**Collaboration in contracts and technical consulting services**

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1. Background

This document describes how the Swedish Transport Administration (Trafikverket) and the supplier market in contracts and technical consulting services shall and should operate with different tools to enable collaboration prior to procurement and when contracts have been procured by Trafikverket. The target group is all employees who work from planning to the completion of a project or assignment.

In order to achieve Trafikverket’s goals, which are broken down into projects or assignments – dialogue-based, active, and proactive choices must be made regarding commercial conditions, competence, and leadership, as well as the tools that enable collaboration. In each unique situation, active choices need to be made that provide rewards for the achievement of goals through good dialogue and collaboration.

* Commercial conditions during the planning, procurement and implementation phases need to support good collaboration for both client and supplier. The starting point for this is described in Trafikverket’s business strategy for contracts and technical consultants (TDOK 2016:0199).
* The competence and leadership profiles of the individuals participating should focus on dialogue and collaboration. The starting point for leadership is described in Trafikverket’s leadership philosophy.
* Collaboration tools, as described in this document, need to strive to manage different types of market situations and events that may emerge in projects or assignments. Collaboration shall be regarded as one of the most significant means of achieving the goals.

If the commercial conditions, competence, and leadership, as well as collaboration tools, are in place, favourable conditions arise to achieve the contract’s goals. This guideline means that the formal concepts of Collaboration Basic level and Collaboration High level will disappear. Instead, it will be the parties to each contract who make a joint decision as to which tools are applied. In addition, the areas of collaboration are broadened to include the phases before and during procurement in order to provide optimal conditions for collaboration.

The guideline assumes that the five general principles of public procurement are followed: non-discrimination, equal treatment, proportionality, transparency and mutual recognition (for more information, refer to Trafikverket documents: TDOK 2017:0022 Procurement according to LOU – lagen om offentlig upphandling (the Swedish Public Procurement Act), and 2017:0354 Procurement according to LUF – lagen om upphandling inom försörjningssektorerna (the Utilities Procurement Act).

1. Purpose

The purpose of applying the different collaboration tools is to simplify collaboration and to increase the perceived level of collaboration both in individual contracts and as a whole. This, in turn, will make it possible to:

1. prevent or resolve common challenges and problems at an early stage, and avoid time-consuming conflicts and misunderstandings at a later stage.
2. develop more competitive ideas and solutions through innovation.
3. obtain the most efficient project or assignment implementation possible.

The use of collaboration tools raises the likelihood of successful collaboration, thereby improving the possibility that the client receives what has been requested at the same time as the supplier provides a fair deal. This, in turn, creates the conditions for improving the working environment for both clients and suppliers, which in turn can affect the attractiveness of the civil engineering industry.

Through developed collaboration, it is assumed that the innovative power of the supplier markets can be better developed and utilised. It can also lead to better goal fulfilment of the government’s goals in areas such as climate, productivity and sustainability. All in all, it also contributes to achieving the procurement policy goals – using procurement as a strategic tool.

1. Scope

The scope of this guideline is regulated by Trafikverket’s business strategy for contracts and technical consultants, TDOK 2016:0199. Hereinafter referred to as the business strategy. This guideline thus applies to the planning, procurement and execution of commercial agreements that include technical consulting services in planning and project planning, as well as contract work in construction, installation, operation, and maintenance. Affected processes are Planning measures on roads and railways, Implementing measures on roads and railways, and Planning and implementing purchases.

1. Defined terms

|  |  |
| --- | --- |
| Term | Definition |
| Collaboration | Work done by two or more organisations together for a common purpose. |
| Contract | A contract is a written agreement that includes financial terms. It is entered into between the contracting authority and one or more parties (suppliers). The contract must have as its object the supply of goods, the provision of services or the execution of works. (Source: Upphandlingsmyndigheten (The National Agency for Public Procurement)). |

1. Application of collaboration tools

According to Figure 1, the application of the collaboration tools is governed by the contract’s assessed level of complexity and uncertainty, the need for innovation, and how developed (mature) the relationship is between the client and the supplier/s. The application takes place primarily in two stages in different parts of the flow.

*Figure 1 Application of collaboration tools*

The business strategy, TDOK 2016:0199, and Selection of business form, TDOK 2018:0007, describe how the assessment of complexity, uncertainty and innovation needs is carried out.

**Step 1 – Before and during procurement.** In connection with the choice of business form, an active selection of collaboration tools is carried out, which is documented in the action description/project specification. For example, market dialogues can be conducted prior to procurement, while project reviews can be carried out during procurement.

In this step, it is important to be aware that the application in later stages is affected by how developed the relationship is with the assigned supplier, for example, the start-up time can be affected.

**Step 2 – Start-up and implementation**. An assessment is made of how developed the relationship is when the contract is assigned, after which joint selection takes place with the supplier of the collaboration tools for the start-up and implementation phases based on the tender document specifications. Sufficient time must be planned for the start-up phase.

If the development of the relationship is assessed as being low, it means that more collaboration tools may be needed. If the development of the relationship is assessed as being high, it means that fewer collaboration tools may be needed. For example, what an inexperienced management may find difficult, may be experienced as normal by a more experienced management.

1. Different collaboration tools in different phases

Figure 2 shows the different collaboration tools and when they are used. They must be applied throughout the entire flow from planning and preparation of the procurement (before and during procurement) to start-up and implementation. The procurements affected include mainly planning, system documents, construction document design, tender documents and contracting.

*Figure 2 Collaboration tools*

With regard to start-up, it is the parties to the contract that reach an agreement on how the tools during the implementation phase will be applied based on how developed the relationship is. Based on this, the parties will jointly develop a collaboration plan.

Please note that the different collaboration tools in the implementation phase may already be defined in tender and procurement documents, as a prerequisite. These must be confirmed or adjusted by the parties during the start-up phase. If an adjustment or clarification of the collaboration tools takes place, it is handled as a notification of the contract.

* 1. Collaboration before and during procurement

Before and during procurement, an active selection of collaboration tools must be carried out which shall aim to create the prerequisites for good collaboration during the project or assignment. These selections shall be made in connection with the selection of business form and this is documented in the action description/project specification. Below is a description of a number of collaboration tools before and during procurement, of which the procurement schedule and questions/responses are mandatory.

For more in-depth information about a dialogue between the market and supplier, see also support for “Creating conditions for increased innovation and productivity” in the support process “Planning and implementing procurement”.

**Before procurement**

1. Trafikverket publishes details of the procurement in the procurement schedule.
2. Based on a market analysis, Trafikverket conducts a market dialogue as early as possible, i.e. invites potential suppliers in groups to a physical meeting to provide information and gather views on the content, complexity, contract form and remuneration model related to the upcoming procurement. The information also relates to the upcoming work. The suppliers are invited to submit comments during the meeting and also for a certain period of time thereafter. Depending on the content of the suppliers’ feedback, Trafikverket can revert with additional rounds of dialogue.
3. Trafikverket invites suppliers to a supplier dialogue with physical meetings both in groups and individually, with each supplier. During the dialogues, content, complexity, alternative contract forms and remuneration models, project management, and financial and technical challenges are discussed. Ensure that some sort of senior executive from the supplier attends.

**During the procurement process**

1. Written questions and response management is applied. The responses will be shared with all suppliers.
2. Trafikverket offers each potential tenderer one or more project reviews in order to clarify questions and any details that have not been dealt with by the written question-response phase. Collaboration questions must be on the agenda. Questions are minuted and the responses are sent out in accordance with regular question/response management.

The basis for good collaboration during the implementation phase is developed here, so answer the questions with respect and appreciation.

* 1. Collaboration in connection with start-up

Collaboration in connection with start-up, which is part of the contract work, refers to the time between the signing of the contract and the start of the implementation of the project planning, project design or production. This phase consists partly of time for resource allocation and partly time for joint selection of collaboration tools.

* + 1. Time for resource allocation after [contract] assignment

The time given to resource allocation aims to give all parties the opportunity, after the contract is signed, to release and assign all the key resources required to be able to select the collaboration tools for each contract jointly. The resource allocation time refers to the time from the signing of the contract until resource allocation has been assigned.

Time for resource allocation begins with a start-up meeting with the supplier. In addition to planning and clarifying the conditions for resource allocation, a reconciliation schedule is drawn up to determine when resource allocation is expected to be completed.

The time required is described in the tender documents. The time required will be determined at the start-up meeting jointly by the parties.

* + 1. Time for joint selection of collaboration tools

Time for joint selection of collaboration tools means that both parties reach an agreement early with regard to the prerequisites required to be able to work effectively together. The work begins with a reconciliation meeting and ends with a collaboration agreement between the parties. The prerequisites and collaboration tools are reviewed in all contracts or assignments and consist of the following parts:

1. Clarify any remaining ambiguities in the contract that have not been addressed in project reviews, for example based on what is to be delivered, and “stress test” the same by testing critical situations. The aim is for the parties to have a common interpretation of what is described in a contract and other documents at an early stage.
2. Define concepts, different roles, the decision-making process, authorisations, meeting structure and meeting frequency.
3. Analyse the type of sustainable culture (focus on the psychosocial work environment) that should characterise the project or assignment. Consider how relationships need to be developed between the parties in order to achieve success.
4. Describe whether and how the different collaboration tools for the implementation of the contract will be used. Common goals and work methods, as well as joint management of disagreements, are mandatory.
5. Identify any other issues that must be resolved before project planning starts, the project is described or production starts.
6. The parties agree on how often they need to follow-up on what has been agreed in the start-up phase with regard to collaboration tools, and then make any adjustments.
7. An escalation ladder to at least the representative level, with specified time limits for all levels (including the representative’s), is developed jointly and documented in the collaboration plan.
8. Describe the above in a contract collaboration plan signed by the parties’ representatives.

The above is not expected to take more than a few days for small and medium-sized contracts, while a large or very large contract is expected to need one or more weeks with key people in the same room.

In the start-up phase, it is advantageous for the parties to engage a collaboration manager to provide support in achieving a climate that is as open and trusting as possible. The collaboration manager should be seen as a support for the management of the joint project/assignment, and does not assume any responsibilities. The collaboration manager continues with the implementation of the project/assignment as long as there is a need, but with the goal of phasing themselves out. See section 6.4 Collaboration manager.

Representatives of each party decide on the collaboration plan and are responsible for its implementation. By signing the collaboration plan, it is agreed that the start-up phase has been completed.

* 1. Collaboration during implementation

Below is a description of the different collaboration tools that the parties can work with during the course of the contract, which are first defined in the collaboration plan (start-up phase), and then followed up at agreed intervals. This phase begins with a pre-implementation meeting.

Common goals and work methods, as well as joint management of disagreements, are mandatory.

* + 1. Common goals and work methods

Having common goals and work methods for collaboration will ensure that all parties have a common understanding of what is involved with the contract and how we must work to achieve results.

1. The parties break down the project or assignment goals in terms of time, cost, and content, including the conditions that govern Trafikverket’s strategic goals. The aim is for everyone involved to understand the goals and how we work together to achieve the common goals.
2. The parties define common work methods for collaboration in the contract that contribute to the goals. Based on this, common ambitions are established for the implementation of the work methods (based on the collaboration plan) with the aim of achieving the goals. The common work methods will lead to a sustainable work environment based on the common goals.
3. Goals and work methods can be worked out together with a collaboration manager.
	* 1. Joint follow-up

A joint follow-up of goals and work methods aims to provide the same understanding of the perceived level of collaboration within selected tools. The follow-up is linked to the previous chapter and always takes place if these tools have been chosen as collaboration tools.

1. The parties document the results and compare these with their common goals at an agreed frequency, or in case of specific needs (e.g. when a contract enters a new phase or when changes are made to key personnel).
2. The parties describe corrective actions if the results deviate from the goals for the collaboration.
3. Both the results and corrective actions are reported and made visible in physical and digital environments that are either common to both parties or the parties’ own.

For more information on measurement and follow-up, see 7 Measurement and follow-up.

* + 1. Joint meetings

The purpose of joint meetings throughout the course of the contract period is for the parties to get to know each other and to be able to quickly resolve common issues through jointly agreed ground rules on how to meet and engage in dialogue.

The starting point is that the regular meeting structure, such as construction meetings or project planning meetings, form the basis for communication throughout the project/assignment. In addition, the parties can agree on additional opportunities to meet that will reward integrated communication.

1. Physical co-location where possible, and agreed, between a few management roles for a small part of a working week.
2. A jointly planned structure for frequent and recurring physical or digital meetings between individuals and groups for geographically dispersed parties. The technology should allow individuals to sit either in groups or separately.
3. Both parties’ management and key specialist roles are located in the same premises, on the same floor for most of the working week to facilitate dialogue. Both planned and spontaneous meetings and dialogues take place.
	* 1. Joint management forums

Joint management forums can be formed at different organisational levels and in different ways based on the contract’s complexity. They aim to create consensus on what is required in the contract to achieve the agreed goals. They also aim to evaluate what has been agreed in the start-up phase, i.e. how the collaboration tools are applied and what adjustments, if any, need to be made. Examples of forums can include joint management teams with agendas, but also smaller groups where people from management meet for open conversations to strengthen the trust between the parties.

* + 1. Joint risk management

The purpose of joint risk management is to ensure transparency between the parties with regard to each party’s risks in the project or assignment.

The collaborating parties work according to their own risk lists, but the management and reporting of each risk are coordinated between the parties. The parties report their internal risks, such as requirements and incentives, to each other. The aim is to create an understanding of how internal drivers can create different behavioural patterns in the parties, which promotes trust.

* + 1. Joint management of disagreements and conflicts

The purpose of joint conflict management is to resolve conflicts at an early stage so that they have as little spillover effect as possible in the contract.

The following principles apply:

1. Any conflict or disagreement must be resolved within a set time frame as soon as it arises and by the group or individual concerned.
2. An escalation ladder to at least the representative level, with specified time limits for all levels (including the representative’s), is developed jointly and documented in the collaboration plan.
3. It is advantageous to report the content of the disagreements and conflicts in writing by each party, in order to obtain greater clarity.
	1. Collaboration manager

The purpose of the role of collaboration manager is to support and facilitate the contract organisation’s ability to work with the different areas of collaboration. The collaboration manager works on behalf of the joint project and assignment management team in the contract to which his/her results are reported. The work begins in the establishment phase and can continue during implementation.

The earlier the collaboration manager is involved in a contract, the higher the likelihood the intended contract culture will be implemented faster. The collaboration manager should have developed knowledge and understanding of behaviours and interpersonal relationships. Industry knowledge is often desirable, but is situation-dependent. It must be possible to comprehensively challenge the members of the joint project or assignment management in order to create an openness and familiarity between them. This increases the likelihood that the parties themselves will proactively act on difficult issues or act respectfully towards each other if conflicts do arise.

The need for collaboration managers is defined partly on the basis of the nature of the contract, and partly, on how developed the relationship is among the project members, see Figure 1. A contract can be difficult and complex, but the project members of the parties involved may have established relationships and thus have the ability to handle challenging situations themselves. This reduces the need for collaboration managers. On the other hand, relatively straightforward contracts may consist of project members where there are various obstacles in the relationships, such as poor experience of working on previous contracts. The need for a collaboration manager then increases.

1. Measurement and follow-up

This section relates to the measurement and follow-up in the individual contract as well as to the guideline as a whole. The basis for the measurement is the individual contract, which can be followed up individually or for a group of contracts.

Follow-up and measurement of the results are done of the perceived level of cooperation, partly at contract level and partly at agreed aggregate levels in different areas. The measurement in each contract is carried out jointly by both parties in accordance with what is agreed upon in the establishment phase. The perceived level of collaboration is directly linked to the work environment during implementation.

At contract level, measurement is carried out through questions to a representative sample of the contract’s stakeholders, stating the experience of collaboration regarding the tools agreed during the start-up phase.

The measurements should be carried out at least every six months, in order to achieve continuity.

Each measurement is accompanied by the parties’ project management, in writing and jointly presenting conclusions and proposals for development measures (if relevant). This is reported openly in appropriate forums to management and all employees, as well as to the contract’s respective representatives.

1. Results and documentation

By following the guideline, opportunities are created for a positive climate of collaboration in the project or assignment, which provides the conditions for Trafikverket as a client to be better able to achieve the goals, for example regarding climate and sustainability, but also to better develop and utilise the power of innovation within the supplier markets. By focusing on good collaboration, results are also expected to improve in relation to the resources invested.

Specifically, the guideline is expected to have a positive impact on the level of collaboration and thus the work environment and in the contracts, and indirectly have a positive impact on the metric *Supplier Satisfaction Index* (SSI).

The work is documented and signed by the partners in a collaboration plan that is implemented and followed up by the contract’s assignment or project management.

1. Related documents

TDOK 2016:0199 Trafikverket’s business strategy for contracts and technical consultants.

TDOK 2018:0007 Choice of business form for contracting and technical consulting.

TDOK 2017:0022 Procurement according to LOU in Trafikverket.

TDOK 2017:0354 Procurement according to LOU in Trafikverket.

# Version log

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| Version 1.0 | 1 January 2024 | The first version. Replaces TDOK 2015:0021 Guideline Collaboration basic level, TDOK 2015:0054 Supervision Collaboration basic level, TDOK 2016:0233 Guideline Contract model Collaboration High level and TDOK 2016:0234 Supervision Contract model Collaboration High. | Göran Domås, Niklas Aldin. |

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