

Terms and Conditions of UK MoD Contracts

Overview

A two day workshop that details the nuances of MoD contracting Term's & Condition's (T's & C's). Starting at the MoD organisational level the workshop sets the scene by looking at the acquisition process and organisation, detailing the various roles and responsibilities of MoD personnel. The workshop provides an in depth examination of MoD DEFCONS, setting them in the context of the organisation and its structures. The workshop allows the delegate to gain an understanding of the content and purpose of the range of MoD DEFCONS commonly used throughout the acquisition life cycle. This workshop is suitable for personnel who will be required to deal with the MoD within a contractual capacity.

Target Audience

The course is designed principally to provide commercial delegates, business development and engineers/project staff with an understanding of Terms and Conditions of MoD contracts. This course is ideal for personnel within a customer facing defence sector organisation that are involved with or about to become involved in a defence sector commercial venture. It details the contracting terminology and gives an overview of each stage of the process.

Objectives and Utility

On completion of this training course the delegate will understand the terminology associated with the MoD Terms and Conditions of Contracting and will have a concise view of their relevance, usage and their legal basis and how they can effect contractual decision making. They will have gained an insight into defence acquisition contracting and they will be more commercially aware.

The delegate will benefit professionally from the knowledge which has been given. The sponsoring organisation gains personnel who are confident and competent and who have more knowledge about procurement from a commercial perspective and thus able to use this information to improve a business' commercial position. The individual is better equipped for their role and they will have undergone a degree of personal development through the expansion of their knowledge base.

The Training Process

The course establishes the principles and terminology of the terms and conditions of contracting with respect to a Defence Sector procurement exercise. The course covers all the key components, constructs and methodologies associated with any commercial venture entered into with the UK MoD.

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Course Programme

Day 01 - AM

- 730-P Acquisition Organisation**
Identify to the delegate the key roles and responsibilities of the MoD organisations at the heart of the acquisition process.
- 731-P Formation of Contract**
This module establish the key requirements for the Formation of a Contract together with its constituent parts.
- 732-P Pricing, Profit, Post Costing and Payment**
Identify all of the parameters specific to a costing structure and compare the differences between competitive and non competitive bidding. Identify the role of the QMAC, the profit formula, the requirements for equality of information and post costing. This element looks at different types of pricing and examines the issues surrounding payment to ensure that the payment arrangements are optimised.

Day 01 - PM

- 733-P Delivery and Acceptance Conditions for Overseas**
By the end of this module the delegate will understand specific components of Delivery and Acceptance conditions and the significance and impact of failing to meet these.
- 734-P Protection of Information**
This module allows the delegate to understand both the Contractor's and the MoD's rights to own and use information. They will then be better armed to ensure their own company's Intellectual property is protected at the various stages of the bidding and contracting process.
- 735-P Defence Commercial Directorate**
After undertaking this module the delegates will have a broad understanding of the widening and increasing roles and functions of the Defence Commercial Directorate.
- 736-P Termination**
This module will give the delegate an understanding of the different circumstances leading up to termination of a contract and how to maximize the companies position should these circumstances arise.

Day 02 - AM

- 737-P Warranties and Liabilities**
This module considers the obligations and liabilities a company might incur and examines how these might be mitigated.
- 738-P Legal Terms**
By the end of this module delegates will have an understanding of the terms used in MoD contracts to reflect basic legal requirements.
- 739-P Materials/Records**
After completing this module delegates will have an appreciation of the Records and Materials required for MOD contracts and therefore the obligations, responsibilities and liabilities that a company undertakes when it accepts these conditions.
- 740-P Subcontracting and Flow down**
From this module Delegates will understand the constructs required by the MoD for subcontracting. It also identifies which terms must be flowed down to the subcontractor and which terms are deemed discretionary.

Day 02 - PM

- 741-P Performance**
By the end of this module the delegate will have a clear understanding of the performance monitoring and measuring requirements that will be placed upon them during any contracting exercise carried out with the MoD. The session will examine the desired behaviours that move both parties up the scale toward excellence.
- 742-P Electronic Contracting Environment**
This module details some of the electronic means by which contracting can take place and their current status.

743-P Where next - Defence Acquisition Change

This module details how and what Acquisition reforms are taking place it is used as an opportunity to consider and discuss the bigger picture looking at the constraints, challenges and opportunities the defence industry and MoD are facing at the present time.