

Amendment Instructions

ASDEFCON (Complex Materiel Vol 2)

Matrix of Changes V2.1

| Part | Title | Original Clause or Section | Change Type | Details |
|-------------------------------------|--|----------------------------|-------------|---|
| | | Global | modify | <ul style="list-style-type: none"> to implement changes to policy (eg, AIC policy under DIPS 2007, ANAO access, Defence stocktaking policy); to use terminology consistently across the template; to reflect revised administrative and contract management arrangements; and to fix errors (eg, cross-referencing errors) and to improve clarity |
| Part 1 draft conditions of tender | Australian Government Requirements | 1.7.1 | Add | to include reference to the Defence Stocktaking Policy, as detailed in DI(G) LOG 07-15, |
| Part 1 draft conditions of tender | Australian Government Requirements | 1.7.3 | Add | to highlight the requirement for a contractor to provide access to its records and accounts to Defence for ANAO audits. |
| Part 1 draft conditions of tender | Tenderers to Inform Themselves | 2.1.3 | Modify/Add | to make the tenderer aware they will need to seek advice on the impact of the <i>Auditor General Act 1997</i> . |
| Part 1 draft conditions of tender | Commercial-in-Confidence Information | 4 and globally | Modify | Commercial-in-Confidence changed to Commercial-in- Confidence Information. This was done in order to clarify the intended meaning. |
| Part 1 draft conditions of tender | Use of Former Defence Personnel in Tender Preparation and Process | 4.5 | Modify | to improve clarity |
| Part 1 draft conditions of tender | Tender Evaluation Criteria | 6 | Modify | to include AIC changes resulting from the Defence & Industry Policy Statement 2007. |
| Part 2 draft conditions of contract | Interpretation Clause | 1.2.1 | Add | to improve clarity of clause |
| Part 2 draft conditions of contract | Provision and Management of GFM and GFM Ownership and Restrictions | 3.5 and 3.6 and 3.7 | Modify | revision of GFM clauses and inclusion of new CMCA clauses to implement Defence Stocktaking requirements in accordance with DI(G) LOG 07-15 |
| Part 2 draft conditions of contract | Australian Industry Capability | 4 | Modify | Amended to include AIC changes resulting from the Defence & Industry Policy Statement 2007. |
| Part 2 draft conditions of contract | Moral Rights | 5.6 | Add | To clarify the requirement. |

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| Part 2 draft conditions of contract | Contractor Managed Commonwealth Assets | 8.3 | Modify | to reflect new Defence policy on Contractor Managed Commonwealth Assets. |
| Part 2 draft conditions of contract | Limitation of Liability | 8.6 | Modify | to clarify the requirement and to reflect new Defence policy on Contractor Managed Commonwealth Assets and updated Commonwealth policy. |
| Part 2 draft conditions of contract | Privacy Indemnity | 8.8 | Add | To reflect Commonwealth position on privacy |
| Part 2 draft conditions of contract | Warranty | 9.2.3 | Delete | Deletion of the term 'normal use' to remove ambiguity |
| Part 2 draft conditions of contract | Commonwealth Access | 10.7.2 | Modify | To ensure that the Commonwealth secures access rights to satisfy both Defence stocktaking policy requirements as per DI (G) LOG 07-15 and the Auditor- General Act 1997. |
| Part 2 draft conditions of contract | Subcontracts | 10.9.3 | Modify | Amended to include AIC changes resulting from the Defence & Industry Policy Statement 2007. |
| Part 2 draft conditions of contract | Policy Requirements | 11.3.1 | Add | To require compliance with Defence Stocktaking policy. |
| Part 2 draft conditions of contract | Environmental Obligations | 11.5 | Add | to highlight environmental obligations of the Contractor, including compliance with the Environment Protection and Biodiversity Conservation Act 1999 (for consistency with ASDEFCON (Support)). |
| Part 2 draft conditions of contract | Privacy | 11.7.1-11.7.3 | Add | to satisfy the requirements of the Privacy Act 1988. |
| Part 2 draft conditions of contract | General Termination Provisions | 12.2.4.1 | Modify | Reference to GFM has been replaced by CMCA. |
| Part 2 draft conditions of contract Attachments | Attachment C - Liquidated Damages | | Modify | Amended to include AIC changes resulting from the Defence & Industry Policy Statement 2007. |
| Part 2 draft conditions of contract Attachments | Attachment E – Australian Industry Capability | | Modify | Amended to include AIC changes resulting from the Defence & Industry Policy Statement 2007. |
| Part 2 draft conditions of contract Attachments | Annex A to Attachment H – Approved Subcontractor IP Deed – Indemnity | 2.7 | Modify | To align with the revision to COC clause 5.9 |
| Part 2 draft conditions of contract Attachments | Attachment M – Glossary | 1 | Add | The acronyms CMCA, COC, CPGs, DMO, DSM, DPPM, MSR and TD along with their descriptions have been added to the table of acronyms. |
| Part 2 draft conditions of contract Attachments | Attachment M – Acronyms and Abbreviations | Table | Modify | The following acronyms removed: CR, All The following acronyms inserted: AIC, CPGs, CMCA, COC, CSR, DAL, DMO, DMS, DPPM, MSR, TD |

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| Part 2 draft conditions of contract Attachments | Attachment M – Definitions | 2 and 3 | Add | The following new definitions were added to the table: Annex, Attachment, complies, Tender Closing Time, Tender Data Requirements, Tender Data Requirements List, Agency, Approved Privacy Code, Australian Industry Capability Plan, Conditions of Contract, Contractor Managed Commonwealth Assets, Engineering Information System, Information Privacy Principle, National Privacy Principle, Personal Information, Problem Resolution System and Workforce Development Threshold. |
| Part 2 draft conditions of contract Attachments | Attachment M – Definitions | 2 and 3 | Modify | The following definitions have been changed to make them more accurate and/ or to clarify their meanings: Acceptance, Attachment, Configuration Identification, Configuration Item, Configuration Management, Consumable, Contract (Support), Contract Change Proposal, Contractor (Support), Deviation, Earned Value Management System, Expendable Item, Engineering Support, Hazardous Substance, IP Plan, New Resources, Operating Support, Stop Payment Milestone, Subcontractor (Support), Supplies Acceptance Certificate, Supply Support, Support System and Work Breakdown Structure. |
| Part 2 draft conditions of contract Attachments | Attachment M – Referenced Documents | 4 | Add | New documents have been added to the list of referenced documents. The new documents are as follows: ADF Aviation Maintenance Management Manual, Quality Management Systems – Guidelines for Performance Improvements, Guidelines for Quality and/ or Environmental Management Systems Auditing, Information Technology – Software Measurement Process, International Specification for Technical Publications Utilizing a Common Source Database, Auditor-General Act 1997, Logistic Support Analysis Record Requirements for the Australian Defence Organisation, Defence Security Manual, in force from time to time, Stocktaking of Defence Assets held by Contractors, Interface Specification, Hazardous Substances Information System (HSIS), Recommended Practice for Architectural Description of Software-Intensive Systems, Interim Defence Procurement Complaints Handling Policy, Writing Paper and Certain Classes of Printed Matter – Trimmer Sizes – A and B series, Quality Management Systems Requirements, Defense and Program-unique Specifications Format and Content, Privacy Act 1988, |
| Part 2 draft conditions of contract Attachments | Attachment M – Referenced Documents | 4 | Modify | References to some documents have been updated to reflect correct titles and/ or versions. These documents are: Defence Supplement to AS4817-2006 – Project performance measurement using Earned Value, Defence Policy on Acquisition and Management of Technical Data and Integrated Baseline Review (IBR) Handbook May 2006 – Version 2.4. |

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| Part 3 draft Statement of Work | Scope of Work | 2 | Modify | To include more definition of the scope of work and to identify that project tailoring is necessary |
| Part 3 draft Statement of Work | Scope of Work | 2.1.5 | Add | Part of the framework for the System Acceptance Audit provisions |
| Part 3 draft Statement of Work | Data Management System (DMS) | 2.3 | Add | New Optional clause requiring implementation of a standard Data Management System. |
| Part 3 draft Statement of Work | Ozone Depleting Substances | 2.6 | Modify | To improve clarity |
| Part 3 draft Statement of Work | Process Improvement | 3.2.8 | Modify | Clause moved from clause 4. |
| Part 3 draft Statement of Work | Key Persons Management | 3.4 | Modify | to include the documentation required in support of the nomination of a person as a Key Person. |
| Part 3 draft Statement of Work | Earned Value Management Requirements | 3.2.5 and 3.5 | Modify | To redefine IBR as a mandated system review |
| Part 3 draft Statement of Work | Extraordinary Meetings | 3.9.2.6 and 3.9.2.8 | Modify | To clarify the requirement |
| Part 3 draft Statement of Work | Government Furnished Material (GFM) Management | 3.13.2 | Modify | to align with Defence Stocktaking policy. |
| Part 3 draft Statement of Work | Stocktaking of Contractor Managed Assets | 3.20 | Add | To include a requirement for the contractor to prepare a Commonwealth Assets Stocktaking Plan. |
| Part 3 draft Statement of Work | System Implementation | 4.4.1.1 | Modify | Option to require the Contractor to perform site-installation activities |
| Part 3 draft Statement of Work | Verification & Validation | 7.1.1 to 7.1.5 | Modify | Various amendments designed to improve the clarity of these clauses, |
| Part 3 draft Statement of Work | Failure Reporting and Analysis | 7.1.6 | Add | To provide for a problem resolution system that categorises failures according to severity. |
| Part 3 draft Statement of Work | AV&V Phases | 7.2.2.1 & 7.2.2.2 | Modify | To provide a framework for AV&V. |
| Part 3 draft Statement of Work | System Audit Acceptance | 8.5 | Add | To include System Acceptance Audit requirements |
| Part 3 draft Statement of Work | Annex C to Attachment A Contract Data Requirement list | | Modify | to rationalise data item requirements and improve management |
| Part 3 draft Statement of Work Attachments | Annex D to Attachment A List of DMO Checklists | Table 1 | Add | 2 new checklists have been developed - the Integrated Baseline Review Checklist and the System Acceptance Audit Checklist. |