

<b>Title</b>	<b>Demonstrate knowledge of conditions of contract and tendering in procurement</b>		
<b>Level</b>	<b>6</b>	<b>Credits</b>	<b>15</b>

<b>Purpose</b>	<p>This unit standard is for procurement practitioners who are seeking to demonstrate competence in conditions of contract and tendering.</p> <p>People credited with this unit standard are able to demonstrate knowledge of: general conditions of contract; special conditions of contract; and conditions of tendering in accordance with government procurement requirements.</p>
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<b>Classification</b>	Infrastructure Civil Engineering > Infrastructure Asset Management
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<b>Available grade</b>	Achieved
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**Guidance Information**

- All evidence for this unit standard must be in accordance with current editions of the following manuals, New Zealand Standards and principles:

*Principles of Government Procurement* (Ministry of Business, Innovation and Employment, 2012) available online at <http://www.business.govt.nz/procurement/for-agencies/key-guidance-for-agencies/principles-rules-and-the-law>

*Government Rules of Sourcing* (Ministry of Business, Innovation and Employment, 2014) available online at <http://www.business.govt.nz/procurement/pdf-library/agencies/rules-of-sourcing/government-rules-of-sourcing-April-2013.pdf>

*Procurement manual for activities funded through the National Land Transport Programme* (New Zealand Transport Agency, 2009), available online at <http://www.nzta.govt.nz/resources/procurement-manual/> (Appendix I contains a list of references);

New Zealand Standards NZS 3910:2013 *Conditions of contract for building and civil engineering construction*; NZS 3915:2005, *Conditions of contract for building and civil engineering construction (where no person is appointed to act as engineer to the contract)*, NZS 3916:2013 *Conditions of contract for building and civil engineering – Design and construct*, NZS 3917:2013 *Conditions of contract – Fixed Term*. New Zealand Standards are available online from Standards New Zealand at [www.standards.co.nz](http://www.standards.co.nz);

NEC Contracts. This international standard form includes a suite of standard contracts covering both construction and professional services. The NEC contracts are designed to support a more collaborative approach to procurement than is the

case with more traditional standard forms. NEC standards are available online from: <http://www.neccontract.com>;

FIDIC Contracts. The International Federation of Consulting Engineers includes a suite of standard contracts covering both construction and professional services.

FIDIC contracts are available online from: <http://fidic.org/bookshop>;

*Conditions of contract for consultancy services*. 3<sup>rd</sup> edition (2009) available from The Association of Consulting Engineers New Zealand (ACENZ), PO Box 10247, Wellington 6143, Telephone 04 472 1202, Fax 04 473 3814 or online at - [https://www.ipenz.org.nz/IPENZ/Engineering\\_Practice/endorsed\\_info/CCCS3edFINA L.pdf](https://www.ipenz.org.nz/IPENZ/Engineering_Practice/endorsed_info/CCCS3edFINA L.pdf).

## 2 Definition

*General conditions of contract* are those specified in the First Schedule of NZS 3910:2013.

3 The scope of conditions of contract referred to in this unit standard extends from the time of inception until tenders are awarded. It does not include the conditions once the contract has been awarded.

4 Assessment will be made on the basis of evidence of demonstrated performance in actual work situations.

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## Outcomes and performance criteria

### Outcome 1

Demonstrate knowledge of general conditions of contract in accordance with government procurement requirements.

### Performance criteria

1.1 General conditions of contract are identified and described.

Range may include but is not limited to - NZS 3910:2013, NZS 3915:2005, NEC, FIDIC, conditions of contract for consultancy services; evidence of two different general conditions of contract are required.

1.2 The use of general conditions of contract by a particular tendering authority is described.

1.3 The contract is described in accordance with general conditions of contract.

Range includes but is not limited to types of contract – lump sum, measure and value, cost reimbursement; evidence of contract documents.

1.4 Performance bonds, subcontracts, and general obligations are described in accordance with general conditions of contract.

- 1.5 The powers and responsibilities of the engineer and the principal's representative are described in accordance with general conditions of contract.
- 1.6 Indemnity, insurance, and defects liability are described in accordance with general conditions of contract.
- Range includes but is not limited to – type, amount, warranties.
- 1.7 Variations, time for completion, and payments are described in accordance with general conditions of contract.
- Range includes but is not limited to – procedures for extensions of time, inclement weather.
- 1.8 Disputes, frustration and default are described in accordance with general conditions of contract.

## **Outcome 2**

Demonstrate knowledge of special conditions of contract in accordance with government procurement requirements.

### **Performance criteria**

- 2.1 The differences between general conditions and special conditions are explained in accordance with general conditions of contract.
- 2.2 Special conditions of contract are described in terms of the importance of recording amendments to the general conditions of contract

## **Outcome 3**

Demonstrate knowledge of conditions of tendering in accordance with government procurement requirements.

### **Performance criteria**

- 3.1 The nominated schedules for conditions of tendering are explained in accordance with general conditions of contract.
- 3.2 The consequences of not adhering to the stated conditions, are described in accordance with general conditions of contract.
- 3.3 The conditions of tendering are explained in accordance with general conditions of contract.
- Range includes but is not limited to – health and safety management, environmental management, stakeholder consultation and interaction, traffic management, quality control, client risk, working hours.

**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	22 January 2002	31 December 2011
Review	2	24 September 2003	31 December 2011
Review	3	18 March 2011	31 December 2017
Review	4	19 May 2016	31 December 2022
Review	5	22 October 2020	31 December 2022

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

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