

Writing a CRADA with KISTI

Lessons Learned

Outline

- Motivations
- A recount of the process with KISTI
- 10,000 ft. view on CRADA

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Where this all started...

- GCC has been collaborating with KISTI on cloud computing since 2010
- KISTI and Fermilab are interested in lowering the barrier of adoption of Cloud computing for scientific stakeholders
- We agreed to collaborate on a joint to run scientific workflows on a federation of clouds (FermiCloud, KISTI's gCloud, EC2, ...)
- KISTI does not have effort to spend on the project BUT offered to fund Fermilab \$100,000 to develop the technology.

As it turns out...

- Fermilab cannot “simply” accept funds to run projects
- A relationship between Fermilab and an external institution (typically a company) needs to be regulated through a contract to ...
 - protect intellectual property
 - reduce laboratory liability in handling the funds
 - address environmental concerns
 - guard against conflict of interests
 - ...
- The contract that best fit our situation was a CRADA: Cooperative Research And Development Agreement

Initial challenges

- there is a web site on CRADA, but information is partial
- templates are not up to date
- forms to fill in are in non-editable PDF format
- it is unclear all that is needed
- It is unclear who can help with what **

** Note: The same can be said for the documentation of several software projects...

The real challenge...

- KISTI has its own standard contract and bureaucratic processes
- DOE's CRADA contract and processes are not the same.

Bruce Chrisman – Dec 5, 2012

“It looks like we are stuck with a conflict of two bureaucracies and I don't have much hope.”



Lesson: obtaining DOE approvals for non-standard contracts (e.g. KISTI's) requires months

The way forward

- With Vicky's mandate only, I've pushed for 1 month without traction
- Solicited help from Rob Roser
- He brought on board the Fermilab Legal office to focus on the DOE review
- I could focus on KISTI...

Lesson: Get management involvement ASAP

Not quite done yet...

- After more negotiations, KISTI agreed to accept the model CRADA
- Started to put together the CRADA package: many parties involved (see next slide)
- This week KISTI's director has signed the contract

Lesson: get introduced to all parties involved and know where they live...

The CRADA Package

- CRADA – the legal contract – Legal office (Gary Leonard)
- Budget – Details Fermilab and KISTI contribution – Grants & Contracts office (Mary Jo Lyke) & CS budget office (Valena)
- Statement of Work – Detailed description of the work – PI (Gabriele & Steve T.)
- Joint Work Statement – Summary form – Legal Office (for DOE)
- OCI – Conflict of interest – Legal office (for DOE)
- NEPA – Environmental analysis – ES&H (for DOE)
- Additional forms – To present the same information using KISTI's forms (for KISTI)
- Management approval, Grant & Contract office approval, COO signature, KISTI director signature
- Record keeping – Financial Office (Pat Oleck)

Lesson: ask to see a CRADA package

Conclusions

- To create a new CRADA, you can start at this page
 - <http://www.fnal.gov/directorate/orta/crada.html>
- Beware of the details:
 - Legal templates may need updates
 - No single person knows how to fill in every document in the package
 - If you don't push, nobody will
- The laboratory will see many more of these (think of IARC) and we need to become more proficient at it
 - Bruce Chrisman was the expert on CRADA, but he is now retired
 - For KISTI, the process started on Nov 16, 2012 and we hope to get DOE approval by Mid March.