

# In-kind Contributions in the life of an ERIC

## Providing the In-kind contributions to an ERIC View of an IKC provider

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## Contributing to the construction of the ESS-ERIC

“Instruments for ESS and their support infrastructure are under development with a high level of community involvement through in-kind and collaboration, ensuring a long-term connection to the neutron science community and engagement with the users of tomorrow.” ([www.esss.se](http://www.esss.se))



Instruments are built as part of the German contribution to ESS in close collaboration of the German partners FZJ, TUM and HZG. Instruments were selected according to an open call for contributions. Most (for TUM both of two instruments) of the instrument projects are international collaborations between institutes located at member countries of the ESS.

## History of contributing to ESS ERIC

### **Contributions of the Helmholtz Association Centres and Technische Universität München to the ESS Design Update Phase (1.11.2010-30.10.2013)**

Project funded by German BMBF under condition that the federal part of funding is accepted as part of the German contribution to ESS, in-kind-contribution agreement signed 29.11.2013

Now: **Instrument construction** Imaging ODIN (TUM and PSI, Switzerland), Spectrometer C-SPEC (TUM and LLB, France),

Proposal 2013

Scope setting 6.10.2016,

Signature of the cooperation and Technical Annex: June 2019

## Problems

Member of the ESS ERIC is Germany, represented by the federal science ministry BMBF, IKC are delivered by independent institutions in Germany (FZJ, HZG: GmbH, TUM: University)

Institutions delivering to the Ministry: Exchange of goods and services between institute and Ministry: **VAT !** (Independent institutions can not deliver on behalf of")

SOLUTION: Money is transferred to ESS (in-kind contribution -> in-kind cash) ESS orders instruments from Institutions (VAT exemption in Sweden) (similar in Switzerland and Hungary).

Cooperation agreement: de-facto customer-buyer-relation.

TUM ok, FZJ and HZG would loose TAX exemption, only R&D collaborations possible.

## Related Problems

### **de-facto customer-buyer-relation:**

EU-procurement rules apply implies call for tender to build instruments

Solution: open call for instrument propositions replaces call for tender procedure.

TUM has no **VAT** exemption in Germany; ESS exemption is only valid in Se.

Solution: Purchase of expensive components including tendering process is done by ESS on behalf of TUM. Smaller items purchased by TUM are not VAT exempted.

### **Multi-National cooperation: Instrument budget**

Fixed during scope setting meeting, Item budget according to cost book value

Significant differences in stuff costs between Germany and Switzerland: problem not solved, cost book values accepted.

Accounting of deliverables according to **cost book values** (makes life easier)

## Lessons learned

### **Contracts, MoU, collaboration agreements**

Time consuming, waste of resources, show-stopper for projects.

### **Change Request Management**

Mandatory for all work as defined by contracts or agreements; to be defined as early as possible, at ESS: IKRC for large items.

### **Cost Book**

More than helpful in international consortia.

- Include the layers from the start so they can understand what the environment.
- it speeds up the process
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