

# Design, build and operate contract Option X29 Climate Change

Identified and defined terms	<b>X29</b> X29.1	(1) The Climate Change Requirements are the requirements relating to climate change stated in the Scope.
		(2) The Climate Change Plan is the <i>climate change plan</i> or is the latest climate change plan accepted by the <i>Service Manager</i> . The latest climate change plan accepted by the <i>Service Manager</i> supersedes previous Climate Change Plans.
		(3) The Climate Change Partners are the people or organisations who contribute to the achievement of the Climate Change Requirements and are identified in the Climate Change Requirements.
Collaboration	X29.2	The <i>Contractor</i> collaborates with other Climate Change Partners as stated in the Climate Change Requirements.
Early warning	X29.3	The <i>Contractor</i> and the <i>Service Manager</i> give an early warning by notifying the other as soon as either becomes aware of any matter which could adversely affect the achievement of the Climate Change Requirements.
Climate change plan	X29.4	(1) If a climate change plan is not identified in the Contract Data, the <i>Contractor</i> submits a first climate change plan to the <i>Service Manage</i> r for acceptance within the period stated in the Contract Data.
		(2) The Climate Change Plan shows how the <i>Contractor</i> plans to meet the Climate Change Requirements.
		(3) Within two weeks of the <i>Contractor</i> submitting a climate change plan for acceptance, the <i>Service Manager</i> notifies the <i>Contractor</i> of the acceptance of the climate change plan or the reasons for not accepting it. A reason for not accepting a climate change plan is that
		<ul> <li>it does not comply with the Climate Change Requirements or</li> </ul>
		• it will not allow the <i>Contractor</i> to Provide the Service.
		(4) The Contractor submits a revised climate change plan to the Service Manager for acceptance
		• within the period for reply after the Service Manager has instructed it to and
		• when the <i>Contractor</i> chooses to.
Disclosure	X29.5	The Parties may use, disclose and publicise information relating to climate change as stated in and for the purposes stated in the Climate Change Requirements.
Contractor's proposals	X29.6	(1) The <i>Contractor</i> may propose to the <i>Service Manager</i> that the Scope is changed in order to reduce the impact of the creation, operation, maintenance or demolition of the Affected Property on climate change.
		(2) If the <i>Service Manager</i> is prepared to consider the change, the <i>Contractor</i> submits a quotation which comprises
		• a detailed description,
		<ul> <li>an analysis of the reduction in the impact of the creation, operation, maintenance or demolition of the Affected Property on climate change,</li> </ul>
		• an analysis of the resulting risks to the <i>Client</i> ,

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- any changes to the Prices and Performance Table,
- a revised programme showing any changes to the timing of the *service*.

(3) The Service Manager consults with the Contractor about a quotation. The Service Manager replies within the period for reply. The reply is acceptance of the quotation or the reasons for not accepting it. The Service Manager may give any reason for not accepting the quotation.

(4) The Service Manager does not change the Scope as proposed by the Contractor unless the Contractor's quotation is accepted.

(5) When a quotation to reduce the impact of the creation, operation, maintenance or demolition of the Affected Property on climate is accepted the Service Manager changes the Scope, the Prices and the Performance Table accordingly and accepts the revised plan. The change to the Scope is not a compensation event.



## **CONTRACT DATA – PART ONE**

#### X29 Climate change

If Option X29 is used

If no *climate change plan* is identified in part two of the Contract Data

The period after the Contract Date within which the *Contractor* is to submit a first climate change plan for acceptance is

## **CONTRACT DATA – PART TWO**

#### X29 Climate change

If Option X29 is used

If a *climate change plan* is to be identified in the Contract Data The *climate change plan* identified in the Contract Data is