

BIM & Contracts - Where to start?



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This year saw the publication of a number of new international standards for BIM. With more planned for next year and the essentially hands-off approach of the standard forms, it can be a little confusing drafting and understanding contracts which require the use of BIM. This article aims to shed some light on where to start.

Key Documents : ISO 19650

The essential key documents are the standards themselves and the guidance documents which explain them. These are as follows:

Title	Purpose
BS EN ISO 19650-1 Concepts and principles	sets out the recommended concepts and principles for business processes across the built environment sector in support of the management and production of information during the life cycle when using BIM.
BS EN ISO 19650-2 Delivery phase of the assets	to enable an appointing party to establish their requirements for information during the delivery phase of assets and to provide the right commercial and collaborative environment within which (multiple) appointed parties can produce information in an effective and efficient manner.
Guidance Part 1: Concepts	Guidance to help understand BS EN ISO 19650-1.
Guidance Part 2: Processes for Project Delivery	Guidance to help understand BS EN ISO 19650-2.
CIC (BIM) Protocol Second Edition	Protocol for use in construction contracts to support BIM Working Level 2.

The guidance documents are available free from BSI at this [link](#)¹, while the standards themselves can be purchased in the BSI Shop. The CIC protocol is available from CIC [here](#)².

¹ <https://bim-level2.org/en/guidance/>

² <http://cic.org.uk/news/article.php?s=2018-04-10-second-edition-bim-protocol-published>



Anyone working on BIM contracts would be advised to begin with the two guidance documents. A particular section to note is *Annex C: Legal and Contractual guidance note* in the Guidance Part 1 documents, which provides some guidance on legal and contractual issues and some other pointers for ensuring effective implementation. Reading BS EN ISO 19650-1 is also advised as this details the approach taken and provides the relevant definitions.

The CIC protocol is intended to be a “drop-in” document for use by contracting parties to quickly incorporate BIM into contracts including the various standard forms. This places contractual obligations on the parties, sets out the rights of use of the information produced, identifies the information to be produced and who is to produce it and the required compliance with security standards and processes. However, it reflects the terminology used in PAS 1192-2 (the previous standard) and not the newer ISO 19650, so this will need to be amended for use with ISO 19650. An information protocol is currently being drafted for use with ISO 19650 but is not available as of the date of this article.

Other Documents

There are other documents which are part of the BIM standards. These are currently at the lower level of PAS, which means they are still being developed and comments from industry are invited. Further, some of the older BS 1192 and BS 8536 documents which relate to construction are still relevant as they have not yet been replaced under the new BIM 19650 suite. These include:

- a) PAS 1192-3 - Operational Phase of Assets (to be replaced by ISO 19650-3 in 2020);

- b) PAS 1192-5 - Security-minded approach to information management (to be replaced by ISO 19650-5 in 2020);
- c) PAS 1192-6 - A specification for collaborative sharing and use of structured health and safety information using BIM; and
- d) BS 1192-4: 2014 – Best practice for information exchange.

The security-minded approach to BIM (PAS 1192-5) is an important document and security should be considered by clients at early stage, as it is much harder to tack on security procedures during a project than to create a system with these in mind at the start. PAS 1192-5 advocates for information to be limited to a need to know basis and for sufficient checks to be carried out on those performing work for the sensitivity of the information they will have access to.

Finally, there is a move toward standardising data templates, to facilitate information sharing between parties and software. To that end, ISO 23386, containing a methodology to describe, author and maintain properties in interconnected dictionaries, has been published in draft and should soon be available for use in contracts requiring cross software compatibility.

Summary

BIM is a surprisingly diverse topic, however hopefully the above information provides a good starting off point for those embarking on contracts requiring BIM integration. For those requiring more information, we at Quigg Golden can provide training or help and support in reviewing or drafting contracts with BIM requirements.

If you have any questions, you can get in touch with John at: John.Doherty@QuiggGolden.com

