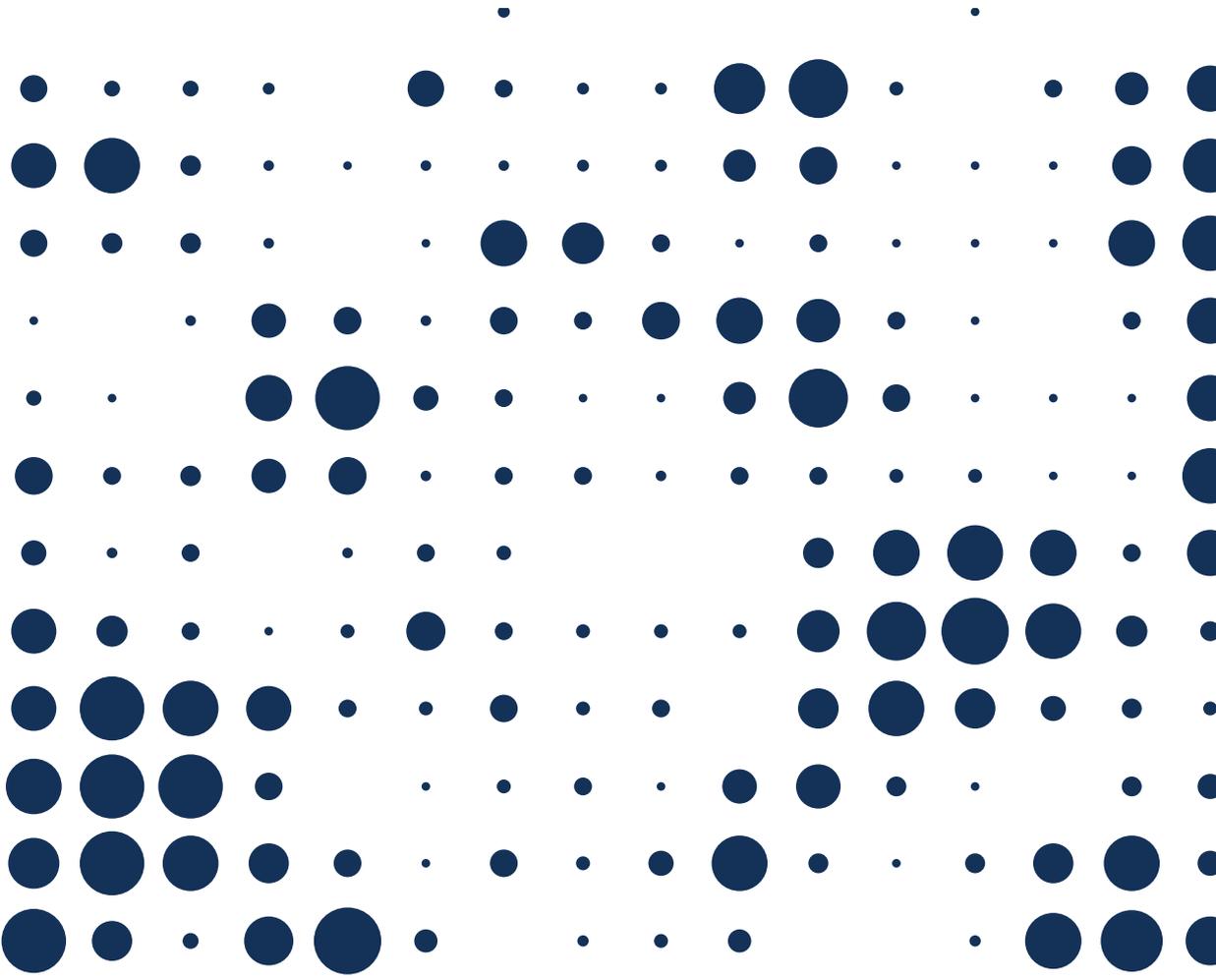


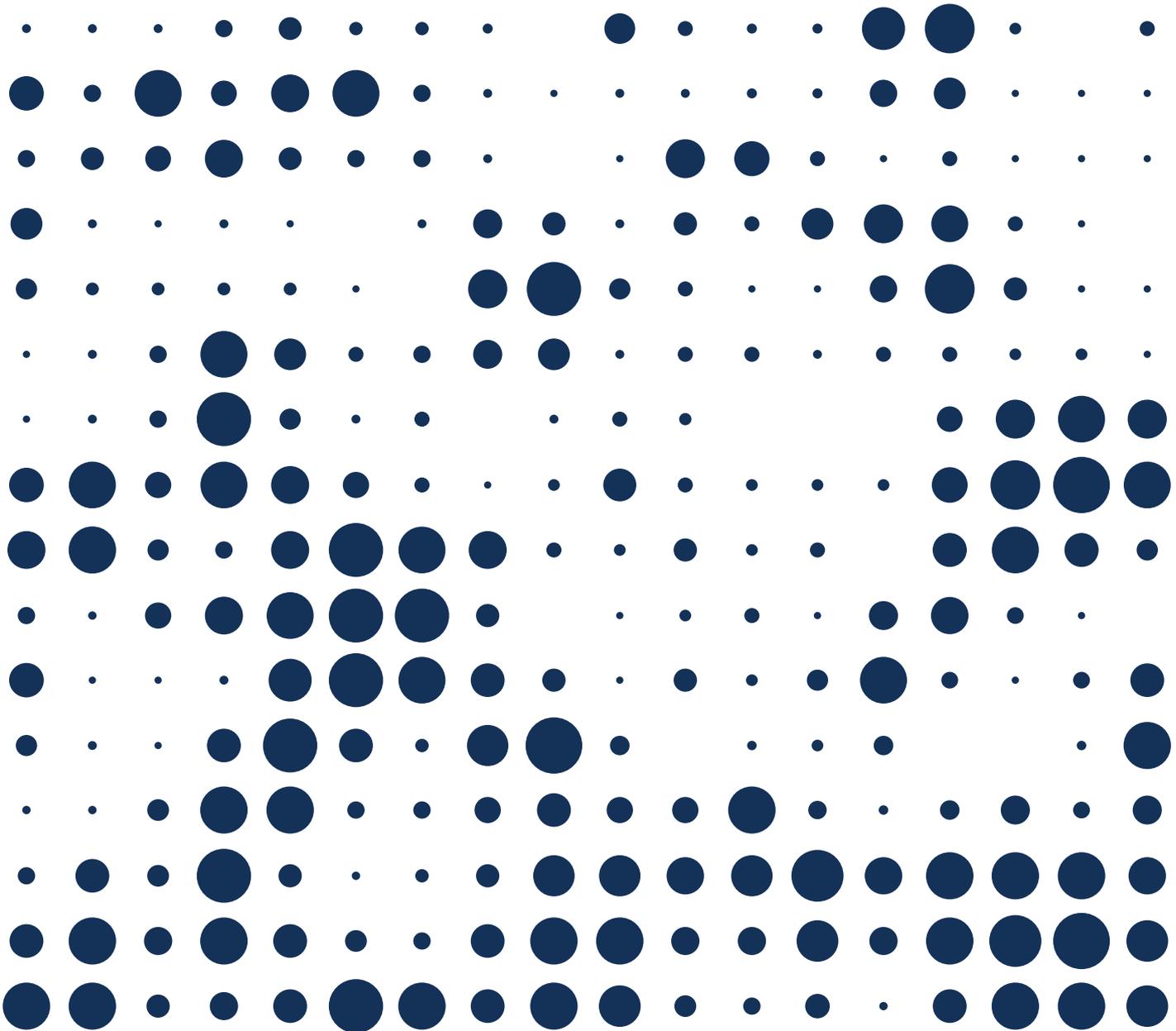
Information protocol to support BS EN ISO 19650-2 the delivery phase of assets

Guidance



Edition 1
Published by

UK BIM
FRAMEWORK



Editions

Edition 1	February 2021	First release
-----------	---------------	---------------

This guidance should be read in conjunction with the [UK BIM Framework Information Protocol Template](#) and [19650 Guidance Part 1 Concepts, Section 3 and Annex C](#).

Nothing in this guidance constitutes legal advice or gives rise to a solicitor/client relationship.

Specialist legal advice should be taken in relation to specific circumstances.

The contents of this guidance are for general information purposes only.

British Standards can be obtained in PDF or hard copy formats from the BSI online shop: <http://www.bsigroup.com/Shop> or by contacting BSI Customer Services for hard copies only: Tel: +44 (0)20 8996 9001, Email: cservices@bsigroup.com

Any data or analysis from this guidance must be reported accurately and not used in a misleading context. If using any information from this report, then its source and date of publication must be acknowledged.

Table of contents

Message from the UK BIM Alliance Chair	3
Acknowledgments	4
About BS EN ISO 19650	5
About this guidance document	6
Abbreviations and acronyms	7
1.0 Introduction	8
2.0 Production of an information protocol: principles	9
3.0 Inclusion of an information protocol in appointments	10
4.0 Information Protocol Template » incorporated Information Protocol	11
5.0 Incorporation into appointments	13
6.0 Key considerations	14
6.1 Terminology	14
6.2 Completion of the Information Protocol Template	16
7.0 Important points to note	17

List of figures

Figure 1: ISO 19650 guidance framework	6
Figure 2: Simple party/appointment relationship; delivery phase example	10
Figure 3: Activities needed to generate an incorporated information protocol	11
Figure 4: Activities needed to generate an incorporated information protocol at a project and appointment level	12
Figure 5: Appointment between an Appointing Party and a Lead Appointed Party	14
Figure 6: Appointment between an Lead Appointed Party and an Appointed Party	15

List of tables

Table 1: Abbreviations and acronyms	7
Table 2: ISO 19650 requirements for the information protocol:	9

Message from the UK BIM Alliance Chair

Author: Dr Anne Kemp OBE
Chair - UK BIM Alliance



The UK BIM Framework provides the fundamental step towards digital transformation of the UK's built environment industry. The Framework is based on the ISO 19650 series which first developed out of the UK's BIM Level 2 but also embraces global digital perspectives. It provides the standards for managing information for the whole life of assets of the built environment, and the potential to anticipate the requirement for integration across portfolios. Furthermore, the Framework provides extensive Guidance, which continues to be developed to enable and facilitate practical and effective implementation.

However, a significant gap has been provision of an Information Protocol to support contracts that use ISO 19650 - in the past filled by the CIC BIM Protocol. The gap for contracts using ISO 19650-2 is now addressed by the Information Protocol Template which is available to download from the [UK BIM Framework](#).

The journey to reach publication has not been without its challenges, and consultation over the Protocol has taken time. Its release (we are now on the 3rd Edition) was an important milestone from the UK BIM Framework. I would like to thank the authors for their time and dedication in preparing the Protocol, and to the CIC for this support in co-branding the outcome.

This guidance supports the implementation of the Information Protocol Template and as with the rest of the Guidance, we welcome your continued feedback and shared experiences. You can provide this via guidancefeedback@ukbimframework.org.

Acknowledgments

This guidance represents the collaborative efforts of the following people and organizations

Editors

David Churcher	Hitherwood Consulting Ltd
Sarah Davidson	The University of Nottingham
Anne Kemp	Atkins

Authors

Andrew Croft	Beale & Company Solicitors LLP
Sarah Davidson	The University of Nottingham
Simon Lewis	Womble Bond Dickinson
May Winfield	Buro Happold

Contributor

Sarah Fox	500 Words Ltd
-----------	---------------

Production

Centre for Digital Built Britain

About BS EN ISO 19650

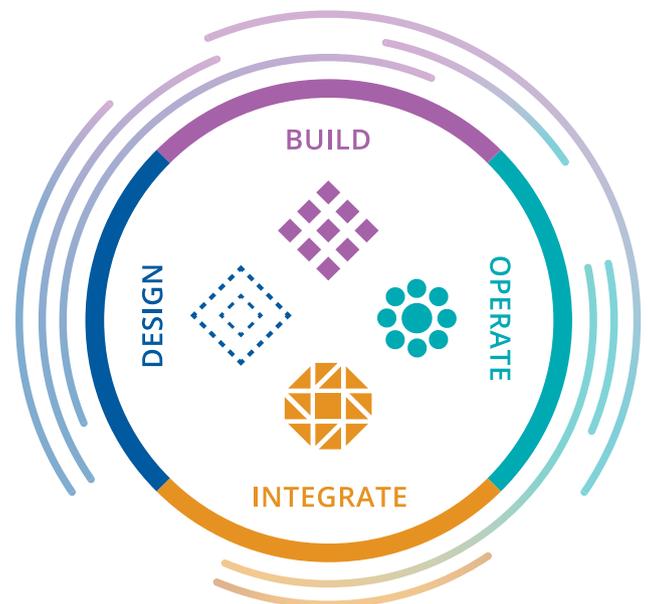
The BS EN ISO 19650 series of standards (herein after referred to as the ISO 19650 series) is an international standard of good practice. It defines information management principles and requirements within a broader context of digital transformation in the disciplines and sectors of the built environment (including construction and asset management industries). Its implementation in the UK is supported by UK National Forewords in ISO 19650 Parts 1 and 2, and a UK National Annex in ISO 19650 Part 2.

The ISO 19650 series replaces some of the existing British Standards and Publicly Available Specifications relating to information management using building information modelling (BIM). It is part of a landscape, or ecosystem, of national and international standards supporting information management processes and technical solutions. It considers all information whether it is a construction programme, a record of a meeting, a geometrical model or a contract administration certificate.

Building information modelling (BIM) plays a key part in the management of information because it provides a methodology that helps us to structure information so that technology can process it.

Structuring information using industry standards helps to improve interoperability. This means that information can be joined-up by both people and technology, which then enables us to extract more valuable knowledge from it. Using the same information structures throughout industry generates consistency, repetition and predictability. This brings real efficiency gains for businesses and provides the data architecture for the connected future.

Standards within the ISO 19650 series are available at www.bsigroup.com. Visit www.ukbimframework.org to see how the ISO 19650 standards plus other standards within the UK BIM Framework map to the design, build, operate and integrate process



About this guidance document

The guidance framework supports the UK implementation of the ISO 19650 series. The content of this guidance document is contained in ISO 19650 Guidance E, which sits in the overall guidance framework as shown in figure 1:

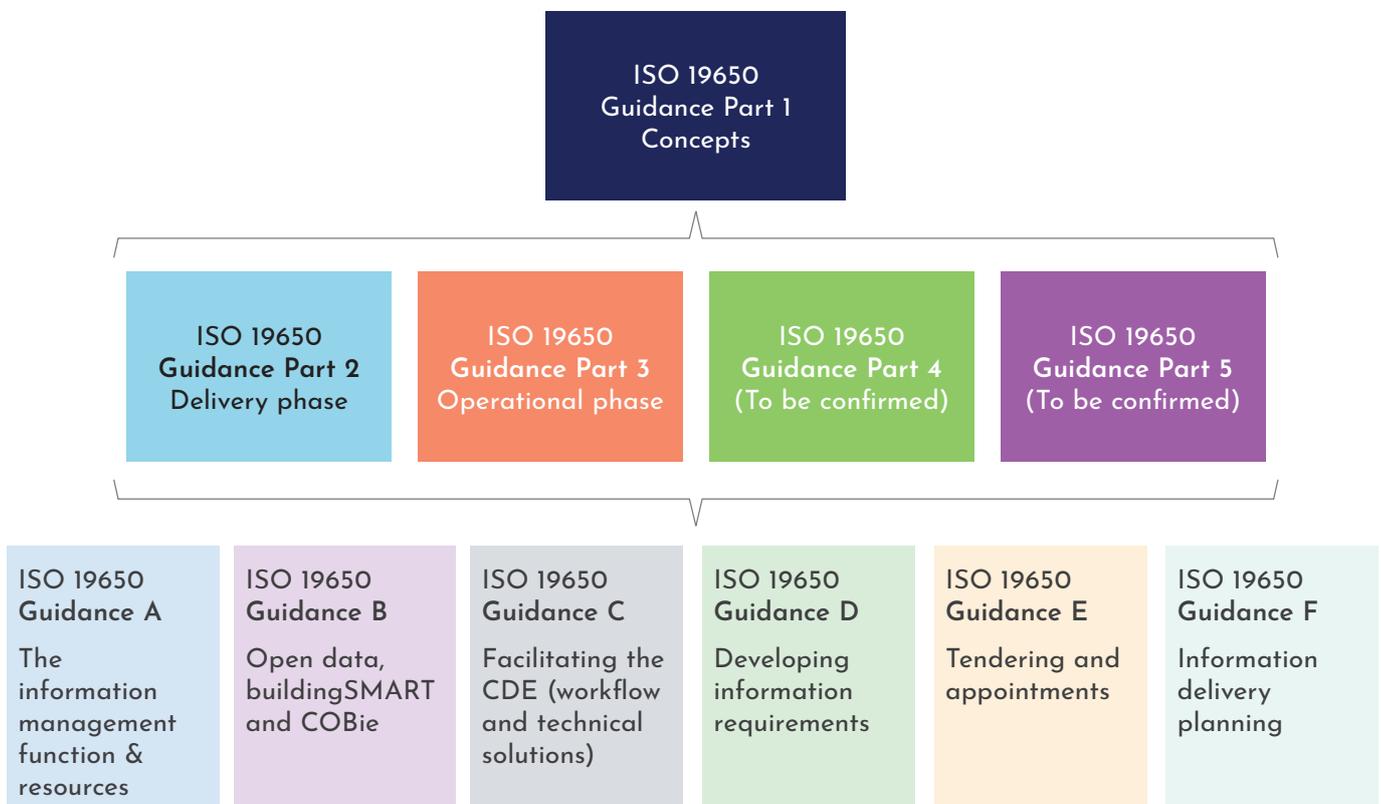


Figure 1: ISO 19650 guidance framework

Abbreviations and acronyms

This guidance includes a number of abbreviations and acronyms as set out in table 1.

Table 1: Abbreviations and acronyms

Abbreviation or acronym	Term
BEP	BIM execution plan
BIM	Building information modelling
MIDP	Master information delivery plan
TIDP	Task information delivery plan

1.0 Introduction

An information protocol is one of the resources that supports the implementation of information management using building information modelling (BIM). Both ISO 19650-2 and ISO 19650-3 require that the appointing party¹ produces an information protocol and that it forms part of tender and appointment documents. The UK BIM Framework Information Protocol Template is for use in compliance with ISO 19650-2 only, i.e. at delivery phase; an Information Protocol template for use in compliance with ISO 19650-3, (i.e. the maintenance and operational phase) is under review. ISO 19650-2 refers to the information protocol as the *project's information protocol* and ISO 19650-3 refers to it as the *asset information protocol*.

Although ISO 19650-2 and ISO 19650-3 address different parts of the asset life-cycle and use a different prefix for the information protocol, the purpose of it is the same; that is to set out the rights and obligations of the two parties entering into an appointment that requires the management or production of information.

ISO 19650-5 does not refer to an information protocol, however it does require that there is provision in all appointment documentation for the requirements set out in ISO 19650-5 clause 9.2. These obligations therefore do need to be considered.

The UK BIM Framework Information Protocol Template provides an example of what could be included in an information protocol to be used when conforming to ISO 19650-2 and/or ISO 19650-5 (as applicable) for projects and their appointments to which English law applies. It is not prescriptive but it provides a useful starting point for an Information Protocol. An Information Protocol Template to support conformance with ISO 19650-3 is under review and it is important to note that the Information Protocol Template as currently drafted does not conform with ISO 19650-3. This guidance however does refer to ISO 19650-3 where applicable to provide an overview of the approach taken by the Information Protocol Template.

Neither the UK BIM Framework Information Protocol Template nor this guidance amount to legal advice and you should ensure you always take appropriate professional advice to assist all parties to work in a way which reflects ISO 19650-2 and ISO 19650-5 (as applicable).

¹ The client in respect of ISO 19650-2 and asset owner, asset operator or facility manager for ISO 19650-3

2.0 Production of an information protocol: principles

An information protocol should be established by the appointing party at a project level (ISO 19650-2) or an asset/portfolio management level (for ISO 19650-3). It should be included in invitation to tender information² and then in appointment documentation for every third party (where the third party is a separate legal entity) that will manage or produce information as part of their activities within that appointment.

The relevant ISO 19650 clauses requiring these actions are set out in Table 2:

Table 2: ISO 19650 requirements for the information protocol:

Activity	19650-2 clause	19650-3 clause	Responsibility
Establish the information protocol	5.1.8	5.1.13	Appointing party
Include the information protocol in the invitation to tender or request for a service	5.2.4	5.2.5	Appointing party
Include the information protocol in lead appointed party's appointment documents	5.4.6	5.4.6	Appointing party
Include the information protocol in appointed party's appointment documents	5.4.7	5.4.7	Lead appointed party

² Or Request to provide a service information

3.0 Inclusion of an information protocol in appointments

As noted in the Introduction, ISO19650-2 and ISO 19650-3 envisage that an information protocol is included in completed appointment documents for each lead appointed party and their appointed parties. See Figure 1 for a delivery phase example.

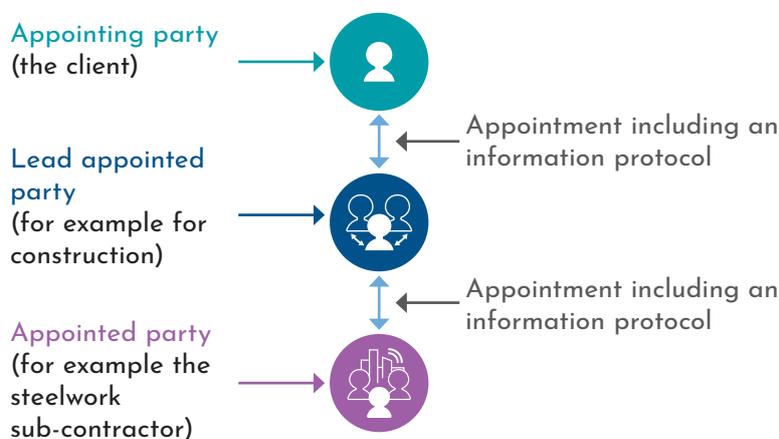


Figure 2: Simple party/appointment relationship; delivery phase example

For different and more complex appointment arrangements please refer to [ISO 19650 guidance Parts 2 and 3](#).

The ISO 19650 series only refers to the tender package for the lead appointed party (in Figure 1, the tender package for the lead appointed party for construction). However, an information protocol will need to be included in any tender package (in Figure 1, the steelwork package) so that every party invited to submit a tender is aware of their obligations should they be appointed. Similarly, the ISO 19650 series does not specifically consider the tender or appointment of sub-parties, but they too will need to enter into an information protocol where they are managing or producing information as part of their scope of works.

4.0 Information Protocol Template » incorporated Information Protocol

The Information Protocol Template published by the UK BIM Framework supports delivery phase contracts and appointments that use ISO 19650-2 and ISO 19650-5. However, for the Information Protocol Template to become an appointment specific Information Protocol a number of activities are required. These activities are set out in Figure 3.

Before embarking on these activities it is critical to establish if the appointment is in respect of delivery phase activities (ISO 19650-2) in which case the Information Protocol Template can be used. If the appointment is in respect of operational phase activities (ISO 19650-3) then the Template should not be used; a Template compliant with ISO 19650-3 is currently under review.

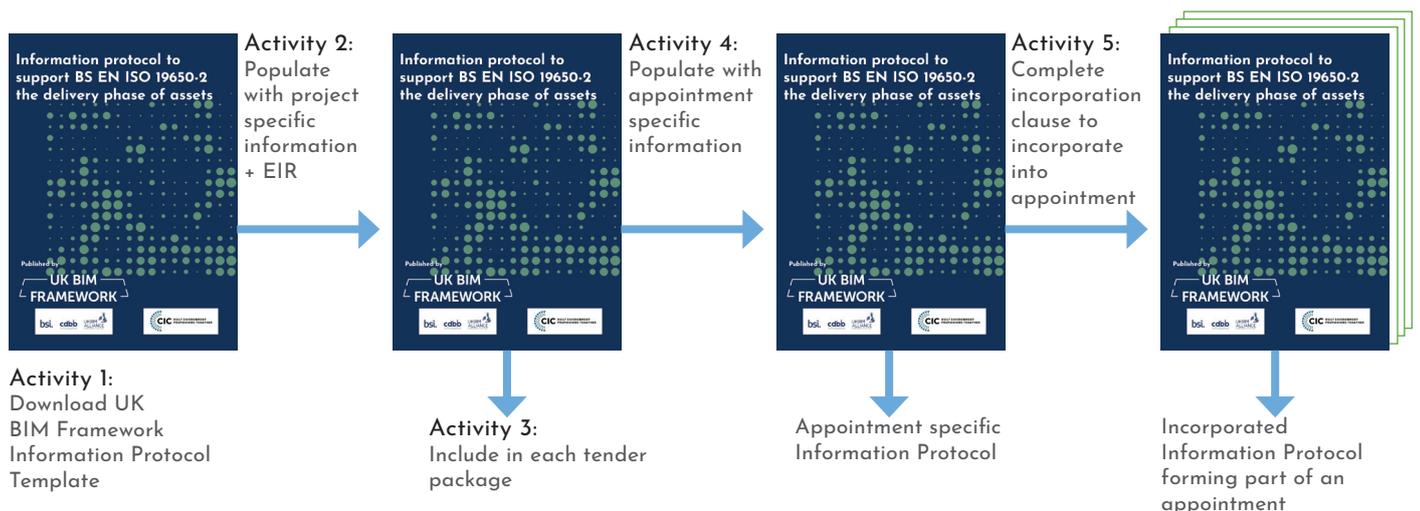


Figure 3: Activities needed to generate an incorporated information protocol

Once the Information Protocol Template has been accessed (**Activity 1**), its contents should be considered at a project level. Its Particulars should be populated with details originating with the appointor to identify project specific requirements such as the identity of the associated information standard, the information production methods and procedures and the exchange information requirements (EIR) (**Activity 2**). The Information Protocol can then be issued as part of a tender package (**Activity 3**).

During the process of confirming an appointment the Information Protocol Particulars should be completed to identify details originating with the appointee (such as the identity of the BIM Execution Plan (BEP) or task information delivery plan (TIDP)) - **Activity 4**.

For the Information Protocol to have contractual effect, an "incorporation clause" has to be included in each contract/ appointment into which it is to be incorporated. The completed protocol should also be included as part of the appointment documents (e.g. in a schedule) - **Activity 5**.

Activities 1 and 2 are carried out at a project related level. Activities 3, 4 and 5 are then carried out for every tender and appointment supporting that project as shown in Figure 3.

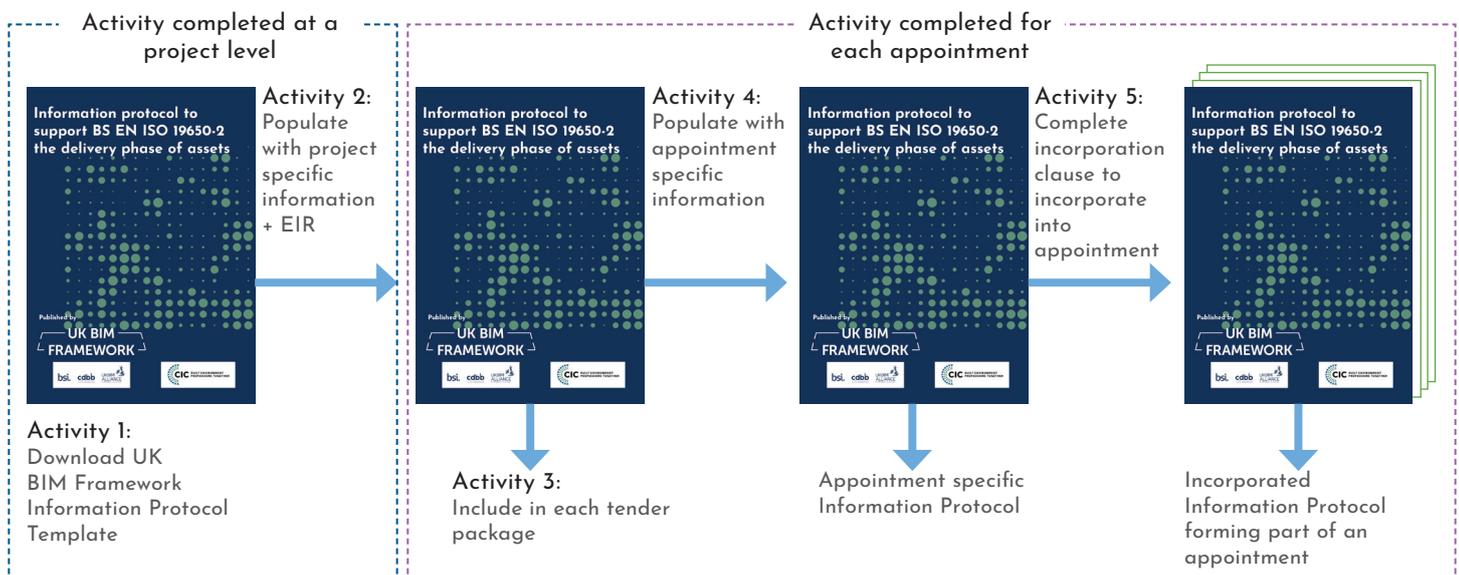


Figure 4: Activities needed to generate an incorporated information protocol at a project and appointment level

5.0 Incorporation into appointments

As noted in Activity 5, for the Information Protocol to have contractual effect, it is essential that an “incorporation clause” is included in each contract/appointment into which it is to be incorporated.

A suggested incorporation clause is as follows:

‘The [Appointor] and the [Appointee] shall:

1. *comply with their respective obligations set out in the Protocol at Appendix [X] (“Protocol”);*
2. *have the benefit of any rights granted to them in the Protocol; and*
3. *have the benefit of any limitations or exclusions of their liability contained in the Protocol.*

The parties agree that, subject to clause 1.6 of the Protocol, this Appointment shall be amended as set out in the Protocol. In the event of conflict between this Appointment and the Protocol, the parties agree that the terms of the [Appointment/ Protocol] shall take precedence.’

It is suggested that the Information Protocol should be stated to take priority over the Appointment, for the Information Protocol to have its intended effect and to create consistency across the various Appointments that will exist for any single project related activity.

A copy of the Information Protocol with the appointment specific Information Particulars completed should then be appended/annexed to the Appointment in the place referred to in the incorporation clause.

If the Information Particulars are not completed some of the obligations, rights and processes in the intended Information Protocol may not be clear or binding.

See the Glossary in the [Information Protocol Template](#) for information which may assist in completing the Information Particulars and for ISO19650 terminology used in the Information Protocol Template.

The impact of the incorporation clause on the rest of the appointment and the relationship between the Information Protocol and the rest of the appointment should be considered for each appointment entered into and legal advice sought. For example, you may need to change the scope of services/works of the delivery team to be consistent with the information management approach.

6.0 Key considerations

6.1 Terminology

The ISO 19650 series uses the terms “appointing party”, “lead appointed party” and “appointed party”. The main distinction is that the lead appointed party is the appointed party appointed by the appointing party (see [Figure 2](#)).

The Information Protocol Template has been prepared to be relevant for the contracts/appointments of all parties in the project team (ISO 19650-2); note that it is not drafted for use with contracts/appointments of the asset/facility management and operation team (ISO 19650-3) the preparation of an Information Protocol template for use with ISO19650-3 is under review. It uses the neutral terms:

- “Appointor” to refer to the party **doing the appointing** for each contract/appointment, and
- “Appointee” to refer to the party **being appointed**.

It also contains some specific obligations for the Appointing Party and the Lead Appointed Party, which are only relevant if the Appointor or Appointee are one of these parties. For example:

An appointment may be between an Appointing Party (party A) a client, and a Lead Appointed (party B) for construction as shown in Figure 5. In this arrangement:

1. All the terms applying to the ‘Appointor’ and the ‘Appointing Party’ will apply to the Appointing Party (party A)
2. All the terms applying to the ‘Appointee’ and the ‘Lead Appointed Party’ will apply to the Lead Appointed Party (party B).

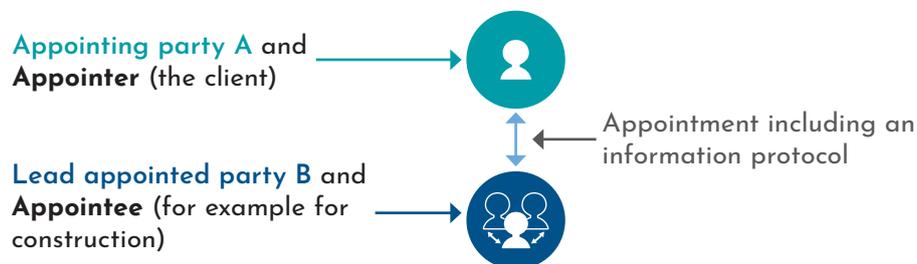


Figure 5: Appointment between an Appointing Party and a Lead Appointed Party

Alternatively, an appointment may be between a Lead Appointed Party (party A) and an Appointed Party (party B). In this arrangement:

1. All the terms applying to the 'Appointor' will apply to Party A
2. All the terms applying to the 'Appointee' will apply to Party B
3. The terms applying to an "Appointing Party" and "Lead Appointed Party" will not apply to either of them (although in this example, party A is a Lead Appointed Party this is not relevant to this particular appointment scenario)

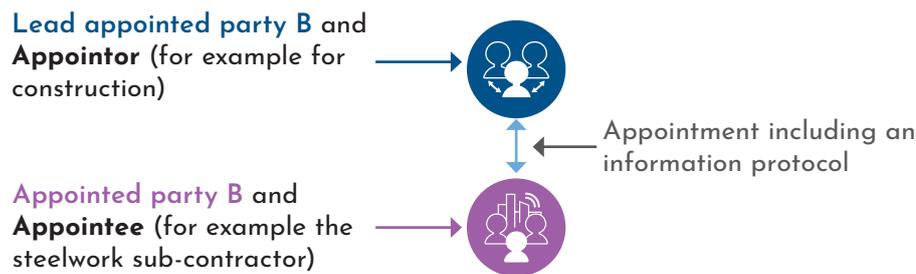


Figure 6: Appointment between a Lead Appointed Party and an Appointed Party

To summarize the terminology:

1. If you are a client/asset owner entering into an appointment then in terms of the protocol you are an **Appointor** and an **Appointing Party**
2. If you are a consultant or contractor entering into an appointment with a client/asset owner then you are an **Appointee** and a **Lead Appointed Party**
3. If you are a consultant or contractor appointing another party then you are an **Appointor** and references in the Information Protocol to **Appointing Party** and **Lead Appointed Party** are not applicable
4. If you are a consultant or contractor being appointed by another consultant or contractor then you are an **Appointee** and references in the Information Protocol to **Appointing Party** and **Lead Appointed Party** are not applicable.

6.2 Completion of the Information Protocol Template

The Information Protocol Template is drafted to be as easy to use as possible, with minimal need to delete irrelevant clauses or to produce, attach or complete additional documents. Relevant documents are instead listed in the Information Particulars.

The Information Protocol Template enables the key information management resources and documents to be identified in the Information Particulars on the front page. This gives certainty on where to refer for the parties' duties and rights, whilst still providing flexibility on the terms of the Appointment and these documents, some of which may continue to be updated, enabling compliance with ISO 19650-2.

As noted in [Activity 5](#) the legal and contractual effect of the Information Protocol therefore depends upon the completion of the Information Particulars on the front page and its correct incorporation into appointments and contracts.

The Information Particulars lists **all documents** relevant to an appointment to ensure compliance with the requirements/ obligations of ISO 19650-2. Documents listed include, for example, the mobilization plan, the master information delivery plan (MIDP) and the TIDP. However not all of these documents will be relevant to each and every appointment, for example:

- Reference to the TIDP will not be relevant to any appointment between an appointing party (client) and a lead appointed party (such as a contractor)
- Reference to the mobilization plan and MIDP will not be relevant to any appointment between a lead appointed party (such as a contractor) and an appointed party (steelwork contractor)

Those documents that are not relevant to an appointment should be listed as "Not Applicable".

The Information Protocol Template has been prepared on the basis that it could be incorporated into any appointment at any level in the supply chain, whether the appointment is between:

- 1) An Appointing Party and a Lead Appointed Party (i.e. tier one contract);
- 2) A Lead Appointed Party and an Appointed Party (i.e. a sub-contract); and
- 3) An Appointed Party and a "Sub" Appointed Party (i.e. a sub-subcontract).

7.0 Important points to note

1. Without an information protocol there is no clear obligation on either party entering into an appointment to comply with ISO 19650-2 or ISO 19650-3, even if other ISO 19650 resources (such as an EIR) have been produced
2. If the Information Particulars of the Information Protocol are not properly completed, a number of the obligations, rights and processes under the Protocol will be unclear and the application of ISO 19650-2 to the appointment will be uncertain
3. If the Information Protocol is not incorporated in an appointment it will not have contractual effect for either party entering into the appointment
4. The Information Protocol will only be as effective as the documents referred to within it. For example, a comprehensively populated and properly incorporated Information Protocol will not compensate for an insubstantial information standard
5. Some of the documents listed in the Information Protocol are 'live' documents that are likely to be subject to change and update over time (for example, the BEP). This means that:
 - I. Parties should determine how to list the location of the relevant documents within the Information Particulars with their professional advisors, so the parties to the Protocol always refer to the latest version of the document and the impact of changes on rights to additional time and fees is mitigated, and
 - II. The implications of changes to the Parties' rights and obligations under the Appointment, arising because of a change in the content of a live document, including the variation or change control mechanism, must be considered carefully
6. A properly completed Information Protocol should be included in all appointments (between separate legal entities) where there is a requirement to manage or produce information, no matter how deep or complex the delivery team is. A break in this chain will create a risk that the lead appointed party will not be able to fulfil their obligations under the Information Protocol and will therefore be in breach of their contract. This may be of consequence not just to the lead appointed party's delivery team but to the wider project or asset-related activities.
7. If Parties are at maintenance and operational phase (ISO19650-3), a separate Information Protocol conforming to ISO19650-3 will be required to govern the relationships between the parties.

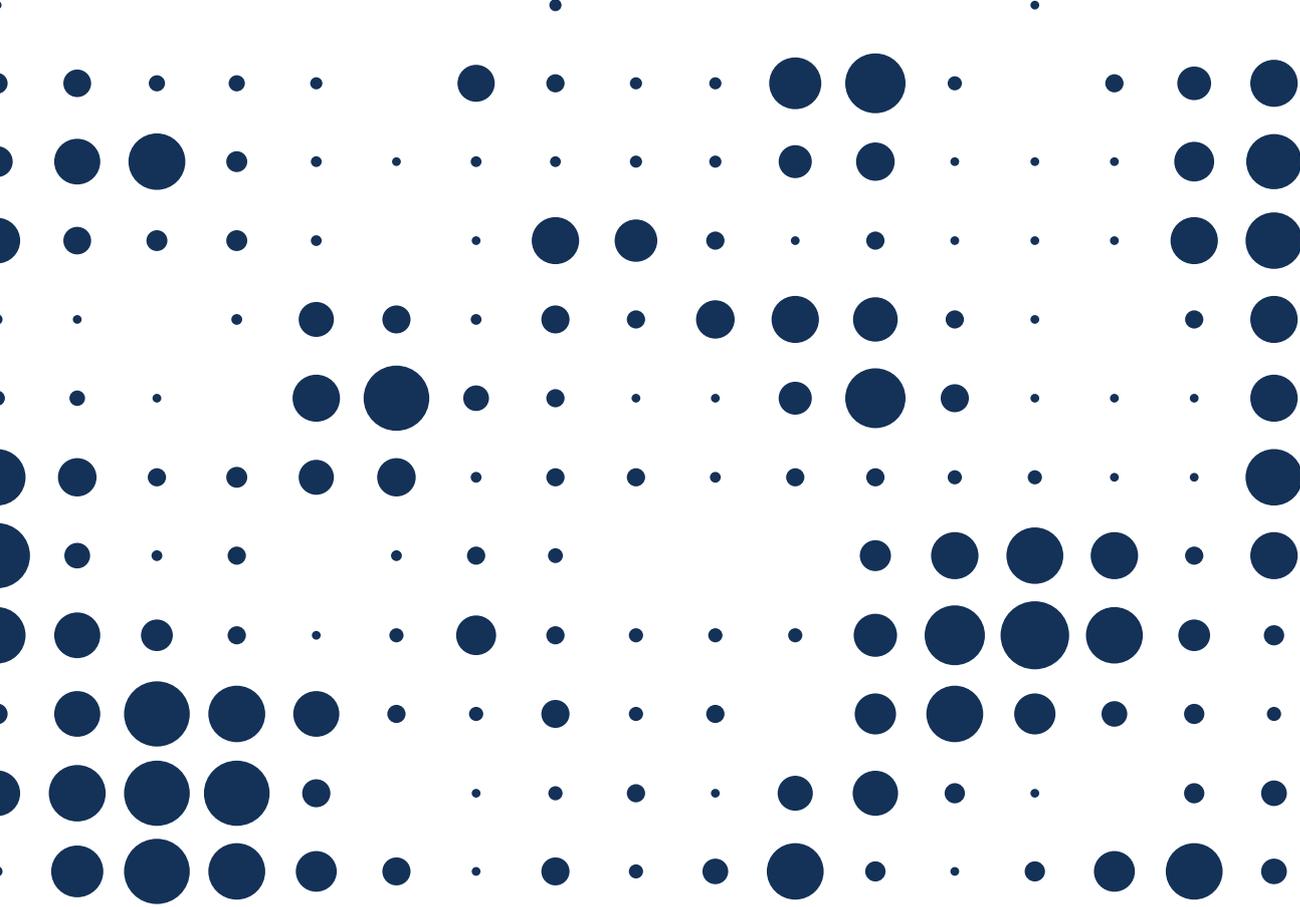
Engage with the UK BIM Framework

✉ info@ukbimframework.org

🐦 @UKBIMFramework

🌐 <https://ukbimframework.org/>

in UKBIMFramework



UK BIM FRAMEWORK

bsi.

cdbb
Centre for Digital Built Britain

UKBIM
ALLIANCE
Enabling Digital Transformation

The Centre for Digital Built Britain is part of the Construction Innovation Hub programme, funded by UK Research and Innovation through the Industrial Strategy Challenge Fund.

