



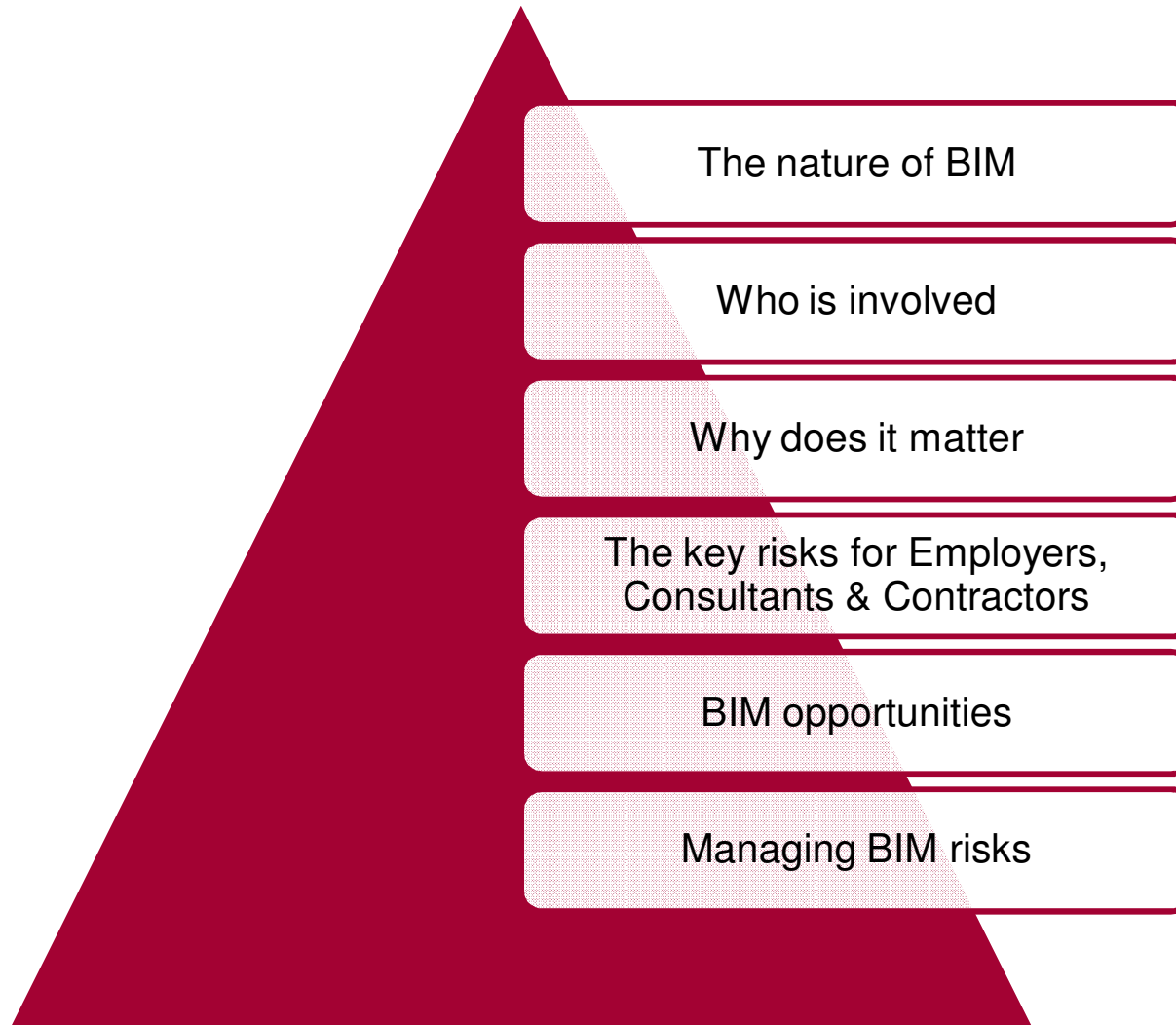
Pinsent Masons

**WHO DARES, BIMs or  
Handling BIM Risk in Hong Kong**

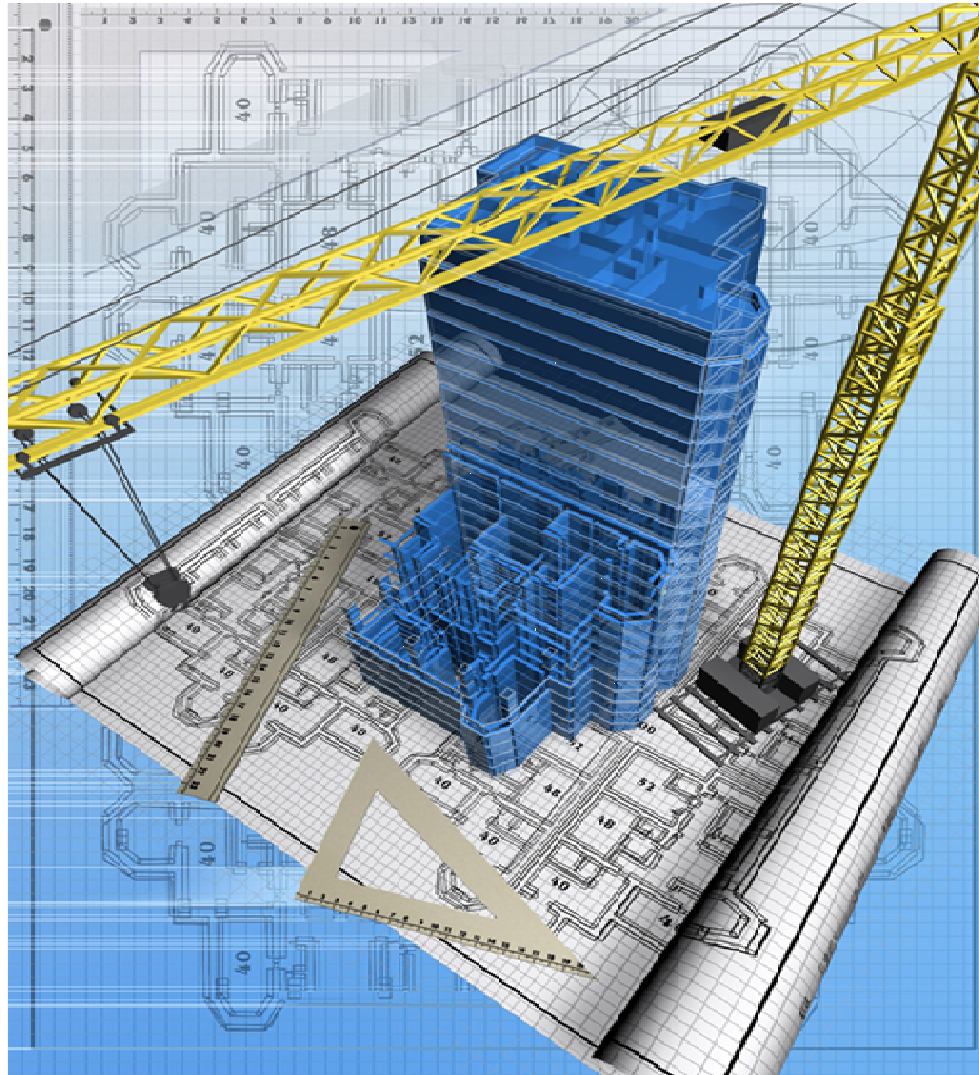
The Chartered Institution of Civil  
Engineering Surveyors  
31 July 2013



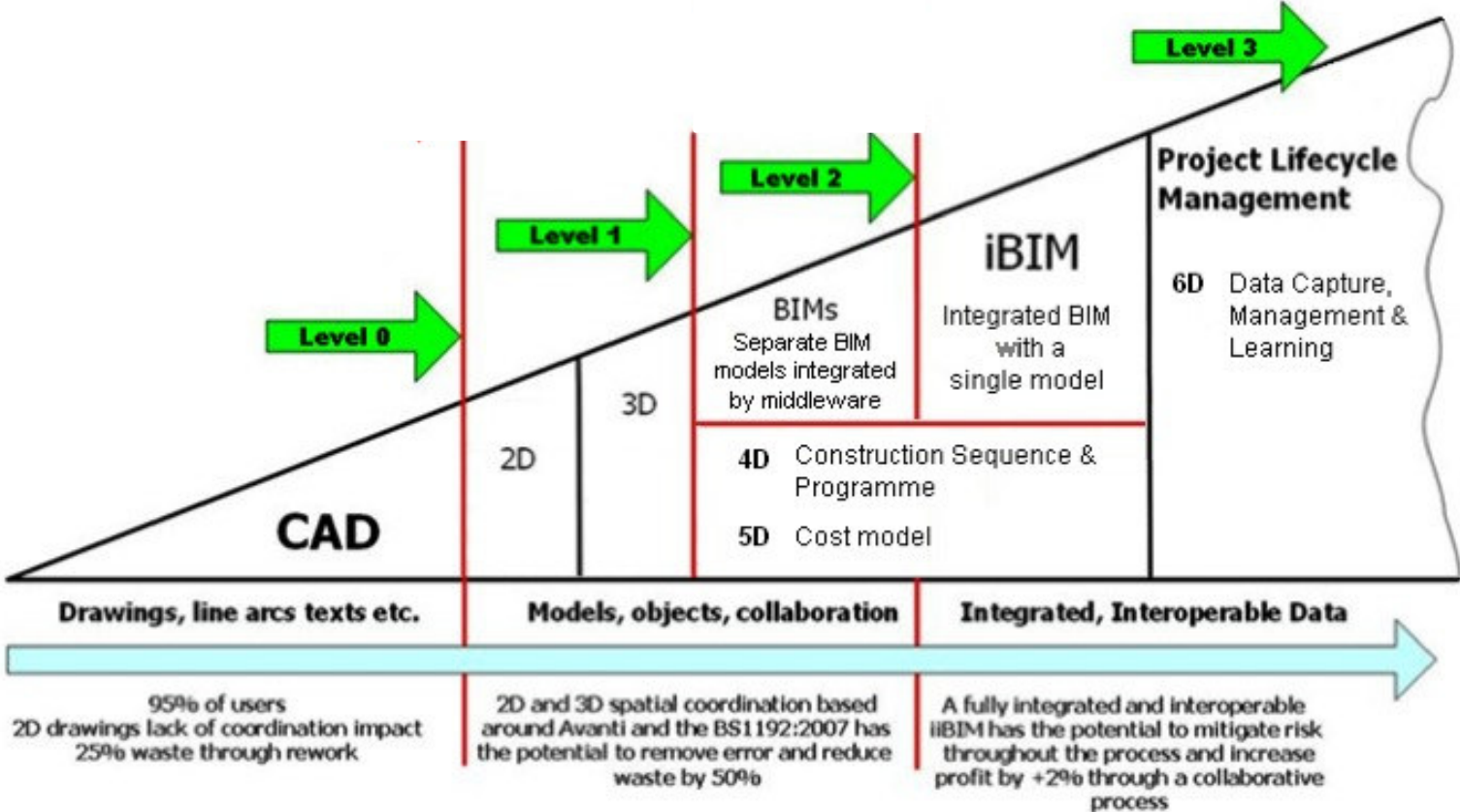
# Who Dares, BIMs



# What is BIM?

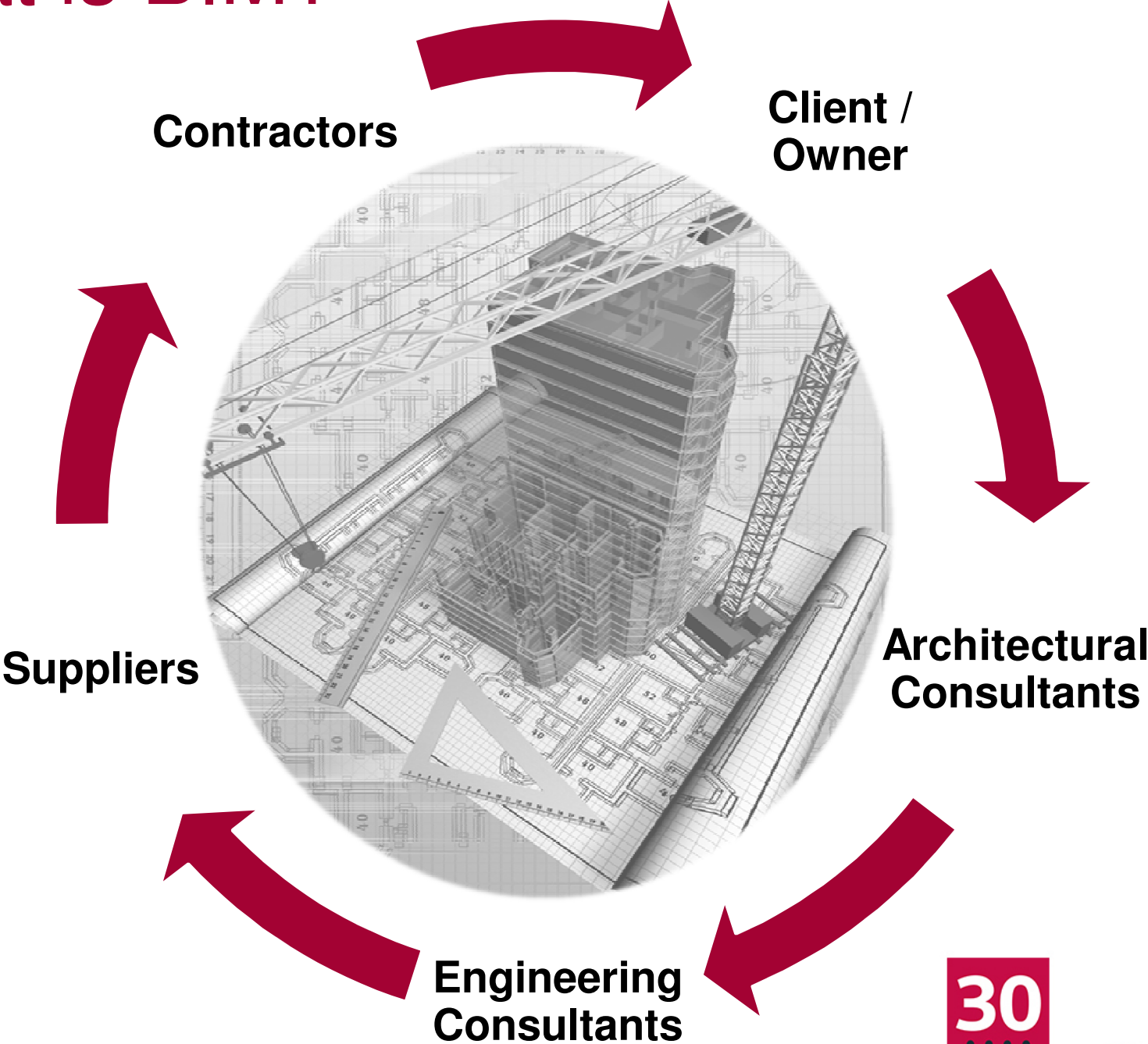


# What is BIM?



Based on a diagram created by Mark Bew of BuildingSmart and Mervyn Richards of CPIC (2008)

# What is BIM?



# What is BIM?

## Purposes

- Tender
- D&B
- O&M

## Misconceptions

- BIM is not just about the number of dimensions
- BIM is not a visual model

# Who BIMs?

Public Sector – aspiration

Private Sector – progress

Supporting BIM

- HKIBIM
- buildingSMART
- CIC
- HKCA: Vision 2020

International adoption

# Why get involved in BIM?

## Challenges for infrastructure sector

- Keen competition
- Increasingly sophisticated projects
- Shorter times to complete

## BIM is a technological solution

- Increase efficiency
- Manage projects: costs and time
- Develop brand value



# Why get involved in BIM?

Some differing perspectives among contracting parties:

- Employers
- Consultants
- Contractors

Key drivers for BIM adoption

Different perspectives among leading countries

# BIM between Employer & Consultant

Duty of Care

Ownership

Intellectual Property

Insurance

# BIM: Consultants and Sub-Consultants

Professional terms of engagement

Information and reliance

Different BIM models

Duplication and the risk of ambiguity

# BIM: Employer and Contractors

Design Responsibility

Standard of care

Model Uptime

Information & Reliance

Coordination & Amendment of the BIM

# BIM: Consultants and Contractors

Information & Reliance

Types of Information

Responsibility for inputs

# BIM: Employer and Contractors



# BIM: Employer and Contractors

## Issues

- Design obligation
- Risk of being in control of the BIM
- Safety in relying on others' information
- Resolving conflicts and clashes
- For how long does the duty to check endure?

# BIM: Third Party/Contractors/Employer





# BIM: Third Party/Contractors/Employer

## Issues

- Liability to the Employer
- Liability to the purchasers

## Third Party liability post-BIM

- *Hedley Byrne v Heller & Partners*
- *D&F Estates v Church Commissioners*
- *Robinson v PE Jones*

# Realising BIM Opportunities

## Embrace the change

- Plan the BIM Transition
- Identify existing BIM obligations

## Seize the chance

- Reduce costs & Increase efficiency
- Deliver projects on time and on budget
- Practice using the BIM process

## Differentiate yourself

- New BIM capabilities
- New client expectations
- New added value

# Handling BIM Risks





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