



National Audit Office

DEFENCE VALUE FOR MONEY

CONTRACTING PRACTICES

MoD SURVEY

SURVEY

This survey is being sent to a sample of contracts across category A to C projects. Please note that all Commercial data contained in your responses will be protected. Please try to answer all questions as fully as possible. If you have any queries about the survey, please contact Helen Anderson, Audit Principal on 020-7798-7927 or via email: Helen.Anderson@nao.gsi.gov.uk

Helen Anderson
Audit Principal
Room C510
National Audit Office
157-197 Buckingham Palace Road
Victoria
London SW1W 9SP

Please provide your name, position held and a telephone number so that we can contact you with any follow up enquiries:

Name

Position

Tel No: Email:

PROJECT DETAILS

Please provide the following project information:

Please indicate type of Contract: Category A

Category B

Category C

Contract no:

Contract Title:

Short (no more than two lines) description of project:

.....

.....

.....

Current phase (in terms of CADMID cycle):

Please provide the following Key Dates:

	Planned Date (dd/mm/yy)	Don't know	Not reached this stage yet	Actual Date (dd/mm/yy)	Don't know	Not reached this stage yet
Procurement Strategy Approved		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
ITT/ ISOP/ ITN Issued		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Bid Response Date		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Best and Final Offer Date (if appropriate)		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Down-selection date		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Contract Award Date		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(Anticipated) Contract Completion Date		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

Which elements of the project is the contract related to? (tick all that apply)

- a) development/demonstration
- b) production/manufacture
- c) Support

Section 1 - PROCUREMENT STRATEGY

1.1 How useful was the Procurement Strategy as a basis on which to negotiate the contract?
Please indicate on the scale below by circling the appropriate number.

Not at all useful 1.....2.....3.....4.....5 Very useful

1.2 Did the Procurement Strategy take the following into account during the tendering process? (tick all that apply)

	Yes	No	Don't know
a. The cost to industry of tendering	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If Yes, do you know approximately how much it cost industry?
(Please enter amount in box)

	Yes	No	Don't know
b. The need for potential suppliers to form high quality teams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. The amount of time actually required for completion of the tender	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. The impact of the response date on the quality of the suppliers tender	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1.3 Were the following agreed at the PS stage?

	Yes	No
a. How discussions between the parties will take place	<input type="checkbox"/>	<input type="checkbox"/>

If Yes, what was agreed? (Please enter details in box below)

- b. How changes to the requirement and any processes will be disseminated to all parties
- c. Contractual acceptance criteria

1.4 How well did the military requirements translate into a clear contract specification? Please indicate on the scale below by circling the appropriate number.

Not at all well 1.....2.....3.....4.....5 Very well

1.5 Did you need to trade any military requirements to enable the requirement to be translated into a contract specification?

- Yes
- No
- N/A

If Yes, please explain. (enter details in box below)

Section 2 – Invitation to Tender

2.1 Which of the following did you use to negotiate the contract?

- ITT
- ISOP
- ITN

2.2 How useful was it as a basis upon which to negotiate the contract?
Please indicate on the scale below by circling the appropriate number.

Not at all useful 1.....2.....3.....4.....5 Very useful

2.3 In your opinion, how well were the risks identified at the ITT/ISOP/ITN stage?
Please indicate on the scale below by circling the appropriate number.

Industrial	Not at all	1.....2.....3.....4.....5	Comprehensively
Management	Not at all	1.....2.....3.....4.....5	Comprehensively
Environmental	Not at all	1.....2.....3.....4.....5	Comprehensively
Political	Not at all	1.....2.....3.....4.....5	Comprehensively
Programme	Not at all	1.....2.....3.....4.....5	Comprehensively
Relationships	Not at all	1.....2.....3.....4.....5	Comprehensively

Other (please specify in box below any other risks identified at the ITT stage and indicate how well they were identified.)

2.4 How clearly did the URD express the capability requirements?
Please indicate on the scale below by circling the appropriate number.

Not clearly at all 1.....2....3.....4.....5 Very clearly

2.5 Approximately how many clarification questions were received from industry during the ITT / ISOP / ITN phase?

Number of questions:

2.6 Which of the following were used to decide which Terms and Conditions were relevant?
Please tick all those that apply.

- Training material
- Commercial Tool kit
- Industry Guidance
- Advice
- ASPECT Rules based drafting
- Previous contracts
- Other (Please specify in box below)
- N/A

2.7 Did identifying the risks influence the structure of the ITT / ISOP / ITN? i.e. pricing mechanism, MoD agreed actions etc?

Yes

No

N/A

If Yes, please explain in the box below:

2.8 At the time of the ITT/ ISOP / ITN, did MoD have a risk register? (tick as appropriate)

Yes

No

N/A

2.9 At the time of the ITT/ ISOP / ITN, had the MoD considered how risks should be allocated to each party?

Yes

No

N/A

If yes, please describe using the box below:

2.10 What contribution did the Risk Register make towards the outcome of the project?
(Please comment in the box provided)

2.11 How much involvement did industry have in drafting the ITT / ISOP / ITN?
Please indicate on the scale below by circling the appropriate number.

None 1.....2.....3.....4.....5 Joint drafting

N/A

2.12 Approximately how many changes were made to the ITT / ISOP / ITN after it was issued to industry?

Please enter number in box provided:

N/A

2.13 Do you know approximately what the cost to MoD of these changes was?

Yes

No

N/A

If yes, please enter amount in box provided:

Section 3 – Contract Negotiation

3.1 Were you aware of the following?

	Yes	If Yes, please Specify	No	N/A
How much time contractor had available for negotiation	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
What approval process the contract had to adhere to	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
What was driving the contractor in the negotiation	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.2 Were any of the following agreed before the negotiation started? (tick as appropriate)

- Process for negotiation
- Timetable for negotiation
- Scope of the negotiation
- Plan if negotiation moved outside the scope
- Code of behaviour
- Other Please specify using box below.
- N/A

3.3 Did you have sufficient time in which to negotiate the contract to your satisfaction?
Please indicate on the scale below by circling the appropriate number.

Not nearly enough 1.....2.....3.....4.....5 More than enough

If you did not have enough time, what was the **reason** for this? (Please answer in box below)

If you did not have enough time, what was the **effect** of this? (Please answer in box below)

3.4 How adequately skilled was your team in the following areas?
Please indicate on the scale below by circling the appropriate number.

- a. Legal Insufficient skills 1.....2.....3.....4.....5 Excellent skills
- b. Financial Insufficient skills 1.....2.....3.....4.....5 Excellent skills
- c. Commercial Insufficient skills 1.....2.....3.....4.....5 Excellent skills
- d. Contract Negotiation Insufficient skills 1.....2.....3.....4.....5 Excellent skills

N/A

3.5 Did you use any tools in your tender evaluation (eg AWARD, SIBET)?

Yes

No

N/A

If Yes, please list all that were used in the box below:

3.6 What type(s) of pricing does your contract employ? (tick all that apply)

a. Target Cost Incentive Fee (with Maximum Price)

b. Target Cost Incentive Fee (without Maximum Price)

c. Firm Price

d. Fixed Price

e. Maximum Price

f. Ascertained Costs

g. Other (Please give details in box below)

N/A

If options a. or b. are ticked, please explain Shareline arrangements in the box provided:

3.7 How does your contract incentivise the contractor? (tick all that apply)

- a. Method of pricing (eg TCIF)
- b. Use of bonus payments for early delivery/special performance
- c. Liquidated Damages
- d. Default (DEFCON 614)
- e. Milestone Payments
- f. Gainshare
- g. Other (please give details in the box provided)

- N/A

3.8 How do you think your contracting approach aided the project? (tick all that apply)

Good relationships with contractors

Good incentivisation of contractors

Good communication with contractors

More time spent early on getting things right

Other Please specify using the box below

N/A

Section 4 – Contract Management

4.1 What tools do you use to support/monitor project progress? (tick all that apply)

- a. Earned Value Management
- b. Payment against milestones
- c. Anchor Milestones
- d. Progress meetings
- e. Progress reports
- f. Shared Data Environment
- g. Other (please specify using box below)
- N/A

4.2 What did MoD agree to deliver as part of the contract? (tick all that apply)

- a. Equipment
- b. Training Facilities (excluding Personnel)
- c. Other Facilities (excluding Personnel)
- d. Civilian Personnel
- e. Military Personnel
- f. Information
- g. Other (Please specify in box below)
- N/A

4.3 Did MoD need to make amendments to the contract?

Yes

No

If Yes, please explain why these changes were necessary:

4.4 How accurate is the assessment of the following impacts arising from amendments?
Please indicate on the scale below by circling the appropriate number.

a. Impacts on cost Not at all 1.....2.....3.....4.....5 Accurately

b. Impacts on overall timescale	Not at all	1.....2.....3.....4.....5	Accurately
c. Impacts on technical performance	Not at all	1.....2.....3.....4.....5	Accurately
d. Impacts on project outcome	Not at all	1.....2.....3.....4.....5	Accurately

N/A

4.5 Have you had to allow the contractor additional time?

Yes

No

N/A

If Yes, what were the reasons? (give details in box provided). Please specify if any additional time was allowed to the contractor as a result of an act or default of the MoD:

4.6 Was the dispute resolution clause used? (tick as appropriate)

Yes

No

N/A

If Yes, what was the outcome? Please describe using the box below.

4.7 Was a dispute resolution process defined at the outset?

- Yes
- No If No, go to question 4.8
- N/A if N/A, go to question 4.8

If Yes, what resolution process(es) were used. Please tick any that apply:

- a. DEFCON 530
- b. Narrative Disputes Resolution Clause
(*excluding* Alternative Disputes Resolution)
- c. Narrative Disputes Resolution Clause
(*including* Alternative Disputes Resolution)
- d. Other (Please give details in box below)

4.8 Have you invoked any of the following? (tick all that apply)

- a. Liquidated damages
- b. Break
- c. Default
- d. Any other type of contract pause or termination
- e. None If None, go to question 4.9
- N/A If N/A, go to question 4.9

Specify the reasons it was invoked using the box below:

4.8 Continued: Please describe the effect these measures had using the box below:

4.9 Were there instances where the above could have been applied but were not or only partially applied?

Yes

No

N/A

If Yes, please explain using the box below:

Section 5 – Relationships with Industry

5.1 Does your contract include any Partnering arrangements? (tick as appropriate)

- Non Legally Binding Partnering Principle
- Legally binding Partnering Principle
- Public Private Partnership
- Strategic Partnering
- Project Partnering
- Partnering Framework Agreement
- Joint Teaming Agreement
- Sub-Prime Teaming Agreement
- Partnering Forums
- Co-Located Teams
- Joint Management Boards
- Shared Risk and Reward
- Open Book Accounting and
visibility of MoD budgets
- Joint development of pricing
- Other (please Specify in box below)
- None
- N/A

5.2 How would you describe your working relationship with the contractor?
Please indicate on the scale below by circling the appropriate number.

Very Poor 1.....2.....3.....4.....5 Very Good

N/A

Please provide comments in the box below to explain your response to this question.

5.3 How much weighting did Soft Issues have in your bid evaluation criteria?
Please indicate on the scale below by circling the appropriate number.

None 1.....2.....3.....4.....5 High weighting

N/A

Section 6 – Project Delivery

6.1 Which of the following describes the criteria for the MoD accepting the product or service off-contract?

- a. Clear/coherent
- b. Accompanied by guidelines
- c. Relevant
- d. Used by staff
- e. Reflect the requirement
- f. Other Please specify using the box below
- N/A

6.2 Have any contractual acceptance criteria been modified since contract placement?
(tick as appropriate)

- Yes
- No
- N/A

If Yes, please explain why using the box provided:

6.3 Have any Trade Offs or Concessions been agreed?

- Yes
- No
- N/A

If Yes, briefly describe them and the impact they had in the box below:

6.4 Where Trade Offs / Concessions have been used, which of the following statements apply? (tick all that are appropriate).

- a. There is a system in place for Trade Offs / Concessions
- b. Senior management were involved
- c. Customers were consulted
- N/A

6.5 Before starting this project, did you search the LFE database for any lessons that might apply to your project? (tick as appropriate)

- Yes
- No

If Yes, did you find any that you could apply to your project?

- Yes
- No

6.6 Have you learned any lessons from this contract? (tick as appropriate)

Yes

No

If Yes, please provide example(s) below:

6.6 Continued

Have any LFE lessons been shared? (tick one)

a. Yes, within MOD

b. Yes, with industry

c. No

6.7 What was the cost to the project of the following parts of the contracting processes?

	Man Hours	Don't Know	N/A	£ Cost	Don't Know	N/A
Preparing Procurement Strategy		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Preparing ITT		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Responding to Clarification Questions		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Negotiating Contract		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Contract Administration		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

6.8 Do you believe that this contract follows the Smart Acquisition criteria?
(tick as appropriate)

- a. Yes, all of them
- b. Yes, some of them
- c. No, none of them

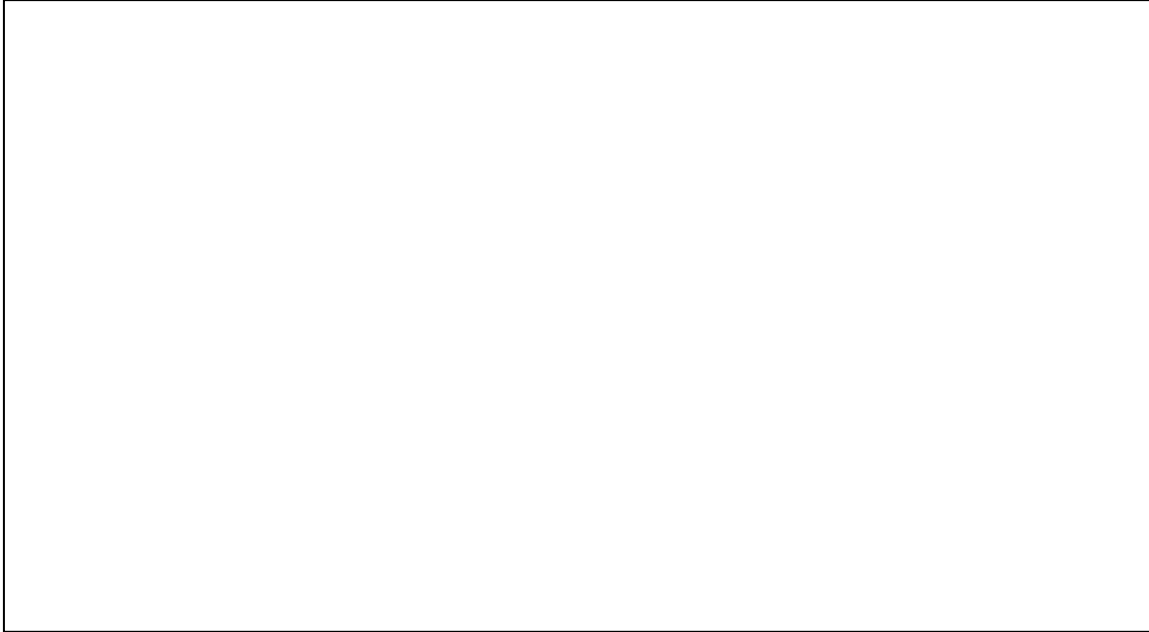
If answer b. is selected, please explain which criteria it follows using the box provided:

6.9 In your opinion, are there any factors that work against the effectiveness of the procurement process?

Please specify in box below:

6.10 In your opinion, how could the Procurement process be improved?

Please provide comments in the box below:

A large, empty rectangular box with a thin black border, intended for the respondent to provide comments. The box is currently blank.

Thank you for completing this survey. Your assistance is greatly appreciated in helping us to produce the survey which will form a major part of our evidence base for the study. We appreciate the time it has taken to answer our questions.