

Terms of Reference

Title	: Training on commercial contract negotiation
Client	: HDAR
Country	: Vietnam
Project number	: 23HDAR 9607
Assignment number	:
Period	: Nov, 2024
Cooperative advisor (CA)	: Thai Hong Lam

Background of the assignment

In accordance with Resolution No. 26/2020/NQ-HDND dated December 4, 2020, issued by the People's Council of Hau Giang Province, which approved the Project on Sustainable Agricultural Development and Climate Change Adaptation in Hau Giang Province for the period 2021-2025, with a vision to 2030; and Resolution No. 28/2022/NQ-HDND dated December 9, 2022, amending and supplementing Resolution No. 26/2020/NQ-HDND, approving the updated Project on Sustainable Agricultural Development and Climate Change Adaptation in Hau Giang Province for the same period and vision.

In accordance with Official Dispatch No. 1728/SNNPTNT-CCPTNT dated October 10, 2023, issued by the Department of Agriculture and Rural Development of Hau Giang Province, which calls for collaboration to support capacity building for cooperatives and cooperative unions involved in the Project for Sustainable Agricultural Development and Climate Change Adaptation in Hau Giang Province for the period 2021-2025, with a vision to 2030, and with the agreement of the Board of Directors of the cooperatives participating in the Project.

Based on the actual needs of cooperatives and the agreement from the Department of Agriculture and Rural Development of Hau Giang, Agriterra coordinated with the Department of Agriculture and Rural Development to organize a tour for representatives of 15 cooperatives selected to participate in the Project on Sustainable Agricultural Development and Climate Change Adaptation of Hau Giang Province.

Based on the actual needs of the cooperatives and agreement from the Department of Agriculture and Rural Development of Hau Giang (Hau Giang DARD), Agriterra, in collaboration with Hau Giang DARD, organized a study tour for representatives from 18 selected cooperatives and cooperative unions participating in the Project on Sustainable Agricultural Development and Climate Change Adaptation in Hau Giang Province.

The combination of a study tour with training on partner identification and commercial contract negotiation for cooperatives is crucial, as it provides numerous practical benefits. This approach not only enables cooperatives to directly engage with successful business

models and gain insights from the practical experiences of other cooperatives, but also enhances their capacity and fosters professionalization in areas such as partner acquisition, negotiation, and market expansion. These improvements significantly increase business success.

Agriterra is tasked with finding a consultant to support the study tour and training sessions focused on finding and negotiating commercial contracts for the selected cooperatives and cooperative unions that belong to the Project on Sustainable Agricultural Development and Climate Change Adaptation in Hau Giang Province.

Main objective

- Learn and share practical business successes among selected cooperatives: This event offers cooperatives the opportunity to visit and interact directly with the successful cooperative, allowing them to learn from practical experiences. This firsthand exposure provides valuable insights into effective strategies for identifying business partners, managing contract negotiations, and establishing partnerships.
- Enhance skills in identifying and negotiating commercial contracts: In-depth training equips the cooperatives with essential negotiation skills, including understanding commercial contracts, reaching mutual agreements on terms and conditions, and establishing a clear and transparent legal foundation for conducting transactions. These skills enable the cooperatives and cooperative unions to build trust and foster sustainable, mutually beneficial relationships with business partners.

Specific objectives

- At least 03 commercial contracts signed by Oct 2025
- Increase sales and benefits of the cooperatives

Expected results from the consultant

- The training agenda and training materials prepared by the consultant and agreed by the CA lead
- At least 90% of participants confirm that they acquire basic knowledge about finding business partners and negotiating commercial contracts after the training
- A training report prepared by the consultant and agreed upon with the CA lead.

Assignment details

- Composition of the Agriterra assignment team:
 - Thai Hong Lam - Agriterra senior cooperative advisor
 - Local consultant (will be recruited)
- Duration of the assignment: The time frame of the assignment will be **06 days** (including travel) in the period of Oct 20 – Nov 2, 2024. See details in the program.
- Arrangements:
 - Agriterra will arrange and cater for flight, hotel, transportation, program for the Agriterra assignment team in consultation with Hau Giang DARD and the consultant.
- Responsibilities Agriterra: logistics, consultant contracting, approval of the final report.

- Responsibilities consultant: prepare training materials, provide training on seeking business partners and negotiating commercial contracts negotiation; and develop and agree with CA about the detail training plan and materials, and reporting.
- Responsibilities Hau Giang DARD: logistics, required information, etc.

Tentative programme for the consultant

Day	Date	Programme	No. of day
Oct 20-30	01 day	Preparation (preparation meetings, develop training agenda and materials)	2.5 days
Nov 6, 2024		Travelling to Buon Ma Thuot Field trip	1 day
Nov 7, 2024	8:00-17:00	Training on finding business partners and negotiating commercial contracts (a detailed plan designed by the consultant in agreement with CA)	1 day
Nov 8, 2024	8:00-11:00	Training on finding partners and negotiating commercial contracts (continued)	1 day
	15:00-20:30	Fly from Buon Ma Thuot airport to Can Tho	
	20:30-21:00	Traveling from Can Tho to Hau Giang	
Nov 14	01 day	Reporting	0.5 day
		Total days	6 days

Required qualifications for consultant

- Relevant background in business administration, economics, trade, or law.
- Proven achievements in successfully establishing partnerships and contracts.
- **Proven** practical experience in training on negotiating contracts, including commercial terms, legal clauses, intellectual property, and dispute resolution mechanisms.
- Strong negotiation skills, conflict resolution abilities, and mediation techniques to help cooperatives secure favorable agreements.
- The ability to effectively communicate complex topics to a diverse group, including members of cooperatives with varying levels of business knowledge.
- The ability to guide cooperatives in identifying potential partners, and troubleshooting challenges in commercial contract negotiations.

Application submission

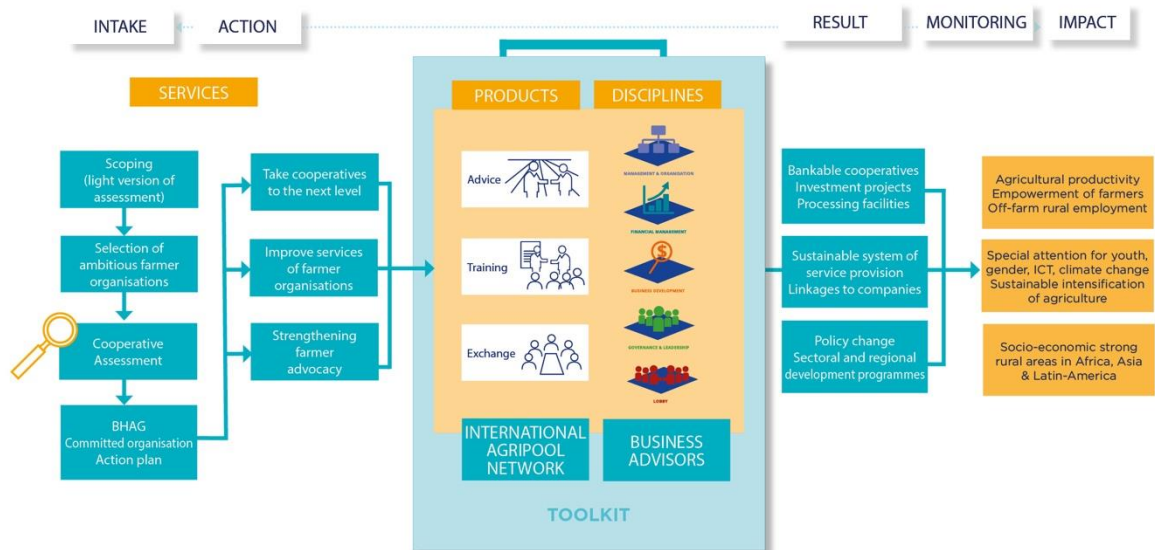
The application should include:

- CV of the consultant with related background and relevant training experiences.
- A letter of interest

The application should be submitted in English and Vietnamese by email with the subject mentioning "Trainer on commercial contracts negotiation for cooperatives" to vietnam@agriterra.org and copy to lam@agriterra.org

The closing date for application: 17.00pm, 10 Oct 2024

HOW DOES AGRITERRA WORK



Agriterra provides high quality, and hands-on advice, training and exchange services, to cooperatives and farmer organisations with maximum impact for socio-economically strong and productive rural areas. In 2019, with 163 employees, Agriterra advises 291 cooperatives in 21 countries. With our programme we reach more than 850.000 farmers. Over the past few years, we have already mobilised more than 50 million euro made available through policy changes. More than 129 cooperatives are linked to banks with a mobilised loan for working capital and investments of more than 75 million euros, while 51 clients have a processing facility with increased production.

Through professionalising and strengthening cooperatives in Latin America, Africa and Asia, Agriterra contributes to positive economic development and better income distribution. Farmers organised in strong, competitive and trustworthy cooperatives are indispensable for a vibrant rural economy, fostering agricultural development and off-farm employment in rural areas.

Agriterra draws on a century of cooperative knowledge in the Netherlands disclosed via its extensive network in the Dutch agri-food sector. These experts and Agripool experts from farmers organisations all over the world, work together with business advisors from the Netherlands and national business advisors in the countries where Agriterra staff is based.