

Title	Form and manage a contract for an infrastructure asset		
Level	6	Credits	8

Purpose	<p>This unit standard is for people who work within the infrastructure asset management sector.</p> <p>People credited with this unit standard are able to: demonstrate knowledge of contracts for infrastructure assets; form a contract for infrastructure assets; and manage the contract for infrastructure assets.</p>
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Classification	Infrastructure Civil Engineering > Infrastructure Asset Management
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Available grade	Achieved
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Guidance Information

- 1 The following requirements apply to this unit standard: the ethical codes and standards relevant to a professional body or bodies; Property Law Act 2007; Illegal Contracts Act 1970; Minors' Contracts Act 1969; Frustrated Contracts Act 1944; Contractual Remedies Act 1979; Contractual Mistakes Act 1977; Health and Safety at Work Act 2015; Local Government Act 2002; Resource Management Act 1991; Hazardous Substances and New Organisms Act 1996; NZS 3910:2013 *Conditions of contract for building and civil engineering construction* (NZS 3910), available from <http://www.standards.co.nz>; and legislative and code requirements which may include but are not limited to: Treaty of Waitangi Act 1975; Building Act 2004; Copyright Act 1994; Health Act 1956; Public Works Act 1981; Construction Contracts Act 2002; Land Transport Management Act 2003; Land Transport Management Amendment Act 2008; Transport (Vehicular Traffic Road Closure) Regulations 1965; *Code of Practice for Temporary Traffic Management* (CoPTTM) produced by NZ Transport Agency, or equivalent specification as required by the road controlling authority on its network; SNZ HB 2002:2003, *Code of Practice for Working in the Road* (Road Opening Code), available from <http://www.standards.co.nz>.
- 2 Assessment against this unit standard must be based on evidence from the workplace context.
- 3 Types of contracts for infrastructure assets may be:
 - a physical, such as for equipment or material supply, operations, new works, and maintenance, or
 - b professional services, such as project management or contract supervision, design, research or investigation, and consultancy or peer review.

4 Definitions

ACENZ/IPENZ refers to the Association of Consulting Engineers New Zealand and to the Institution of Professional Engineers New Zealand.

FIDIC refers to the International Federation of Consulting Engineers.

Infrastructure assets typically refer, but are not limited, to asset groups such as roads and bridges, airports, railways, ports, parks and recreation facilities, water supply systems, stormwater systems, wastewater systems, flood and land drainage systems, solid waste management, telecommunications, energy, and infrastructure buildings and facilities.

Organisational requirements refer to strategies, policies, procedures, and requirements of the candidate's organisation.

Organisation refers to the business entity and can cover a variety of types and forms of organisation, whether profit or non-profit, in private, public, or voluntary sectors, including business units, iwi, and other special purpose bodies.

Outcomes and performance criteria

Outcome 1

Demonstrate knowledge of contracts for infrastructure assets.

Performance criteria

1.1 Elements required for a valid contract for infrastructure assets are identified.

1.2 Factors that may invalidate a contract for infrastructure assets or render it unenforceable are identified.

1.3 General conditions of contract are described in terms of their application to contracts for infrastructure assets.

Range includes but is not limited to – NZS 3910:2013, FIDIC, ACENZ/IPENZ professional services conditions.

1.4 Statutes (and other sources if applicable) are described in terms of their application to contracts for infrastructure assets.

Range Health and Safety in Employment Act 1992; Resource Management Act 1991; Hazardous Substances and New Organisms Act 1996; Local Government Act 2002; and two other sources which may include but are not limited to – Treaty of Waitangi Act 1975, Building Act 2004; Copyright Act 1994; Health Act 1956, Public Works Act 1981; Construction Contracts Act 2002; Transit New Zealand Act 1989; Land Transport Management Amendment Act 2008; Transport (Vehicular Traffic Road Closure) Regulations 1965; CoPTTM, Road Opening Code.

1.5 Procurement methods are explained in terms of relative advantages and disadvantages with contracts for infrastructure assets.

Range design and build, design build operate, design build operate transfer, private public partnership, conventional, supply and install, supply install maintain.

Outcome 2

Form a contract for infrastructure assets.

Performance criteria

- 2.1 Negotiation is conducted in accordance with organisational requirements.
- 2.2 Contract specifies terms of performance and release, specifies service level delivery, includes provisions for contingencies and review, and conforms to organisational and legal requirements.
- 2.3 Contract specifies the cost basis, standards, time, quantity, quality assurance, consultation, and other terms required by the organisation.
- Range other terms may include but are not limited to – finance terms, interest rates, warranty terms, service support.
- 2.4 Contract is signed, documented, and stored and filed in accordance with organisational requirements.

Outcome 3

Manage the contract for infrastructure assets.

Performance criteria

- 3.1 The contract is monitored for conformity to quality, time, and cost performance against contract requirements.
- 3.2 Contract communication is maintained and documented in accordance with organisational requirements.
- 3.3 As required, variations are assessed and processed in terms of the contract provisions.
- 3.4 Payments are assessed and processed in accordance with organisational requirements.
- 3.5 Any non-performance is identified and is processed in accordance with organisational requirements.
- 3.6 Completion procedures are carried out as specified in the contract and in accordance with organisational requirements.

Range may include but is not limited to – maintenance certificate, completion certificate, operational manual, as-built information, release of bond and/or retention, guarantees and/or warranties, producer statement, update of asset management information system.

Replacement information	This unit standard and unit standard 26156 replaced unit 23593.
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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	11 December 2009	31 December 2017
Review	2	19 May 2016	31 December 2022
Review	3	22 October 2020	31 December 2022

Consent and Moderation Requirements (CMR) reference	0101
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This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.