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**Collaboration in contracting and technical consultancy services**

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1. Background

This document describes how the Swedish Transport Administration and the supplier market for contracting and technical consultancy services should and must work with various cooperation tools before and in the contracts procured by the Swedish Transport Administration. The target group is made up of all staff working from the planning to the completion of the project or assignment. Signed contracts always take precedence over this guideline.

The guideline assumes compliance with the five general principles of public procurement: non-discrimination, equal treatment, proportionality, transparency and mutual recognition (for more information, see TDOK 2017:0022 Procurement at the Swedish Transport Administration under the Swedish Public Procurement Act and 2017:0354 Procurement at the Swedish Transport Administration under the Act on Public Procurement in the Utilities Sectors).

Dialogue-based, active and proactive choices must be made regarding business criteria, skills and leadership, and cooperation tools in order to achieve the Swedish Transport Administration’s goals, which are broken down into projects or assignments. Active choices need to be made in each unique situation that reward the achievement of goals through good dialogue and cooperation.

* Business criteria in the planning, procurement and implementation phases need to support good cooperation for both client and supplier. The starting point for this is described in the Swedish Transport Administration’s business strategy for contracting and technical consultants (TDOK 2016:0199).
* The starting point for competence and leadership is described in the Swedish Transport Administration’s leadership philosophy, hence the importance of dialogue and cooperation as drivers of results.
* Cooperation tools, as described in this document, need to drive towards being able to deal with different types of market situations and different types of events that may arise in the projects or assignments. Cooperation is one of the key actions for development towards the goals.

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There is a good chance of achieving the contract’s goals if business criteria, skills and leadership, and cooperation tools are in place. This guideline means that the phases before and during procurement are used to create optimal conditions for cooperation, and that the parties to the contract in question make a joint decision in an establishment phase on which cooperation tools to apply.

1. Purpose

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The aim of applying the different tools for cooperation is to achieve better results (such as cost effectiveness, quality, working environment) and enhance the perceived level of cooperation both in individual contracts and overall. This in turn should make it possible to:

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

Using cooperation tools increases the likelihood of a good outcome, ensuring that the client gets what has been ordered why also ensuring that the supplier gets a good deal. This, in turn, paves the way for improvement of the working environment for both clients and suppliers, which in turn can influence the attractiveness of the construction industry.

By developing cooperation, we want the innovative power of the supplier markets to be capable of better development and utilisation, but also to provide better fulfilment of the government’s goals in respect of aspects such as climate, productivity and sustainability. Overall, this will also help to achieve the goals of the procurement policy – to use procurement as a strategic tool.

1. Scope

The scope of this guideline is regulated by the Swedish Transport Administration’s business strategy for contracting and technical consultants, TDOK 2016:0199, hereafter referred to as the business strategy. This guideline is therefore applicable to the planning, procurement and execution of contracts that involve technical consultancy services in planning and design, as well as contract works relating to construction, installation, operation and maintenance. The processes concerned are mainly Planning measures on roads and railways, Implementing measures on roads and railways and Planning and implementing procurement.

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1. Definitions

|  |  |
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| Term | Definition |
| **Cooperation** | Work carried out jointly by two or more organisations for a common purpose. (Source: Swedish Academy Dictionary), |

1. Application of cooperation tools

As shown in Figure 1, the application of cooperation tools is driven by the assessed level of complexity and uncertainty in the contract, the need for innovation, and the maturity of the relationship between the client and the supplier(s). The starting point is that all cooperation tools are used, but they can be adjusted in different ways, as shown in the figure.

Low

Maturity of relationship

A few tools are partially applied

Most tools are partially applied

All of these tools are partially or fully applied

Most tools are partially applied

Low

*Figure 1 Application of cooperation tools*

The business strategy, TDOK 2016:0199, and the Choice of business form, TDOK 2018:0007, describe how complexity, uncertainty and innovation needs are assessed.

The cooperation guideline is applied in two main steps in different parts of the flow.

High

High

Complexity, uncertainty, need for innovation



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**Step 1 – Before and during procurement.** When the contract form is selected, active choices of cooperation tools must be made and documented in the project specification. Market dialogues can be conducted prior to procurement, for example, and project reviews during procurement.

In this step, it is necessary to be aware that the application in later steps is influenced by the maturity of the relationship with the assigned supplier.

**Step 2 – Establishment and implementation**. The maturity of the relationship is assessed when the contract is awarded, after which joint choices of cooperation tools for establishment and implementation are made together with the supplier on the basis of the criteria in the tender documents. The time necessary for establishment must be scheduled.

If the level of relationship maturity is deemed to be low, this means that several cooperation tools may need to be applied. If the level of relationship maturity is deemed to be high, this means that fewer cooperation tools may need to be used. For instance, what an inexperienced manager may find difficult may be perceived as normal by a more experienced manager.

*Figure 2 Tools for cooperation*

During establishment, the parties to the contract agree on how the tools during the implementation phase are to be applied on the basis of

For elements already defined in tender documents

Active selection of cooperation activities – Purchasing schedule (mandatory) – Market dialogue

- Supplier dialogue

- Questions and answers (mandatory)

- Project reviews

 Tools for cooperation

Choice of Prepare

business form procurement

Before procurement

Procurement

Establishment and implementation

Implement procurement

Implement design, design description or production

Contract works

6 Different cooperation tools at different phases

Figure 2 shows the different tools for cooperation and when they are used. They must be applied throughout the entire flow, from the planning and preparation of the contract (before and during procurement) to establishment and implementation. The contracts in question mainly relate to scheduling, system documentation, construction document design, tender documents and construction.

Plan contract



Establishment – starting an assignment or contract

Resource mobilisation

- Resources specified in the tender

Work in accordance with agreed choices

- Continuous use of the cooperation tools

- Follow-up of the cooperation plan

Joint selection of cooperation activities

- Choosing cooperation tools and describe how the parties are to work together

- Agree and document in a cooperation plan

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Examples of cooperation tools from establishment onwards

Joint Joint Joint

goals and methods for follow-up meeting arrangements

cooperation (mandatory)

Joint Joint Joint

management forums risk management conflict management

 (mandatory)



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the maturity of the relationship. The parties then have to jointly develop a cooperation plan on the basis of this. During implementation, the parties work according to the cooperation tools as agreed during establishment, e.g. joint goals for cooperation, joint follow-up, etc.

Note that the various cooperation tools in the implementation phase may already be defined in the tender documents and procurement procedure, as a prerequisite. These must then be confirmed or adjusted by the parties during establishment. If cooperation tools are adjusted or clarified, this is treated as notification of the contract.

* 1. Cooperation before and during procurement

Cooperation tools must be actively chosen before and during procurement, with a view to paving the way for good cooperation as part of the project or assignment. These choices must be made when choosing a business form and documented in the project specification. A number of cooperation tools before and during procurement are described below. The procurement schedule and questions/answers are mandatory for these.

For in-depth information on market and supplier dialogue, see also support for “Paving the way for increased innovation and productivity” in the support process “Planning and implementing purchases”.

The foundation for good cooperation in implementation is already laid here, so conduct the dialogue prior to procurement and answer the questions during procurement with respect, predictability and gratitude.

**Before procurement**

1. The Swedish Transport Administration publishes the procurement procedure in the purchase schedule.
2. Working on the basis of market analysis, the Swedish Transport Administration conducts market dialogue as early as possible, i.e. invites potential suppliers in order to inform them and obtain opinions on the content, complexity, contract form and remuneration model of the forthcoming contract. This information also relates to future work. Suppliers are invited to submit opinions during the meeting and for a certain period afterwards. The Swedish Transport Administration may return with additional rounds of dialogue, depending on the content of the feedback provided by suppliers.

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1. The Swedish Transport Administration invites each supplier to an in-depth supplier dialogue. These dialogues discuss content, complexity, alternative contract forms and remuneration models, project governance and financial and technical challenges. Ensure that staffing from suppliers includes some kind of management personnel.

**During procurement**

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1. Written questions and answers are used. The answers benefit all suppliers.
2. The Swedish Transport Administration offers each potential tenderer one or more project reviews with a view to clarifying questions and criteria that have not been discussed in the written question-and-answer process.

Cooperation issues must be placed on the agenda. Questions are recorded in the minutes and answers are sent out according to the regular question-and-answer procedure.

* 1. Cooperation in connection with establishment

Cooperation in connection with establishment, which is part of the contractual work, refers to the time between the signing of the contract and the start of the implementation of design, design description or production. This phase consists of both time for resource mobilisation and time for joint selection of cooperation tools as agreed and set out in a cooperation plan.

Criteria affecting costs, such as localisation, should already be defined in the tender documents.

* + 1. Time for resource mobilisation after award

After signing the contract, time for resource mobilisation aims to allow all parties to release and allocate all the resources specified in the tender that are required to make joint selections of cooperation tools in each contract. Time for resource mobilisation refers to the time from the signing of the contract until resource mobilisation is completed.

Time for resource mobilisation begins with a start-up meeting with the supplier and, besides planning and clarifying the criteria for resource mobilisation, must schedule reconciliation of when resource mobilisation is expected to be completed.

The time required is described in the tender documents. The final time is determined jointly between the parties at the start-up meeting.

* + 1. Time for joint selection of cooperation tools

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Time for joint selection of cooperation tools aims to ensure that both parties agree early on the criteria needed that will allow them to work together effectively. This work commences with a reconciliation and ends with a cooperation plan being agreed between the parties.

The criteria and selection of cooperation tools are worked through in all contracts or assignments and comprise the following elements:

1. Clarify any remaining unclear points in the contract that were not addressed in project reviews. The aim is for the parties to have a joint understanding of what is described in contracts and other documents at an early stage.

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1. Define the cooperation tools, i.e. decide whether the various cooperation tools for the implementation of the contract are to be used and how the parties are to work with them on the basis of the sustainable working environment that is intended to characterise the project or assignment. An in-depth analysis should be carried out for the cooperation tools selected so that all parties are aware of their content; how the parties are to work to achieve the goals, for example. See 6.2.3 for a description of the cooperation tools. Joint goals and working methods for cooperation and joint conflict management are mandatory.
2. The parties define joint goals and working methods for cooperation in the contract, and these are documented in the cooperation plan. See 6.2.3.1 regarding joint goals and working methods for cooperation. Mandatory cooperation tool.
3. An escalation ladder (joint conflict management) to at least representative level, with specified time limits for all levels (including the representative), must be jointly developed and documented in the cooperation plan. See joint conflict management (6.2.3.6). Mandatory cooperation tool.
4. Identify and define any other matters for which resolution is critical prior to design, design description or the start of production.
5. Agree on how often the parties are to follow up on what has been agreed in the establishment phase in respect of cooperation tools, and then implement any adjustments.
6. Describe the above in a cooperation plan for the contract that is signed by the parties’ representatives.

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The above is expected to take no more than one or a few days for small and medium-sized contracts, while large or enormous contracts may take longer.

Every project must have a responsible person who is designated to lead the cooperation issues. The designated person may be part of the regular organisation or a designated cooperation manager. The cooperation manager must be viewed as support for the project/assignment management, and will not take over any responsibility. The cooperation managercarries on with implementation for as long as necessary. See section 6.4 Cooperation manager.

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The representatives of each party decide on the cooperation plan and are responsible for its implementation. Signing the cooperation plan approves the completion of the establishment phase.

* + 1. Examples of cooperation tools

Examples of different cooperation tools that the parties can regularly apply as the contract progresses are described below. The cooperation tools are defined and activities are initiated during the establishment phase in order to agree on further work, and then followed up at agreed intervals.

Joint goals and working methods are mandatory, as is joint conflict management.

* + - 1. Joint goals and working methods for cooperation

Joint goals and working methods for cooperation aim to ensure that all parties have a shared understanding of what the contract involves and how we are to work in order to complete it.

1. The parties break down project or assignment goals, in terms of time, cost and content, including criteria, that steer towards the Swedish Transport Administration’s strategic goals. The aim is for everyone involved to understand the goals and how we will work together towards the joint goals.
2. The parties define joint working methods for cooperation in the contract that contribute to the goals described in the cooperation plan. The joint approaches must lead to a sustainable working environment on the basis of joint goals.
3. Goals and working methods can ideally be worked out in detail together with a cooperation manager.
	* + 1. Joint follow-up

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

1. The parties document outcomes against joint goals at an agreed frequency, or when there is a specific need to do so (such as when a contract enters a new phase or when key personnel are replaced).
2. The parties describe corrective measures if the outcome deviates from the goals for cooperation.

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1. Both the results and corrective measures are reported and made visible in physical and digital environments that are either shared or the parties’ own.

See 7 Measurement and follow-up for more information on measurement and follow-up.

* + - 1. Joint meeting arrangements

Joint meeting arrangements as part of the contract aim to ensure that the parties get to know one another and to quickly resolve joint issues by means of jointly agreed rules for meeting and dialogue.

The starting point is that the regular meeting structure, such as construction meetings or design meetings, provides a foundation for for communicating as part of the project/assignment. The parties may also agree on further opportunities to meet that reward integrated communication.

1. Physical co-location where possible, and agreed, between a small number of 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 of partners in different geographical locations. The technology must allow individuals to sit either in groups or separately.
3. The management and key specialist roles of both parties are located on the same premises, on the same floor and in mixed locations for much of the working week. Both planned and spontaneous meetings and dialogues take place.
	* + 1. Joint management forums

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Joint management forums can be formed at different organisational levels and in different ways and be based on contract complexity. They aim to establish a joint understanding of what is required in the contract in order to achieve the agreed goals. They also aim to evaluate what has been agreed during the establishment phase, i.e. how the tools for cooperation are applied and what adjustments need to be made, if any. Examples of forums may include joint management groups with agendas, but also smaller formats where senior individuals meet for open discussions in order to strengthen trust between the parties.

* + - 1. Joint risk management

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Joint risk management aims to ensure transparency between the parties in respect of 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 is coordinated between the parties. The parties disclose their internal risks to one another, such as requirements and incentives. The aim is to create an understanding of how internal drivers can create different behavioural patterns among the parties, thereby promoting trust.

* + - 1. Joint conflict management

Joint conflict management aims to resolve conflicts early on so that they have as little spillover effect as possible in the contract.

The following principles apply:

1. Every conflict or difference of opinion must be resolved within a specific timeframe as soon as it arises, and by the group or individual concerned.
2. An escalation ladder to at least representative level, with specified time limits for all levels (including the representative), will be jointly developed and documented in the cooperation plan.
3. The content of conflicts and differences of opinion can usefully be set out in writing by the respective parties in order to achieve greater clarity.
	1. Cooperation during implementation

Cooperation during the implementation phase is conducted in accordance with the choices agreed in the cooperation plan. Utilisation of the cooperation tools takes place continuously, as does follow-up of the cooperation plan (as agreed).

The parties need to agree on the cooperation tools in the establishment phase in order to start implementation. Therefore, note that some activities need to be initiated as early as the establishment phase in the cooperation tools in order to agree on further work. Joint goals and working methods are mandatory cooperation tools, as is joint conflict management.

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* 1. Cooperation manager

The purpose of the cooperation manager role, within the regular organisation or as a designated cooperation manager, is to support and facilitate the contracting organisation’s ability to work on the various areas for cooperation. Every project must have a designated person to lead the cooperation issues who works on behalf ofthe joint project and assignment management team for the contract and reports their findings to it. Work commences in the establishment phase and can continue during implementation.

The earlier the cooperation manager gets involved in a contract, the greater the chances of the desired contract culture being applied more quickly. The cooperation manager must have developed knowledge and insights into behaviours and interpersonal relations. Industry knowledge is often desirable, but is dependent on the situation. The joint project or assignment management team must be capable of being challenged in depth with a view to creating transparency and trust between them. This increases the chances of the parties themselves proactively addressing difficult issues or behaving respectfully towards one another if conflicts do arise.

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The need for a cooperation manager is defined partly by the nature of the contract and partly by the maturity of the relationships between the project members involved: see Figure 1. A contract may be difficult and complex, but the project members for the parties involved may have established relationships and hence have the ability to deal with challenging situations themselves. This reduces the need for a cooperation manager. On the other hand, relatively straightforward contracts may involve project members where there are various obstacles in the relationships, such as low levels of experience of previous contracts. This then increases the need for a cooperation manager.

1. Measurement and follow-up

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

Results are followed up and measured in respect of the perceived level of cooperation, both at contract level and at agreed aggregated levels in different areas. Measurement in each contract is carried out jointly by both parties in accordance with what is agreed in the establishment phase. The perceived level of cooperation has a direct link to the working environment in implementation.

At contract level, measurement takes place by means of questions to a representative sample of participants involved in the contract, where perceived cooperation is indicated regarding the tools agreed during the establishment phase.

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Measurements should be carried out at least every six months in order to ensure continuity.

Every measurement is accompanied by a written and joint report by the parties’ project/assignment management team on the conclusions and proposals for development measures (where applicable). This is reported transparently in appropriate forums to management and all staff, and also to the relevant contract representatives.

Results and documentation

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Following the guideline creates opportunities for a positive climate of cooperation in the project or assignment, which paves the way for the Swedish Transport Administration as a client to better achieve its goals in terms of climate and sustainability, for example, but also to better develop and utilise the innovative power of supplier markets. By focusing on good cooperation, results are expected to improve in relation to the resources invested.

Specifically, the guideline is expected to have a positive influence on the level of cooperation and hence the working environment, and to have a positive influence in the contracts and, indirectly, on the *Supplier Satisfaction Index (SSI*) survey.

The work is documented and signed off by the partier in a cooperation plan that is implemented and followed up by the contract’s assignment or project management team.

1. Related documents

TDOK 2016:0199 The Swedish Transport Administration’s business strategy for contracting and technical consultants.

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

TDOK 2017:0022 Procurement at the Swedish Transport Administration under the Swedish Public Procurement Act

TDOK 2017:0354 Procurement at the Swedish Transport Administration under the Act on Public Procurement in the Utilities Sectors

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