

ESO/Cou-883

03.03.2003

**For  
information**

**COMMITTEE OF COUNCIL**

60<sup>th</sup> Meeting

Antofagasta, 12 March, 2003

**REPORT FROM ALMA BOARD**

**REPORT FROM ALMA BOARD****First Meeting 24 – 25 February 2003****SUMMARY**

This was the first formal meeting of the Board, and was followed by the signing of the Bilateral Agreement by the Director General. The meeting was constructive, positive, and focussed, and major progress was made in all key areas. All decisions were unanimous. Because of the subject matter, much of the discussion took place in either closed or restricted sessions.

Massimo Tarenghi has been selected as director and the search for the remainder of the Key Personnel will be vigorously pursued. A Project Plan, still subject to evolutionary changes, has been formally endorsed. An overall strategy for the antenna procurement has been agreed, and the important goal of procuring the production antennas to a single prototyped and evaluated design was confirmed. A very frank exchange took place with the Japanese, because major changes will be necessary in their proposal if it is to be acceptable to ALMA. More work will be done on this, and the matter will be a major item for the Board in May.

**COMPOSITION**

1. The Appointees to the Board are:

**ESO**

P van der Kruit  
C Cesarsky  
R Booth  
R Wade

**NSF**

R Dickman (National Science Foundation)  
R Giacconi (AUI)  
J Hesser (NRC, Canada)  
A Sargent (Caltech, NSF appointee)

2. The Board designated P van der Kruit as Chairperson and R Dickman as Vice Chairperson. I Corbett is Secretary. The Board noted that P van der Kruit was designated to speak for ESO and R Dickman to speak for NSF, and that C Cesarsky represented ESO as the European Executive and R Giacconi represented AUI as the North American Executive. J Cernicharo attended as an observer for Spain, Chile sent a representative and Japan sent two observers.
3. The Terms of Reference adopted by the Board are attached for information.
4. The Rules of Procedure were approved with the normal voting majority set at two-thirds of those present and voting.

**DIRECTOR**

5. The Board approved the offer to M Tarenghi of the position of Director, from 1 April 2003, and asked the Executives to expedite the appointment.

**PROGRESS REPORTS and ENDORSEMENT OF 2003 BUDGET AND PROGRAMME**

6. The interim Director and Project Manager gave progress reports, and introduced the latest version of the ALMA Project Plan, which was endorsed. The Project Plan dated 10 February is Version 1 of a document which is under change control, and the Board agreed the process for changing the Project Plan.
7. The Board endorsed the proposed 2003 Budget and Programme Plan, and the Long Range Plan as set out in Version 1 of the Project Plan. These are consistent with the ESO 2003 budget.

**PROGRESS IN CHILE**

8. The Board noted progress in Chile, essentially as summarised in Progress report #7, Cou-880, and expressed deep concern over the continuing lack of decision by the Chilean government on the ratification process for the ESO Supplementary Agreement. ALMA is planning on the assumption that it will have access to the land by April 1<sup>st</sup>, which is possible if the key decisions by Chile are made by, ideally, the end of February. The Board noted that ESO cannot sign binding agreements or contracts, or make formal payments, before the Supplementary Agreement is in force. ESO, NSF, and the JAO were asked to prepare alternative scenarios to cope with possible continued delay in ratifying the ESO Supplementary Agreement.
9. It was agreed that a decision on the size and location of the ALMA Santiago Office did not need to be made immediately, and the JAO was asked to carry out further studies with the ALMA Operations Group to define the size and role of the Office.

**PRODUCTION ANTENNAS**

10. The situation with the prototype antennas was summarised. Testing of the Vertex RSI antenna will start soon and the AEC antenna is expected to be accepted in July. The evaluation team is in place and the goal is to complete evaluation of both prototypes by January 2004.
11. The interim Project Manager, Massimo Tarengi, gave a detailed overview of the proposed procurement strategy and timescale, designed to ensure that ALMA would be in the best possible position to secure competitive bids on the assumption that at least one of the prototype antennas met specifications. The Board endorsed the goal of the JAO to procure the production antennas to a single design which has been prototyped and evaluated.
12. The Board, following the presentation and discussions on antenna procurement, asked the JAO to proceed with the preparation of the production antenna bid package for RFP/CfT to be delivered to the Executives no later than 1 September 2003 in preparation for the final decision on the overall procurement process.

**JAPAN**

13. The Board discussed the NAOJ proposal and the principles under which Japan could join ALMA. The principles already agreed were confirmed, namely NAOJ would provide enhancements to the baseline ALMA, which would be valued according to the ALMA model. The incorporation of these enhancements should not increase the cost or impact the schedule of the baseline ALMA, and the individual elements of the enhancement had to accord with ALMA priorities. On this basis the NAOJ proposal, evaluated by the JAO, was not acceptable on most counts. It was agreed that the Negotiating Team should make these points specifically and very clearly in the videoconference with the Japanese Team on the 25<sup>th</sup>, and that further work by both sides was essential before formal negotiations could take place.
14. This was done in the videoconference between the Negotiating Teams. After a break for private discussion, the Japanese Team replied that all these points from their proposal were negotiable, although the provision of a second generation correlator was of great importance to them. They asked for a written response from the Board. The Japanese Team stressed the need for urgency, given the timing of the MEXT funding process, and agreed to a preparatory meeting at a 'neutral' venue before any formal negotiating meeting in Tokyo. There would be intermediate teleconferences between Teams if necessary.
15. The board then discussed the NAOJ response, and JAO was asked to prepare a written response to the Japanese proposal, to be incorporated in the reply to be sent by the Board to NAOJ as soon as possible. The JAO will study the NAOJ proposals further and report to the March 27 Board teleconference, with the goal of arranging a teleconference of the Negotiating Team between 27 March and the Board teleconference on 29 April.
16. The Board agreed to a face-to face preparatory meeting of the Japan Negotiating Team on or around May 8 at a 'neutral' venue and agreed to set the mandate for the Japan Negotiating Team at the Board meeting on 26/27 May in Garching. The Board agreed that it continued to be desirable to reach agreement with the NAOJ on their joining ALMA, but that it had to be under the terms already set out and agreed for any new partner to join ALMA.

**ASAC and AMAC**

17. The Board will approve a revised charge to AMAC for the meeting on 24/25 March by written procedure. The membership of AMAC is unchanged.
18. The JAO and ASAC Chair were asked to prepare, no later than 10 March, a draft charge for the ASAC meeting on 2/3 April for Board approval by written procedure.
19. The Board agreed that Japan should be invited to send 3 observers to ASAC and 2 to AMAC, as agreed in principle at the Garching meeting in September.

**Version 1.0/24.02.2003****ALMA BOARD****Terms of Reference**

The ALMA Board (hereinafter the “Board”) is established by ESO and NSF, the Parties to the “Agreement concerning the joint Construction and Operation of the Atacama Large Millimeter Array (ALMA)” (hereinafter the “Bilateral Agreement”), as the supervisory and regulatory body for ALMA. It is the primary forum for interactions among, and for the decisions of, ESO and NSF concerning ALMA. The Board is not a legal entity.

**The Board shall at all times work within the provisions of the Bilateral Agreement, and all Board decisions shall be consistent with the Bilateral Agreement and with the governing laws, regulations and contractual obligations of ESO, NSF, and AUI.**

NSF and ESO shall each appoint four members to the Board. One member appointed by NSF represents the North American Executive, and one ESO Board member represents the European Executive. ESO shall designate one of its appointees to speak on behalf of ESO and NSF shall designate one of its appointees to speak on behalf of NSF.

The Board shall meet not less than two times per year.

The Board shall:

1. ensure that Construction, Commissioning, Early Operations, and Operations are carried out jointly by the Executives in accordance with the terms and provisions of the Bilateral Agreement.
2. exercise budgetary oversight and policy control over ALMA.
3. determine the dates of completion of Construction and of Commissioning , the date of the start of Early Operations, and any reapportionment of Value between Construction and Commissioning and Early Operations where those periods may overlap;
4. approve a Budget and Program Plan for the following year and endorse a Long Range Plan;
5. approve the award of contracts, the use of contingency, and the re-apportionment of Value, as provided for in the Bilateral Agreement;
6. report at least once per year in writing to ESO and NSF on the status of ALMA, including the financial situation, progress on Construction and Commissioning, and projected timescales, estimated cost to completion, and the status of Early Operations and Operations;
7. approve the appointment of Joint ALMA Office (JAO) Key Personnel;
8. review annually the job performance of all Key Personnel in consultation with the Director and the Executives;

9. approve, upon recommendation of the Executives, extensions to the appointment of all Key Personnel;
10. determine the policy and manner in which Early Operations and Operations will be carried out;
11. determine the policy and procedures for the allocation of Observing Time;
12. determine the policy and procedures for data rights and the proprietary period;
13. undertake such other duties and responsibilities as may from time to time be requested by ESO and NSF.