

<b>Title</b>	<b>Demonstrate knowledge of engineering contract law and documentation</b>		
<b>Level</b>	<b>6</b>	<b>Credits</b>	<b>4</b>

<b>Purpose</b>	People credited with this unit standard are able to demonstrate knowledge of: the law of contract as it applies to engineering works; the elements of formal contract documents for engineering works; and systems and types of contracts for engineering works.
----------------	--

<b>Classification</b>	Engineering > Generic Engineering
-----------------------	-----------------------------------

<b>Available grade</b>	Achieved
------------------------	----------

---

### Guidance Information

- 1 This unit standard is for technician engineers and recognises the acquisition of knowledge; it does not require those seeking credit to demonstrate competence in the application of this knowledge to a range of engineering contexts and situations.
- 2 Reference documents and standards relevant to this unit standard include: NZS 3910:2013 *Conditions of contract for building and civil engineering construction*. References also include civil law case reports such as: *Donahue versus Stephenson*, and *Carlill versus Carbolic Smokeball Company*.
- 3 The following note shall apply to the performance of all outcomes in this unit standard:  
all activities must comply with any policies, procedures, and requirements of the organisations involved; the ethical codes and standards relevant to professional bodies; and any relevant cultural, legislative and/or regulatory requirements, which may include but are not limited to: the Treaty of Waitangi, Health and Safety at Work Act 2015, Resource Management Act 1991, Building Act 2004, Copyright Act 1994, Contracts Enforcement Act 1956, Contracts (Privity) Act 1982, and their subsequent amendments and regulations.

---

### Outcomes and performance criteria

#### Outcome 1

Demonstrate knowledge of the law of contract as it applies to engineering works.

**Performance criteria**

1.1 The description establishes the essential components required to form a legally binding contract.

Range offer, acceptance, reward, performance, legal capabilities of parties, specific agreements, legal objectives and outcomes.

**Outcome 2**

Demonstrate knowledge of the elements of formal contract documents for engineering works.

**Performance criteria**

2.1 The description outlines elements of general conditions of contract as identified in the table of contents for NZS 3910:2003.

2.2 The description outlines the documents that are essential elements of a formal contract for engineering works.

Range documents include those relating to – conditions of tendering, the tender, the letter of acceptance, general conditions of contract, special conditions of contract, specifications, drawings, schedule of prices.

**Outcome 3**

Demonstrate knowledge of systems and types of contracts for engineering works.

**Performance criteria**

3.1 The description outlines systems of contracts as they relate to engineering works.

Range fixed-price, cost-reimbursable, design-and-build.

3.2 The description outlines types of contracts as they relate to engineering works.

Range lump-sum, schedule of quantities, schedule of rates, cost-plus percentage, cost-plus-fixed fee, cost-plus fluctuating fee.

---

**This unit standard is expiring. Assessment against the standard must take place by the last date for assessment set out below.**

**Status information and last date for assessment for superseded versions**

Process	Version	Date	Last Date for Assessment
Registration	1	24 February 1998	31 December 2020
Revision	2	7 June 2000	31 December 2020
Revision	3	19 February 2004	31 December 2020
Revision	4	14 July 2005	31 December 2020
Rollover and Revision	5	18 December 2006	31 December 2020
Review	6	24 January 2019	31 December 2020

**Consent and Moderation Requirements (CMR) reference**

0101

This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.