

COMPILATION OF PPP TERMS AND CONDITIONS OF CONTRACT

PUBLIC SECTOR VERSION

CLAUSE 22: QUALITY & ENVIRONMENTAL MANAGEMENT

DBFOM CONTRACT

CONCESSION CONTRACT

DBOM CONTRACT

INTRODUCTION

All PPP Contracts will indicate that the Contractor must produce quality assurance procedures, and there will be an obligation to comply with the relevant ISO standard. ISO is the International Organisation for Standardisation which will provide accreditation for complying with its rules for the standardisation of quality management.

CORE CONTRACT DRAFTING

22 QUALITY & ENVIRONMENTAL MANAGEMENT

22.1 Quality & Environmental Management Systems and Documentation

- (a) The PPP Co shall procure that all aspects of the Project are the subject of Quality & Environmental Management Systems which comply with the provisions of this Clause 22 and [Clause 22 - Schedule] (Quality and Environmental Management) [*below*]. The PPP Co shall procure that the Quality & Environmental Management Systems are complied with by its Staff, at all times during the Contract Period.
- (b) The Quality & Environmental Management Systems referred to in Clause 22.1(a) shall comply with:
 - (i) the relevant part of the BS EN ISO 9000 series;
 - (ii) BS ENO 14001;
 - (iii) the User Requirements (other than the requirement set out in Clause 22.(b)(i)); and
 - (iv) the other provisions of this Agreement,
 - (v) and shall be reflected in appropriate Quality & Environmental Documentation which complies with the requirements set out in [Clause 22 - Schedule] (Quality and Environmental Management).
- (c) Without limitation to the generality of this Clause 22, there shall be Quality & Environmental Documentation for:
 - (i) the PPP Co for all aspects of the Project meeting the requirements set out in Annex

- 1 to Part 1 of [Clause 22 - Schedule] (Quality and Environmental Management) (the “**PPP Co’s Quality & Environmental Documentation**”);
- (ii) the Contractor for undertaking the Construction and meeting the requirements set out in Annex 2 to Part 1 of [Clause 22 - Schedule] (Quality and Environmental Management) (the “**Contractor’s Quality & Environmental Documentation**”);
 - (iii) the Designer for undertaking the Design and meeting the requirements set out in Annex 3 to Part 1 of [Clause 22 - Schedule] (Quality and Environmental Management) (the “**Designer’s Quality & Environmental Documentation**”);
 - (iv) the Checker for undertaking the checking of the Design in accordance with the User Requirements and meeting the requirements set out in Annex 4 to Part 1 of [Clause 22 – Schedule] (Quality and Environmental Management) (the “**Checker’s Quality & Environmental Documentation**”);
 - (v) the Operator for undertaking the Operations and meeting the requirements set out in Annex 5 to Part 1 of [Clause 22 - Schedule] (Quality and Environmental Management) (the “**Operator’s Quality & Environmental Documentation**”); and
 - (vi) any other party contracting with the PPP Co for undertaking the activities covered by that party’s contract with the PPP Co and meeting the requirements set out in Annex 6 to Part 1 of [Clause 22 - Schedule] (Quality and Environmental Management),
 - (vii) for the purpose of, inter alia, ensuring that all the obligations of the PPP Co are carried out in accordance with this Agreement.
- (d) The PPP Co shall not commence or permit the commencement of any aspect of the Project before those parts of the Quality & Environmental Documentation which concern such aspect of the Project have been submitted to the Authority’s Representative under the Review and Certification Procedure and Acknowledged.
- (e) The PPP Co shall comply with the PPP Co’s Quality & Environmental Documentation and shall procure that:
- (i) the Designer complies with the Designer’s Quality & Environmental Documentation;
 - (ii) the Contractor complies with the Contractor’s Quality & Environmental Documentation;
 - (iii) the Checker complies with the Checker’s Quality & Environmental Documentation;
 - (iv) the Operator complies with the Operator’s Quality & Environmental Documentation; and
 - (v) any other party contracting with the PPP Co complies with that party’s Quality & Environmental Documentation.
- (f) Where any aspect of the Project is performed by more than one contractor or sub-contractors, then the provisions of this Clause 22 shall apply in respect of each of such contractors or sub-contractors, and references in this Clause 22 to the Designer, Contractor, Checker and Operator or any other person shall be construed accordingly.
- (g) The PPP Co shall submit to the Authority’s Representative in accordance with the Review and Certification Procedure any proposed changes or additions to or revisions of any of the Quality & Environmental Documentation and no such changes, additions or revisions

shall be given effect until such a submission is Acknowledged.

- (h) Without limitation to the generality of Clause 22.1(g), the PPP Co shall from time to time submit to the Authority's Representative in accordance with the Review and Certification Procedure any changes to any of the Quality & Environmental Documentation required for such Quality & Environmental Documentation to continue to reflect Quality & Environmental Management Systems which comply with the requirements set out in Clause 22.1(b).
- (i) If the PPP Co fails to propose any change required pursuant to Clause 22.1(h), then the Authority may propose such change and it shall be dealt with in accordance with the Review and Certification Procedure as though it had been proposed by the PPP Co.
- (j) Following an Acknowledgement in accordance with the Review and Certification Procedure in relation to a part of the Quality & Environmental Documentation referred to in Clause 22.1(d) or a change, addition or revision proposed pursuant to Clause 22.1(g), Clause 22.1(h) or Clause 22.1(i), then the Quality & Environmental Documentation shall be amended to incorporate such part, change, addition or revision.

22.2 Quality & Environmental Manuals, Plans and Procedures

If any Quality & Environmental Documentation refers to, relies on or incorporates any Quality Manual, plan, procedure or like document then such Quality Manual, plan, procedure or other document or the relevant parts thereof shall (unless the Authority's Representative otherwise agrees) be submitted to the Authority's Representative at the time that the relevant Quality & Environmental Documentation or part of or change, addition or revision to the Quality & Environmental Documentation is submitted in accordance with the Review and Certification Procedure, and the contents of such Quality Manual, plan, procedure or other document shall be taken into account in the consideration of the relevant Quality & Environmental Documentation or part of or change, addition or revision to the Quality & Environmental Documentation in accordance with the Review and Certification Procedure. The Authority's Representative may require the amendment of any such Quality Manual, plan, procedure or other document to the extent necessary to enable the relevant Quality & Environmental Documentation to satisfy the requirements of Clause 22.1(b) (Quality & Environmental Management Systems and Documentation).

22.3 Additional Information

Notwithstanding any other provision of this Clause 22 (Quality & Environmental Management), the PPP Co shall provide to the Authority's Representative such information as the Authority's Representative may reasonably require to demonstrate compliance with this Clause 22 (Quality & Environmental Management) and the provisions of [Clause 22 - Schedule] (Quality and Environmental Management).

22.4 Trials, Sampling and Testing

- (a) Where the PPP Co is required by the User Requirements or any Quality & Environmental Documentation to carry out any calibration, sample, trial or test, such calibration, sample, trial or test shall be carried out by the Testing Contractor in accordance with the following provisions of this Clause 22.4.
- (b) Save as referred to in Clause 22.4(c), all calibrations, samples, trials and tests shall be carried out by laboratories accredited by the National Accreditation Board ("NAB") for such calibrations, samples, trials and tests.
- (c) In respect of any calibration, sample, trial or test to be carried out at a laboratory located on or adjacent to the Site during an initial period not exceeding [•] ([•]) days from the first

calibration, sample, trial or test to be carried out at that laboratory:

- (i) the PPP Co shall take two samples for calibration, sampling, trial or testing, one of which shall be calibrated, sampled, tried and tested at the said laboratory; and
 - (ii) if the said laboratory does not obtain appropriate NAB accreditation within such initial period, then the calibration, sample, trial or test referred to in Clause 22.4(c)(i) shall not constitute a valid calibration, sample, trial or test in accordance with this Agreement and the second set of samples shall be taken to and calibrated, sampled, tried or tested at an adjacent laboratory which has appropriate NAB accreditation.
- (d) For the avoidance of doubt, the PPP Co shall be responsible, without limitation, at its own expense for any remedial work required as a result of any failure to pass any calibration, sample, trial or test required in accordance with this Agreement or as a result of any laboratory not being accredited as required by this Agreement.

22.5 PPP Co Quality Director

The PPP Co shall, at all times, employ a PPP Co Quality Director, who shall, irrespective of his other responsibilities, have defined authority for ensuring the establishment and maintenance of the PPP Co's Quality & Environmental Management System and for procuring compliance with all other Quality & Environmental Management Systems required by this Agreement and for reporting on the performance of the PPP Co's Quality & Environmental Management System and on the performance of all other Quality & Environmental Management Systems relevant to the Project. The identity of the PPP Co Quality Director (and any replacement) and his job specification and responsibilities shall be subject to Approval of the Authority (not to be unreasonably withheld or delayed). Without limitation to the foregoing, the job specification and responsibilities of the PPP Co Quality Director shall include:

- (a) ensuring the effective operation of the PPP Co's Quality & Environmental Management System;
- (b) auditing the PPP Co's Quality & Environmental Management System and all other Quality & Environmental Management Systems required by Clause 22.1(a) (Quality & Environmental Management Systems and Documentation) at regular intervals and reporting the findings of such audits to the Authority's Representative;
- (c) reviewing all Quality & Environmental Management Systems required by Clause 22.1(a) (Quality & Environmental Management Systems and Documentation) at intervals agreed with the Authority's Representative to ensure their continued suitability and effectiveness;
- (d) liaising with the Authority's Representative on all matters relating to quality management; and
- (e) ensuring that relevant quality records are retained for the retention periods required by Clause 24 (Records).

22.6 Quality Monitoring

Without limitation to Clause 11 (Monitoring of Performance), the Authority's Representative may carry out audits of all Quality & Environmental Documentation including all the Quality & Environmental Management Systems required by Clause 22.1(a) (Quality & Environmental Management Systems and Documentation) at any time and may carry out other periodic monitoring, spot checks and auditing of such Quality & Environmental Management Systems.

[CLAUSE 22 – SCHEDULE]

QUALITY AND ENVIRONMENTAL MANAGEMENT

PART 1

Principles for Quality and Environmental Documentation

- 1 The PPP co shall submit to the authority's representative quality and environmental documentation in accordance with the provisions of Clause 22 (Quality & Environmental Management). The requirements and principles that apply to the quality and environmental documentation are set out in annexes 1 to 7 inclusive to this part 1.
- 2 All quality and environmental documentation shall indicate points where no further work or activity shall proceed without the documented authorisation of the designated person identified in the related work instruction, method statement, inspection and test plan, design review plan, design verification plan, operation and maintenance manual or other control document ("hold points").
- 3 All quality and environmental documentation shall allow for the authority's representative to be given the opportunity to indicate "witness points" which mean points at which the PPP Co shall give due notice to the authority's representative and allow time and provide facilities for the authority's representative to witness the process at that point
- 4 All quality and environmental documentation shall include for the provision of evidence that the PPP co has discharged its obligations in accordance with the agreement and for everything which payment under the agreement is claimed by the PPP co
- 5 All quality and environmental documentation shall include for all procedures and method statements and the like required by the agreement. Notwithstanding the other provisions of the agreement the PPP co shall carry out risk assessments and record the results and subsequent action arising therefrom.
- 6 The authority's representative shall develop procedures during the contract period for the auditing and the monitoring of the PPP co quality management system. These shall take the form of written reports and non-conformance reports which shall be brought to the notice of the PPP co during the works and the operations. The PPP co shall take due cognisance of such reports, action them and integrate them in to its working procedures and method statements and the like.
- 7 Notwithstanding any other provisions of the agreement, where in the opinion of the authority's representative the PPP co shall fail to satisfactorily execute all or any of its obligations in accordance with the agreement the authority's representative shall be entitled to notify the PPP co and all such notifications shall be treated as if they were non-conformances or the like identified by the PPP co in accordance with the provisions of the quality documentation.
- 8 For the purpose of Clause 22.6 (Quality Monitoring) the PPP Co shall provide to the Authority's Representative access and any facilities (including making available PPP Co Staff and records) at any reasonable time to carry out audits of the Quality and Environmental Documentation.
- 9 The PPP Co shall make a condition in each and every sub-contract for goods and services forming part of the Works whereby such contractors and suppliers shall comply with the provision of Clause 22 for the purpose of ensuring and demonstrating that such goods and services forming part of the Works and or operations comply with the Agreement. A condition shall also be made within each sub-contract to provide for the Authority's Representative's

access and facilities consistent with such access and facilities specified in this Part 1.

- 10 All materials and workmanship shall be of the respective kinds described in the User Requirements. Such materials and workmanship shall be subjected to calibration, sampling, trials and tests required or reasonable implied by the provisions of the Agreement and set out in the method statements and procedures and the like forming part of the Quality and Environmental Documentation.

QUALITY AND ENVIRONMENTAL MANAGEMENT

ANNEX 1 TO PART 1

Quality and Environmental Documentation for the PPP Co

- 1 The Quality and Environmental Documentation for the PPP Co shall include:-
 - 1.1 a Quality and Environmental Management System incorporating a Quality Manual which satisfies the requirements of Clause 22 (Quality & Environmental Management) and Annexes 2 to 7 of this Part 1;
 - 1.2 written quality procedures which shall ensure the effective management of the PPP Co's activities for all aspects of the Works and the Operations; and
 - 1.3 other documentation, which shall include a Quality Plan which complies with ISO 10005, describing how the obligations of the PPP Co in respect of the Project shall be achieved and which includes:
 - 1.3.1 details of the PPP Co and its contractors' main contractual arrangements;
 - 1.3.2 the development of a quality and environmental policy.
 - 1.3.3 a list of certificates, reports and other deliverables relating to the PPP Co's Quality Documentation to be provided to the Authority's Representative and target dates for delivery of the same;
 - 1.3.4 details of the responsibilities of the PPP Co and its contractors and Sub-contractors in relation to this Agreement;
 - 1.3.5 details of the organisational structure of the PPP Co to cover the activities to be performed in respect of this Agreement and lines of communication with other parties;
 - 1.3.6 details of the PPP Co Quality Director including name, work specification and responsibilities;
 - 1.3.7 details of the supporting Staff of the PPP Co Quality Director;
 - 1.3.8 the arrangements, including timing and scope, for auditing and management review of the PPP Co's Quality Management System including its contractors and Sub-contractors activities;
 - 1.3.9 works descriptions for key Staff describing responsibilities and the specific experience required for those positions, with a copy of the curriculum vitae for each individual separately submitted to the Authority's Representative on such individual's appointment;
 - 1.3.10 the name and title of the PPP Co's Representative referred to in Clause 12.2 (The PPP Co's Representative);
 - 1.3.11 the names and titles of the key PPP Co Staff and contact details for the PPP Co's contractors and Sub-contractors and any third party with which the PPP Co will have dealings in the course of its activities in relation to the Project;
 - 1.3.12 the liaison, document control and reporting arrangements with the Authority's Representative, Relevant Authorities, Relevant Persons and other Interested Parties;
 - 1.3.13 the PPP Co's quality control arrangements including Hold Points, Witness Points, sampling, trials, testing arrangements and lists of any relevant inspection

- and test plans of the PPP Co, its contractors and Sub-contractors;
- 1.3.14 details of performance indicators and the measures for monitoring and reporting on those indicators;
- 1.3.15 the arrangements for reporting the occurrence of any matter listed in Schedule [●] (O&M Requirements) of the Agreement and any other breach of the Agreement to the Authority's Representative;
- 1.3.16 the arrangements for the PPP Co recording and dealing with reports from its contractors and Sub-contractors concerning matters listed in [Clause 49 – Schedule] (Events of Default) of the Agreement and any other matter which constitutes or may constitute a breach by the PPP of its obligations under the Agreement;
- 1.3.17 details of other arrangements for direct reporting to the PPP Co by parties not directly contracted to the PPP Co;
- 1.3.18 a list of the quality and environmental records required and retention periods in accordance with Schedule [●] (Reports and Records) [Part 1 [Clause 23 – Schedule] and Part 2 at [Clause 24 – Schedule]] of the Agreement;
- 1.3.19 a list of the PPP Co's contractors and Sub-contractors and reference to the location of a list of the principal subcontracts of the PPP Co's contractors and reference to related Quality and Environmental Documentation;
- 1.3.20 the arrangements for the procurement of services, materials and products and control of contractors and Sub-contractors including the requirements for the preparation and submission of Quality and Environmental Documentation and records;
- 1.3.21 the health and safety arrangements, including obligations in the Safety, Health and Welfare at Work (Construction) Regulations, 2001 (As amended) for the appointment of Project Supervisor for the Design and Construct Period;
- 1.3.22 an explanation as to how changes to the Quality and Environmental Documentation shall be managed by the PPP Co;
- 1.3.23 the arrangements for controlling the interface between those responsible for other aspects of the Design, and Construction and the Operations;
- 1.3.24 arrangements for liaising with the public, press, media and similar parties to meet the press media policy of the Authority, in accordance with [Clause 14 - Schedule] (Liaison Procedures) of the Agreement; and
- 1.3.25 details of any other measures necessary to meet the PPP Co's quality and environmental requirements and objectives of the Agreement and additionally those imposed by the PPP Co on its contractors and Sub-contractors.

QUALITY AND ENVIRONMENTAL MANAGEMENT

ANNEX 2 TO PART 1

Quality and Environmental Documentation for the Contractor

- 1 The quality and environmental management system shall include the quality documentation for the contractor which shall include a quality manual and a quality plan which follow ISO 10005, shall cover the requirements of Clause 22 (Quality & Environmental Management), and shall describe how the obligations of the contractor under the construction contract and any other activities of the contractor in respect of the project shall be achieved. Such quality and environmental documentation shall include:
 - 1.1 written quality and environmental procedures and method statements or the like which shall be followed, including, where any procedure or method is not pertinent at the time when the Quality Plan is submitted to the Authority's and a short synopsis of each such procedure and method statement or the like;
 - 1.2 details of the scope of the Contractor's work and obligations and the quality Certificates, reports and other deliverables to be provided in accordance with the other provisions of

the Agreement;

- 1.3 where applicable, a description of any joint Quality Management System to be operated in accordance with Clause 22 (Quality & Environmental Management), including details of any third party certification applicable to such system;
- 1.4 a list of the written procedures, inspection and test plans, as referred to in paragraph 1.11 of this Annex 2 to Part 1, and method statements which shall be followed to ensure the effective management of the activities to be undertaken by the Contractor in respect of the Project. This shall indicate a programme for submission of any written procedure or method statement which allows for its submission to the Authority's Representative in accordance with the Certification Procedure prior to the commencement of the relevant activity;
- 1.5 details of the Contractor's main contractual arrangements including a list of its subcontractors and of related Quality and Environmental Documentation;
- 1.6 details of the Contractor's organisational structure and lines of communication;
- 1.7 works descriptions of key staff describing responsibilities and the specific experience required for those positions. A copy of the curriculum vitae for each individual shall be separately submitted to the Authority's Representative on that individual's appointment;
- 1.8 details of the person with defined authority for establishing, maintaining and reporting on the Quality and Environmental Documentation for the Agreement forming part of the Quality and Environmental Management System;
- 1.9 details of the Site quality management staff and responsibilities;
- 1.10 the arrangements, including timing and scope, for auditing and management review of the Quality Documentation for the Contractor including Contractor's staff and employees and its Sub-contractors' activities;
- 1.11 the Contractor's quality control arrangements including Hold Points, and Witness Points, sampling, trials, testing arrangements and lists of any relevant inspection and test plans or like items and identifying the proforma and/or databases that shall be used for recording the inspection and test results and the certification of compliance of all items of the Works by authorised key personnel;
- 1.12 the arrangements for the quality control of the work of subcontractors and suppliers both on and off site including a list of inspection and test plans or like items and for records of compliance;
- 1.13 the liaison, document control and reporting arrangements with the PPP Co, Authority's Representative, Relevant Authorities, Relevant Persons and other Interested Parties, including arrangements to allow the Authority's Representative to designate specific or random Witness Points;
- 1.14 detailed method statements for each major activity whether directly undertaken or subcontracted;
- 1.15 a list of the work instructions or other like detailed documentation describing the activities to be carried out in respect of the Project;
- 1.16 a list of, and the retention arrangements for, quality and environmental records;
- 1.17 details of the Quality and Environmental Documentation submitted by the Contractor's

subcontractors and suppliers which provide for:

- 1.17.1 the quality and environmental objectives and requirements that shall be achieved including quality and environmental records;
- 1.17.2 the specific allocation of responsibilities and authority during different phases of the Project;
- 1.17.3 the specific procedures, methods and work instructions that shall be applied;
- 1.17.4 suitable testing, inspection, examination and audit programmes at all relevant stages of the Works;
- 1.17.5 method for changes and modifications in the Quality and Environmental Documentation; and
- 1.17.6 other measures necessary to meet the quality requirements and objectives;
- 1.18 Health and Safety arrangements, including obligations under the Safety Health and Welfare at Work (Construction) Regulations, 2001 (As amended);
- 1.19 arrangements for the procurement of services, materials and products and control of subcontractors;
- 1.20 a programme for the Works;
- 1.21 handling, storage, package, preservation and delivery arrangements for materials, documents, drawings and data that shall be used for the Project;
- 1.22 arrangements for reporting, review and disposition of nonconforming work or products;
- 1.23 arrangements for recording and reporting to the PPP Co the occurrence of any of the matters listed in Schedule [●] (O&M Requirements) of the Agreement and any other matter which constitutes or may constitute a breach by the PPP Co under this Agreement;
- 1.24 arrangements for corrective and preventive action reporting;
- 1.25 details of servicing and/or statistical technique requirements;
- 1.26 arrangements for contract review;
- 1.27 details of the method for controlling changes and modifications to the Contractor's Quality and Environmental Documentation;
- 1.28 the arrangements for the interface with those responsible for the archaeological aspects of the [Project Facility] Works; and
- 1.29 details of any other measures necessary to meet the Contractor's quality and environmental requirements and objectives of the Agreement and additionally those imposed by the PPP Co

QUALITY AND ENVIRONMENTAL MANAGEMENT

ANNEX 3 TO PART 1

Quality and Environmental Documentation for the Designer

- 1 The quality and environmental documentation for the designer shall include a quality plan which follows ISO 10005 and shall describe how the obligations of the designer under the design

contract and any other activities of the designer in respect of the project, including supervision of the works or other services, shall be performed. Such quality documentation shall include:

- 1.1 details of the scope of services and the quality Certificates, Reports and other deliverables to be provided and target dates for delivery of the same;
- 1.2 a Quality Manual describing how the Quality Documentation for the Designer forming part of the Quality and Environmental Management System shall meet the requirements of Clause 22 (Quality & Environmental Management) on Site and in the Design office;
- 1.3 a list of the written procedures to be followed in the Design office and on Site to ensure the effective management of the activities to be performed by the Designer, including details of any amendments required to its corporate procedures to allow it to comply with the requirements of the Agreement;
- 1.4 any written Project specific procedures which shall be followed;
- 1.5 details of the Designer's main contractual arrangements, including sub-consultants and a list of the related Quality Documentation;
- 1.6 details of the Designer's organisational structures, staffing and lines of communication both for the Design office and on Site;
- 1.7 work descriptions for key Staff including responsibilities and the specific experience required for those positions. A copy of the curriculum vitae for each individual shall be separately submitted on that individual's appointment;
- 1.8 the arrangements for the Designer's quality control of its work including Hold Points and Witness Points both for the Design office and on Site, including Design review or verification plans or a list of inspection and test plans as relevant;
- 1.9 the arrangements, including timing and scope, for auditing and management review of the Quality and Environment Documentation for the Designer including Designer's Staff and its subconsultants' activities;
- 1.10 names of key staff and contact details of other parties including the Project Supervisor as defined in the Safety Health and Welfare at Work (Construction) Regulations 2001 (As amended), Checking Team, Checker;
- 1.11 details of the particular arrangements related to the Designer's obligations under the Safety Health and Welfare at Work (Construction) Regulations 2001 (As amended);
- 1.12 the liaison, document control and reporting arrangements with the PPP Co, the Contractor, the Authority's Representative, Relevant Authorities, Relevant Persons and other Interested Parties;
- 1.13 measures for reporting and dealing with the identification of non-conforming work or on-Site problems;
- 1.14 arrangements for recording and reporting to the PPP Co the occurrence of any matter which constitutes or may constitute a breach by the PPP Co under this Agreement;
- 1.15 programme of the Designer's work and arrangements for monitoring and reporting progress of its own work and the work of the Contractor;
- 1.16 details of quality and environmental record requirements including retention times in accordance with [[Clause 23 - Schedule] and [Clause 24 – Schedule]](Reports and

Records) of the Agreement;

- 1.17 details of the person with defined authority for establishing, maintaining and reporting on the Designer's Quality and Environmental Documentation forming part of the Quality and Environmental Management System;
- 1.18 details of the particular key reference documents, standards and performance and Design input criteria;
- 1.19 details of the method for controlling changes and modifications to the Designer's Quality Documentation;
- 1.20 arrangements for interfacing with the PPP Co Contractor, the Checker, the Operator and all other relevant parties in connection with the Project;
- 1.21 quality control arrangements for monitoring the work and testing undertaken by others, which shall include Hold Points, Witness Points and measures for carrying out the supervision of the Works, reviewing of examinations, issuing of Certificates, the observation of testing and the reporting of the results;
- 1.22 the arrangements for the procurement and control of subconsultants or subcontractors, including the requirements for the preparation and submission of Quality Documentation and records;
- 1.23 the arrangements for the interface with those responsible for archaeological aspects of the [Project Facility] Works; and
- 1.24 any other information to demonstrate how the Designer shall meet its obligations under the Design Contract and the Agreement or otherwise in respect of the Project

QUALITY AND ENVIRONMENTAL MANAGEMENT

ANNEX 4 TO PART 1

Quality and Environmental Documentation for the Checker

- 1 The quality and environmental documentation for the checker shall include a quality plan which follows ISO 10005 and shall describe how the obligations of the checker under the design check contract and any other activities of the checker in respect of the project, including supervision of the works or other services, shall be performed. Such quality documentation shall include:
 - 1.1 details of the scope of services and the quality Certificates, reports and other deliverables to be provided and target dates for delivery of the same;
 - 1.2 a Quality Manual describing how the Quality Documentation for the Checker forming part of the Quality and Environmental Management System shall meet the requirements of Clause 22 on Site and in the Design check office;
 - 1.3 a list of the written procedures to be followed in the Design check office and on Site to ensure the effective management of the activities to be performed by the Checker, including details of any amendments required to its corporate procedures to allow it to

- comply with the requirements of the Agreement;
- 1.4 any written Project specific procedures which shall be followed;
 - 1.5 details of the Checker's main contractual arrangements, including subconsultants and a list of the related Quality Documentation;
 - 1.6 details of the Checker's organisational structures, staffing and lines of communication both for the Design check office and on Site;
 - 1.7 work descriptions for key staff including responsibilities and the specific experience required for those positions. A copy of the curriculum vitae for each individual shall be separately submitted on that individual's appointment;
 - 1.8 the arrangements for the Checker's quality control of its work including Hold Points and Witness Points both for the Design check office and on Site, including Design check review or verification plans or a list of inspection and test plans as relevant;
 - 1.9 the arrangements, including timing and scope, for auditing and management review of the Quality and Environment Documentation for the Checker including Checker's Staff and its sub-consultants' activities;
 - 1.10 names of key staff and contact details of other parties;
 - 1.11 details of the particular arrangements related to the Checker's obligations under the Safety Health and Welfare at Work (Construction) Regulations 2001 (As amended);
 - 1.12 the liaison, document control and reporting arrangements with the PPP Co, the Contractor, the Authority's Representative, Relevant Authorities, Relevant Persons and other Interested Parties;
 - 1.13 measures for reporting and dealing with the identification of non-conforming work or on-Site problems;
 - 1.14 arrangements for recording and reporting to the PPP Co the occurrence of any other matter which constitutes or may constitute a breach by the PPP Co under this Agreement;
 - 1.15 programme of the Checker's work and arrangements for monitoring and reporting progress of its own work;
 - 1.16 details of quality and environmental record requirements including retention times in accordance with [[Clause 23 - Schedule] and [Clause 24 – Schedule]] (Reports and Records) of the Agreement;
 - 1.17 details of the person with defined authority for establishing, maintaining and reporting on the Checker's Quality and Environmental Documentation forming part of the Quality and Environmental Management System;
 - 1.18 details of the particular key reference documents, standards and performance and Design check input criteria;
 - 1.19 details of the method for controlling changes and modifications to the Checker's Quality Documentation;
 - 1.20 arrangements for interfacing with the PPP Co Contractor, the Designer, the Operator and

all other relevant parties in connection with the Project;

- 1.21 quality control arrangements for monitoring the work and testing undertaken by others, which shall include Hold Points, Witness Points and measures for carrying out the supervision of the Works, reviewing of examinations, issuing of Certificates, the observation of testing and the reporting of the results;
- 1.22 the arrangements for the procurement and control of sub-consultants or subcontractors, including the requirements for the preparation and submission of Quality Documentation and records;
- 1.23 any other information to demonstrate how the Checker shall meet its obligations under the Design check Contract and the Agreement or otherwise in respect of the Project;

QUALITY AND ENVIRONMENTAL MANAGEMENT

ANNEX 5 TO PART 1

Quality and Environmental Documentation for the Operator

- 1 The quality documentation for the operator shall include a quality plan which follows ISO 10005, shall cover the requirements of the relevant part of BS en ISO 9000, and shall describe how the obligations of the operator under the O&M contract and any other activities of the operator shall be performed. Such quality documentation shall include:
 - 1.1 the written quality procedures which shall be followed;
 - 1.2 a Quality Manual describing how the Operator's Quality and Environmental Documentation forming part of the Quality and Environmental Management System meets the requirements of Clause 22 (Quality & Environmental Management);
 - 1.3 details of the scope of services and the quality Certificates, reports and other deliverables to be provided, including target dates for delivery of the same;
 - 1.4 a list of the written procedures and method statements, work instructions and the operation and maintenance manual which shall be followed to ensure the effective management of the activities to be undertaken by the Operator in respect of the Project. This shall include a programme for submission of these items which shall allow for their submission to the Authority's Representative in accordance with the Certification Procedure prior to commencement of the relevant activity;
 - 1.5 details of the Operator's organisational structure and lines of communication;
 - 1.6 details of the Operator's main contractual arrangements including subcontractors and suppliers and a list of its Quality Documentation;
 - 1.7 the arrangements for quality control of the Operator's work including where applicable Hold Points, Witness Points and testing arrangements and a list of inspection and test plans or like items;
 - 1.8 the arrangements for quality control of the work of others including Hold Points and testing arrangements, including a list of inspection and test plans or like items and

- identifying the proforma and/or databases that shall be used for recording the inspection and test results and the certification of compliance by authorised key personnel;
- 1.9 work descriptions of key [Project Facility] Staff including responsibilities and the specific experience required for those positions. A copy of the curriculum vitae for each individual shall be separately submitted to the Authority's Representative on the individual's appointment;
 - 1.10 details of the person with defined authority for establishing, maintaining and reporting on the Operator's Quality and Environmental Documentation forming part of the Quality and Environmental Management System;
 - 1.11 details of the staff reporting to the person with defined authority for reporting on the Operator's Quality and Environmental Documentation;
 - 1.12 the liaison, document control and reporting arrangements with the PPP Co, Authority's Representative, Relevant Authorities, Relevant Persons and other Interested Parties, including arrangements to allow the Authority's Representative to designate specific or random Witness Points;
 - 1.13 particular arrangements for dealing with comments/complaints received from Users and others;
 - 1.14 particular arrangements for monitoring and reporting performance;
 - 1.15 the arrangements, including timing and scope, for auditing and management review of the Operator's Quality and Environmental Documentation including the Operator's Staff, employees own and its Sub-contractors activities;
 - 1.16 interfacing arrangements with the Contractor during the Construction of the Works;
 - 1.17 arrangements for servicing and statistical control;
 - 1.18 particular arrangements for handling, storage, packaging, preservation and delivery of materials, documents, drawings or data to be used in respect of the Project;
 - 1.19 details of the Quality Documentation for the Operator's subcontractors and suppliers which provide for:
 - 1.19.1 the quality requirements and objectives to be achieved including quality and environmental records;
 - 1.19.2 the specific allocation of responsibilities and authority during the different phases of the Project;
 - 1.19.3 the specific procedures, methods and work instructions that shall be applied;
 - 1.19.4 suitable testing, inspection, examination, supervision and audit programmes at relevant stages of the Project;
 - 1.19.5 the method for changes and modifications in the Quality Documentation; and
 - 1.19.6 other measures necessary to meet quality and environmental requirements and objectives;
 - 1.20 arrangements for contract review;

- 1.21 arrangements for the procurement of services, materials and products and control of subcontractors and suppliers;
- 1.22 arrangements for reporting, review and disposition of nonconforming work or products;
- 1.23 arrangements for recording and reporting to the PPP Co the occurrence of any matter which constitutes or may constitute a breach by the PPP Co under this Agreement;
- 1.24 arrangements for corrective and preventive action reporting;
- 1.25 arrangements for listing and retaining quality and environmental records;
- 1.26 details of the method for controlling changes and modifications to the Operator's Quality Documentation;
- 1.27 health and safety arrangements, including any obligation under the Safety, Health and Welfare at Work (Construction) Regulations 2001 (As amended); and
- 1.28 any other information to demonstrate how the Operator shall meet the requirements imposed by the O&M Contract and the Agreement or otherwise in respect of the Project.

QUALITY AND ENVIRONMENTAL MANAGEMENT

ANNEX 6 TO PART 1

Other Quality and Environmental Documentation

- 1 The quality and environmental documentation for any other party carrying out any of the works or operations, shall include a quality manual and quality plan, which shall cover the requirements of Clause 22 (Quality & Environmental Management) and shall describe how the obligations of such party in respect of the activities to be performed by that party in respect of the project shall be performed to ensure compliance with the requirements of the agreement. Such quality documentation shall include:
 - 1.1 the Quality and Environmental requirements objectives to be achieved;
 - 1.2 details of the specific allocation of responsibilities and authority including organisation structures and lines of communication;
 - 1.3 details of the arrangements for quality control, including testing arrangements and Hold Points and Witness Points;
 - 1.4 the liaison, document control and reporting arrangements with the Authority's Representative, Relevant Authorities, Relevant Persons or other Interested Parties during the different phases of the Project;
 - 1.5 details of the particular written procedures, methods and work instructions that shall be applied;
 - 1.6 the arrangements for the procurement and control of subcontractors, including the requirements for the preparation and submission of Quality Documentation and records;
 - 1.7 details of the method for controlling changes and modifications to the Quality

Documentation; and

- 1.8 any other information to demonstrate how such party shall meet the requirements imposed by its contract and the Agreement or otherwise in respect of the Project.

QUALITY AND ENVIRONMENTAL MANAGEMENT

ANNEX 7 TO PART 1

Environmental Documentation

- 1 The quality and environmental documentation referred to within Clause 22 (Quality & Environmental Management) and annexes 1 to 7 inclusive of this part 1 shall include for the provision of environmental documentation as follows:
- 1.1 the names, roles, responsibilities and authority of the key personnel that shall be employed in the environmental management of the Works and the Operations including the line of command and communication links between all parties involved in the delivery of the Works and the Operations by the PPP Co in accordance with the Agreement;
- 1.2 a description of the arrangements for the interface with the PPP Co, its Sub-contractors and the personnel associated with the environmental documentation and other personnel associated with and identified in the other parts of the PPP Co's Quality and Environmental Management System;
- 1.3 a description of the arrangements for the interface with the Authority's Representative associated with and identified in the other parts of the PPP Co's Quality and Environmental Management System;
- 1.4 documented procedures including method statements which shall apply to secure but not be limited to the following:
- 1.4.1 the effective environmental management of Works and Operations in accordance with the other provisions of the Agreement including but not limited to:
- (a) the development of an environmental policy;
 - (b) the identification of environmental aspects, objectives, targets, programmes, training and communication requirements;
 - (c) the production of method statements to address operational control and emergency responses;
 - (d) the development of procedures relation to environmental checking and corrective action;
 - (e) the establishment of a register of relevant Legal Requirements; and
 - (f) procedures to address any other requirements of BS EN ISO 14001 and the Agreement that shall not have been addressed into the parts of the PPP Co's Quality and Environmental Management System;
- 1.4.2 procurement of all activities that shall be required in respect of the environmental management of the operations including but not limited to:

- (a) arrangements for liaison and meetings with sub-contractors, sub-consultants, the Authority's Representative and all third parties including Relevant Authorities, Relevant Persons and other Interested Parties;
 - (b) arrangements for the control of personnel selection which shall be based on consideration of skill care qualifications training and experience; and
 - (c) the identification of the person(s) responsible for the initiation maintenance and upgrading of the environmental documentation during Contract Period including;
 - (i) the person(s) responsible for monitoring compliance with the PPP Co's Quality and Environmental Management Plan;
 - (ii) the person(s) responsible for the adequacy of the environmental records produced; and
 - (iii) the person(s) responsible for document control which shall be ensured by method statements and documented procedures showing the identification and traceability of documents and on document issues and status and shall also include but not be limited to the control of documents recording the verification review approval consent to the release in respect of the Works and the Operations;
- 1.4.3 provision to the Authority's Representative at the various times required by the Agreement of all information and records in respect of the environmental management of the Works and Operations;
- 2 The provision of any other item that may be brought to the attention of the PPP Co by the Authority's Representative and which as a result shall be incorporated into the PPP Co's Quality and Environmental Management Plan.

QUALITY AND ENVIRONMENTAL MANAGEMENT

PART 2

Quality Documentation

1. The quality documentation attached here shall be current at the date of agreement, and shall clearly identify those items of quality documentation that shall be submitted in accordance with the certification procedure.

ACCOMMODATION CONTRACT DRAFTING

[●].3 Quality Assurance

[●].3.1 The Operator will establish and implement to the reasonable satisfaction of the Minister's Contract Manager, quality assurance procedures, including procedures for establishing quality assurance systems for itself, its Sub-Contractors and the Professional Team.

[●].3.2 The quality assurance procedures referred to in Clause [●].3.1. above shall be reflected in appropriate quality plans, the standard of which shall be consistent with

the appropriate ISO 9000 standard (as the case may be) or any equivalent standard which is generally recognised as having replaced them (or either of them).

[●].3.3 The Minister's Contract Manager may carry out audits of the Operator's quality assurance procedures at approximate intervals of three ([●]) months and may carry out other periodic monitoring spot checks and auditing of the Operator's quality assurance procedures. The Operator shall procure that the Minister's Contract Manager shall have a like right in respect of the Building Contract and the FM Contract. The Operator shall co-operate and shall procure that any Sub-Contractor co-operates with the Minister's Contract Manager in connection with his rights under this Clause [●].3.

CROSS REFERENCES

This clause is referred to in the following clause of the Compendium:

- Clause 3 (Effectiveness of this Agreement)

This clause is relevant to in the following entries in the Risk Matrix:

- Clause A6 (Environmental Impact)
- Clause B1 (Information Quality)
- Clause B2 (Design Standards)
- Clause D9 (Environmental Performance)