Discussion Questions for Partnering

Partnering through the IAMCP lets you offer additional areas of technical expertise plus added manpower for bigger projects. All this means more value for clients. To ensure a smooth working relationship, we suggest an honest open discussion between partners prior to engaging with the client. Here are some areas for discussion.

While it makes sense to work on potential partnerships long before a project starts, we find that a "real deal" usually kicks off the partnership. It's easier to come to agreement about a specific project, rather than talking about generalities.

Partnering is two-way-street, and each party needs to think about the other one when they meet their customers. This is the real key to successful partnering.

Relationship with the Client – Yours, Mine or Ours?

Types of partnerships:
- Prime and subcontractor
- Partnerships with one partner taking the lead
- Referral partnerships with <u>each firm</u> engaging their services with the client
- Reseller or VAR

The more you can spell out your understanding around the relationship, the less chance there is for a misunderstanding. A prime - subcontractor relationship is common in many types of businesses. It puts one partner in the drivers' seat. It's still a partnership with many issues to explore and document, but the decision-making role is clear. Other partnering relationships may used less frequently, but they are valuable and worth investigating as a way to expand your service offerings.

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Who "owns" the client? Is this a joint, equal client relationship, or does one partner already have the client relationship and is bringing in the other partner? Another way to determine the roles is to consider if one partner will have a significantly larger role?

Who is the Client?

Digging deeper into the relationship…who is the client? Is the "client" for this engagement a specific person or specific department within a company? Would another division, in another city be included in this partnership arrangement or not?

This needs to be spelled out in detail. Let's say you do work for the Siemens automotive group's IT department in New York as a subcontractor for company X. Does this mean you are not allowed to do a job directly for Siemens health division's sales department in Shanghai even if company X does not know that part of Siemens exists?

Related to the previous one: **Does the contract extend to parent / daughter / sister company?** How about minority / majority stakes?

What if the client decision-maker leaves the client and goes to another company – are there guidelines around the new company as well?

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Communication with the Client "One Throat to Choke"

Who will be the primary client interface? Who does the client call with questions or concerns? Does the client want one point of contact i.e. "one throat to choke?"

Who is responsible for project management, watching the timeline, the budget, the deadlines? What is the sign off procedure on work?

Who will be the named persons for this relationship at each partner?

How will communication be documented and shared among the partner companies? Is there a periodic status report? Is it internal or shared with the client? Who is responsible for this report?

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How will we Describe our Relationship to the Client?

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How will we describe our relationship to the client? Will we announce to the client that this is a partnership? Will one partner be a subcontractor to the other? If yes, will we highlight the details of the relationship or keep it quiet? Is it okay to use our own business cards at client meetings? Does the subcontractor have to act as an employee of the main contractor? Will the client find out anyway? **Is a subcontractor or secondary partner allowed to subcontract themselves?** Can the main contractor add additional subcontractors, if more work has to be done than initially expected? Which contractual obligations have to be passed from main contractor to subcontractor? Quite often, the customer requires a minimum amount of insurance, for example. **What if the client likes one partner better than the other?** Can one client continue the business without the other? Can either partner do additional non-partner work with the client? **To what project / technology does any client non-compete relate?** I might subcontract for company x on an AD project, but it might still be OK for me to go direct with an Exchange project.	☐ ☐

Legal Issues

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What kind of NDAs need to be executed? Typically, the chain goes: client to main contractor to subcontractor to individual employee. Do all entities need to sign NDAs? Is either party bringing intellectual property to the table? What is it? Where is it spelled out? Who owns it? Does the client have "rights" to it? Can one party use this intellectual property at another engagement (without the other partner?) What is our understanding around not hiring each other's employees?	☐ ☐

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For how long do limitations last? Things like non-compete or not stealing employees need to be timed. In Germany, for example, if you do not time certain things, they might be void in the first place.

Payment Issues

Who will invoice the client? Can one partner mark up the other partner's fees?

What if the client is unhappy with the work?

What if the client doesn't pay all or a portion of the bill? What if additional work needs to be done to satisfy the client? Who makes the decisions? Who negotiates with the client? Is this a fixed price engagement (you get x dollars for delivering y, no matter how much time you spent) or is the project billed by the hour?

Policy on travel costs needs to be agreed with client and amongst all partners

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Enhancing the Relationship

How will our teams get to know each other? Should we invest in some joint business meetings? Social activities?

How do we get more work at this client?
How do we get additional, similar projects at other customers?
Is the other firm able to send their sales guys to "our" customer or is it a "shared" customer? This is especially important for future deals at the same customer.

Can we write a success story about this – did we get the customer's permission to publicize this?

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Successful partnering projects create more successful partnering projects. Let the Alliance partnership help you grow your business together!

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https://fenixalliance.com.co

Documenting our relationship for:

Company Name _____

Primary Contact _____

Client Department _____

General Project Description (proposed or contracted)

_____

_____

_____

Partner 1_____

Lead contact for this project _____

Partner 2 _____

Lead contact for this project _____

Our partnership will be:

Prime contractor and subcontractor (seek appropriate legal advice)

Equal partners with _____ as the "lead"

Equal partners with each firm engaging their own services with the client

What client non-compete parameters have we discussed for this engagement?   (seek appropriate legal advice)

_____

_____

_____

How will we describe this to the client?

_____

_____

_____

Non Disclosure Agreements executed? **(seek appropriate legal advice)**

· Yes

· No – not needed

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Intellectual Property will used in this project? **(seek appropriate legal advice)**
· Yes
· No

Who will be the primary client interface? _____

Who will invoice the client? _____

What payment terms exist between partners (attach separate proposal or contract)

What if the client contacts the other partner directly...what is the process?
_____
_____
_____

What project management process will be used?
_____
_____
_____

What status reporting process will be used?
_____
_____
_____

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