable of fulfilment, this shall not affect the validity of the remaining provisions.

6. Contractual Elements

The General Terms of Contract of InWEnt gGmbH (Annex) form an integral part of the agreement. Moreover, the German Regulations Governing Services (VOL / B) are applicable. In case of contradictions of these contractual elements, they are deemed applicable in the sequence of priority as stated above.

"This document has been produced with the financial assistance of the European Union. The contents of this document are the sole responsibility of InWEnt and can under no circumstances be regarded as reflecting the position of the European Union".