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Reference:
XXXXXXXXXXXXXXXXXXXX

Date: 12 August 2005

Dear XXXXXXXXXXXX

Request for Information - Release of Information under the Freedom of Information Act 2000

Your correspondence dated 6 April 2005 (and subsequent clarification on 12 April 2005) has been considered to be a request for information in accordance with the Freedom of Information Act 2000. Please find enclosed a copy of the following documents that fall within the scope of your request.

- Review of D154 Project Sponsor Organisation Oct 1994
- D154 Project Pre-Contract Award Evaluation Oct 1994
- D154 Pre-Contract Award Evaluation Apr 1996
- Audit of D154 Pre-Contract Award Evaluation Oct 1996

Withheld Information

You will notice that some information contained within the documents has been withheld using a black marker pen and redacting tape. The documents include details of named individuals and fall under the scope of absolute exemption s40 (Personal Information) of the FOI act. The remaining information falls under the scope of qualified exemption s43 (Commercial Interests) and therefore required a public interest test to be conducted to determine whether the information should be released. On completion of the test it was decided that to release the information would prejudice the MoD by revealing a confidential negotiation position and thus potentially hinder future ability to achieve value for money. Therefore the public interest in maintaining the information outweighs the public interest in releasing the information.

Further information

The D154 Invitation to Tender was first issued to DML in July 1994. It was as a result of concerns that the Department had about DML's ability to manage a

project of this complexity that the company was subsequently subjected to the 3 Pre-Contract Award Evaluations, detailed examinations of the company's proposed management structures to undertake the project. These evaluations were fully examined by the National Audit Office (NAO) and in their 1998 reports, the NAO and PAC recognised that DML had implemented a number of changes in order to satisfy the Department that they were adequately resourced and structured. All the conditions were met before the contract was signed in March 1997.

In addition, the evaluations formed the basis of comments within paragraph 17 of the Executive Summary of their 2002 report "The construction of nuclear submarine facilities at Devonport". The report can be found at:

http://www.nao.org.uk/publications/nao_reports/chronindex.asp?type=vfm

Within this report, the NAO acknowledged that Project D154 was exceptionally complex, involving a series of major upgrades to docks, together with the development of nuclear fuel handling facilities, that had to meet exacting modern standards in line with the 1992 Safety Assessment Principles. The report accepted that the Project had been a learning experience for all "highlighting the difficulties faced in attempting to specify at the outset of the contract with any measure of certainty the scope of work that is subject to subsequent nuclear regulation".

The NAO report also states that the Project was probably the largest nuclear construction project in Europe in recent times with construction taking place in a working Dockyard and Naval Base. The NAO recognised that the key facilities were ready in time to allow HMS Vanguard's successful dock down in February 2002 and described this as a "major achievement" that allowed Devonport Management Limited (DML) to make the facilities available to support the submarine refitting programme.

Finally, you will wish to be aware that DML has the full confidence of the MoD for nuclear submarine refitting and as the Nuclear Site Licensee.

If you are unhappy with this decision or wish to complain about any aspect of the handling of this request then you should contact the undersigned in the first instance. Should you still be dissatisfied then you may apply for an internal review by contacting the Director of Information Exploitation, 6th Floor, MOD Main Building, Whitehall, SW1A 2HB.

If you remain unhappy following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate the case until the internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's web site, <http://www.informationcommissioner.gov.uk>

Yours Sincerely

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