

UNCLASSIFIED**UPDATE**

DATE	28/07/2023
TO	P3910 Committee and nominating organisations
FROM	David Wilkie, Chair – P3910 Conditions of contract committee
SUBJECT	Update on the revision of NZS 3910

PURPOSE OF THIS UPDATE

The purpose of this update is to provide a summary of the progress made by the P3910 committee, which is responsible for the revision of NZS 3910 *Conditions of contract*. Committee members are encouraged to use this update to help inform their nominating organisation about the decisions made regarding this project.

The committee revising NZS 3910 has had 13 meetings to date. Committee meeting 13 consisted of two two-day meetings, which were held in Wellington and Auckland.

It needs to be noted that committee deliberations are confidential. This is to ensure that, among other things, committee members are not subjected to undue pressure and that assumptions are not made by members of the public as to what might be published.

Nominating organisations are also encouraged to provide feedback to their committee member(s) on any proposed changes.

COMPLETED & UPCOMING MILESTONES

The following milestones have been completed:

1. Initiation phase: Completed in February 2022.
2. Development phase: Completed in April 2023 (12 committee meetings took place between February 2022 and April 2023. Four meetings were held in-person (two days each). The remaining eight meetings were held online.
3. Public consultation period: An eight-week public consultation period was completed in July 2023. The first post-public consultation meetings were held Wellington and Auckland.

Upcoming meetings:

1. Committee meeting 14: Online post-public consultation meetings are scheduled for August and September 2023.
2. Ballot phase: The committee is scheduled to ballot on the draft in the second week of September.

PUBLIC CONSULTATION PHASE

Progress made since April 2023

The public consultation phase was held from 9 May till 30 June 2023. Standards New Zealand received 2,274 comments.

The high level of public engagement was welcomed and provided a strong endorsement of the majority of the changes made in the draft as well as valuable feedback to the committee to contemplate whilst finalising the contract.

All comments submitted in the public comment phase are being reviewed by the committee and may result in changes to the standard. So far, the committee has met twice in person. Additional online meetings have been scheduled for August and September for the committee to continue working through the high number of comments and update the draft. Once this phase is finalised, the committee will be invited to vote on the draft during the balloting phase. This phase is scheduled for the beginning of September.

The following decisions were made during the July meetings:

1. Revision of suite NZS 391X

➤ Revision of NZS 3916 & NZS 3917

The committee agreed that these standards must be updated as soon as the new NZS 3910 has been released. The Accord and Te Waihanga/The New Zealand Infrastructure Commission are working through the project commissioner's brief for this revision. Once this review of the brief is completed, Standards New Zealand will develop a proposal regarding time, process, and budget.

➤ Revision of NZS 3915

The revision of this standard will be dealt with separately, as it is very different from NZS 3916 & NZS 3917.

2. Guidelines

The committee clarified the guidelines' purpose and it was agreed that the contract must be able to stand alone. However, a decision was made to proceed with guidelines, albeit with a critical eye so as to keep them to an absolute minimum.

3. Index

A decision was made to keep the index. Adding the index will, however, postpone the standard's publication by at least three weeks. If the publication date is postponed for reasons other than adding the index and this delay would push the publication date into 2024, we will then need to reconsider including the index.

The new NZS 3910 is scheduled to be published later this year.

We would like to thank all the committee members, their nominating organisations, and all the sponsors for their ongoing support.

David Wilkie

Chair – P3910 Conditions of contract committee

Copies to:

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