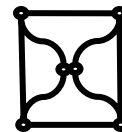

COOPERATIVE AGREEMENT ANALYSIS PLAN

MetaArchive of Southern Digital Culture Project



2005-08-15

Summary

This document describes the plan for preparatory analysis that will inform the development of the Cooperative Agreement and associated model for the MetaArchive of Southern Digital Culture Project. This deployment equates to Project Phase C1 in the project plan. Required steps and responsibilities are detailed for this phase, and notes concerning other project activities are summarized. This document makes reference to the project plan and other project documents which provide more details about other aspects of the project.

Background from the Proposal

One of the core deliverables of the MetaArchive Project is to develop a model cooperative agreement as part of the Partnership Building portion of the project mandated by the NDIIP Program. "During this project phase the Steering Committee will analyze and develop a model agreement describing ongoing roles and responsibilities of the members of the Preservation Network Cooperative. This agreement will describe how this group of institutions can work together in the future to preserve the body of harvested digital content resulting from the project." (Section A.5.4.1 of Proposal)

The relevant portions of the proposal concerning Project Phase C1 (5/30/05 – 2/24/06) are reproduced here:

A.5.4.2 Process for Drafting the Agreement: *Analysis of the various relevant aspects of the cooperative will be undertaken during this period. This analysis will study how the cooperative is working so far, problem areas, unforeseen issues, and topics for further scrutiny. The analysis will inform the outline of the agreement and the drafting process. The agreement will be finalized by the end of the project.*

A.5.4.3 Broader Applicability: *The Steering Committee will seek to ensure that the cooperative agreement not only models the functioning of this particular group of institutions for this particular purpose, but also models how small consortia and other groups of institutions, with relatively limited technical means, can work together to preserve digital content. The LOCKSS software is a freely available open source toolkit, and all of the software developed in this project also will be freely available open source software. The Steering Committee will engage in discussions with other consortial groups to seek feedback and perspective on how such an agreement can be made more broadly applicable.*

The specifics of the Cooperative Agreement deliverable are set out in the following section of the proposal:

A.6.1.3 Cooperative Agreement: *The formation of this cooperative will include a detailed charter document for the MetaArchive preservation network, including an analysis and articulation of the collaborative paradigm that this project will investigate. This document will be designed in such a way that it can serve as a model and template for other groups of institutions seeking to replicate this group's approach to distributed digital preservation.*
Components of the Agreement: *This charter will include sections addressing all 11 articles of collaboration mentioned in the NDIIPP solicitation under "Partnership Building" in the original solicitation. It will devote particular attention to describing the ongoing management structure recommended, membership criteria, roles and responsibilities, sustainability plan, and other details of particular concern to our organizational model.*

The original NDIIPP solicitation had the following requirements concerning "Partnership Building", including 11 articles of collaboration, as follows:

Partnership Building

The applicant is expected to partner with at least one other institution, organization, or entity in the performance of this phase of work and document policy, legal, economic, and technical issues encountered during the course of the partnership. The applicant should describe the partnering strategy and models and discuss the nature of the collaboration. Topics to be documented for this phase include:

Consortium model to include:

- 1. Proposed legal entity, if any (e.g., partnership, joint venture),*
- 2. Management structure of the consortium,*
- 3. Proposed membership (industry, non-profit, educational institutions, small businesses), and*
- 4. Lead institution or organization responsible for the completion of the consortium's responsibilities under the cooperative agreement with the authority to commit the consortium.*

Articles of Collaboration for this project to include:

- 1. Definitive description of the roles and responsibilities of the consortium's members,*
- 2. Commitments of financial, personnel, facilities, and other resources,*
- 3. Milestone chart of project activities of the consortium,*
- 4. Accounting requirements,*
- 5. Subcontracting procedures,*
- 6. Disputes, term of the agreement, insurance and liability issues,*
- 7. Internal and external reporting requirements,*
- 8. Obligations of organizations withdrawing from the consortia,*
- 9. Allocation of data and intellectual and patent rights among the consortia members, agreements, if any, to share existing technology and data,*
- 10. Allocation of payments from the Library of Congress, and*
- 11. Cost sharing among consortium members.*

What

During Project Phase C1 (Cooperative Agreement Analysis Phase in proposal), taking place from June 2005 through February 2006, the Steering Committee must conduct all analysis and other preparatory activities needed to inform the development of a draft Cooperative Agreement and associated model for other institutions to emulate our group's work. By the end of the February 2006 Steering Committee meeting, we must achieve the following outcomes: 1) reach a consensus on key elements of the cooperative agreement, 2) outline of the cooperative agreement, and 3) develop a timetable for next steps to develop the cooperative agreement.

How

In order to accomplish Phase C1, we must undertake the following activities and explore the following topics:

1. Articulate the high level goals that we are aiming to accomplish in the Cooperative.
2. Begin articulating roles and responsibilities of members.
3. Gather examples of other relevant cooperative agreements for comparison.
4. Quota analysis of space usage, both philosophical and technical.
5. Cost sharing among consortium members. Economic considerations of sustainability and growth. Who assumes this cost? How will it be supported?
6. Governance issues. Who will make the decisions about quotas, etc.? Management structure of the consortium.
7. Membership criteria. What kinds of entities can join? Are there any kinds that cannot?
8. Possibilities for consortial participation and sponsorship, aggregation of smaller institutions, groups of small agencies, etc. Examples to investigate: Incommon Federation, state library agencies, International Internet Preservation Consortium, etc.
9. Contributions to LOCKSS Alliance. Consortial possibilities for participation in the Alliance.
10. Differences and similarities between our Preservation Network and the LOCKSS network proper. Motivations for institutions joining.
11. Identify business continuity issues. Recovery procedures.
12. Firewall and other security issues and commitments.
13. Brainstorm different levels/types of participants in the Cooperative.
14. Subject domain considerations (limitations, more inclusive, if so how). Original philosophical focus on Southern Collections.
15. Relationship of our particular consortia versus wider applicability and generalizability to other consortia.
16. Explicit commitments. What commitment does the network have a to engage in subsequent projects? How does this get decided?
17. Addressing explicit rights and responsibilities of participants in the Preservation Network.
18. Statement concerning open source development of tools, ideology of our operations.
19. Identify items for primary consideration as opposed to technical details that can be fleshed out in appendices.
20. Identify other topics that are important to consider that have not been identified in this list.

Who

A Sustainability Working Group will be formed to work on this analysis. This group will engage other members of the partnership as needed as they gather information. Members of this group will include:

1. Delinda Buie
2. Tyler Walters
3. Gail McMillan
4. Caroline Arms
5. Aaron Trehub
6. Martin Halbert

When

Next steps to accomplish Phase C1 are as follows:

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|--------------|--|
| November 30: | Sustainability Working Group presents an interim report to the Steering Committee. This interim report should identify any significant questions that have arisen, and tentative notes on findings so far. |
| January 31: | Sustainability Working Group presents an analysis report to the Steering Committee, with initial findings, recommendations for consideration at February meeting. The SWG would also prepare this report in such a way that all or some of it could be presented at the NDIIPP Biannual Meeting in California in January 2006. |

Notes on this document

This document was completed at the third MetaArchive All-Project Meeting held at Emory University on Monday 2005-08-15, by the Steering Committee and additional attending project participants. The document was last updated by Martin Halbert on 2005-08-15.