

# STAFF REPORT

**TO:** Engineering Services Committee

**FROM:** Dugald Ley, Development Engineer

**REFERENCE:** E362

**DATE:** 17 June 2009

**SUBJECT:** **ENGINEERING STANDARDS 2008 – ROLE OF DEVELOPER’S PROFESSIONAL ADVISOR - CLARIFICATION**

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## 1 PURPOSE

This report is to advise the committee of a minor alteration in the interpretation of the Developer’s Professional Advisor (DPA) as set out in the current Tasman District Council Engineering Standards & Policies 2008.

## 2 BACKGROUND

In late 2008 Council approved the implementation of the Engineering Standards & Policies. These standards cover aspects of Council’s infrastructure to the extent of design construction and supervision to ensure that assets meet their full life expectancy.

To achieve successful acceptance by Council of new infrastructure, competent persons with recognised experience and knowledge and supervision of the works are invited to sign a certificate upon completion of works.

Those experienced persons were deemed to be either:

- a A registered professional surveyor – RPSurv; or
- b A chartered professional engineer – CPEng.

The above persons were also to be the “sole point of contact” with Council and to be “on site” to supervise and vet the works for the majority of times.

We have had an application by other individuals who have not attained the above two qualifications but have shown to be experienced and competent at carrying out various tests and works. These individuals can be classed as the DPA’s “representative” and it is likely that these individuals can liaise with Council, supervise and coordinate on site works and report back to the DPA.

Engineering staff are generally satisfied with this arrangement subject to agreed protocols, procedures and general conditions as set out below. These can be elaborated on further if requested by the Committee. However, each case is reviewed by the Engineering Manager. A generic procedure letter will go out to all

Engineering Standards document holders outlining the slight modification to the interpretation of the DPA.

At all times, the objective is to maintain high standards and longevity of Council's infrastructure and this minor modification will not compromise that aim.

Therefore Council is prepared to expand on Section 2 of its Engineering Standards & Policies 2008 to allow for the role of a DPA's representative as set out below:

1. The DPA will be appointed at the start of the project.
2. The DPA may nominate in writing to the Engineering Manager a DPA Representative for the Construction phase of a specific project. The DPA's Representative must be a suitably qualified and competent person not being a body corporate or firm. The Council will not unreasonably withhold the nomination of the DPA's Representative.
3. The DPA shall advise Council of the powers to be vested in the DPA representative for the specific works and / or contracts and these shall include:
  - a) The DPA representative shall be the primary point of contact with Tasman District Council and for all day-to-day work issues.
  - b) The DPA representative shall have the power to make minor variations to the drawings subject to compliance with the TDC Engineering standards, and agreement with Tasman District Council.
  - c) The DPA representative shall be on site for all inspection hold points as required by the works Contracts and by the Tasman District Council.
  - d) In addition to attendance on site for all hold points the DPA representative shall undertake sufficient inspections and tests to satisfy compliance of the Construction works with Tasman District Council Engineering standards.
  - e) The DPA representative shall be authorized to resolve any issues with Tasman District Council on behalf of the DPA.
4. The DPA will attend the initial meeting with Council staff
5. The DPA remains responsible for all matters to be resolved without undue delay.
6. Notwithstanding the powers vested in the DPA's Representative the DPA shall retain full responsibility for all aspects of the work.

7. The DPA shall have all necessary insurance cover as required in the Tasman District Council Engineering Standards & Policies 2008. Such insurance cover shall extend to the DPA representative.
8. The Council reserves the right to escalate any matters to the DPA until all matters are resolved to the satisfaction of Council.

### **3 RECOMMENDATION**

THAT the above report is received.

Dugald Ley  
**Development Engineer**