

ASDEFCON LINKAGES MODULE (STRATEGIC)

ASDEFCON (SUPPORT) STATEMENT OF WORK CHANGES

TEMPLATE VERSIONS

The *ASDEFCON Linkages Module (Strategic)* is for use with the following template versions:

ASDEFCON (Strategic Materiel) version: V4.0

ASDEFCON (Support) version: V4.0

Purpose: To amend the Contract (Support) Statement of Work (SOW) and Annexes to ensure the co-ordination of planning and work, and the flow of information between the Contractor (Acquisition), Contractor (Support) and the Commonwealth, as necessary to successfully implement Transition, Phase In and Ramp Up.

Policy: Nil.

Guidance: This linkage module modifies the Contract (Acquisition) and the Contract (Support) to facilitate co-ordination between the Contractors, Commonwealth and Subcontractors.

The module requires a small number of changes to the Contract (Support) SOW, as detailed in this document. The changes address:

- a. Contractor (Support) participation in Contract (Acquisition) Mandated System Reviews (MSRs) and the Transition Working Group;
- b. the co-ordination of Contract (Support) Phase In and Ramp Up activities with Contractor (Acquisition) Transition activities; and
- c. update to the Contract (Support) with information developed under the Contract (Acquisition), which was not knowable at ED.

Further detailed explanation of each of these is included in the *ASDEFCON Linkages Module (Strategic) Tailoring Guide*.

Related Clauses/Documents:

ASDEFCON (Support) SOW and Annexes

ASDEFCON (Strategic Materiel) SOW and Annexes

1. SCOPE

Retain SOW clause 1 and tailor as normal. The background clause would normally refer to the linked contracts and significant activities, such as Operative Date (OD) being linked to the Acceptance of the first major systems under the Contract (Acquisition).

2. GENERAL REQUIREMENTS

Retain SOW clauses 2.1 to 2.5 and tailor as normal.

2.6 Phase In

2.6.1 Phase In Plan

Retain clause 2.6.1 and tailor as normal.

2.6.2 Phase In Activities

Purpose: To ensure that Concurrent Contract Milestones (CCMs) are used during Phase In to ensure the co-ordination of activities under both contracts.

Policy: Nil.

Guidance: CCMs lock the contracts together during Transition, Phase In and Ramp Up by creating common Milestones with obligations on both contractors – this is a core concept of the *Linkages Module*. In addition to the Milestone criteria within both contracts, the clause below re-iterates the inter-dependence of both contractors in order to achieve CCMs. During Phase In the primary (perhaps only) CCM is the Operative Date (OD) linked to the first System Acceptance Audit (SAA) of the Contract (Acquisition).

Linkage Clauses and Directions:

Retain existing ASDEFCON (Support) SOW clause 2.6.2.

2.6.2.1 Unless otherwise agreed by the Commonwealth Representative, the Contractor shall not claim for the achievement of a Phase In Milestone that is a Concurrent Contract Milestone (CCM) until the applicable Milestone requirements under both the Contract and the Contract (Acquisition) have been achieved.

Retain clauses 2.6.3 and 2.6.4 and tailor as normal.

2.6.5 Transition Requirements Review - Guidance

Purpose: To ensure that planning for the Phase In and Ramp Up is co-ordinated with the Contract (Acquisition) Transition, through the conduct of a Transition Requirements Review (TXRR).

Policy: Nil.

Guidance: The TXRR is a Mandated System Review (MSR) under the Contract (Acquisition). Contractor (Support) participation in the TXRR is to ensure that the planning of Phase In and Ramp Up is consistent with the Contract (Acquisition) Transition. Additional working group meetings can support the TXRR with follow-on planning and co-ordination.

The new clauses require the Contractor and applicable Approved Subcontractors to attend relevant parts of the TXRR. Commonwealth operating and support units may also attend the TXRR, when relevant to Commonwealth planning for transition. While the Contractor (Acquisition) is responsible for holding the TXRR, satisfactory completion depends on the Contractor (Acquisition) and the Contractor (Support). The Commonwealth Representative also needs to be satisfied with the information provided for planning purposes, particularly where the Commonwealth will be involved in Transition, Phase In and/or Ramp Up activities (eg, for access to Commonwealth Facilities).

As the TXRR plans for Phase In and Ramp Up, the Phase In Plan (PHIP) and Ramp Up Management Plan (RUMP) delivery (in accordance with the CDRL) should be scheduled relative to the TXRR, even though this is a Contract (Acquisition) milestone (eg, drafts delivered beforehand and final versions afterwards). The TXRR may be identified in both contracts as a CCM.

The draft clauses below may be expanded, noting that administrative arrangements for the meeting (venues and services) are covered under the Contract (Acquisition). Specific requirements to be addressed at the TXRR can be included by tailoring the TXRR checklist at Annex D to the Contract (Acquisition) SOW. The TXRR checklist can be further developed by the Contractor (Acquisition), with input from the Contractor (Support), and submitted to the Commonwealth for Approval as part of the applicable plan.

Related Clauses/Documents:

ASDEFCON (Strategic Materiel) SOW clause 3.12, Transition into Operational Service

Linkage Clauses and Directions:

Add the heading 'Transition Requirements Review' (as clause 2.6.5), after the existing Phase In clauses, and copy the note to tenderers and clauses below into the draft SOW.

2.6.5 Transition Requirements Review

Note to tenderers: The Transition Requirements Review (TXRR) places requirements on the Contractor and, if applicable, Approved Subcontractors. As a result, the Contractor and Approved Subcontractors are to attend parts of the TXRR that are relevant to establishing the Services that they will provide.

- 2.6.5.1** The Contractor acknowledges that an objective of the Transition Requirements Review (TXRR) is to ensure the consistent planning and coordination of Transition, Phase In and Ramp Up activities (as applicable), including the activities of the Commonwealth, Contractor, Subcontractors, Contractor (Acquisition), Subcontractors (Acquisition), and Associated Parties.
- 2.6.5.2** The Contractor's entry criteria, exit criteria and review activities for the TXRR shall include those defined in the TXRR checklist, at Annex D to the SOW of the Contract (Acquisition), when applicable to the Contractor and Approved Subcontractors.
- 2.6.5.3** The Contractor, in co-ordination with the Contractor (Acquisition), shall review and further develop, if applicable, the TXRR checklist to ensure that Contract (Support) implementation requirements will be adequately addressed.
- 2.6.5.4** The Contractor shall, and shall ensure that Approved Subcontractors, participate in those elements of the TXRR that are relevant to the establishment of Services that they are to provide.

2.6.6 Transition Working Group - Guidance

Purpose: To require the Contractor, Contractor (Acquisition) and Approved Subcontractors to plan and co-ordinate the implementation of Transition, Phase In and Ramp Up activities. Associated Parties, including Defence operational and support units may also be involved.

Policy: Nil.

Guidance: The Transition Working Group (TXWG) is co-ordinated by the Contractor (Acquisition) and provides a forum to coordinate Phase In and Ramp Up with the Contract (Acquisition) Transition activities. While the TXRR is a Milestone, the TXWG allows on-going meetings to coordinate Training and the transfer of Support Resources from the Contractor (Acquisition) to the Contractor (Support), Subcontractors (Support) and, if applicable, Associated Parties.

Obligations on the Contractor, to ensure that the PHIP and RUMP complement the Contract (Acquisition) Transition Plan (CTXP), are reciprocated under the Contract (Acquisition).

To facilitate co-ordination the Contractor should attend Contract (Acquisition) MSR's that are applicable to defining the Services and Support Resources; these can be conducted as a TXWG activities. The list of MSR's under clause 2.6.6.5 (below) should be tailored to suit individual requirements – drafters need to ensure consistent drafting across both SOWs. For example, if the Contractor will not provide Training Services, then the Training Readiness Review would be removed from the list of MSR's. If the Contractor (Acquisition) is not modifying Commonwealth Facilities, or the Contractor will not use the modified facilities, then the Facilities Readiness Review would be removed from the list.

Related Clauses/Documents:

ASDEFCON (Strategic Materiel) SOW clause 3.12, Transition into Operational Service

ASDEFCON (Strategic Materiel) SOW clause 4.1.5, Conduct of System Reviews

Associated ASDEFCON Linkages Module changes to the Contract (Acquisition) **2.6.6**

Linkage Clauses and Directions:

Insert a new heading clause 2.6.6 'Transition Working Group' and insert (and tailor) the clauses below.

2.6.6 Transition Working Group

- 2.6.6.1** The Contractor acknowledges that the success of Phase In and Ramp Up depends upon the exchange of information and the co-ordinated planning efforts of the Contractor, Approved Subcontractors, Contractor (Acquisition), Approved Subcontractors (Acquisition) and Commonwealth entities, and that the Contractor is not dependent on the Commonwealth in order to co-ordinate with the Contractor (Acquisition) and other parties.

2.6.6.2 The Contractor shall, and shall ensure that applicable Approved Subcontractors, participate in the Contract (Acquisition) Transition Working Group (TXWG) to plan and coordinate Phase In, Ramp Up and Transition activities relevant to establishing the Services that they are to provide.

2.6.6.3 On each occasion when the PHIP and RUMP is updated, the Contractor shall use the TXWG to:

- a. ensure the coordination of the activities contained in the PHIP and the RUMP with the Contract (Acquisition) Transition Plan (CTXP); and
- b. identify for the Commonwealth Representative where updates to the PHIP and RUMP were made to allow for changes to the Contract (Acquisition) Transition activities.

Note to tenderers: *The Contractor will need Support System ‘design’ information to plan the implementation of Services that meet the Support System solution defined under the Contract (Acquisition). The Contractor will also need to update Attachments and Annexes for the new Products selected or designed during the Contract (Acquisition), and detailed at the provisioning preparedness reviews. The intention is that the Contractor and Approved Subcontractors only attend the portions of the Contract (Acquisition) reviews that are relevant to the Services that they will provide.*

2.6.6.4 When relevant to the Phase In and Ramp Up of Services, the Contractor shall, and shall ensure that Approved Subcontractors, participate in Mandated System Reviews under the Contract (Acquisition), including the:

- a. Support System Detailed Design Review (SSDDR);
- b. Training Equipment Provisioning Preparedness Review (TEPPR);
- c. Support and Test Equipment Provisioning Preparedness Review (S&TEPPR);
- d. Spares Provisioning Preparedness Review (SPPR);
- e. Facilities Readiness Review (FACRR);
- f. Training Readiness Review (TNGRR); and
- g. System Acceptance Audits (SAAs) applicable to the implementation of the Support System and the delivery of Support System Components.

2.6.6.5 When the Contractor participates in a Mandated System Review held under the Contract (Acquisition), the Contractor shall co-operate with the Contractor (Acquisition) to achieve the entry criteria, exit criteria and review activities of that review, to the extent that they are applicable to the Contractor’s scope of responsibility.

2.6.7 Completion of Contract Attachments - Guidance

Purpose: To update Attachments and Annexes with information that was not available at ED but that will be defined during the development activities of the Contract (Acquisition).

Policy: Nil.

Guidance: If the Contract (Acquisition) and Contract (Support) are signed together, some Attachments and Annexes to the Contract (Support), which would otherwise address the full contract scope, will be incomplete. For example, Annex A to the SOW, List of Products Being Supported, is generally unable to be completed prior to ED because not all Products (eg, components of the Mission System, Support and Test Equipment, special-to-type Packaging and Training Equipment) can be identified before design activities. Being critical to the definition of Contract scope, an update is required to capture the outcomes of the Contract (Acquisition)’s Support System development and Provisioning Preparedness Reviews.

Annex D to the SOW, List of Referenced Manuals, is used in conjunction with Annex A to define Product-related Technical Data. In Annex A, one system or subsystem may have several referenced manuals. Instead of listing all of these within Annex A, a cross reference is inserted into the Annex A table to refer to a set of manuals listed in Annex D. Likewise, several subsystems may refer to the same set of system manuals; in this case, they can all cross reference the same list in Annex D. The Annex A list of Technical Data to be supported (Section 6), when applicable, may also refer to the lists in Annex D.

Attachment E lists Government Furnished Material (GFM) and Government Furnished Services (GFS). GFM includes Equipment (GFE), Data (GFD) and Information (GFI). Not all GFE (including Software), GFD and GFI, may be fully defined at ED and, consequently, Attachment E will require update. The need for GFS (eg, warehousing, distribution and disposal services) may also depend on Support System design. The clauses below are used to update GFM and GFS in Attachment E.

The first three clauses (below) refer to data items delivered for Review prior to the TXRR, when these lists should be almost complete. A second delivery of these data items (in the CDRL for CCP approval) should be final versions, incorporating any changes identified at TXRR and working group meetings.

A CCP, provided with the final lists before OD, updates the Contract and completes the Attachments and Annexes with information that was not available at ED. The CCP requires supporting information to explain how the lists are consistent with the tendered offer and the outcomes of the Contract (Acquisition) and to justify any change to the original offer (ie, adding definition to the tendered scope should not result in unjustified cost increases).

The drafter is to insert the number of days prior to OD when the CCP is to be submitted. This should consider the time needed to Review the data items (which may be extensive) prior to actioning the CCP, given concurrent activities related to the Contract (Acquisition) and the time available to provide GFM, etc, to the Contractor after the CCP and before OD.

Other Attachments may also need updates, such as the AIC Plan and the Technical Data and Software Rights (TDSR) Schedule. These two data items require a CCP approval for changes and the scheduled delivery in the CDRL may need to be updated to coincide with the other data items being delivered (eg, for GFI, GFD and SOW Annexes).

Other Attachments and Annexes to Attachments may require update prior to OD, with information from the Contract (Acquisition) or parallel activities. The Commonwealth and the Contractor (Support) may need to collaborate to develop some of these updates. If these are to be prepared by the Contractor (Support), drafters should develop additional clauses, similar to those below, with appropriate CDRL entries for CCP approval. Possible updates include:

- a. Attachment B, Price and Payments, to add definition to the price break-down within tables and to update the events applicable to the Ramp Up of Recurring Services (rather than being an opportunity to change tendered prices);
- b. Attachment L, Resident Personnel, as roles and responsibilities and details of support requirements are likely to be defined further;
- c. Attachment O, Government Furnished Facilities (GFF), to update the details of GFF Licensed Areas and GFF Licensed Fittings, particularly if these are to be built or modified in parallel to the Contract (Acquisition);
- d. Attachment P, Performance Assessment, in relation to defining measurement details rather than changing Key Performance Indicators (KPIs), which should remain traceable to the required capability outcomes described in the Operational Concept Document;
- e. Attachment R, Members Required in Uniform, where the mix of Personnel, roles, Training and management details are likely to be defined further;
- f. Attachment S, Products Being Supported Licensing Restrictions, where restrictions on the sublicensing of Technical Data and Software rights to the Contractor may be defined during the Contract (Acquisition); and
- g. Annex E to the SOW, to update the known hazards at Commonwealth Premises, which may be in relation to the GFF (paragraph c above) or other work.

Related Clauses/Documents:

ASDEFCON (Support) SOW clause 2.7, Ramp Up

ASDEFCON (Support) Attachment E, Government Furnished Material and Government Furnished Services

ASDEFCON (Support) SOW Annex A, List of Products Being Supported

ASDEFCON (Support) SOW Annex C, CDRL

ASDEFCON (Support) SOW Annex D, List of Referenced Manuals

Other *ASDEFCON (Support) Attachments* (listed above) that may require update, depending on the individual contract requirements.

ASDEFCON (Strategic Materiel) SOW clause 5.1.2, ILS Program Management, in relation to selected Provisioning Preparedness Reviews.

ASDEFCON (Strategic Materiel) SOW clause 5.2.8, Support System Synthesis and the related data items defining Support Resource requirements.

Linkage Clauses and Directions:

Insert the new heading as clause 2.6.7 Completion of Contract Attachments, and insert (and tailor) the clauses below. Incorporate related CDRL changes identified in the ASDEFCON (Support) CDRL Amendment Instructions. Use the option to add clauses for other Attachments and Annexes (aside from the AIC Plan and TDSR Schedule) and add any new CDRL entries.

2.6.7 Completion of Contract Attachments

Note to tenderers: Due to the developmental nature of the Mission System, not all Attachments and SOW Annexes can be completed by ED. The following clauses require parts of the Contract to be updated, before OD, consistent with the completed Materiel System design.

- 2.6.7.1** The Contractor shall further develop and deliver an update to Annex A to the SOW, 'List of Products Being Supported', in accordance with CDRL Line Number SR-120.
- 2.6.7.2** The Contractor shall further develop and deliver an update to Annex D to the SOW, 'List of Referenced Manuals', in accordance with CDRL Line Number SR-130.
- 2.6.7.3** The Contractor shall further develop and deliver an update to Attachment E, 'Government Furnished Material and Government Furnished Services', in accordance with CDRL Line Number SR-140.

Option: Use the pattern clause below for additional Attachments and Annexes (or delete if not required). Amend the cross-references in clauses 2.6.7.5 and 2.6.7.6 accordingly.

2.6.7.4 The Contractor shall further develop and deliver an update to [...INSERT ATTACHMENT LETTER AND NAME...], in accordance with CDRL Line Number [...INSERT CDRL NUMBER...].

2.6.7.5 The Contractor shall prepare and submit, [... INSERT NUMBER, E.G. 60 ...] Working Days prior to the Operative Date, a CCP to incorporate the proposed changes to the Attachments to the COC and the Annexes to the SOW that were delivered in accordance with clauses 2.6.7.1 to 2.6.7.3.

2.6.7.6 For each data item delivered in accordance with clauses 2.6.7.1 to 2.6.7.3, the Contractor shall provide supporting information, as reasonably required by the Commonwealth to:

- a. understand how the proposed changes are consistent with the scope of the extant Contract and the outcomes of the Contract (Acquisition) development activities; and
- b. enable the Commonwealth Representative to approve the CCP that is submitted in accordance with clause 2.6.7.4.

2.6.8 Transition Support Services - Guidance

Purpose: To have the Contractor (Support) provide personnel to support Commonwealth organisations, which require assistance, to undertake transition-related activities.

Policy: Nil.

Guidance: Transition Support Services refer to the provision of Contractor (Support) personnel to enable Commonwealth organisations to undertake their transition to operate and support a new Materiel System. Importantly, there is a matching optional clause 3.12.5 in the *ASDEFCON (Strategic Materiel)* template to obtain Contractor (Acquisition) personnel to perform similar tasks. The use of this clause, the Contract (Acquisition) clause, or both, will depend on who is expected to be best placed to support the applicable Commonwealth organisation.

The Commonwealth organisations that may require assistance include the Project Team, the Systems Program Office (SPO) and ADF operational and support units. The Services required will often involve working alongside Commonwealth personnel on Defence premises. For example, the Commonwealth may require support to catalogue new items into MILIS and/or manage a 'project store' and help to receipt and inspect Support Resources when delivered from the Contract (Acquisition). If the Contract (Support) will include Services that require access to MILIS, but the Contract (Acquisition) does not, then it would make more sense to allocate these tasks to the personnel working under the Contract (Support), even if the Contractor (Acquisition) and Contractor (Support) end up being organisations from the same company.

Another example of a Transition Support Service would be the provision of supplementary maintenance personnel while Commonwealth personnel undergo conversion training.

The scope of work for the Transition Support Services needs to be adequately described for the Contractor (Support) to be able to prepare for and resource these activities. Noting that it may not be possible to scope these tasks prior to releasing the tender (because the scope of work may depend partly on the Contract (Acquisition) schedule), drafters should define the expected type of activities and skills and allow the tenderer to scope the number of personnel and duration based on knowledge of their solution.

If the details describing the required work activities are extensive, the drafter may opt to create a 'transition services DSD' to describe the required Services. In some cases it will be possible to use a template DSD to help develop a transition DSD. For example, if the Transition Support Services will include Codification and Cataloguing, and these Service will not be included in the Contract due to limited work requirements (few design changes) then those clauses could be copied into the 'transition services DSD'. If a DSD is developed, a clause should be added to call out the DSD and the CSRL should be updated. Refer to the other DSD-related clauses for drafting.

There is a likelihood that some or all of these Services will be required before the OD and, in this instance, the Transition Support Services should be identified in COC clause 1.5.3a. While the Services would covered by the Phase In Plan in any case, listing them in this clause provides clarity.

Related Clauses/Documents:

ASDEFCON (Strategic Materiel) SOW clause 3.12.5, Transition Support

ASDEFCON (Support) COC clause 1.5, Operative Date

ASDEFCON (Support) Attachment B, Price and Payments

Linkage Clauses and Directions:

Insert and tailor the following clause.

2.6.8 Transition Support Services

Note to tenderers: The following Transition Support Services to be provided to Commonwealth units are indicative, and for scoping purposes. Further details will be defined during negotiations with the preferred tenderer.

2.6.8.1 The Contractor shall, in accordance with the Approved PHIP and/or Approved RUMP as applicable, provide the following specialist personnel to assist Commonwealth units during the introduction of the [... INSERT NAME OF NEW SYSTEM ...]:

- a. [... INSERT SKILL / TYPE ...] specialists at [... INSERT LOCATION ...] to provide [... INSERT NATURE OF SUPPORT SERVICES ...]; and
- b. [... INSERT SKILL / TYPE ...] specialists at [... INSERT LOCATION ...] to provide [... INSERT NATURE OF SUPPORT SERVICES ...].

2.7 Ramp Up

Purpose: To ensure co-ordination between the Contractor Ramp Up and Contractor (Acquisition) Transition activities.

Policy: Nil.

Guidance: Ramp Up is largely responsive to the roll out of Mission Systems from the Contract (Acquisition) and the implementation of the Support System, which involves and requires co-ordination by the Contractor (Acquisition) and Commonwealth as well as the Contractor.

CCMs are often used to drive and measure the progress of Ramp Up. For example, CCMs Ramp Up can be used to link Contract (Acquisition) SAAs with step increases in capability and capacity required under the Contract, as more systems are delivered or contracted support begins at another Defence base. These Milestones may or may not have Milestone Payments under the Contract as they are, more importantly, triggers for increments (step increases) in the Recurring Services Fees. Accordingly, the clauses below are to be copied to the SOW, however, the more significant drafting effort is to develop the criteria for the Milestones in Attachment B, in Annexes A and B, and the related CCM details in the Contract (Acquisition). Note that the CCMs in the Contract and the Contract (Acquisition) may have different names (eg, a SAA or TNGRR under the Contract (Acquisition)), so index numbers are used to identify them as CCMs.

Related Clauses/Documents:

ASDEFCON (Support) SOW clause 2.6, Phase In

ASDEFCON (Strategic Materiel) SOW clause 3.12, Transition into Operational Service

ASDEFCON (Strategic Materiel) Attachment B, Price and Payments

ASDEFCON (Strategic Materiel) Attachment C, Delivery Schedule

ASDEFCON (Support) Attachment B, Price and Payments

Linkage Clauses and Directions:

Retain existing SOW clauses 2.7.1 and 2.7.2 and tailor as normal.

2.7.1.1 Unless otherwise agreed by the Commonwealth Representative, the Contractor shall not claim for the achievement of a Ramp Up Milestone that is a CCM until the applicable Milestone requirements under both the Contract and the Contract (Acquisition) have been achieved.