

GUIDANCE NOTES
ALLIANCE CONTRACT

Option X29 Climate Change

Option X29 is intended to reduce the impact of the creation, operation, maintenance and demolition of the *works* on climate change.

IDENTIFIED AND DEFINED TERMS

Three additional defined terms are added when Option X29 is incorporated into the contract.

Climate Change Requirements

Climate Change Requirements are stated in the Scope and are therefore things the Alliance has to provide or comply with in order to Provide the Works in accordance with the Scope. A failure to do so will be a breach of the Alliance obligation stated in clause 20.2. If the failure relates to the *works* this will be a Defect (clause 11.2(13)) that the Alliance will have to correct. The Climate Change Requirements do not need to be in a specific section of the Scope, but it may assist the parties in administering X29 to have a specific section in the Scope or to identify parts of the Scope that are considered to be Climate Change Requirements.

Climate Change Requirements could include things such as levels of recycling, use of renewable power or electric vehicles, reducing waste generation, designing out waste, designs that reduce carbon emission etc. It may also cover requirements to be included in the Climate Change Plan or details over what information relating to climate change that the Parties may use, disclose and publicise. The Climate Change Partners are also identified in the Climate Change Requirements.

COLLABORATION

Clause X29.2 requires the Alliance to collaborate with other Climate Change Partners identified in the Climate Change Requirements. These can be identified as specific companies or by work type or activity they will undertake. The Alliance Board has the power to change the Scope and so can revise the list of Climate Change Partners as necessary.

EARLY WARNINGS

Early warnings are to be notified for events which may impact the achievement of the Climate Change Requirements.

CLIMATE CHANGE PLAN

The Climate Change Plan sets out the Alliance's strategy for achieving the Climate Change Requirements (e.g. setting out stakeholders, roles, timescales, key milestones, tools and tasks to get there). Detailed requirements in respect of the form and content and of the Climate Change Plan can be included in the Climate Change Requirements.

In many cases a Climate Change Plan will be included in the Contract Data at the Contract Date. However, there is also the option for a first climate change plan to be issued, within a fixed period of time after the Contract Date.

The Climate Change Plan may need to be revised as the *works* progress due to, for example, changes in the ordering and timing of the *works*, the Alliance's methodology or changes in Scope. The Alliance Manager or a member of the Alliance may propose a change to the Climate Change Plan at any time and should do so when the current plan is out of date.

DISCLOSURE

A specific clause has been included to allow for information relating to climate change to be used, disclosed and publicised to Others in accordance with the Climate Change Requirements. This reflects that clients, contractors and consultants are increasingly required to report and publicise their climate change credentials. This also potentially allows for good practice to be shared with the wider industry.

ALLIANCE PROPOSALS

Clause X29.6 is included to allow the Alliance Manager or a member of the Alliance to propose changes to the Scope in order to reduce the impact of the creation, operation, maintenance or demolition of the *works* on climate change. If a change in Scope is to be made this will be dealt with under the core clauses.